



## Governance Advisory Committee

### Sicamous-to-Armstrong Rail Trail Corridor

### Friday, July 19th, 2019, 9:00 am - 12:00 pm

Hosted in the RDNO Board Room (9848 Aberdeen Rd, Coldstream)

Minutes Version Updated: July 22, 2019

## MINUTES

**Meeting Purpose:** to provide policy direction relative to the planning, development, management and governance of the Rail Trail Corridor project.

### Objectives:

- To review minutes and business arising from the previous meeting
- To review draft co-management agreement
- To update on encumbrance agreements along the corridor
- To update on meetings with agencies, businesses, and stakeholders including the ALC, MoTI, CP
- To update/discuss fund raising, project development, and upcoming priorities
- To direct communications to update the public

### Agenda:

1. **Welcome, Secwepemc Acknowledgement (Splatsin), and Introductions** – Friday, July 19, 9:08 am – Chair Kukpi7 Christian welcomed everyone. Spoke to the importance of engaging the public and good communications. Encouraged learning from the lessons on the Okanagan Rail Trail related to planning ahead for public access. Also spoke to the importance of getting out on the trail collectively so we know what we are talking about with the public. Introductions were made around the room.
2. **Approval of Agenda**
  - a. **Motion:** *THAT: the agenda of the July 19, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be approved.*  
**Moved:** Director Delisle, **Seconded:** Councillor Baird. **Carried:** by consensus
3. **Adoption of Minutes**
  - a. **Motion:** *THAT: the minutes of the May 17, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adopted as circulated.*  
**Moved:** Director Demenok, **Seconded:** Director Delisle. **Carried:** by consensus
4. **Business Arising**
  - a. **Update on Recommended Resolutions from May 17, 2019 Governance Advisory meeting** – Phil McIntyre-Paul reported all recommended resolutions from previous Governance Advisory



meeting have been approved by Splitsin Council and CSRD and RDNO Boards; he noted MoU needs to be signed – a copy is available to sign after the meeting.

- b. **Project Management Service Contract, Sub-contracts, and Work Plan** (see links below) – Phil McIntyre-Paul and members of the Technical Operating Committee (TOC) provided an update and overview of sub-consulting contracts and work plan. Noted engagement with provincial permitting is similar to ORT, but with different contact people. Same staff contacts for the ALC.
- c. **Co-Management agreement to allow for mutual access and public usage of contiguous trail** – Phil McIntyre-Paul updated on Splitsin TOC representatives finding limited information to build an agreement from. TOC recommending engaging Legal Counsel to assist with development of a draft agreement to work from. Proceeding with securing legal support to draft the agreement was supported by the Governance Advisory.

Regarding liability – Mike Fox reported on current liability coverage based on rail trail signed as closed, and looking forward to construction and management based on the ORT. Have been assured our liability coverage is adequate. For long term liability, noted the co-management agreement will address this.

**ACTION: TOC** – to proceed with securing legal counsel support to prepare a draft co-management agreement for review.

- d. **Update on Canada-BC Investing in Canada Infrastructure Program & Funding Strategy** – Director Martin provided update on follow-up conversations with Provincial Minister of Municipal Affairs and Housing, Selina Robinson. Noted the grant application has been reviewed at Federal level and is now at Provincial Ministry for review. The importance of this project has been well messaged at both the Federal and Provincial level. Mayor Acton noted Tofino and Pacific Rim Park was just awarded \$58 million for trail development. Chad Eliason noted he can speak with the deputy minister for status and to encourage moving it forward. Phil provided an update on fundraising strategy timing – once final word on grant is known, then will assemble fundraising committee in the fall to develop a strategic plan going forward and initiative community level fundraising. Opportunity for private donations is currently established through a reserve with the Shuswap Trail Alliance. Terry noted the Shuswap Community Foundation has approached him to discuss being involved and assisting as well.
- e. **Update on Lansdowne-to-Armstrong Rail Corridor Acquisition** – Ryan Nitchie reported on phone meeting held with CP Rail two days ago. CP Rail has conducted an internal review to sell a portion of the ROW which was approved. However, the option to purchase the full corridor is currently being reviewed. Will hear back in next two weeks. CPs pricing offer will be known following this. In the meantime, the TOC will assess potential value based on previous valuation and purchase. Todd York – reported briefly on MoTI highway twinning planning noting this appears to be a less immediate future prospect for partnership.



- f. **Update on consultation with ALC, MoTI, CP Rail, MFLNRO, adjacent businesses, properties –**  
The TOC provided an update on stakeholder meetings and the permitting process for the rail trail corridor.

**ALC process** will move forward in fall with information meeting with Spallumcheen Agricultural Advisory Committee and submission of application to ALC. Confirmed the AAC is a key point of contact with the agricultural community, and that the TOC and ALC staff will meet with the AAC at their fall meeting to provide information on the ALC consultation process. ALC staff have committed to attending all meetings and representing farmers interests. Councillor Shirley Fowler noted there is also a North Okanagan Agricultural Advisory. Concern re removal of vegetation within rail corridor was raised. This will be addressed in planning consultations. Affirmed overall importance of keeping the contiguous corridor clear and free of obstructions.

**ACTION: TOC** – to approach the NOAA to request a meeting for TOC and ALC staff to provide an update on ALC process.

**MoTI** – follow-up re technical designs to come.

**CP Rail** – see above re Lansdowne-to-Armstrong section. Suggestion – apply to CP Rail for funding.

**Adjacent Businesses and Properties** – Sicamous noted getting lots of calls from adjacent property owners related to crossing and dock agreements. Mayor Rysz spoke to the need for an open house to provide information on the rail trail process and what is happening. (See Communications Strategy discussion below.)

Question re permitted business uses along and accessing the rail trail – do we have a policy re who can have access to the trail? Noted Agricultural uses are guided by the ALC. Opportunity for other businesses and value added agricultural opportunities are recognized, but policy and application process needs to be developed thoughtfully. Noted ORT is currently developing policy on this. **ACTION: TOC** – will prepare business access use policy and process for review.

Question re enforcement capacity – noted agreements and clarity on technical design parameters for access need to be addressed, and then long term enforcement policy can be established.

TOC staff requested direction on how proactive to be in asking property owners to remove personal items stored within the rail trail corridor properties? Governance direction affirmed addressing this sooner than later. Everyone needs to be informed. Policy needs to be consistent. Fair for all. Noted negotiations are underway for adjacent businesses with interest in use of a portion of the ROW. The question above is primarily regarding personal items currently stored



and encroaching. RDNO and CSR D staff are working closely with Municipal staff on this.

- g. **Date/location for familiarization tour with Governance Advisory** – recommending sight visits to walk 2 or 3 locations along the corridor indicative of some of the key features and design considerations. **ACTION: Phil with Kukpi7 Christian** – to target early September dates and send to Governance advisory. Include cultural aspect (Splatsin), technical, and adjacent social.

5. **Head Lease Agreements – Report and Recommendation** (See link to Head Lease Report below)

- a. **Motion: THAT: based on the findings of the Jan 27, 2017 report the Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee not pursue a Head Lease Agreement.**  
**Moved:** Councillor Eliason, **Seconded:** Director Delisle. **Carried:** by consensus.

*Discussion* – TOC reported on the recommendation, noting the rail trail mandate falls outside of the complexities of negotiating and managing a Head Lease.

6. **Encumbrance Agreements – Update and Recommended Revisions**

- a. **Motion: THAT: the Committee recommends that the Boards of the Columbia Shuswap Regional District, Regional District of North Okanagan and the Splatsin Band Council approve revision of recommendation #9 of the May 10, 2019 Encumbrance Agreement Recommendations adding a bullet point stating no new upland consent will be granted, consistent with Provincial Policy.**

**Moved:** Councillor Eliason, **Seconded:** Councillor Baird. **Carried:** by consensus.

*Discussion:* Ryan reported on recent TOC meeting with MFLNRO regarding provincial policy with docks. Province has indicated they will no longer grant dock permits to landowners unless they have waterfront property. Intent of this recommendation is to place the responsibility for deciding on dock licenses with the Province. And just have the Rail Trail owners responsibility focus on permitting access onto and across the rail trail corridor. The agreements and accompanying permit fees would be specific to access agreements.

It was noted this will likely be a contentious issue. TOC noted the intent of the recommendation is to remove need for upland consent from the agreements and leave the onus of dock permitting on the province where it belongs. There is no intent to ask people to remove docks at this time. This would be a provincial mandate.

- b. **Motion: THAT: further to policy direction from the Province the Committee recommends that the Boards of the Columbia Shuswap Regional District, Regional District of North Okanagan and the Splatsin Band Council rescind recommendation #10 of the May 10, 2019 Encumbrance Agreement Recommendations pending further review by the Technical Operational Committee, and that a moratorium on any new upland consent be instituted until such time as new policy**



can be presented to the Governance Committee.

**Moved:** Councillor Eliason, **Seconded:** Mayor Acton. **Carried:** by consensus.

## 7. Communications Plan & Consultation Strategy (See link to draft below)

- a. **Motion:** *THAT: the Committee recommends that the Boards of the Columbia Shuswap Regional District, Regional District of North Okanagan and the Splatshin Band Council approve the Draft Communications Plan & Consultation Strategy.*

**Moved:** Councillor Eliason. **Seconded:** Councillor Baird. **Carried:** by consensus.

Discussion – reviewed draft proposal. Acknowledged support of the ORT communications strategy in providing direction. Governance affirmed the proposal. “Great idea. Let’s get the word out.” Acknowledged this doesn’t fully address long term marketing and promotion, but addresses interim messaging. Affirmed desire to keep strong messaging that we’re all in this together. For temporary working title for grant applications and planning, TOC recommends Sicamous-to-Armstrong Rail Trail. But confirm a formal process to develop long-term messaging and branding will be conducted.

Re Community Information Sessions – Director Demenok suggests we also hold information sessions in the other supporting areas (South Shuswap, etc.), acknowledging interest from the wider supporting partners and the need to keep everyone informed.

Affirmed the communications plan needs to encourage regional engagement.

Noted ORT is developing a long term communications plan including messaging and branding. This will be shared to help direct the process forward.

**Motion:** *at least one public information session be held in areas outside of the rail-trial corridor communities, subject to funding availability.*

**Moved:** Director Demenok, **Seconded:** Director Martin. **Carried:** by consensus.

## 8. New Business

- a. **Vernon to Armstrong Connection** - Mayor Acton raised question if further discussions have happened between staff regarding the Vernon to Armstrong connection. Mike Fox reported no formal advancement has occurred, but the discussions have taken place. Question – would some formal motion help to move this forward? Noted: CP Rail appeared open to option of trial within the ROW next to an existing railway. Recommend having the TOC explore this option in current conversations with CP Rail regarding Armstrong-to-Lansdowne rail acquisition. Also



noted options may include alignment along Otter Lake Road.

**ACTION: TOC** – to review the dialogue to date regarding Vernon to Armstrong Connection, and bring forward a resolution to the Governance Advisory for moving forward on this.

9. **Direction on next communication updates to the public** – report on: communications plan adopted and linkages for public input including upcoming information sessions and how public will be able to engage; engagement of technical consultants; mention we are actively meeting with agencies, businesses, and stakeholders. Remind everyone where the money is coming from – grants currently in and awaiting Provincial decision, and highlight opportunity to contribute funds anticipated launch in the fall.

10. **Summary and Next Steps** – see action items below, includes - **ACTION: Splitsin Council, RDNO, CSR D Boards** – to receive revised encumbrance recommendation resolutions, and recommendation to adopt Communications Plan & Consultation Strategy, as noted above.

11. **Next Meeting:** Friday, September 20, 2019, 9:00 am – 12 Noon – **Location:** District of Sicamous

**12. Adjournment**

a. **Motion:** *THAT: the July 19, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adjourned.*

**Moved:** Councillor Eliason, **Seconded:** Councillor Baird. **Carried:** by consensus.

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**Following the meeting:** Kukpi7 Christian, CSR D Chair Director Martin, and RDNO Chair Mayor Acton signed MoU.

**Attending:** appointed inter-jurisdictional representatives (one designate from each of the 12 jurisdictions within the two regional districts, plus two Splitsin representatives), as well as additional staff representation including CAOs and/or designates. (See attendance list below)

**RSVP Contact: Secretariat/Facilitation** – Phil McIntyre-Paul (Shuswap Trail Alliance) – interim secretariat to the Governance Advisory Committee (Contact: [phil@shuswaptrails.com](mailto:phil@shuswaptrails.com), 250-804-1964)

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**Meeting Documents:** (Note: linked to Dropbox – requires free Dropbox app installed on device or computer)

1. [Minutes – May 17, 2019: Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee](#)
2. [Technical Design Consultant – Phase 1 \(Urban Systems\) FOR INFORMATION](#)
3. [Rail Trail Development Work Plan Outline DRAFT](#)
4. [Head Lease Report – Jan 26, 2017](#)
5. [Communications Plan & Consultation Strategy DRAFT](#)
6. [Media Release re: Rail Trail Service Agreement with Shuswap Trail Alliance \(June 24, 2019\)](#)
7. [SUMMARY BRIEF Sicamous-to-Armstrong Rail-Trail to Minister Selina Robinson \(May 24, 2019\)](#)



**Background Documents: (for Reference)**

1. [Minutes – March 15, 2019: Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee](#)
2. [BC Rural Dividend Program Agreement #:2018070133](#)
3. [Sicamous to Armstrong Rail Trail Corridor Planning, Development and Consulting Services Agreement \(May 16, 2019, File No. 6140 15 01\)](#)
4. [DRAFT TOC Recommendations regarding Encumbrance Agreements \(May 10, 2019\)](#)
5. [Media Release re: BCRDP funding for Rail-Trail \(May 10, 2019\)](#)
6. [Media Release re: Rail-Trail Governance Advisory Progress \(April 4, 2019\)](#)
7. [In Camera Board Report, CSR, August 10, 2018 \(File No: 8650-03\)](#)
8. [Memorandum of Understanding \(Master Agreement\) between CSR, RDNO, and Splatins – FINAL](#)
9. [Terms of Reference - Governance Advisory Committee - Sicamous to Armstrong Rail Trail Corridor FINAL](#)
10. [Terms of Reference - Technical Operational Committee - Sicamous to Armstrong Rail Trail Corridor FINAL](#)
11. [Preliminary Concept Design Report – Sicamous-to-Armstrong Rail Trail Corridor \(Updated 2019\)](#)
12. [Overview Map – Rail Corridor](#)
13. [Corridor Maps showing existing leases, encroachments, docks, and crossings](#)

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**Summary of Actions from Minutes – July 19, 2019:**

<b>Task or Action</b>	<b>Responsibility</b>	<b>Timeframe/Status</b>
Proceed with securing legal counsel support to prepare a draft co-management agreement for review.	TOC	asap
Approach the North Okanagan Agricultural Advisory to request a meeting for TOC and ALC staff to provide an update on ALC process.	TOC	immediately
Prepare business access use policy and process for review	TOC	asap
Target early September dates and send to Governance advisory. Include cultural aspect (Splatsin), technical, and adjacent social.	Phil with Kukpi7 Christian	Immediately for September recon
review the dialogue to date regarding Vernon to Armstrong Connection, and bring forward a resolution to the Governance Advisory for moving forward on this	TOC	asap
Splatsin Council, RDNO, CSR D Boards – to receive revised encumbrance recommendation resolutions, and Communications Plan & Consultation Strategy, as noted above	Splatsin, RDNO, CSR D	asap
prepare a communication update to the public	TOC/Secretariat (Phil)	immediately

*Abbreviations: GAC (Governance Advisory Committee), TOC (Technical Operational Committee), PMT (Project Management Team)*





## Attendance: Sicamous-to-Armstrong Rail Trail Governance Advisory Committee – July 19, 2019

### Acting Governance Representatives at Meeting:

- Chad Eliason – City of Salmon Arm – Councillor – Appointed Rep
- Denis Delisle – RDNO Area F – Director – Appointed Rep
- Kevin Acton – Village of Lumby – Mayor/RDNO Chair – Appointed Rep (Co-Vice Chair)
- Kukpi7 Christian – SPlatsin – Kukpi7 (Chief) – Appointed Rep (Chair)
- Paul Demenok – CSRD Area C – Director – Appointed Rep
- Rene Talbot – CSRD Area D – Director – Appointed Rep
- Rick Fairbairn – RDNO Area D – Director – Appointed Rep
- Rhona Martin – CSRD Area E – Director/CSRD Chair – Appointed Rep
- Shawn Tronson – SPlatsin – Councillor – Alternate Rep
- Shirley Fowler – City of Armstrong – Councillor – Alternate Rep
- Terry Rysz – District of Sicamous – Mayor – Appointed Rep (Co-Vice Chair)
- Todd York – Township of Spallumcheen – Councillor – Appointed Rep
- Tundra Baird – City of Enderby – Councillor – Appointed Rep

### Alternate Representatives (Observing):

- Jeff Mallmes – District of Sicamous – Councillor – Alternate Rep
- Randal Ostafichuk – District of Lumby – Councillor – Alternate Rep

### Staff:

- Charles Hamilton – CSRD – Chief Administrative Officer
- Jennifer Graham – City of Armstrong – Corporate Officer
- Kevin Bertles – City of Armstrong – Chief Administrative Officer
- Melinda Smyrl – District of Sicamous – Planner
- Mike Fox – RDNO – General Manager of Community Services
- Ryan Nitchie – CSRD – Team Leader, Community Services

### Other:

- Phil McIntyre-Paul – Shuswap Trail Alliance – Governance Advisory Secretariat

### Regrets:

- Chris Pieper – City of Armstrong – Mayor – Appointed Rep
- David Sewell – RDNO – Chief Administrative Officer
- Ray Cormier – SPlatsin – Rail-Trail Technical Liaison
- Sasha Bird – Township of Spallumcheen – Manager of Engineering
- Sharen Berger – CSRD/RDNO – Rail Corridor Lease Agreements (Contractor)
- Wanda Lewis – SPlatsin – SPlatsin Development Corporation – CEO