

**From:** Leslie, Sean GCPE:EX (Sean.Leslie@gov.bc.ca)  
**To:** McKay, Ariana WLRs:EX (Ariana.McKay@gov.bc.ca)  
**Subject:** RE: Response from Ministry of Water, Land and Resource Stewardship  
**Sent:** 07/24/2023 22:43:28  
**Message Body:**

Lord almighty. I told him today you are not available for an interview – hopefully he'll get the message.

Thanks Ariana!  
Sean

**From:** McKay, Ariana WLRs:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Monday, July 24, 2023 3:39 PM  
**To:** Leslie, Sean GCPE:EX <Sean.Leslie@gov.bc.ca>  
**Subject:** FW: Response from Ministry of Water, Land and Resource Stewardship

FYI- and he has also tried to contact me over Facebook which I've ignored

**From:** Mike De Souza <mike@thenarwhal.ca>  
**Sent:** Monday, July 24, 2023 4:30 PM  
**To:** McKay, Ariana WLRs:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** Fwd: Response from Ministry of Water, Land and Resource Stewardship

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi,

I wanted to pass on this email. In my experience of reporting on muzzling of scientists by the Harper government in Ottawa between 2006 and 2015, I often encountered responses from communications staff at ministries who told me that people "were not available," when in reality, they were prevented from speaking to media.

Here is one such report I wrote that you may have seen on the topic of muzzling from 2011:

<https://nationalpost.com/news/canada/scientist-speaks-out-after-finding-record-ozone-hole-over->

You will note that during an interview, the scientist in this case told me: "I'm available when media relations says I'm available."

I'm wondering whether this is also the case for you at this time?

In any event, I'm hoping to get a better understanding of the email you sent to the RDEK regarding the Galloway project so that I can have a better understanding of the issues you raised and ensure I can provide my readers with the full picture.

If you can assist in any way in terms of communicating about the public service you are doing, I would greatly appreciate it.

Thanks very much,

Mike

Begin forwarded message:

**From:** "Leslie, Sean GCPE:EX" <[Sean.Leslie@gov.bc.ca](mailto:Sean.Leslie@gov.bc.ca)>

**Subject: RE: Response from Ministry of Water, Land and Resource Stewardship**

**Date:** July 24, 2023 at 4:50:12 PM EDT

**To:** Mike De Souza <[mike@thenarwhal.ca](mailto:mike@thenarwhal.ca)>

Ariana is not available for an interview.

Thank you.

Sean Leslie

Communications Director

Ministry of Water, Land and Resource Stewardship

(250) 356-8485(o)

(250) 893-4403(m)

**From:** Mike De Souza <[mike@thenarwhal.ca](mailto:mike@thenarwhal.ca)>

**Sent:** Monday, July 24, 2023 11:38 AM

**To:** Leslie, Sean GCPE:EX <[Sean.Leslie@gov.bc.ca](mailto:Sean.Leslie@gov.bc.ca)>

**Subject:** Re: Response from Ministry of Water, Land and Resource Stewardship

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi Sean,

I am mainly waiting on my request to speak with the biologist from WLRS.

Mike

On Jul 24, 2023, at 2:22 PM, Leslie, Sean GCPE:EX <[Sean.Leslie@gov.bc.ca](mailto:Sean.Leslie@gov.bc.ca)> wrote:

Hi Mike, I understand you still have an outstanding request with a few other ministries. What are you looking for from WLRS beyond what's been sent to you already? Thanks.

Sean Leslie

Communications Director

Ministry of Water, Land and Resource Stewardship

(250) 356-8485(o)

(250) 893-4403(m)

**From:** Mike De Souza <[mike@thenarwhal.ca](mailto:mike@thenarwhal.ca)>

**Sent:** Friday, July 21, 2023 6:40 PM

**To:** Leslie, Sean GCPE:EX <[Sean.Leslie@gov.bc.ca](mailto:Sean.Leslie@gov.bc.ca)>

**Cc:** Winterhoff, Thomas GCPE:EX <[Thomas.Winterhoff@gov.bc.ca](mailto:Thomas.Winterhoff@gov.bc.ca)>

**Subject:** Fwd: Response from Ministry of Water, Land and Resource Stewardship

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

?Hello,

I'm a journalist at The Narwhal.

I am resending this message from the morning as I haven't yet received a response from Glen.

Would either of you be able to help?

Thanks very much

Mike De Souza

Managing Editor, The Narwhal

(514)621-0552

Envoyé de mon iPhone / Sent from Mike's iPhone

Begin forwarded message:



**From:** Mike De Souza <mike@thenarwhal.ca>

**Date:** July 21, 2023 at 10:39:15 AM EDT

**To:** "Plummer, Glen GCPE:EX" <Glen.Plummer@gov.bc.ca>

**Subject: Re: Response from Ministry of Water, Land and Resource Stewardship**

?Hello Glen,

You explained on the phone yesterday that your job was to find the appropriate subject matter experts who can respond to queries and I'm having trouble understanding how the email you sent me is consistent with your own definition of your job.

The responses you have sent below appear to provide some background about why a biologist sent an email to the Regional District of East Kootenay on March 29, 2023. This was not what I was asking about, so I'm wondering whether it is possible that you didn't understand the nature of my request.

If I wasn't clear yesterday when we spoke on the phone, I put in a request to speak with biologist Ariana McKay because I was hoping she might help me understand and explain what some general statements in her email actually mean. In my experience, it would be most efficient for me to do this by speaking to her, or another scientist directly, so that I can ask questions and follow up questions to ensure I understand responses. If we are forced to do this through back and forth emails that take hours, days or weeks to complete, it is not likely the most efficient use of our time.

In my opinion, this approach would be particularly problematic if those emails wind up looking like the one you sent below, which appears to be designed to avoid questions and provide as little information as possible.

I was hoping to have a more productive exchange of information and some transparency from the government.

Either way, I don't believe your email demonstrates that it is more efficient, as you claimed yesterday, for me to go through a communications office to get information from the Government of B.C.

Please let me know if you can help. If you are unable to help, please let me know if I can speak to your supervisor.

Thanks very much,

Mike De Souza

Managing Editor, The Narwhal

(514)621-0552

On Jul 20, 2023, at 8:30 PM, Plummer, Glen GCPE:EX <[Glen.Plummer@gov.bc.ca](mailto:Glen.Plummer@gov.bc.ca)> wrote:

Hi Mike,

The following is for background only, not for attribution.

In response to your query:

- Local authorities often reach out to the Province as part of their land use decision making processes, as the regional district did in this instance.
- The Province often provides subject matter expertise on ecosystem values for consideration in decision making.
- Land use decisions within municipal and regional district boundaries are the responsibility of local governments.
- The report referred to in the email was provided by the regional district and questions regarding the report are best directed to the regional district.

Please feel free to contact me if you have any further questions.

Thanks,

Glen

**Glen Plummer**

**Communications Manager**

**Ministry of Water, Land and Resource Stewardship**

**250 952-0559 office**

**250 213-5667 cell**

**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**Subject:** RE: Reporting harms to at-risk Westslope Cutthroat Trout population  
**Sent:** 06/13/2023 14:48:07  
**Attachments:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands).msg, FW: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands).msg, image001.png  
**Message Body:**

Hi Shannon,

This was an RDEK referral. It was submitted previously, then they pulled their application and updated it which included an environmental management plan, then resubmitted. BC Parks shared their comments with us (first email attached). My comments (2<sup>nd</sup> email attached) were fairly simply on this one as I recommended refusal. As a note- I solicited input from the team both times it was referred and did not receive any feedback.

Not sure what the Provincial Government can do to “intervene” but perhaps the complainant will be satisfied in knowing we also noted the high-risk of negative environmental impacts and recommended refusal of the project. What the RDEK does with our comments is beyond our control.

**Ariana McKay, MSc, RPBio**  
**Riparian Management Coordinator & Supervisor**  
**Aquatic Ecosystems Branch**  
**Ministry of Water, Land & Resource Stewardship**  
**250-420-6293**

**From:** White, Shannon WLRS:EX <Shannon.White@gov.bc.ca>  
**Sent:** Monday, June 12, 2023 4:53 PM  
**To:** Davis, Tim WLRS:EX <Tim.Davis@gov.bc.ca>; Murphy, Kristen E WLRS:EX <Kristen.Murphy@gov.bc.ca>; Legebokow, Cory WLRS:EX <Cory.Legebokow@gov.bc.ca>; McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** FW: Reporting harms to at-risk Westslope Cutthroat Trout population

Hi all, Is anyone familiar with this file? If not, any advice on how to track this down?

Thank you!

S

**From:** Turner, Cindy WLRS:EX <[Cindy.Turner@gov.bc.ca](mailto:Cindy.Turner@gov.bc.ca)>  
**Sent:** Monday, June 12, 2023 11:08 AM  
**To:** WLRS Correspondence WLRS:EX <[LWRS.Correspondence@gov.bc.ca](mailto:LWRS.Correspondence@gov.bc.ca)>  
**Cc:** Szkorupa, Tara D WLRS:EX <[Tara.Szkorupa@gov.bc.ca](mailto:Tara.Szkorupa@gov.bc.ca)>; Ng, Trisha WLRS:EX <[Trisha.Ng@gov.bc.ca](mailto:Trisha.Ng@gov.bc.ca)>  
**Subject:** RE: Reporting harms to at-risk Westslope Cutthroat Trout population

Hi Trisha, can you please follow up with Tara to determine who would be assigned an incoming eApproval related to the trout noted below. It would be in the EK area but it you could id who that might be for, that would be appreciated.

Cindy

**From:** WLRS Correspondence WLRS:EX <[LWRS.Correspondence@gov.bc.ca](mailto:LWRS.Correspondence@gov.bc.ca)>  
**Sent:** Monday, June 12, 2023 10:04 AM  
**To:** Turner, Cindy WLRS:EX <[Cindy.Turner@gov.bc.ca](mailto:Cindy.Turner@gov.bc.ca)>  
**Subject:** Reporting harms to at-risk Westslope Cutthroat Trout population

Hi Cindy

Would this fall under SLU-South?

I have a feeling this may swing more into FOR/ENV jurisdiction but want to double check with you before I assign as an ExR.

Thanks,

Katelynn Klugie

A/Team Lead, Correspondence Unit

Office of the Deputy Minister | Ministry of Water, Land and Resource Stewardship

<sup>s.22</sup>  
**From:**  
**Sent:** Sunday, June 11, 2023 6:24 PM  
**To:** Greene.MLA, Kelly LASS:EX <[Kelly.Greene.MLA@leg.bc.ca](mailto:Kelly.Greene.MLA@leg.bc.ca)>; Donnelly.MLA, Fin LASS:EX <[Fin.Donnelly.MLA@leg.bc.ca](mailto:Fin.Donnelly.MLA@leg.bc.ca)>; Minister, WLRS WLRS:EX <[WLRS.Minister@gov.bc.ca](mailto:WLRS.Minister@gov.bc.ca)>; WLRS DMO WLRS:EX <[WLRS.DMO@gov.bc.ca](mailto:WLRS.DMO@gov.bc.ca)>  
**Subject:** Fwd: Reporting harms to at-risk Westslope Cutthroat Trout population

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

(adding Ms. Greene and Mr. Donnelly at different email addresses)

Dear Minister Cullen, Deputy Minister Halls, Mr. Donnelly, and Ms. Greene,

I hope this email finds you well. I am writing to you regarding the Regional District of the East Kootenays' (RDEK's) decision to approve a new luxury housing development in a wildlife corridor in the Elk Valley.

The project, usually referred to as the Galloway Lands, is adjacent to Fernie, B.C. The homes would be built alongside Lizard Creek, a freshwater stream that is home to Westslope Cutthroat Trout.

As a voter, I am dismayed by the Ministry of Water, Land and Resource Stewardship's failure to intervene.

This area has long been known to local hunters and environmental protection groups as a key transit area for grizzlies, moose, deer and other species as they move north-south along the Rocky Mountains. Cutting across political divisions, hundreds of concerned citizens have tried to prevent this project from moving ahead, but the RDEK has overridden local voters in an appalling display of disdain for democratic processes.

Some examples of local residents' concerns:

- a. The RDEK has not obtained necessary environmental permits for the project.
- b. There is a nonhybrid Westslope Cutthroat Trout population within the boundaries of the proposed development -- an at-risk species which the Committee on the Status of Endangered Wildlife in Canada determined to be of special concern. The RDEK has not explained how these trout will be protected, a fact raised by the Ktunaxa Nation and environmental monitoring groups.
- c. The RDEK did not share copies of any environmental studies with local residents, despite multiple requests from community members. There has been no independent or peer review whatsoever.

I am writing to request that the Ministry take immediate action, pausing this project until a proper assessment of its impacts has taken place.

It's also necessary to point out that the RDEK has not handled the matter professionally, failing to follow due process and address potential conflicts of interest as directors pushed the development through. If your office lets this development proceed, you will compound the RDEK's errors in handling this file.

Some of the errors:

1. Many members of the public have tried to raise objections about conflicts of interest within the RDEK. The RDEK has not yet investigated these matters and prevented at least one Fernie resident from entering a related complaint into the public record.
2. The RDEK did not follow basic due process while reviewing the proposal. Some examples from a May 4 hearing in Fernie:
  - a. The hearing was not recorded.
  - b. Speakers were arbitrarily limited to a two-minute time slot despite the option for a longer duration.
  - c. RDEK staff selectively decided whose views to include in the meeting notes. For example, an RDEK staff member refused to record my opposition -- a stance I took on the grounds that due process was not being followed.
3. The RDEK has not obtained necessary community approvals for the project.
  - a. The majority of the local residents who offered feedback to this

development opposed it, and in fact defeated the proposal several months ago. The RDEK approved it on May 12 despite the community's objections -- including that of Fernie's mayor.

s.22 The latter issue seems to arise from local failures to update municipal boundaries, as

Thank you for your attention and for your dedication to public service. I appreciate your thoughtful consideration in your handling of this file.

Sincerely,

s.22



**From:** Money, Dani ENV:EX (Dani.Money@gov.bc.ca)  
**To:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)  
**Sent:** 03/29/2023 16:39:53  
**Attachments:** BC Parks Referral Response: Bylaw No. 3213 and 3214.msg  
**Message Body:**

Thanks Ariana, our response was focused on impact to the park primarily, but we also specially mention long-ranging wildlife species (bears, ungulates). I submitted it on the 23<sup>rd</sup>.

*Dani Money* (she/her)

Planning Section Head, Kootenay, BC Parks / P: (250) 420-6310

~I recognize that I live and work in the traditional territories of Indigenous Peoples. I will tread lightly and with respect.~

**From:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Wednesday, March 29, 2023 10:15 AM  
**To:** Money, Dani ENV:EX <Dani.Money@gov.bc.ca>  
**Subject:** FW: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hey,

I kept it simple- this development would remove functioning habitat therefore we do not support.

**From:** McKay, Ariana WLRS:EX  
**Sent:** Wednesday, March 29, 2023 10:14 AM  
**To:** 'Tracy Van de Wiel' <tvandewiel@rdek.bc.ca>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hey,

Thanks for passing along the report, that was helpful. If it goes forward those measures will need to be adhered to especially having an environmental monitor on site providing updated recommendations and considerations to timing of activities, and ensuring new trails/roads are not developed around the project.

Ministry of Water, Lands & Resource Stewardship does not recommend approval of the project. The project area provides valuable habitat for multiple species and is currently relatively undisturbed; this project would permanently remove functioning habitat. Development in this area would compromise habitat values and would likely displace wildlife. The adjacent areas are altered by cumulative impacts, including the ski hill, forestry, road development, and recreation. This area is likely functioning as a refuge for wildlife from surrounding human impacts. Further development is not recommended given permanent impacts of habitat loss.

Access is one of the most influential factors affecting wildlife and wildlife habitat stewardship; access is currently limited in the vicinity of the project area. Recreation, invasive plant spread, sedimentation, habitat degradation, etc. are associated with increased access. Access to surrounding undeveloped land should remain restricted to protect wildlife and habitat values from the impacts of increased access.

**Ariana McKay** MSc, RPBio

*Habitat Biologist, Kootenay Boundary Region*

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 11:48 AM

**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi,

Here's a link to Cascade's final report:

[https://www.dropbox.com/s/89to6fq9ok5aiyy/221102\\_Galloway%20Lands%20EO%20final\\_230221%20corrected.pdf?dl=0](https://www.dropbox.com/s/89to6fq9ok5aiyy/221102_Galloway%20Lands%20EO%20final_230221%20corrected.pdf?dl=0)

The applicant has agreed that the RDEK can send this out (without an FOI request) to anyone who requests it directly from us. Please don't distribute to anyone outside your agency. If anyone else would like it, please have them email me.

This is really your only opportunity to comment this as an application. If the bylaws are adopted and the development proceeds, presumably the owner will require permission and oversight by you for construction of the proposed bridge across Lizard Creek? If so, please include this in your response to us.

Thanks.

Tracy Van de Wiel

RDEK Planning Technician 2

NOTE: Effective January 1, 2023 a new development application fee schedule will be in effect, which will affect most development application fees and see new fees applied to some services that were previously offered at no charge. Applications submitted by December 31<sup>st</sup>, 2022 will be charged the 2022 fee rate. To view the new fee schedule: [2023 Fee Schedule](#)

**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** Thursday, March 23, 2023 11:33 AM

**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hi!

It's such a huge one... you must have your hands full. Yes, can you please pass along the environmental report? And will we get a chance to review this again as the development progresses?

Cheers,

**Ariana McKay** MSc, RPBio

*Habitat Biologist, Kootenay Boundary Region*

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>  
**Sent:** Thursday, March 23, 2023 10:50 AM  
**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi Ariana,

The highlights in this one are summarized in the first page of our referral form (which is attached to the emails you have from us). It's very easy to read through that first page and if you'd like to review the report by Cascade Environmental that we reference, let us know and we'll send it.

Tracy Van de Wiel

RDEK Planning Technician 2

NOTE: Effective January 1, 2023 a new development application fee schedule will be in effect, which will affect most development application fees and see new fees applied to some services that were previously offered at no charge. Applications submitted by December 31<sup>st</sup>, 2022 will be charged the 2022 fee rate. To view the new fee schedule: [2023 Fee Schedule](#)

**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Sent:** Thursday, March 23, 2023 10:39 AM  
**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hi Tracy,

We remember this one from when it was submitted previously. Do you have info on what changed with their application?

Thanks!

**Ariana McKay** MSc, RPBio

*Habitat Biologist*, Kootenay Boundary Region

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 7:45 AM

**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernie.ca](mailto:derek.cimolini@fernie.ca)>; City of Fernie - Bruce Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoexplains.org](mailto:gary.yablonski@tobaccoexplains.org); [tbrewer@tobaccoexplains.org](mailto:tbrewer@tobaccoexplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>; [liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>; [John.trewhitt@gov.bc.ca](mailto:John.trewhitt@gov.bc.ca)

**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Agency,

This is our last reminder for you to provide your comments on these proposed bylaws. If you would like to provide comments for consideration, **please reply to this email address with your comments prior to Monday, March 27, 2023.** If you would like more information, please request it today. The bylaws are expected to be presented to the Board on April 14, 2023.

You may reply with comments or, if you have no comment and/or no concerns, please reply to let us know this as well.

Thank you!

NOTE: Effective January 1, 2023 a new development application fee schedule will be in effect, which will affect most development application fees and see new fees applied to some services that were previously offered at no charge. Applications submitted by December 31<sup>st</sup>, 2022 will be charged the 2022 fee rate. To view the new fee schedule: [2023 Fee Schedule](#)

**From:** Money, Dani ENV:EX (Dani.Money@gov.bc.ca)

**To:** tvandewiel@rdek.bc.ca

**Subject:** BC Parks Referral Response: Bylaw No. 3213 and 3214

**Sent:** 03/23/2023 20:09:51

**Attachments:** image001.png, image002.png, 20230315 RDEK Bylaw 3213-3214.pdf

**Message Body:**

Good afternoon, please find attached BC Parks? response to the above bylaw applications.

Thank you,

Dani

***Dani Money*** (she/her)

Planning Section Head, Kootenay, Kootenay Okanagan Region

BC Parks, Ministry of Environment and Climate Change Strategy

P: (250) 420-6310 / [Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)

~I recognize that I live and work in the traditional territories of Indigenous Peoples. I will tread lightly and with respect.~

March 23, 2023

**BC Parks Response: RDEK Bylaw 3213 & 3214**

Mount Fernie Provincial Park exists adjacent to this proposed development, as such, BC Parks appreciates the ability to comment on this referral and how its approval may impact the park and its values.

- BC Parks appreciates the efforts of the proponent to confine proposed private homesite development within the subject parcels to south of the unnamed tributary to Lizard Creek indicated on the proposal mapping.
- BC Parks supports the creation of a conservation/recreation parcel at the north end of the property and peripheral to the proposed homesite development area. Values within the proposed 94-hectare parcel are connected to and compliment both conservation and recreation values found Mount Fernie Park. With the proposed transfer and management of those lands to an appropriate conservation group, long-term protection of those lands should be secured, which will help maintain the integrity of Mount Fernie Park and its users.
- This proposal includes development of 90+ private single-family dwellings. This increase in prospective recreation use combined with the closure of existing trails within the proposed homesites area has the potential to increase recreation pressure at Mount Fernie Park. BC Parks suggests the proponent consider developing a trails strategy that integrates with surrounding lands and community recreation partners to help offset any potential recreation pressures.
- Lizard Creek is an important habitat feature and tributary to the Elk River and the Elk Valley. To ensure development occurs in the least impactful way to the creek, its access points and associated wildlife movement corridors BC Parks recommends that services of a Qualified Professional be retained to assess and mitigate impacts of the proposed development if it is approved. This is particularly important for long ranging species like ungulates and Grizzly Bears. BC Parks could provide the name of a qualified local biologist, if the proponent needed.

Thank you for the opportunity to comment,



Dani Money  
Planning Section Head, Kootenay  
Kootenay Okanagan Region, BC Parks



**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** Money, Dani ENV:EX (Dani.Money@gov.bc.ca)  
**Subject:** FW: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)  
**Sent:** 03/29/2023 16:14:43  
**Message Body:**

Hey,

I kept it simple- this development would remove functioning habitat therefore we do not support.

**From:** McKay, Ariana WLRS:EX  
**Sent:** Wednesday, March 29, 2023 10:14 AM  
**To:** 'Tracy Van de Wiel' <tvandewiel@rdek.bc.ca>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hey,

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**Ariana McKay** MSc, RPBio

*Habitat Biologist, Kootenay Boundary Region*

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 11:48 AM

**To:** McKay, Ariana WLRs:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi,

Here's a link to Cascade's final report:

[https://www.dropbox.com/s/89to6fq9ok5aiyy/221102\\_Galloway%20Lands%20EO%20final\\_230221%20corrected.pdf?dl=0](https://www.dropbox.com/s/89to6fq9ok5aiyy/221102_Galloway%20Lands%20EO%20final_230221%20corrected.pdf?dl=0)

The applicant has agreed that the RDEK can send this out (without an FOI request) to anyone who requests it directly from us. Please don't distribute to anyone outside your agency. If anyone else would like it, please have them email me.

This is really your only opportunity to comment this as an application. If the bylaws are adopted and the development proceeds, presumably the owner will require permission and oversight by you for construction of the proposed bridge across Lizard Creek? If so, please include this in your response to us.

Thanks.

Tracy Van de Wiel

RDEK Planning Technician 2

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**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Sent:** Thursday, March 23, 2023 11:33 AM  
**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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Cheers,

**Ariana McKay** MSc, RPBio

*Habitat Biologist*, Kootenay Boundary Region

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>  
**Sent:** Thursday, March 23, 2023 10:50 AM  
**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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Hi Ariana,

The highlights in this one are summarized in the first page of our referral form (which is attached to the emails you have from us). It's very easy to read through that first page and if you'd like to review the report by Cascade Environmental that we reference, let us know and we'll send it.

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**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** Thursday, March 23, 2023 10:39 AM

**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hi Tracy,

We remember this one from when it was submitted previously. Do you have info on what changed with their application?

Thanks!

**Ariana McKay** MSc, RPBio

*Habitat Biologist*, Kootenay Boundary Region

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 7:45 AM

**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernien.ca](mailto:derek.cimolini@fernien.ca)>; City of Fernie - Bruce

Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>;  
Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoplains.org](mailto:gary.yablonski@tobaccoplains.org);  
[tbrewer@tobaccoplains.org](mailto:tbrewer@tobaccoplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>;  
[liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>;  
[John.trewhitt@gov.bc.ca](mailto:John.trewhitt@gov.bc.ca)

**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Agency,

This is our last reminder for you to provide your comments on these proposed bylaws. If you would like to provide comments for consideration, **please reply to this email address with your comments prior to Monday, March 27, 2023.** If you would like more information, please request it today. The bylaws are expected to be presented to the Board on April 14, 2023.

You may reply with comments or, if you have no comment and/or no concerns, please reply to let us know this as well.

Thank you!

Tracy Van de Wiel

RDEK Planning Technician 2

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**From:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**To:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca); Oestreich, Allana WLRS:EX (Allana.Oestreich@gov.bc.ca); Tracy Van de Wiel (tvandewiel@rdek.bc.ca)  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)  
**Sent:** 06/21/2023 14:44:22  
**Message Body:**

Hi, Can anyone help track down the comprehensive communication on this file? Eg this appears to be the reminder for review; I would need the original as well.

Thanks,

Shannon

Shannon White, RPBio

Ecosystems Section Head

**778-520-2683**

Kootenay-Boundary Region

Ministry of Water, Land & Resource Stewardship

**From:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Monday, June 19, 2023 8:58 AM  
**To:** White, Shannon WLRS:EX <Shannon.White@gov.bc.ca>  
**Subject:** FW: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Original referral communications

**From:** Tracy Van de Wiel <tvandewiel@rdek.bc.ca>  
**Sent:** Wednesday, March 29, 2023 12:16 PM  
**To:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Received, thanks Ariana.

Your comments will be provided to the Board of Directors for consideration.

Tracy Van de Wiel

RDEK Planning Technician 2

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**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** Wednesday, March 29, 2023 10:14 AM

**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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Ministry of Water, Land and Resource Stewardship

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**Sent:** Thursday, March 23, 2023 11:48 AM

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Ministry of Water, Land and Resource Stewardship

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**Sent:** Thursday, March 23, 2023 7:45 AM

**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernie.ca](mailto:derek.cimolini@fernie.ca)>; City of Fernie - Bruce Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoplains.org](mailto:gary.yablonski@tobaccoplains.org); [tbrewer@tobaccoplains.org](mailto:tbrewer@tobaccoplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>; [liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>; [John.trewhitt@gov.bc.ca](mailto:John.trewhitt@gov.bc.ca)

**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** Money, Dani ENV:EX (Dani.Money@gov.bc.ca)  
**Cc:** Oestreich, Allana WLRS:EX (Allana.Oestreich@gov.bc.ca)  
**Subject:** RE: Galloway referral  
**Sent:** 03/15/2023 19:57:52  
**Attachments:** image001.png, image002.png  
**Message Body:**

Doesn't look like it's been referred to us yet.

**From:** Money, Dani ENV:EX <Dani.Money@gov.bc.ca>  
**Sent:** March 15, 2023 1:33 PM  
**To:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** RE: Galloway referral

This is a copy of the package, if you missed getting it.

*Dani Money* (she/her)

Planning Section Head, Kootenay, BC Parks / P: (250) 420-6310

~I recognize that I live and work in the traditional territories of Indigenous Peoples. I will tread lightly and with respect.~

**From:** Money, Dani ENV:EX  
**Sent:** March 15, 2023 1:24 PM  
**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** RE: Galloway referral

Yes, it is from the RD. The proponent resubmitted.

*Dani Money* (she/her)

Planning Section Head, Kootenay, BC Parks / P: (250) 420-6310

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**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Sent:** March 15, 2023 1:23 PM  
**To:** Oestreich, Allana WLRS:EX <[Allana.Oestreich@gov.bc.ca](mailto:Allana.Oestreich@gov.bc.ca)>; Money, Dani ENV:EX <[Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)>

**Subject:** RE: Galloway referral

Hi,

Was this a regional district referral? I thought they pulled their application?

**Ariana McKay** MSc, RPBio

*Habitat Biologist*, Kootenay Boundary Region

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Oestreich, Allana WLRS:EX <[Allana.Oestreich@gov.bc.ca](mailto:Allana.Oestreich@gov.bc.ca)>

**Sent:** March 14, 2023 9:46 AM

**To:** Money, Dani ENV:EX <[Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)>; McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: Galloway referral

Hi Dani,

I am not familiar with the Galloway referral you mention. Ariana are you?

Allana Oestreich

Senior Habitat Biologist, Kootenay Boundary Region

Ministry of Water, Land and Resource Stewardship

205 Industrial Rd. G, Cranbrook, BC V1C 7G5

Phone: 250-420-6281

[Allana.Oestreich@gov.bc.ca](mailto:Allana.Oestreich@gov.bc.ca)

**From:** Money, Dani ENV:EX <[Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)>

**Sent:** March 14, 2023 9:06 AM

**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>; Oestreich, Allana WLRS:EX <[Allana.Oestreich@gov.bc.ca](mailto:Allana.Oestreich@gov.bc.ca)>

**Subject:** Galloway referral

Hi Ladies,

Is there someone from your group that is responding to the Galloway lands referral in Fernie? I will be responding (with support from Amanda) from a parks' perspective. Last iteration of the proposal, BC Parks received the referral late (actually from the Fernie Nordic Society (FNS), so I had to request it from the regional district) and FNS provided me a copy of the NRS Wildlife response (that maybe one of you prepared?). It was great for consistency for Amanda and I. I'd like to do the same this time around.

Dani

*Dani Money* (she/her)

Planning Section Head, Kootenay, Kootenay Okanagan Region

BC Parks, Ministry of Environment and Climate Change Strategy

P: (250) 420-6310 / [Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)

~I recognize that I live and work in the traditional territories of Indigenous Peoples. I will tread lightly and with respect.~

**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th  
**Sent:** 06/21/2023 17:10:08  
**Attachments:** image001.png  
**Message Body:**

Hey, I've fwd'd all that's coming up in my email search. I looked at your draft again and added another comment. Let me know if you need anything else.

**From:** White, Shannon WLRS:EX <Shannon.White@gov.bc.ca>  
**Sent:** Wednesday, June 21, 2023 11:02 AM  
**To:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Cc:** Szkorupa, Tara D WLRS:EX <Tara.Szkorupa@gov.bc.ca>; Oestreich, Allana WLRS:EX <Allana.Oestreich@gov.bc.ca>; Ng, Trisha WLRS:EX <Trisha.Ng@gov.bc.ca>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Ariana, Thanks, if there is any other info like this you can forward, I can comb through it. I was wondering about the new submission (bylaw 2313 and 2314) specifically as to whether you had reached out to FOR.

Shannon

Shannon White, RPBio  
Ecosystems Section Head  
**778-520-2683**

Kootenay-Boundary Region  
Ministry of Water, Land & Resource Stewardship

**From:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Wednesday, June 21, 2023 10:53 AM  
**To:** White, Shannon WLRS:EX <Shannon.White@gov.bc.ca>  
**Cc:** Szkorupa, Tara D WLRS:EX <Tara.Szkorupa@gov.bc.ca>; Oestreich, Allana WLRS:EX <Allana.Oestreich@gov.bc.ca>; Ng, Trisha WLRS:EX <Trisha.Ng@gov.bc.ca>  
**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

See below. I did solicit input from FOR. I requested an extension to ensure I had time to incorporate their comments, but did not receive input from FOR either time it was referred (but you

probably don't want to say that in the Minister's note)

**From:** McKay, Ariana FLNR:EX  
**Sent:** Thursday, May 26, 2022 8:24 AM  
**To:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

This timeline is too tight as I haven't heard back from some of our team. This development is significant and we would like to provide comments relating to wildlife & habitat impacts. In the public hearing, please reflect that comments are underway from our group (i.e., please don't say no comments received as this implies lack of concern from our group).

Thanks,

**Ariana McKay** MSc, RPBio

*A/Senior Habitat Biologist*, Kootenay Boundary Region

Ministry of Land, Water and Resource Stewardship

Phone: 250-420-6293

**From:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>  
**Sent:** April 28, 2022 12:36 PM  
**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>  
**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hello Tia,

Referral comments can be received up until the closing of the public hearing. If you provide



comments at the end of May then they will not be part of consideration of first and second reading and staff cannot provide comments on them. Please note that the public hearing will likely be held during the week of May 30. The date is not set yet, I can confirm the date when it is authorized by the Board, but it is best to keep a firm deadline of May 31 in mind when providing comments.

Thank you,

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Sent:** April 28, 2022 10:14 AM

**To:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

Please see Ariana's request below.

Thank you.

Tia Scott-Joe

Administrative Assistant

Ministry of Forests

Resource Management – Kootenay Boundary Region

#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

**From:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** April 27, 2022 2:23 PM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hey there, can we get an extension until the end of May to ensure wildlife bio's have a chance to review?

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Sent:** April 20, 2022 4:28 PM

**To:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Ariana,

Could you please provide comments for the following referral by Friday, May 6<sup>th</sup>, 2022.

Thank you.

Tia Scott-Joe

Administrative Assistant

Ministry of Forests

Resource Management – Kootenay Boundary Region

#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

**From:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Sent:** April 13, 2022 10:57 AM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; [HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca); Rocky Mountain District Development Approvals group TRAN:EX <[RMDdevapp@gov.bc.ca](mailto:RMDdevapp@gov.bc.ca)>; [Rory.Bruce@Telus.com](mailto:Rory.Bruce@Telus.com); [Kelowna.Engineering@Telus.com](mailto:Kelowna.Engineering@Telus.com); XT:Taylor, Nick EDUC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca); Money, Dani ENV:EX <[Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)>

**Cc:** Development Services Manager <[dsmanager@rdek.bc.ca](mailto:dsmanager@rdek.bc.ca)>; Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>; Wall, Kerri <[Kerri.Wall@interiorhealth.ca](mailto:Kerri.Wall@interiorhealth.ca)>

**Subject:** Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Agencies,

On behalf of the Regional District of East Kootenay, please see the attached **second referral** for Bylaws 3102 and 3103 which propose to amend OCP and zone designation of four parcels spanning 185 ha to permit future subdivision. These lands are also known as the Galloway Lands. The parcels are located along Highway 3, directly north of Fernie Alpine Resort. The property is owned by C. H. Nelson Holdings Ltd. Referral responses must be in to RDEK staff by **May 6, 2022**.

The applicant (C.H. Nelson Holdings Ltd) has submitted supplemental information to the RDEK to address areas of concern raised by the Board of Directors at their January meetings. The supplemental information as submitted by the applicant is attached to this referral for your information and review. RDEK staff will be doing a concurrent review of the information and will be preparing updated staff reports and bylaws for presentation at the May Board Meetings. At the meetings, the Board will consider preliminary readings of the Bylaws the and whether or not they will authorize a public hearing.

In order for bylaw responses on behalf of your referral agency to be considered by the Board as part of their decision making process there are important deadlines for when responses must be in to RDEK staff. Referral responses received by May 6<sup>th</sup> will form part of the information at consideration at 1<sup>st</sup> & 2<sup>nd</sup> reading of the Bylaws, prior to authorization of a public hearing.

All inquiries and responses are to be directed to Krista Gilbert, Planning Technician at [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca).

Karen MacLeod

Planning Supervisor

On behalf of

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** Leslie, Sean GCPE:EX (Sean.Leslie@gov.bc.ca)  
**Subject:** RE: Response from Ministry of Water, Land and Resource Stewardship  
**Sent:** 07/24/2023 20:18:18  
**Message Body:**

Hi, no I don't want to as I'm in a different job now anyway. Will keep you in the loop. Thanks!

**From:** Leslie, Sean GCPE:EX <Sean.Leslie@gov.bc.ca>  
**Sent:** Monday, July 24, 2023 2:16 PM  
**To:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** FW: Response from Ministry of Water, Land and Resource Stewardship

Hi Ariana, thanks very much for keeping us in the loop. As Glen is on holiday for the next few weeks, hope you don't mind flagging anything else you get from this reporter for me – please and thank you!

One question – do you want to speak with the reporter?

I'm not sure it's of value for the Ministry to speak further to a controversial local housing development, however, I can check with the DMO and Minister's Office if that's how you'd like to proceed.

Thank you!

Sean Leslie

Communications Director

Ministry of Water, Land and Resource Stewardship

(250) 356-8485(o)

(250) 893-4403(m)

**From:** Plummer, Glen GCPE:EX <Glen.Plummer@gov.bc.ca>  
**Sent:** Monday, July 24, 2023 12:12 PM  
**To:** Leslie, Sean GCPE:EX <Sean.Leslie@gov.bc.ca>  
**Subject:** Fwd: Response from Ministry of Water, Land and Resource Stewardship

FYI

**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Sent:** Monday, July 24, 2023 8:06:03 AM  
**To:** Plummer, Glen GCPE:EX <[Glen.Plummer@gov.bc.ca](mailto:Glen.Plummer@gov.bc.ca)>  
**Subject:** FW: Response from Ministry of Water, Land and Resource Stewardship

FYI

**From:** Mike De Souza <[mike@thenarwhal.ca](mailto:mike@thenarwhal.ca)>  
**Sent:** Thursday, July 20, 2023 9:18 PM  
**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** Fwd: Response from Ministry of Water, Land and Resource Stewardship

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hello,

Thought you might be interested in seeing the response from media relations.

I was hoping to get some information about the scientific evidence at the basis of your email to the RDEK.

Would you by any chance be able to confirm whether they asked you about this, prior to sending the response and is there any chance you might be able to speak to me on Friday about what the science tells us about the Galloway Lands and the potential impacts of the proposed project?

Also, would you know why they declined to say what report you were referring to in your email?

Thanks very much,

Mike

Envoyé de mon iPhone / Sent from Mike's iPhone

Begin forwarded message:

**From:** "Plummer, Glen GCPE:EX" <[Glen.Plummer@gov.bc.ca](mailto:Glen.Plummer@gov.bc.ca)>  
**Date:** July 20, 2023 at 8:30:22 PM EDT  
**To:** [mike@thenarwhal.ca](mailto:mike@thenarwhal.ca)  
**Subject:** Response from Ministry of Water, Land and Resource Stewardship

?

Hi Mike,

The following is for background only, not for attribution.

In response to your query:

1. Local authorities often reach out to the Province as part of their land use decision making processes, as the regional district did in this instance.
2. The Province often provides subject matter expertise on ecosystem values for consideration in decision making.
3. Land use decisions within municipal and regional district boundaries are the responsibility of local governments.
4. The report referred to in the email was provided by the regional district and questions regarding the report are best directed to the regional district.

Please feel free to contact me if you have any further questions.

Thanks,

Glen

**Glen Plummer**

**Communications Manager**

**Ministry of Water, Land and Resource Stewardship**

**250 952-0559 office**

**250 213-5667 cell**



**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**Subject:** FW: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)  
**Sent:** 06/21/2023 17:06:23  
**Message Body:**

It looks like Tia might have emailed you a couple times about this back in March?

**From:** FOR Cranbrook Referrals FOR:EX <FLNRCranbrookReferrals@gov.bc.ca>  
**Sent:** Thursday, March 23, 2023 12:05 PM  
**To:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Awesome.

I did sent Shannon another email, I'll let you know what I hear back. ?😊?

**From:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Thursday, March 23, 2023 9:40 AM  
**To:** FOR Cranbrook Referrals FOR:EX <FLNRCranbrookReferrals@gov.bc.ca>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Thanks, I've been in touch with Tracy ?😊?

**From:** FOR Cranbrook Referrals FOR:EX <FLNRCranbrookReferrals@gov.bc.ca>  
**Sent:** Thursday, March 23, 2023 9:40 AM  
**To:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** FW: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Morning,

Just a reminder from Tracy.

Thanks.

Tia

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 7:45 AM

**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernie.ca](mailto:derek.cimolini@fernie.ca)>; City of Fernie - Bruce Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoplains.org](mailto:gary.yablonski@tobaccoplains.org); [tbrewer@tobaccoplains.org](mailto:tbrewer@tobaccoplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>; [liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>; [John.trewhitt@gov.bc.ca](mailto:John.trewhitt@gov.bc.ca)

**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Agency,

This is our last reminder for you to provide your comments on these proposed bylaws. If you would like to provide comments for consideration, **please reply to this email address with your comments prior to Monday, March 27, 2023.** If you would like more information, please request it today. The bylaws are expected to be presented to the Board on April 14, 2023.

You may reply with comments or, if you have no comment and/or no concerns, please reply to let us know this as well.

Thank you!

Tracy Van de Wiel

RDEK Planning Technician 2

NOTE: Effective January 1, 2023 a new development application fee schedule will be in effect, which will affect most development application fees and see new fees applied to some services that were previously offered at no charge. Applications submitted by December 31<sup>st</sup>, 2022 will be charged the 2022 fee rate. To view the new fee schedule: [2023 Fee Schedule](#)

**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**Cc:** Szkorupa, Tara D WLRS:EX (Tara.Szkorupa@gov.bc.ca); Oestreich, Allana WLRS:EX (Allana.Oestreich@gov.bc.ca); Ng, Trisha WLRS:EX (Trisha.Ng@gov.bc.ca)  
**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th  
**Sent:** 06/21/2023 16:53:15  
**Attachments:** image001.png  
**Message Body:**

See below. I did solicit input from FOR. I requested an extension to ensure I had time to incorporate their comments, but did not receive input from FOR either time it was referred (but you probably don't want to say that in the Minister's note)

**From:** McKay, Ariana FLNR:EX  
**Sent:** Thursday, May 26, 2022 8:24 AM  
**To:** Krista Gilbert <kgilbert@rdek.bc.ca>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

This timeline is too tight as I haven't heard back from some of our team. This development is significant and we would like to provide comments relating to wildlife & habitat impacts. In the public hearing, please reflect that comments are underway from our group (i.e., please don't say no comments received as this implies lack of concern from our group).

Thanks,

**Ariana McKay** MSc, RPBio

*A/Senior Habitat Biologist*, Kootenay Boundary Region

Ministry of Land, Water and Resource Stewardship

Phone: 250-420-6293

**From:** Krista Gilbert <kgilbert@rdek.bc.ca>  
**Sent:** April 28, 2022 12:36 PM  
**To:** FLNR Cranbrook Referrals FLNR:EX <FLNRCranbrookReferrals@gov.bc.ca>  
**Cc:** McKay, Ariana FLNR:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

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Hello Tia,

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Thank you,

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Sent:** April 28, 2022 10:14 AM

**To:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

Please see Ariana's request below.

Thank you.

Tia Scott-Joe

Administrative Assistant

Ministry of Forests

Resource Management – Kootenay Boundary Region

#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

**From:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** April 27, 2022 2:23 PM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

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Hi Ariana,

Could you please provide comments for the following referral by Friday, May 6<sup>th</sup>, 2022.

Thank you.

Tia Scott-Joe

Administrative Assistant

Ministry of Forests

Resource Management – Kootenay Boundary Region

#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

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**Sent:** April 13, 2022 10:57 AM

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**Cc:** Development Services Manager <[dsmanager@rdek.bc.ca](mailto:dsmanager@rdek.bc.ca)>; Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>; Wall, Kerri <[Kerri.Wall@interiorhealth.ca](mailto:Kerri.Wall@interiorhealth.ca)>

**Subject:** Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

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On behalf of the Regional District of East Kootenay, please see the attached **second referral** for Bylaws 3102 and 3103 which propose to amend OCP and zone designation of four parcels spanning 185 ha to permit future subdivision. These lands are also known as the Galloway Lands. The parcels are located along Highway 3, directly north of Fernie Alpine Resort. The property is owned by C. H. Nelson Holdings Ltd. Referral responses must be in to RDEK staff by **May 6, 2022**.

The applicant (C.H. Nelson Holdings Ltd) has submitted supplemental information to the RDEK to address areas of concern raised by the Board of Directors at their January meetings. The supplemental information as submitted by the applicant is attached to this referral for your information and review. RDEK staff will be doing a concurrent review of the information and will be preparing updated staff reports and bylaws for presentation at the May Board Meetings. At the meetings, the Board will consider preliminary readings of the Bylaws the and whether or not they

will authorize a public hearing.

In order for bylaw responses on behalf of your referral agency to be considered by the Board as part of their decision making process there are important deadlines for when responses must be in to RDEK staff. Referral responses received by May 6<sup>th</sup> will form part of the information at consideration at 1<sup>st</sup> & 2<sup>nd</sup> reading of the Bylaws, prior to authorization of a public hearing.

All inquiries and responses are to be directed to Krista Gilbert, Planning Technician at [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca).

Karen MacLeod

Planning Supervisor

On behalf of

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** Chow, Emily FOR:EX (Emily.Chow@gov.bc.ca)

**To:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)

**Subject:** Automatic reply: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**Sent:** 05/27/2022 18:10:53

**Message Body:**

Thank you for your email - I am out of the office until June 13, 2022. I will be happy to respond when I am back in the office.

Please feel free to follow up with me if you don't hear from me when I am back.

Thank you!



**From:** Plummer, Glen GCPE:EX (Glen.Plummer@gov.bc.ca)  
**To:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**Cc:** Leslie, Sean GCPE:EX (Sean.Leslie@gov.bc.ca); Winterhoff, Thomas GCPE:EX (Thomas.Winterhoff@gov.bc.ca); McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca); Wiebe, Heather I WLRS:EX (Heather.Wiebe@gov.bc.ca); Jupp, Sandra WLRS:EX (Sandra.Jupp@gov.bc.ca)  
**Subject:** RE: WLRS Media Request: Galloway Lands Development  
**Sent:** 07/20/2023 19:37:28  
**Message Body:**

Hi Shannon,

I'll make that edit.

Thanks,

Glen

**Glen Plummer**

**Communications Manager**

**Ministry of Water, Land and Resource Stewardship**

**250 952-0559 office**

**250 213-5667 cell**

**From:** White, Shannon WLRS:EX <Shannon.White@gov.bc.ca>  
**Sent:** Thursday, July 20, 2023 12:31 PM  
**To:** Plummer, Glen GCPE:EX <Glen.Plummer@gov.bc.ca>  
**Cc:** Leslie, Sean GCPE:EX <Sean.Leslie@gov.bc.ca>; Winterhoff, Thomas GCPE:EX <Thomas.Winterhoff@gov.bc.ca>; McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>; Wiebe, Heather I WLRS:EX <Heather.Wiebe@gov.bc.ca>; Jupp, Sandra WLRS:EX <Sandra.Jupp@gov.bc.ca>  
**Subject:** RE: WLRS Media Request: Galloway Lands Development

Hi Glen, If not too late, would consider changing to "The Province **can** provide subject matter expertise on ecosystem values for consideration in decision making" (could also say **may** or "**often provides**").

This looks great!

Shannon

Shannon White, RPBio  
Ecosystems Section Head  
**778-520-2683**

Kootenay-Boundary Region  
Ministry of Water, Land & Resource Stewardship

**From:** Plummer, Glen GCPE:EX <[Glen.Plummer@gov.bc.ca](mailto:Glen.Plummer@gov.bc.ca)>  
**Sent:** Thursday, July 20, 2023 1:13 PM  
**To:** Wiebe, Heather I WLRS:EX <[Heather.Wiebe@gov.bc.ca](mailto:Heather.Wiebe@gov.bc.ca)>; White, Shannon WLRS:EX <[Shannon.White@gov.bc.ca](mailto:Shannon.White@gov.bc.ca)>; Jupp, Sandra WLRS:EX <[Sandra.Jupp@gov.bc.ca](mailto:Sandra.Jupp@gov.bc.ca)>  
**Cc:** Leslie, Sean GCPE:EX <[Sean.Leslie@gov.bc.ca](mailto:Sean.Leslie@gov.bc.ca)>; Winterhoff, Thomas GCPE:EX <[Thomas.Winterhoff@gov.bc.ca](mailto:Thomas.Winterhoff@gov.bc.ca)>; McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** RE: WLRS Media Request: Galloway Lands Development

Great, thanks!

**Glen Plummer**  
**Communications Manager**  
**Ministry of Water, Land and Resource Stewardship**  
**250 952-0559 office**  
**250 213-5667 cell**

**From:** Wiebe, Heather I WLRS:EX <[Heather.Wiebe@gov.bc.ca](mailto:Heather.Wiebe@gov.bc.ca)>  
**Sent:** Thursday, July 20, 2023 12:07 PM  
**To:** Plummer, Glen GCPE:EX <[Glen.Plummer@gov.bc.ca](mailto:Glen.Plummer@gov.bc.ca)>; White, Shannon WLRS:EX <[Shannon.White@gov.bc.ca](mailto:Shannon.White@gov.bc.ca)>; Jupp, Sandra WLRS:EX <[Sandra.Jupp@gov.bc.ca](mailto:Sandra.Jupp@gov.bc.ca)>  
**Cc:** Leslie, Sean GCPE:EX <[Sean.Leslie@gov.bc.ca](mailto:Sean.Leslie@gov.bc.ca)>; Winterhoff, Thomas GCPE:EX <[Thomas.Winterhoff@gov.bc.ca](mailto:Thomas.Winterhoff@gov.bc.ca)>; McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** RE: WLRS Media Request: Galloway Lands Development

Glen, I would defer to Shannon on this (but I see she might be out of office).

If you have a time press on this: I have no edits knowing that this was drafted with Ariana!

**Heather** (she/her)

778-916-4005

**From:** Plummer, Glen GCPE:EX <[Glen.Plummer@gov.bc.ca](mailto:Glen.Plummer@gov.bc.ca)>

**Sent:** Thursday, July 20, 2023 12:03 PM

**To:** White, Shannon WLRS:EX <[Shannon.White@gov.bc.ca](mailto:Shannon.White@gov.bc.ca)>; Wiebe, Heather I WLRS:EX <[Heather.Wiebe@gov.bc.ca](mailto:Heather.Wiebe@gov.bc.ca)>; Jupp, Sandra WLRS:EX <[Sandra.Jupp@gov.bc.ca](mailto:Sandra.Jupp@gov.bc.ca)>

**Cc:** Leslie, Sean GCPE:EX <[Sean.Leslie@gov.bc.ca](mailto:Sean.Leslie@gov.bc.ca)>; Winterhoff, Thomas GCPE:EX

<[Thomas.Winterhoff@gov.bc.ca](mailto:Thomas.Winterhoff@gov.bc.ca)>; McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** WLRS Media Request: Galloway Lands Development

**Importance:** High

Hi Shannon, Heather and Sandra,

I spoke with Ariana and worked with her to develop the suggested response outlined below. Please let me know if you have any edits to the proposed response points.

Thanks,

Glen

## Reporter

Mike De Souza, Editor  
The Narwhal  
[mike@thenarwhal.ca](mailto:mike@thenarwhal.ca)  
514-621-0552

## Deadline ASAP

## Request

I'm working on a report regarding the Galloway Lands development project and was wondering if you would be available for an interview to chat about the project or provide some background about an email that you had sent to Tracy Van de Wiel from the RDEK on March 19, 2023 in which you wrote that the Ministry of Water, Lands & Resource Stewardship recommended that the

project not be approved.

As you may know, my colleague Ainslie Cruickshank quoted from your letter in a piece we published in May over here:

<https://thenarwhal.ca/fernie-bc-galloway-lands/>

Would you be available for an interview to chat about this email and the scientific evidence on which it was based?

I was also wondering if you could clarify which “report” you were referring to in the first paragraph of your email when you wrote: “Thanks for passing along the report, that was helpful. If it goes forward those measures will need to be adhered to especially having an environmental monitor on site providing updated recommendations and considerations to timing of activities, and ensuring new trails/roads are not developed around the project.” Was this referring to a report by Cascade?

### **Recommendation**

- Local authorities often reach out to the Province as part of their land use decision making processes, as the regional district did in this instance.
- The Province provides subject matter expertise on ecosystem values for consideration in decision making.
- Land use decisions within municipal and regional district boundaries are the responsibility of local governments.
- The report referred to in the email was provided by the regional district and questions regarding the report are best directed to the regional district.

**Glen Plummer**

**Communications Manager**

**Ministry of Water, Land and Resource Stewardship**

**250 952-0559 office**

**250 213-5667 cell**

**From:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**To:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**Cc:** Szkorupa, Tara D WLRS:EX (Tara.Szkorupa@gov.bc.ca); Oestreich, Allana WLRS:EX (Allana.Oestreich@gov.bc.ca); Ng, Trisha WLRS:EX (Trisha.Ng@gov.bc.ca)  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th  
**Sent:** 06/21/2023 17:01:47  
**Attachments:** image001.png  
**Message Body:**

Hi Ariana, Thanks, if there is any other info like this you can forward, I can comb through it. I was wondering about the new submission (bylaw 2313 and 2314) specifically as to whether you had reached out to FOR.

Shannon

Shannon White, RPBio

Ecosystems Section Head

**778-520-2683**

Kootenay-Boundary Region

Ministry of Water, Land & Resource Stewardship

**From:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Wednesday, June 21, 2023 10:53 AM  
**To:** White, Shannon WLRS:EX <Shannon.White@gov.bc.ca>  
**Cc:** Szkorupa, Tara D WLRS:EX <Tara.Szkorupa@gov.bc.ca>; Oestreich, Allana WLRS:EX <Allana.Oestreich@gov.bc.ca>; Ng, Trisha WLRS:EX <Trisha.Ng@gov.bc.ca>  
**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

See below. I did solicit input from FOR. I requested an extension to ensure I had time to incorporate their comments, but did not receive input from FOR either time it was referred (but you probably don't want to say that in the Minister's note)

**From:** McKay, Ariana FLNR:EX  
**Sent:** Thursday, May 26, 2022 8:24 AM  
**To:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

This timeline is too tight as I haven't heard back from some of our team. This development is significant and we would like to provide comments relating to wildlife & habitat impacts. In the public hearing, please reflect that comments are underway from our group (i.e., please don't say no comments received as this implies lack of concern from our group).

Thanks,

**Ariana McKay** MSc, RPBio

*A/Senior Habitat Biologist, Kootenay Boundary Region*

Ministry of Land, Water and Resource Stewardship

Phone: 250-420-6293

**From:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Sent:** April 28, 2022 12:36 PM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hello Tia,

Referral comments can be received up until the closing of the public hearing. If you provide comments at the end of May then they will not be part of consideration of first and second reading and staff cannot provide comments on them. Please note that the public hearing will likely be held during the week of May 30. The date is not set yet, I can confirm the date when it is authorized by the Board, but it is best to keep a firm deadline of May 31 in mind when providing comments.

Thank you,

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Sent:** April 28, 2022 10:14 AM

**To:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation  
Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

Please see Ariana's request below.

Thank you.

Tia Scott-Joe

Administrative Assistant

Ministry of Forests

Resource Management – Kootenay Boundary Region

#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

**From:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** April 27, 2022 2:23 PM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hey there, can we get an extension until the end of May to ensure wildlife bio's have a chance to review?

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Sent:** April 20, 2022 4:28 PM

**To:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Ariana,

Could you please provide comments for the following referral by Friday, May 6<sup>th</sup>, 2022.

Thank you.

Tia Scott-Joe

Administrative Assistant

Ministry of Forests

Resource Management – Kootenay Boundary Region

#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

**From:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Sent:** April 13, 2022 10:57 AM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>;

[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca); Rocky Mountain District Development Approvals group TRAN:EX

<[RMDdevapp@gov.bc.ca](mailto:RMDdevapp@gov.bc.ca)>; [Rory.Bruce@Telus.com](mailto:Rory.Bruce@Telus.com); [Kelowna.Engineering@Telus.com](mailto:Kelowna.Engineering@Telus.com);

XT:Taylor, Nick EDUC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>;



[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca); Money, Dani ENV:EX <[Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)>

**Cc:** Development Services Manager <[dsmanager@rdek.bc.ca](mailto:dsmanager@rdek.bc.ca)>; Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>; Wall, Kerri <[Kerri.Wall@interiorhealth.ca](mailto:Kerri.Wall@interiorhealth.ca)>

**Subject:** Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Agencies,

On behalf of the Regional District of East Kootenay, please see the attached **second referral** for Bylaws 3102 and 3103 which propose to amend OCP and zone designation of four parcels spanning 185 ha to permit future subdivision. These lands are also known as the Galloway Lands. The parcels are located along Highway 3, directly north of Fernie Alpine Resort. The property is owned by C. H. Nelson Holdings Ltd. Referral responses must be in to RDEK staff by **May 6, 2022**.

The applicant (C.H. Nelson Holdings Ltd) has submitted supplemental information to the RDEK to address areas of concern raised by the Board of Directors at their January meetings. The supplemental information as submitted by the applicant is attached to this referral for your information and review. RDEK staff will be doing a concurrent review of the information and will be preparing updated staff reports and bylaws for presentation at the May Board Meetings. At the meetings, the Board will consider preliminary readings of the Bylaws the and whether or not they will authorize a public hearing.

In order for bylaw responses on behalf of your referral agency to be considered by the Board as part of their decision making process there are important deadlines for when responses must be in to RDEK staff. Referral responses received by May 6<sup>th</sup> will form part of the information at consideration at 1<sup>st</sup> & 2<sup>nd</sup> reading of the Bylaws, prior to authorization of a public hearing.

All inquiries and responses are to be directed to Krista Gilbert, Planning Technician at [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca).

Karen MacLeod

Planning Supervisor

On behalf of

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th  
**Sent:** 06/21/2023 16:50:41  
**Attachments:** image001.png, image002.png  
**Message Body:**

This was when they pulled the initial referral

**From:** McKay, Ariana FLNR:EX  
**Sent:** Friday, May 27, 2022 12:11 PM  
**To:** Krista Gilbert <kgilbert@rdek.bc.ca>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

Thanks for letting me know. To confirm, you don't require a referral response at this point?

Best,

**Ariana McKay** MSc, RPBio

*A/Senior Habitat Biologist*, Kootenay Boundary Region

Ministry of Land, Water and Resource Stewardship

Phone: 250-420-6293

**From:** Krista Gilbert <kgilbert@rdek.bc.ca>  
**Sent:** May 27, 2022 10:57 AM  
**To:** McKay, Ariana FLNR:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Good Morning Araina,

The RDEK has received a letter from the applicant requesting that the bylaw process for Bylaws 3102 and 3103 (Galloway Lands) be terminated or withdrawn. The request for termination of the Bylaws followed consultation with RDEK Development Services Staff on the best practice from an administrative perspective based on the applicant's expressed desire to make changes to the application under consideration by the Board.

The receipt of the letter from the applicant effectively terminates the public hearing process as authorized at the May Board meetings. The applicant has identified an intention to submit an amended application as soon as feasible. The amended application will trigger new bylaws and new referral processes.

Krista Gilbert

Planning Technician

**From:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** Thursday, May 26, 2022 8:24 AM

**To:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

EXTERNAL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Krista,

This timeline is too tight as I haven't heard back from some of our team. This development is significant and we would like to provide comments relating to wildlife & habitat impacts. In the public hearing, please reflect that comments are underway from our group (i.e., please don't say no comments received as this implies lack of concern from our group).

Thanks,

**Ariana McKay** MSc, RPBio

A/Senior Habitat Biologist, Kootenay Boundary Region

Ministry of Land, Water and Resource Stewardship

Phone: 250-420-6293

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**Sent:** April 28, 2022 12:36 PM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

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Hello Tia,

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Thank you,

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>  
**Sent:** April 28, 2022 10:14 AM  
**To:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>  
**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

Please see Ariana's request below.

Thank you.

Tia Scott-Joe

Administrative Assistant

Ministry of Forests

Resource Management – Kootenay Boundary Region

#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

**From:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Sent:** April 27, 2022 2:23 PM  
**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

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**Sent:** April 20, 2022 4:28 PM  
**To:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information  
Bylaws 3102 & 3103 - Deadline May 6th

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Thank you.

Tia Scott-Joe

Administrative Assistant

Ministry of Forests

Resource Management – Kootenay Boundary Region

#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

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**Sent:** April 13, 2022 10:57 AM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>;  
[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca); Rocky Mountain District Development Approvals group TRAN:EX  
<[RMDdevapp@gov.bc.ca](mailto:RMDdevapp@gov.bc.ca)>; [Rory.Bruce@Telus.com](mailto:Rory.Bruce@Telus.com); [Kelowna.Engineering@Telus.com](mailto:Kelowna.Engineering@Telus.com);  
XT:Taylor, Nick EDUC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>;  
[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca); Money, Dani ENV:EX <[Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)>

**Cc:** Development Services Manager <[dsmanager@rdek.bc.ca](mailto:dsmanager@rdek.bc.ca)>; Krista Gilbert  
<[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>; Wall, Kerri <[Kerri.Wall@interiorhealth.ca](mailto:Kerri.Wall@interiorhealth.ca)>

**Subject:** Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 &  
3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open  
attachments or links that you are expecting from a known sender.**

Dear Referral Agencies,

On behalf of the Regional District of East Kootenay, please see the attached **second referral** for Bylaws 3102 and 3103 which propose to amend OCP and zone designation of four parcels spanning 185 ha to permit future subdivision. These lands are also known as the Galloway Lands. The parcels are located along Highway 3, directly north of Fernie Alpine Resort. The property is owned by C. H. Nelson Holdings Ltd. Referral responses must be in to RDEK staff by **May 6, 2022**.

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All inquiries and responses are to be directed to Krista Gilbert, Planning Technician at [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca).

Karen MacLeod

Planning Supervisor

On behalf of

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)



**From:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**To:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca); Oestreich, Allana WLRS:EX (Allana.Oestreich@gov.bc.ca)  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th  
**Sent:** 06/21/2023 15:22:44  
**Attachments:** image001.png  
**Message Body:**

Gotcha. And did we receive the referral prior to the reminder on March 23?

Shannon White, RPBio  
Ecosystems Section Head  
**778-520-2683**

Kootenay-Boundary Region  
Ministry of Water, Land & Resource Stewardship

**From:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Wednesday, June 21, 2023 9:22 AM  
**To:** White, Shannon WLRS:EX <Shannon.White@gov.bc.ca>; Oestreich, Allana WLRS:EX <Allana.Oestreich@gov.bc.ca>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

No, because the original referral was pulled and then re-submitted as this one.

**From:** White, Shannon WLRS:EX <[Shannon.White@gov.bc.ca](mailto:Shannon.White@gov.bc.ca)>  
**Sent:** Wednesday, June 21, 2023 8:47 AM  
**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>; Oestreich, Allana WLRS:EX <[Allana.Oestreich@gov.bc.ca](mailto:Allana.Oestreich@gov.bc.ca)>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th  
**Importance:** High

Did we respond to this original referral? I'm having some difficulty tracking down all the records here! Appreciate your help!

Thanks,

Shannon

Shannon White, RPBio  
Ecosystems Section Head  
**778-520-2683**

Kootenay-Boundary Region  
Ministry of Water, Land & Resource Stewardship

**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Sent:** Tuesday, June 20, 2023 1:30 PM  
**To:** White, Shannon WLRS:EX <[Shannon.White@gov.bc.ca](mailto:Shannon.White@gov.bc.ca)>  
**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>  
**Sent:** Wednesday, April 20, 2022 4:28 PM  
**To:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Ariana,

Could you please provide comments for the following referral by Friday, May 6<sup>th</sup>, 2022.

Thank you.

Tia Scott-Joe  
Administrative Assistant  
Ministry of Forests  
Resource Management – Kootenay Boundary Region  
#401-333 Victoria Street, Nelson, BC V1L 4K3

Phone: (778)671-9193

Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

**From:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Sent:** April 13, 2022 10:57 AM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; [HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca); Rocky Mountain District Development Approvals group TRAN:EX <[RMDdevapp@gov.bc.ca](mailto:RMDdevapp@gov.bc.ca)>; [Rory.Bruce@Telus.com](mailto:Rory.Bruce@Telus.com); [Kelowna.Engineering@Telus.com](mailto:Kelowna.Engineering@Telus.com); XT:Taylor, Nick EDUC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca); Money, Dani ENV:EX <[Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)>

**Cc:** Development Services Manager <[dsmanager@rdek.bc.ca](mailto:dsmanager@rdek.bc.ca)>; Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>; Wall, Kerri <[Kerri.Wall@interiorhealth.ca](mailto:Kerri.Wall@interiorhealth.ca)>

**Subject:** Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Agencies,

On behalf of the Regional District of East Kootenay, please see the attached **second referral** for Bylaws 3102 and 3103 which propose to amend OCP and zone designation of four parcels spanning 185 ha to permit future subdivision. These lands are also known as the Galloway Lands. The parcels are located along Highway 3, directly north of Fernie Alpine Resort. The property is owned by C. H. Nelson Holdings Ltd. Referral responses must be in to RDEK staff by **May 6, 2022**.

The applicant (C.H. Nelson Holdings Ltd) has submitted supplemental information to the RDEK to address areas of concern raised by the Board of Directors at their January meetings. The supplemental information as submitted by the applicant is attached to this referral for your information and review. RDEK staff will be doing a concurrent review of the information and will be preparing updated staff reports and bylaws for presentation at the May Board Meetings. At the meetings, the Board will consider preliminary readings of the Bylaws the and whether or not they will authorize a public hearing.

In order for bylaw responses on behalf of your referral agency to be considered by the Board as part of their decision making process there are important deadlines for when responses must be in to RDEK staff. Referral responses received by May 6<sup>th</sup> will form part of the information at consideration at 1<sup>st</sup> & 2<sup>nd</sup> reading of the Bylaws, prior to authorization of a public hearing.

All inquiries and responses are to be directed to Krista Gilbert, Planning Technician at [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca).

Karen MacLeod

Planning Supervisor

On behalf of

Krista Gilbert

Planning Technician

Regional District of East Kootenay

19 24th Avenue South

Cranbrook BC V1C 3H8

Main: 250-489-2791

Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** White, Shannon WLRS:EX (Shannon.White@gov.bc.ca)  
**Subject:** FW: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)  
**Sent:** 06/19/2023 14:58:20  
**Message Body:**

Original referral communications

**From:** Tracy Van de Wiel <tvandewiel@rdek.bc.ca>  
**Sent:** Wednesday, March 29, 2023 12:16 PM  
**To:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Received, thanks Ariana.

Your comments will be provided to the Board of Directors for consideration.

Tracy Van de Wiel

RDEK Planning Technician 2

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**From:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Wednesday, March 29, 2023 10:14 AM  
**To:** Tracy Van de Wiel <tvandewiel@rdek.bc.ca>  
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Hey,

Thanks for passing along the report, that was helpful. If it goes forward those measures will need to be adhered to especially having an environmental monitor on site providing updated recommendations and considerations to timing of activities, and ensuring new trails/roads are not developed around the project.

Ministry of Water, Lands & Resource Stewardship does not recommend approval of the project. The project area provides valuable habitat for multiple species and is currently relatively undisturbed; this project would permanently remove functioning habitat. Development in this area would compromise habitat values and would likely displace wildlife. The adjacent areas are altered by cumulative impacts, including the ski hill, forestry, road development, and recreation. This area is likely functioning as a refuge for wildlife from surrounding human impacts. Further development is not recommended given permanent impacts of habitat loss.

Access is one of the most influential factors affecting wildlife and wildlife habitat stewardship; access is currently limited in the vicinity of the project area. Recreation, invasive plant spread, sedimentation, habitat degradation, etc. are associated with increased access. Access to surrounding undeveloped land should remain restricted to protect wildlife and habitat values from the impacts of increased access.

**Ariana McKay** MSc, RPBio

*Habitat Biologist*, Kootenay Boundary Region

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 11:48 AM

**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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Hi,

Here's a link to Cascade's final report:

[https://www.dropbox.com/s/89to6fq9ok5aiyy/221102\\_Galloway%20Lands%20EO%20final\\_230221%20corrected.pdf?dl=0](https://www.dropbox.com/s/89to6fq9ok5aiyy/221102_Galloway%20Lands%20EO%20final_230221%20corrected.pdf?dl=0)

The applicant has agreed that the RDEK can send this out (without an FOI request) to anyone who requests it directly from us. Please don't distribute to anyone outside your agency. If anyone else would like it, please have them email me.

This is really your only opportunity to comment this as an application. If the bylaws are adopted and the development proceeds, presumably the owner will require permission and oversight by you for construction of the proposed bridge across Lizard Creek? If so, please include this in your response to us.

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**Sent:** Thursday, March 23, 2023 11:33 AM

**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hi!

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Cheers,

**Ariana McKay** MSc, RPBio

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 10:50 AM

**To:** McKay, Ariana WLRs:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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RDEK Planning Technician 2

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**From:** McKay, Ariana WLRs:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** Thursday, March 23, 2023 10:39 AM

**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hi Tracy,



We remember this one from when it was submitted previously. Do you have info on what changed with their application?

Thanks!

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*Habitat Biologist*, Kootenay Boundary Region

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 7:45 AM

**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernie.ca](mailto:derek.cimolini@fernie.ca)>; City of Fernie - Bruce Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoplains.org](mailto:gary.yablonski@tobaccoplains.org); [tbrewer@tobaccoplains.org](mailto:tbrewer@tobaccoplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>; [liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>; [John.trewhitt@gov.bc.ca](mailto:John.trewhitt@gov.bc.ca)

**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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Dear Referral Agency,

This is our last reminder for you to provide your comments on these proposed bylaws. If you would like to provide comments for consideration, **please reply to this email address with your comments prior to Monday, March 27, 2023**. If you would like more information, please request it today. The bylaws are expected to be presented to the Board on April 14, 2023.

You may reply with comments or, if you have no comment and/or no concerns, please reply to let us know this as well.

Thank you!

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**From:** Tracy Van de Wiel (tvandewiel@rdek.bc.ca)  
**To:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)  
**Sent:** 03/29/2023 18:16:25  
**Message Body:**

**[EXTERNAL]** This email came from an external source. Only open attachments or links that you are expecting from a known sender.

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Your comments will be provided to the Board of Directors for consideration.

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RDEK Planning Technician 2

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**Sent:** Wednesday, March 29, 2023 10:14 AM  
**To:** Tracy Van de Wiel <tvandewiel@rdek.bc.ca>  
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**Ariana McKay** MSc, RPBio

*Habitat Biologist, Kootenay Boundary Region*

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

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**Sent:** Thursday, March 23, 2023 11:48 AM

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Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

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**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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**Sent:** Thursday, March 23, 2023 7:45 AM

**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernie.ca](mailto:derek.cimolini@fernie.ca)>; City of Fernie - Bruce Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoplains.org](mailto:gary.yablonski@tobaccoplains.org); [tbrewer@tobaccoplains.org](mailto:tbrewer@tobaccoplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>; [liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>; [John.trewhitt@gov.bc.ca](mailto:John.trewhitt@gov.bc.ca)

**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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RDEK Planning Technician 2

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**From:** Money, Dani ENV:EX (Dani.Money@gov.bc.ca)  
**To:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)  
**Sent:** 03/29/2023 16:39:53  
**Attachments:** BC Parks Referral Response: Bylaw No. 3213 and 3214.msg  
**Message Body:**

Thanks Ariana, our response was focused on impact to the park primarily, but we also specially mention long-ranging wildlife species (bears, ungulates). I submitted it on the 23<sup>rd</sup>.

*Dani Money* (she/her)

Planning Section Head, Kootenay, BC Parks / P: (250) 420-6310

~I recognize that I live and work in the traditional territories of Indigenous Peoples. I will tread lightly and with respect.~

**From:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Wednesday, March 29, 2023 10:15 AM  
**To:** Money, Dani ENV:EX <Dani.Money@gov.bc.ca>  
**Subject:** FW: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hey,

I kept it simple- this development would remove functioning habitat therefore we do not support.

**From:** McKay, Ariana WLRS:EX  
**Sent:** Wednesday, March 29, 2023 10:14 AM  
**To:** 'Tracy Van de Wiel' <tvandewiel@rdek.bc.ca>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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**Ariana McKay** MSc, RPBio

*Habitat Biologist, Kootenay Boundary Region*

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 11:48 AM

**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi,

Here's a link to Cascade's final report:

[https://www.dropbox.com/s/89to6fq9ok5aiyy/221102\\_Galloway%20Lands%20EO%20final\\_230221%20corrected.pdf?dl=0](https://www.dropbox.com/s/89to6fq9ok5aiyy/221102_Galloway%20Lands%20EO%20final_230221%20corrected.pdf?dl=0)

The applicant has agreed that the RDEK can send this out (without an FOI request) to anyone who requests it directly from us. Please don't distribute to anyone outside your agency. If anyone else would like it, please have them email me.

This is really your only opportunity to comment this as an application. If the bylaws are adopted and the development proceeds, presumably the owner will require permission and oversight by you for construction of the proposed bridge across Lizard Creek? If so, please include this in your response to us.

Thanks.

Tracy Van de Wiel

RDEK Planning Technician 2

NOTE: Effective January 1, 2023 a new development application fee schedule will be in effect, which will affect most development application fees and see new fees applied to some services that were previously offered at no charge. Applications submitted by December 31<sup>st</sup>, 2022 will be charged the 2022 fee rate. To view the new fee schedule: [2023 Fee Schedule](#)

**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** Thursday, March 23, 2023 11:33 AM

**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hi!

It's such a huge one... you must have your hands full. Yes, can you please pass along the environmental report? And will we get a chance to review this again as the development progresses?

Cheers,

**Ariana McKay** MSc, RPBio

*Habitat Biologist, Kootenay Boundary Region*

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 10:50 AM

**To:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi Ariana,

The highlights in this one are summarized in the first page of our referral form (which is attached to the emails you have from us). It's very easy to read through that first page and if you'd like to review the report by Cascade Environmental that we reference, let us know and we'll send it.

Tracy Van de Wiel

RDEK Planning Technician 2

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**From:** McKay, Ariana WLRS:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Sent:** Thursday, March 23, 2023 10:39 AM

**To:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

Hi Tracy,

We remember this one from when it was submitted previously. Do you have info on what changed with their application?

Thanks!

**Ariana McKay** MSc, RPBio

*Habitat Biologist*, Kootenay Boundary Region

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 7:45 AM

**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernie.ca](mailto:derek.cimolini@fernie.ca)>; City of Fernie - Bruce Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoexplains.org](mailto:gary.yablonski@tobaccoexplains.org); [tbrewer@tobaccoexplains.org](mailto:tbrewer@tobaccoexplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>; [liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>; [John.trewhitt@gov.bc.ca](mailto:John.trewhitt@gov.bc.ca)

**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Agency,

This is our last reminder for you to provide your comments on these proposed bylaws. If you would like to provide comments for consideration, **please reply to this email address with your comments prior to Monday, March 27, 2023.** If you would like more information, please request it today. The bylaws are expected to be presented to the Board on April 14, 2023.

You may reply with comments or, if you have no comment and/or no concerns, please reply to let us know this as well.

Thank you!

NOTE: Effective January 1, 2023 a new development application fee schedule will be in effect, which will affect most development application fees and see new fees applied to some services that were previously offered at no charge. Applications submitted by December 31<sup>st</sup>, 2022 will be charged the 2022 fee rate. To view the new fee schedule: [2023 Fee Schedule](#)

**From:** Money, Dani ENV:EX (Dani.Money@gov.bc.ca)

**To:** tvandewiel@rdek.bc.ca

**Subject:** BC Parks Referral Response: Bylaw No. 3213 and 3214

**Sent:** 03/23/2023 20:09:51

**Attachments:** image001.png, image002.png, 20230315 RDEK Bylaw 3213-3214.pdf

**Message Body:**

Good afternoon, please find attached BC Parks? response to the above bylaw applications.

Thank you,

Dani

***Dani Money*** (she/her)

Planning Section Head, Kootenay, Kootenay Okanagan Region  
BC Parks, Ministry of Environment and Climate Change Strategy

P: (250) 420-6310 / [Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)

~I recognize that I live and work in the traditional territories of Indigenous Peoples. I will tread lightly and with respect.~

March 23, 2023

**BC Parks Response: RDEK Bylaw 3213 & 3214**

Mount Fernie Provincial Park exists adjacent to this proposed development, as such, BC Parks appreciates the ability to comment on this referral and how its approval may impact the park and its values.

- BC Parks appreciates the efforts of the proponent to confine proposed private homesite development within the subject parcels to south of the unnamed tributary to Lizard Creek indicated on the proposal mapping.
- BC Parks supports the creation of a conservation/recreation parcel at the north end of the property and peripheral to the proposed homesite development area. Values within the proposed 94-hectare parcel are connected to and compliment both conservation and recreation values found Mount Fernie Park. With the proposed transfer and management of those lands to an appropriate conservation group, long-term protection of those lands should be secured, which will help maintain the integrity of Mount Fernie Park and its users.
- This proposal includes development of 90+ private single-family dwellings. This increase in prospective recreation use combined with the closure of existing trails within the proposed homesites area has the potential to increase recreation pressure at Mount Fernie Park. BC Parks suggests the proponent consider developing a trails strategy that integrates with surrounding lands and community recreation partners to help offset any potential recreation pressures.
- Lizard Creek is an important habitat feature and tributary to the Elk River and the Elk Valley. To ensure development occurs in the least impactful way to the creek, its access points and associated wildlife movement corridors BC Parks recommends that services of a Qualified Professional be retained to assess and mitigate impacts of the proposed development if it is approved. This is particularly important for long ranging species like ungulates and Grizzly Bears. BC Parks could provide the name of a qualified local biologist, if the proponent needed.

Thank you for the opportunity to comment,



Dani Money  
Planning Section Head, Kootenay  
Kootenay Okanagan Region, BC Parks



**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** Tracy Van de Wiel (tvandewiel@rdek.bc.ca)  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)  
**Sent:** 03/23/2023 17:32:46  
**Message Body:**

Hi!

It's such a huge one... you must have your hands full. Yes, can you please pass along the environmental report? And will we get a chance to review this again as the development progresses?

Cheers,

**Ariana McKay** MSc, RPBio

*Habitat Biologist, Kootenay Boundary Region*

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <tvandewiel@rdek.bc.ca>  
**Sent:** Thursday, March 23, 2023 10:50 AM  
**To:** McKay, Ariana WLRS:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** RE: Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>

**Sent:** Thursday, March 23, 2023 7:45 AM

**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernie.ca](mailto:derek.cimolini@fernie.ca)>; City of Fernie - Bruce Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoexplains.org](mailto:gary.yablonski@tobaccoexplains.org); [tbrewer@tobaccoexplains.org](mailto:tbrewer@tobaccoexplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>; [liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>;

**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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You may reply with comments or, if you have no comment and/or no concerns, please reply to let us know this as well.

Thank you!

Tracy Van de Wiel

RDEK Planning Technician 2

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**To:** tvandewiel@rdek.bc.ca  
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**Sent:** 03/23/2023 16:38:46  
**Message Body:**

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*Habitat Biologist, Kootenay Boundary Region*

Ministry of Water, Land and Resource Stewardship

Phone: 250-420-6293

**From:** Tracy Van de Wiel <[tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)>  
**Sent:** Thursday, March 23, 2023 7:45 AM  
**To:** Interior Health - Healthy Built Environment <[HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca)>; FOR Cranbrook Referrals FOR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; XT:Taylor, Nick ECC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Derek Cimolini <[derek.cimolini@fernie.ca](mailto:derek.cimolini@fernie.ca)>; City of Fernie - Bruce Lennox <[bruce.lennox@fernie.ca](mailto:bruce.lennox@fernie.ca)>; Leslie Stephens <[lesliestephensconsulting@gmail.com](mailto:lesliestephensconsulting@gmail.com)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [planning@fernie.ca](mailto:planning@fernie.ca); [gary.yablonski@tobaccoplains.org](mailto:gary.yablonski@tobaccoplains.org); [tbrewer@tobaccoplains.org](mailto:tbrewer@tobaccoplains.org); Planning & Land Use Management MUNI:EX <[PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)>; [liberty.brears@gov.bc.ca](mailto:liberty.brears@gov.bc.ca); Price, Chris ENV:EX <[Chris.Price@gov.bc.ca](mailto:Chris.Price@gov.bc.ca)>; [John.trewhitt@gov.bc.ca](mailto:John.trewhitt@gov.bc.ca)  
**Subject:** Last reminder: Bylaws 2313 and 2314 for review and comment - (90 lot residential subdivision near Fernie Alpine Resort - Galloway Lands)

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Tracy Van de Wiel

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**From:** Teske, Irene FOR:EX (Irene.Teske@gov.bc.ca)

**To:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)

**Subject:** Automatic reply: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**Sent:** 05/27/2022 18:10:52

**Message Body:**

I am out of office until May 28. I will occasionally be able to reply to emails.

**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** Krista Gilbert (kgilbert@rdek.bc.ca)  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th  
**Sent:** 05/27/2022 18:10:47  
**Attachments:** image001.png, image002.png  
**Message Body:**

Hi Krista,

Thanks for letting me know. To confirm, you don't require a referral response at this point?

Best,

**Ariana McKay** MSc, RPBio  
*A/Senior Habitat Biologist*, Kootenay Boundary Region  
Ministry of Land, Water and Resource Stewardship  
Phone: 250-420-6293

**From:** Krista Gilbert <kgilbert@rdek.bc.ca>  
**Sent:** May 27, 2022 10:57 AM  
**To:** McKay, Ariana FLNR:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Good Morning Araina,

The RDEK has received a letter from the applicant requesting that the bylaw process for Bylaws 3102 and 3103 (Galloway Lands) be terminated or withdrawn. The request for termination of the Bylaws followed consultation with RDEK Development Services Staff on the best practice from an administrative perspective based on the applicant's expressed desire to make changes to the application under consideration by the Board.

The receipt of the letter from the applicant effectively terminates the public hearing process as authorized at the May Board meetings. The applicant has identified an intention to submit an amended application as soon as feasible. The amended application will trigger new bylaws and new referral processes.

Krista Gilbert  
Planning Technician

**From:** McKay, Ariana FLNR:EX <Ariana.McKay@gov.bc.ca>  
**Sent:** Thursday, May 26, 2022 8:24 AM  
**To:** Krista Gilbert <kgilbert@rdek.bc.ca>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**EXTERNAL:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Krista,

This timeline is too tight as I haven't heard back from some of our team. This development is significant and we would like to provide comments relating to wildlife & habitat impacts. In the public hearing, please reflect that comments are underway from our group (i.e., please don't say no comments received as this implies lack of concern

from our group).

Thanks,

**Ariana McKay** MSc, RPBio

*A/Senior Habitat Biologist*, Kootenay Boundary Region  
Ministry of Land, Water and Resource Stewardship  
Phone: 250-420-6293

**From:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Sent:** April 28, 2022 12:36 PM

**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hello Tia,

Referral comments can be received up until the closing of the public hearing. If you provide comments at the end of May then they will not be part of consideration of first and second reading and staff cannot provide comments on them. Please note that the public hearing will likely be held during the week of May 30. The date is not set yet, I can confirm the date when it is authorized by the Board, but it is best to keep a firm deadline of May 31 in mind when providing comments.

Thank you,

Krista Gilbert  
Planning Technician

Regional District of East Kootenay  
19 24th Avenue South  
Cranbrook BC V1C 3H8  
Main: 250-489-2791  
Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>

**Sent:** April 28, 2022 10:14 AM

**To:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>

**Cc:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>

**Subject:** FW: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Krista,

Please see Ariana's request below.

Thank you.

Tia Scott-Joe  
Administrative Assistant  
Ministry of Forests  
Resource Management ? Kootenay Boundary Region  
#401-333 Victoria Street, Nelson, BC V1L 4K3  
Phone: (778)671-9193  
Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))



**From:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Sent:** April 27, 2022 2:23 PM  
**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hey there, can we get an extension until the end of May to ensure wildlife bio's have a chance to review?

**From:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>  
**Sent:** April 20, 2022 4:28 PM  
**To:** McKay, Ariana FLNR:EX <[Ariana.McKay@gov.bc.ca](mailto:Ariana.McKay@gov.bc.ca)>  
**Subject:** ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Ariana,

Could you please provide comments for the following referral by Friday, May 6<sup>th</sup>, 2022.

Thank you.

Tia Scott-Joe  
Administrative Assistant  
Ministry of Forests  
Resource Management ? Kootenay Boundary Region  
#401-333 Victoria Street, Nelson, BC V1L 4K3  
Phone: (778)671-9193  
Email: ([Tia.D.ScottJoe@gov.bc.ca](mailto:Tia.D.ScottJoe@gov.bc.ca))

**From:** Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>  
**Sent:** April 13, 2022 10:57 AM  
**To:** FLNR Cranbrook Referrals FLNR:EX <[FLNRCranbrookReferrals@gov.bc.ca](mailto:FLNRCranbrookReferrals@gov.bc.ca)>; [HBE@InteriorHealth.ca](mailto:HBE@InteriorHealth.ca); Rocky Mountain District Development Approvals group TRAN:EX <[RMDdevapp@gov.bc.ca](mailto:RMDdevapp@gov.bc.ca)>; [Rory.Bruce@Telus.com](mailto:Rory.Bruce@Telus.com); [Kelowna.Engineering@Telus.com](mailto:Kelowna.Engineering@Telus.com); XT:Taylor, Nick EDUC:IN <[nick.taylor@sd5.bc.ca](mailto:nick.taylor@sd5.bc.ca)>; Patrick Majer <[pmajer@skircr.com](mailto:pmajer@skircr.com)>; [bruce.lennox@fernien.ca](mailto:bruce.lennox@fernien.ca); Money, Dani ENV:EX <[Dani.Money@gov.bc.ca](mailto:Dani.Money@gov.bc.ca)>  
**Cc:** Development Services Manager <[dsmanager@rdek.bc.ca](mailto:dsmanager@rdek.bc.ca)>; Krista Gilbert <[kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)>; Wall, Kerri <[Kerri.Wall@interiorhealth.ca](mailto:Kerri.Wall@interiorhealth.ca)>  
**Subject:** Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Agencies,

On behalf of the Regional District of East Kootenay, please see the attached **second referral** for Bylaws 3102 and 3103 which propose to amend OCP and zone designation of four parcels spanning 185 ha to permit future subdivision. These lands are also known as the Galloway Lands. The parcels are located along Highway 3, directly north of Fernie Alpine Resort. The property is owned by C. H. Nelson Holdings Ltd. Referral responses must be in to RDEK staff by **May 6, 2022**.

The applicant (C.H. Nelson Holdings Ltd) has submitted supplemental information to the RDEK to address areas of concern raised by the Board of Directors at their January meetings. The supplemental information as submitted by the applicant is attached to this referral for your information and review. RDEK staff will be doing a concurrent review of the information and will be preparing updated staff reports and bylaws for presentation at the May Board Meetings. At the meetings, the Board will consider preliminary readings of the Bylaws the and whether or not they will authorize a public hearing.

In order for bylaw responses on behalf of your referral agency to be considered by the Board as part of their decision making process there are important deadlines for when responses must be in to RDEK staff. Referral responses received by May 6<sup>th</sup> will form part of the information at consideration at 1<sup>st</sup> & 2<sup>nd</sup> reading of the Bylaws, prior to authorization of a public hearing.

All inquiries and responses are to be directed to Krista Gilbert, Planning Technician at [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca).

Karen MacLeod  
Planning Supervisor

On behalf of  
Krista Gilbert  
Planning Technician

Regional District of East Kootenay  
19 24th Avenue South  
Cranbrook BC V1C 3H8  
Main: 250-489-2791  
Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

**From:** McKay, Ariana WLRS:EX (Ariana.McKay@gov.bc.ca)  
**To:** FOR Cranbrook Referrals FOR:EX (FLNRCranbrookReferrals@gov.bc.ca)  
**Subject:** RE: ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th  
**Sent:** 04/27/2022 21:22:43  
**Attachments:** image001.png  
**Message Body:**

Hey there, can we get an extension until the end of May to ensure wildlife bio's have a chance to review?

**From:** FLNR Cranbrook Referrals FLNR:EX <FLNRCranbrookReferrals@gov.bc.ca>  
**Sent:** April 20, 2022 4:28 PM  
**To:** McKay, Ariana FLNR:EX <Ariana.McKay@gov.bc.ca>  
**Subject:** ATS#1303338 - Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

Hi Ariana,

Could you please provide comments for the following referral by Friday, May 6<sup>th</sup>, 2022.

Thank you.

Tia Scott-Joe  
Administrative Assistant  
Ministry of Forests  
Resource Management ? Kootenay Boundary Region  
#401-333 Victoria Street, Nelson, BC V1L 4K3  
Phone: (778)671-9193  
Email: (Tia.D.ScottJoe@gov.bc.ca)

**From:** Krista Gilbert <kgilbert@rdek.bc.ca>  
**Sent:** April 13, 2022 10:57 AM  
**To:** FLNR Cranbrook Referrals FLNR:EX <FLNRCranbrookReferrals@gov.bc.ca>; HBE@InteriorHealth.ca; Rocky Mountain District Development Approvals group TRAN:EX <RMDdevapp@gov.bc.ca>; Rory.Bruce@Telus.com; Kelowna.Engineering@Telus.com; XT:Taylor, Nick EDUC:IN <nick.taylor@sd5.bc.ca>; Patrick Majer <pmajer@skircr.com>; bruce.lennox@fernien.ca; Money, Dani ENV:EX <Dani.Money@gov.bc.ca>  
**Cc:** Development Services Manager <dsmanager@rdek.bc.ca>; Krista Gilbert <kgilbert@rdek.bc.ca>; Wall, Kerri <Kerri.Wall@interiorhealth.ca>  
**Subject:** Galloway Lands Second Bylaw Referral - Supplementation Information Bylaws 3102 & 3103 - Deadline May 6th

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

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