



Governance Advisory Committee (GAC) Shuswap North Okanagan Rail Trail MINUTES - FINAL

May 06, 2024, 1:00 pm - 4:00 pm

Location: Splatins Development Corporation Board Room
(5655 BC- Hwy 97A, Enderby, BC V0E 1V3)

Updated: June 12, 2024

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

(See: [SNO Rail Trail Governance Advisory Committee Terms-of-Reference, February 17, 2023](#))

Attending: Kukpi7 Mike Christian (Kukpi7 – Splatins, Chair - GAC), Shirley Fowler (Chair – RDNO), Kevin Flynn (Chair – CSR), David Sewell (CAO – RDNO), Ian Wilson (Manager Strategic & Community Services – RDNO), Phil McIntyre-Paul (Secretariate – GAC), Derek Sutherland (Manager Protective & Community Services – CSR), Fiona Barton (Manager Community Services – CSR), Sharon Berger (Administrator – Rail Trail Agreements), Michael Winstanley (Director – Splatins Title & Rights)

Minutes:

1. **Welcome, Splatins te Secwépemc Acknowledgement, and Introductions** – Kukpi7 Christian opened with a prayer and welcomed everyone. Introductions were shared. The new Governance Advisory Committee (GAC) meeting terms were discussed. It was confirmed the new GAC meetings are intended to be working meetings and do not need to be published publicly.
2. **Approval of Agenda**
 - a. **Motion:** *THAT: the agenda of the May 06, 2024, Shuswap North Okanagan Rail-Trail Governance Advisory Committee meeting be approved.*
Moved: Kevin Flynn **Seconded:** Shirley Fowler **Carried:** by consensus
3. **Adoption of Minutes**
 - a. **Motion:** *THAT: the minutes of the January 27, 2023, Shuswap North Okanagan Rail-Trail Governance Advisory Committee meeting be adopted as circulated. ([Jan. 27, 2023 FINAL](#))*
Moved: Kevin Flynn, **Seconded:** Shirley Fowler, **Passed:** by Consensus

Discussion: the GAC affirmed the quality of the minutes that have been kept.



- b. **Motion:** *THAT: the In Camera minutes of the January 27, 2023, Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adopted as circulated. (CONFIDENTIAL)*
Moved: Kevin Flynn, **Seconded:** Shirley Fowler, **Passed:** by consensus

Discussion – The GAC discussed whether a public update is needed on the work that has been done to date and how accommodating the rail trail partner owners have been adapting the permits. TOC staff confirmed that regular updates have been circulated and posted.

4. Reports

- a. **Technical Operational Committee (TOC) Rail Trail Progress Update** ([May 06, 2024](#))

Motion: *THAT: the TOC report be received as amended. (see ACTION 4.a.i. below)*
Moved: Shirley Fowler, **Seconded:** Kevin Flynn, **Carried:** by consensus.

Discussion:

- i. ALC Requirements & Farmers asking for Easements – The GAC discussed the current request by some farmers for easements for vehicle crossings instead of the current permits. TOC staff provided background on the current permits and why easements have not been used at this point. Legal background was also discussed, as well as the recent meeting with ALC Commissioners and how to proceed based on their response once it is received.
- ii. Flood Erosion – TOC discussed the flood erosion assessments done to date and the recommended actions that are currently budgeted for within the ATF funding.
- iii. ATF Contribution Agreement – the GAC discussed the current status of the ATF contribution agreement and whether there will be an opportunity to adjust the construction deadlines.
- iv. BC Active Transportation Grants – the TOC confirmed the deadline for these grants to be completed is this coming September 30, 2024.
- v. Background Overview – GAC recommend including the shared contributions between CSR, RDNO, and the Province of BC to acquire the corridor in the report. (Page 1, Bullet 1) **ACTION: Phil** – to update the progress report to include acknowledgement of the shared contribution for the Joint Rail Trail Roundtable meeting. (See: [Rail Trail Progress Update – April 2024](#))
- vi. Acquisition – GAC discussed the original Splitsin acquisition of the rail trail within IR#2 and #3 and the follow-up call to regional governments to partner in 2015. The original Splitsin vision statement presented at that meeting has guided the values, vision, and direction of the rail trail project. (See: [January 13, 2015](#))

5. Correspondence – None



6. Business Arising

a. Enderby-Splatsin Pilot Section Opening Ceremony – May 10

Discussion – The GAC discussed plans for the Friday, May 10 Official Opening Ceremony. Kukpi7 Christian will MC the event and coordinate roles with Tkwamipla7 and the Splatsin Title & Rights staff who are helping to organize the event. Further logistics and communications for the event were discussed, including response regarding the potential farm demonstration at the event.

7. New Business

a. Requests for Use of Rail Trail Lands (See: [GAC Brief May 03, 2024](#))

i. **Motion:** *THAT: the Rail Trail Governance Advisory Committee recommend to the Boards of the Columbia Shuswap Regional District and the Regional District of North Okanagan, and Splatsin Kukpi7 and Tkwamipla7s, that consistent with the rail trail vision, values and objectives, which include active transportation, recreation and destination tourism, the following Policy Guidelines for the use of surplus Rail Trail Lands be approved:*

- *The proposed use must not negatively impact:*
 - *Public use of the trail, or*
 - *Environmental, cultural, heritage (archaeology) or agricultural values;*
- *Applicants will be responsible for all costs, including archaeological investigations, permitting, installation of temporary fencing etc. as well as on-going costs for maintenance of the Licence Area;*
- *No new permanent structures will be permitted;*
- *Any temporary structures, including fencing, must be approved by the TOC;*
- *Applicants will be responsible for complying with any local zoning or other regulations in respect of the proposed use;*
- *Agreements for use of surplus Rail Trail Lands will have a maximum term of 25 years;*
- *Agreements will include a clause that the rail trail owners can terminate the agreement with two years notice;*
- *Applicants will be responsible for taking appropriate measures to minimize risk to the public from their use of the Licence Area; and*
- *Applicants will be responsible for taking appropriate measures to protect any structures placed within the Licence Area from damage or vandalism.*

Moved: Kevin Flynn, **Seconded:** Shirley Fowler, **Carried:** by consensus

ii. **Motion:** *THAT: the Rail Trail Governance Advisory Committee recommend to the Boards of the Columbia Shuswap Regional District and the Regional District of North Okanagan, and Splatsin Kukpi7 and Tkwamipla7s, that the Rail Trail Owner enter into Licence Agreements for use of surplus Rail Trail lands, with the City of Enderby for a linear dog park, with Shuswap Trail Alliance for the location of a sculpture, as part of the Secwépeḿc Landmarks Project, and with Parsons environmental consultants*



representing Imperial Oil for property owned at 401 Vernon Street in Enderby, as these requests meet the proposed policy guidelines.

Moved: Shirley Fowler, **Seconded:** Kevin Flynn, **Carried:** by consensus

b. Provincially Untenured Docks Adjacent to Rail Trail Lands (See: [GAC Brief May 01, 2024](#))

Motion: *THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to the Board of Directors of the Columbia Shuswap Regional District and the Regional District of North Okanagan, and Splat'sin Kukpi7 and Tkwamipla7, that a letter be sent to the Ministry of Water, Land and Resource Stewardship, asking them to take action to remove the Provincially Untenured docks, which are located adjacent to the Rail Trail Lands within CSRD Electoral Area E, along Mara West Road.*

AND THAT: all correspondence with the Province include acknowledgement of the standing Splat'sin te Secwépemc title & rights in this area.

Moved: Kevin Flynn, **Seconded:** Shirley Fowler, **Carried:** by consensus

Discussion – Splat'sin Title & Rights addressed the standing Splat'sin te Secwépemc title & rights concerns in this area.

c. Upland Consent Required for Docks Located Adjacent to Rail Trail Lands along Mara Lake (See: [GAC Brief May 01, 2024](#))

Motion: *THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to the Board of Directors of the Columbia Shuswap Regional District and the Regional District of North Okanagan, and Splat'sin Kukpi7 and Tkwamipla7, that all individuals having a dock located adjacent to the rail trail lands along Mara Lake, must have submitted an application and all required supporting information for a Dock/Upland Permit prior to June 30th, 2024;*

AND THAT: after June 30th, 2024, a letter be sent to the Ministry of Water, Land and Resource Stewardship, providing a list of the dock owners who have not submitted a Dock/Upland Permit application, asking them to take action to remove the docks whose owners have not applied for upland consent, which are located adjacent to the Rail Trail Lands.

AND THAT: all correspondence with the Province include acknowledgement of the standing Splat'sin te Secwépemc title & rights in this area.

Moved: Shirley Fowler, **Seconded:** Kevin Flynn, **Carried:** by consensus.

Discussion – Splat'sin Title & Rights staff requested that all correspondence going to the Province include acknowledgement of Splat'sin's Title & Rights in this area.



d. Local Government Requests to place utility infrastructure within and parallel to the rail trail lands, and register associated Statutory Rights of Way on the Rail Trail Lands

(See: [GAC Brief May 01, 2024](#))

Motion: *THAT: the Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to the Boards of the Columbia Shuswap Regional District (CSR D) and the Regional District of North Okanagan (RDNO), and to Splitsin Kukpi7 and Tkwamipla7s, that requests to place utility infrastructure within and running parallel to the rail trail lands, and to register associated Statutory Rights of Way (SROWS), be considered on an individual basis by the Governance Advisory Committee (GAC);*

AND THAT: following consideration by the GAC of such requests, that a subsequent recommendation be made to CSR D and RDNO Boards and Splitsin Kukpi7 and Tkwamipla7s.

Moved: Shirley Fowler, **Seconded:** Kevin Flynn, **Carried:** by consensus

8. Next Meetings:

- a. **Governance Advisory Committee** – to be determined.
- b. **Enderby-Splitsin Rail Trail Pilot Section Official Opening** – Friday, May 10, 10:00 am - Noon
- c. **Joint Rail Trail Roundtable** – Monday, May 13, 2024, 9:00 am – Noon (SDC Board Room) – GAC discussed the agenda and purpose, clarifying the Joint Rail Trail Roundtable is an informational meeting to provide a progress report to the inter-jurisdictional partners. The meeting is facilitated by the Technical Operational Committee. An agenda of events will be shared and include welcoming address by Kukpi7 Christian.

9. Adjournment

- a. **Motion:** *THAT: the May 06, 2024, Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adjourned.*

Moved: Shirley Fowler, **Second:** Kevin Flynn, **Carried:** by consensus.

Site-Visit: None planned for this meeting.

Attending: Splitsin Kukpi7 (Chair), RDNO Board Chair, and CSR D Board Chair as the Governance Advisory Committee, with staff support including CAOs and Technical Operational Committee staff representatives.

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



Meeting Documents: (Attached and linked to OneDrive)

1. Governance Advisory Committee Minutes ([January 27, 2023 FINAL](#))
2. Governance Advisory Committee In Camera Minutes (January 23, 2023 DRAFT – CONFIDENTIAL)
3. TOC Report ([May 06, 2024](#))
4. GAC Brief – Requests for Use of Rail Trail Lands ([May 03, 2024](#))
5. GAC Brief – Untenured Docks ([May 01, 2024](#))
6. GAC Brief – Upland Consent Required ([May 01, 2024](#))
7. GAC Brief – Requests to Place Utility Infrastructure ([May 01, 2024](#))

Background Documents: (OneDrive links for Reference)

1. [Rail Trail Development Plan](#) (Jan 15, 2021) and [Staged Class C Costing](#) (Sept 9, 2020)
2. [Rail Trail Concept Maps](#) (Aug 14, 2020)
3. [Overview Map – Rail Corridor](#)
4. [Amenity and Sign Standards](#)
5. [Maintenance Standards, Schedule, and Budget](#)
6. [Invasive Species Management Plan](#)
7. [Communications Plan & Consultation Strategy FINAL](#) (July 19, 2019)
8. [Memorandum of Understanding \(Master Agreement\) between Splatina, CSR, and RDNO – FINAL](#)
9. [Terms of Reference - Governance Advisory Committee](#) (Feb 17, 2023)
10. [Terms of Reference - Technical Operational Committee](#) (2019)
11. [Capital Investment Strategy – Staged Leverage Proposal](#) (Aug 21, 2020)
12. [Capital Investment & Community Engagement Strategy UPDATED](#) (Jan 8, 2021)
13. [Community Capital Fundraising Campaign: Messaging, Strategy, Tactics Update](#) (Jan 12, 2021)
14. [Rail Trail Donor Presentation Folder](#) (Updated Nov 19, 2021)
15. [Information Poster Board Display Set](#) (Jan 27, 2023)
16. [Information Bulletin](#) (Mar. 22, 2024)
17. [Website](#)



Governance Advisory Committee Shuswap North Okanagan Rail Trail MINUTES - FINAL

January 27, 2023, 9:00 am - 12:00 pm

In the Splat sin Development Corporation Board Room and via ZOOM

Updated: May 6, 2024

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 update/discuss project development, fund raising, and upcoming priorities
- To direct communications to update the public

Minutes:

1. Welcome, Splat sin te Secwépemc Acknowledgement, and Introductions

- Welcome remarks from GAC Chair, Kukpi7 Doug Thomas** – 9:10 am – GAC Chair Kukpi7 Doug Thomas welcomed everyone stressing the importance of all the communities coming together within Splat sin te Secwépemc territory and working towards the common goal of reconciliation.
- Chair Kukpi7 Thomas welcomed the new GAC representatives** and extended an invitation to the new CSR D Area G Director Natalya Melnychuk and CSR D Chair Councillor Kevin Flynn to join the meeting.
 - Motion:** *That: CSR D Area G Director Natalya Melnychuk be welcomed to join the Sicamous-to-Armstrong Rail Trail Governance Advisory Committee meeting.*
Moved: Mayor Christine Fraser **Seconded:** Director Rick Fairbairn **Carried** by consensus.
 - Motion:** *That: CSR D Chair Kevin Flynn be welcomed to join the Sicamous-to-Armstrong Rail Trail Governance Advisory Committee meeting.*
Moved: Mayor Kevin Acton **Seconded:** Mayor Christine Fraser **Carried** by consensus.
- Co-Chair assist** – GAC Chair Kukpi7 Thomas invited GAC Co-Vice Chair, Mayor Kevin Acton to assist with chairing the remainder of the meeting.

2. Approval of Agenda

- Motion:** *THAT: the agenda of the January 27, 2023, Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be approved as amended.*
Moved: Director Rick Fairbairn **Seconded:** Director Jay Simpson **Carried** by consensus.



- b. **Motion to Amend Agenda:** *THAT: agenda item 9.b. be split into two motions.*
Motion: Director Jay Simpson **Seconded:** Mayor Christine Fraser **Carried** by consensus.

3. Adoption of Minutes

- a. **Motion:** *THAT: the minutes of the September 23, 2022, Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adopted as circulated. ([Sept. 23, 2022 FINAL](#))*
Moved: Director Jay Simpson **Seconded:** Director Allysa Hopkins **Carried** by consensus.

4. In-Camera Session – at 9:25 am the committee moved into an in-camera session.

- a. **Motion:** *THAT: pursuant to Section 90(1) of the Community Charter, the subject matter being considered relates to:*

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

AND THAT: the Committee close this portion of the meeting and move In Camera

Moved: Director Rick Fairbairn **Seconded:** Councillor Jay Simpson **Carried** by consensus.

- b. At 10:00 am the committee moved out of the in-camera session.

Motion: *THAT: the Committee move out of In Camera and return to the general meeting.*

Moved: Mayor Christine Fraser **Seconded:** Director Rick Fairbairn **Carried** by consensus.

5. Release of In-Camera Resolutions – The resolution of the in-camera meeting was released as moved.

- a. **Motion:** *THAT: The Governance Advisory Committee recommend to their respective Boards and Council that the framework agreement for the Upland Consent/Crossing Agreements (permits) for the dock owners/tenure holders in the Sicamous Narrows and along Mara Lake adjacent to the Rail Trail lands, be amended as follows:*

- *That the proposed agreement be re-worked to simplify, shorten and standardize the wording as much as possible with the methodology/principles utilized for the Agricultural Crossings.*
- *That the consent agreements to allow docks to be located adjacent and connected to the rail trail and access to those dock improvements across the Rail Trail be for a ten-year term.*
- *That all agreements have a common termination date.*
- *That the agreements be assignable, with the permission of the Rail Trail Owners (such permission not to be unnecessarily withheld) to new property owners for the remaining term of the agreement. At all times a common end date will be maintained.*
- *That the notice to terminate period be two years.*
- *That the cost structure remain as was previously established (\$1000 per annum, with an annual CPI escalator).*



AND THAT: The Governance Advisory Committee recommend to their respective Boards and Council that staff be directed to prepare the appropriate documents and send them to the appropriate property owners as the finalized terms and conditions of an offer to provide upland property owner consent to facilitate a provincial tenure grant for permission to build a dock.

AND FURTHER THAT: The above resolution be authorized for release from the closed portion of the Rail Trail Governance Advisory Committee meeting this 27th day of January 2023.

Moved: Councillor Brian Schreiner **Seconded:** Director Rick Fairbairn **Carried** (1 opposed)

6. Presentations

- a. **Unfolding the True Story: Splitsin & Secwepemc History, Values, & Interests** – Kukpi7 Thomas shared insight into Splitsin te Secwépemc history and the particular significance of the rail trail noting there is much evidence of Splitsin’s ancestors along the corridor. He emphasized the importance of coming together to work to care for this place with 7 generation thinking.
- b. **Project Overview** – an overview of the project shared (See: [Project Overview Jan 27, 2023](#))
- c. **Priority Focus for 2023: Building the Trail** – The RDNO and CSR D CAOs presented that the priority focus for 2023 is to build the rail trail and realize its benefits to the public. They affirmed that seeing tangible progress on the ground in 2023 is important for the public to see. The technical team was thanked for all the work put into getting to this point. It is time to build.

7. Reports

- a. **Technical Operational Committee Report** (See: [GAC Brief Nov 18, 2022](#) & [TOC Report Jan 06, 2023](#)) – The Technical Operational Committee presented an updated report of technical work.

Motion: *THAT: the Technical Operational Committee report be received.*

Moved: Councillor Brian Schreiner **Seconded:** Councillor Kevin Flynn **Carried** by consensus.

- b. **Amenity & Sign Standards** (See: [GAC Brief Jan 10, 2023](#)) – The Technical Operational Committee presented the Rail Trail Amenity & Sign Standards for information. This will become part of the Development Plan moving forward.

Motion: *THAT: the Amenity & Sign Standards be received.*

Moved: Councillor Jay Simpson **Seconded:** Councillor Rhona Martin **Carried** by consensus.

- c. **Capital Funding Campaign and Grants** – Alex de Chantal (Fundraising Campaign Coordinator) provided an update on the Rail Trail capital fundraising campaign. (See: [Brief Jan. 27, 2023](#))

8. Correspondence

- a. None

9. Business Arising



- a. **Governance Advisory Committee Terms-of-Reference** – The RDNO and CSR D CAOs presented a recommendation for consideration regarding the evolution of the Governance Advisory Committee Terms-of-Reference as the Rail Trail project moves forward into the construction phase. To eliminate redundancy, the CAOs proposed that the Splatsin Kukpi7 and the two Regional District Chairs act as a smaller governance advisory through which recommendations from the technical operational committee can be brought to the respective Council and Boards for more efficient decision making through the construction phase, and that a larger meeting of all the governance representatives occur on an annual basis, or as needed, for information updates, to celebrate milestones, and foster relationships.

Motion: *That: the Splatsin, CSR D, and RDNO CAOs and staff develop a revised Governance terms-of-reference to bring back to their respective council and boards for approval.*

Moved: Mayor Christine Fraser **Seconded:** Director Marty Gibbons **Carried** (1 opposed)

- b. **Maintenance Standards Plan** (See: [GAC Brief Nov 25, 2022](#)) – The rail trail maintenance standards plan was presented.

- i. **Motion:** *THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to their respective Boards and Council that the Shuswap North Okanagan Rail Trail Standards be adopted.*

Moved: Director Rhona Martin **Seconded:** Councillor Gord Buschell **Carried** by consensus.

- ii. **Motion:** *THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to their respective Boards and Council that funding related to maintenance for the Shuswap North Okanagan Rail Trail be apportioned to the Owners at a ratio relative to the linear ownership of the Rail Trail: CSR D 46%, RDNO 46% and Splatsin 8%.*

Moved: Director Rhona Martin **Seconded:** Mayor Christine Fraser **Carried** (1 opposed)

- c. **Agricultural Crossing Agreements** (See: [GAC Brief January 27, 2023](#)) – a revised agreement policy for agricultural crossings was presented.

Motion: *THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to their respective Boards and Council that the attached Policy for agricultural access be adopted with minor administrative amendments by staff and CAOs;*

AND THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to their respective Boards and Council that a new simplified permit process for Agricultural Crossings be adopted as detailed in the January 27, 2023 report of the Technical Operating Committee.

Moved: Mayor Christine Fraser **Seconded:** Councillor Brian Schreiner **Carried** by consensus.

Discussion: Proposed administrative amendments to the policy for agricultural access:



1. amend the wording that indicates if the agricultural property is removed from the ALR or is changed to a non-farming land use the provision of the permanent crossing may no longer apply, deleting everything after the words “the ALR”;
2. wording be added to indicate the permits would be assignable to subsequent landowners.
3. acknowledge that agricultural landowners have legal access under the Railway Act

10. New Business

- a. **Commercial/Industrial Licenses** – Recommendation regarding the terms for commercial and industrial licenses were presented. (See: [GAC Brief Jan. 09, 2023](#))

Motion: *THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to their respective Boards and Council that the RDNO and CSR D enter into Commercial/Industrial License Agreements with individuals who own existing businesses adjacent to the Rail Trail Lands, who require portions of the Rail Trail Lands in order to continue their operations, subject to the following conditions:*

- *that Agreements be for 25-year terms;*
- *that the Agreement provide for an option to renew for an additional 25-year term;*
- *that the notice of termination period be two years;*
- *that the annual fee be based on an independent valuation of each property;*
- *that the fee increase annually over the previous year’s fee, in accordance with the BCCPI (All items), during the term of the Agreements;*
- *consultation with Splatsin;*
- *that the Licensee be responsible for construction and maintenance of any necessary fencing or safety improvements;*
- *that the Licensee be responsible for providing an accurate sketch or survey; and that*
- *that the Licensee carry adequate insurance naming the RDNO and CSR D as Additional Insureds.*

Moved: Mayor Christine Fraser **Seconded:** Director Rhona Martin **Carried** by consensus.

Discussion – Discussed the proposed fee increases tied to property assessments and CPI to ensure they are reasonable. May require a regular review period.

ACTION: CAOs and staff – to review and come up with a way to address the proposed fee increases tied to property assessments and CPI to ensure they are reasonable.

- b. **Policy re lawfully non-conforming docks within CSR D Area E** (See: [GAC Brief Dec. 02, 2022](#))

Motion: *THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to their respective Boards and Council that Policy A-85 - Provincially Tenured Lawfully Non-Conforming Docks – Electoral Area E Adjacent to Rail Trail Lands, be Adopted.*

Moved: Director Rhona Martin **Seconded:** Director Marty Gibbons **Carried** by consensus.



- 11. **Direction on next communication updates to the public** – Discussed the importance of showing value of the rail trail to the taxpayers. Show how fundraising is able to leverage partner grants.
- 12. **Director Enquiries** – none.
- 13. **Next Meeting:** To be announced.
- 14. **Adjournment** – Kukpi7 Thomas closed the meeting reminding everyone about the significance of this project for reconciliation by coming together for a common goal to build this trail, and expressed his appreciation for everyone at the table.
 - a. **Motion:** *THAT: the January 27, 2023, Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adjourned.*

Moved: Director Rhona Martin **Seconded:** Director Marty Gibbons **Carried** by consensus.

Site-Visit: None planned for this meeting.

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.

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

Meeting Documents: (Attached and linked to OneDrive)

- 1. Governance Advisory Committee Minutes ([September 23, 2022 FINAL](#))
- 2. Project Overview ([Project Overview January 27, 2023](#))
- 3. TOC Meeting Report Jan to Nov 2022 ([November 18, 2022](#))
- 4. TOC Report Jan 2023 ([TOC Report Jan 06, 2023](#))
- 5. Brief re Amenity & Sign Standards ([GAC Brief Jan 10, 2023](#))
- 6. Capital Funding Campaign Brief ([January 27, 2023](#))
- 7. Brief re Maintenance Standards Plan ([November 25, 2022](#))
- 8. Brief re Agricultural Crossing Agreements ([GAC Brief January 27, 2023](#))
- 9. Brief re Industrial/Commercial Licenses ([GAC Brief Jan. 09, 2023](#))
- 10. Brief re Policy re Lawfully Non-conforming Docks within CSR D Area E ([December 02, 2022](#))

Background Documents: (OneDrive links for Reference)

- 1. [Rail Trail Development Plan](#) (Jan 15, 2021) and [Staged Class C Costing](#) (Sept 9, 2020)
- 2. [Rail Trail Concept Maps \(Aug 14, 2020\)](#)
- 3. [Communications Plan & Consultation Strategy FINAL \(July 19, 2019\)](#)
- 4. [Memorandum of Understanding \(Master Agreement\) between Splitsin, CSR D, and RDNO – FINAL](#)



5. [Terms of Reference - Governance Advisory Committee - Sicamous to Armstrong Rail Trail Corridor FINAL](#)
6. [Terms of Reference - Technical Operational Committee - Sicamous to Armstrong Rail Trail Corridor FINAL](#)
7. [Capital Investment Strategy – Staged Leverage Proposal \(Aug 21, 2020\)](#)
8. [Funding Investment & Community Engagement Strategy UPDATED \(Jan 8, 2021\)](#)
9. [Community Capital Fundraising Strategy: Messaging, Strategy, Tactics Update \(Jan 12, 2021\)](#)
10. [Rail Trail Donor Presentation Folder \(Updated Nov 19, 2021\)](#)
11. [Splatins-Enderby Pilot Section Project \(Jan 26, 2021\)](#)
12. [Sicamous to Mara Early Access Project \(July 30, 2021\)](#)
13. [Preliminary Concept Design Report – Sicamous-to-Armstrong Rail Trail Corridor \(Updated Aug 2019\)](#)
14. [Information Poster Board Display Set \(Nov. 18, 2019\)](#)
15. [Information Bulletin #1 \(Nov. 05, 2019\)](#)
16. [Information Bulletin #2 \(May 04, 2021\)](#)
17. [Overview Map – Rail Corridor](#)
18. [Website](#)

Summary of Actions from January 27, 2023 Minutes

Task or Action	Responsibility	Timeframe/Status
Review and come up with a way to address the proposed commercial/industrial license fee increases tied to property assessments and CPI to ensure they are reasonable.	CAOs and staff	To do
Come up with a revised Governance terms-of-reference to bring back to the respective council and boards for approval	CAOs and staff	To do

Summary of Outstanding Actions from previous Minutes

Task or Action	Responsibility	Timeframe/Status
Host an event at Splatins to celebrate the successful fundraising and honor all who helped to raise the funds	GAC	In progress
Following the presentation from MoTI provide clear policy direction to the Technical Operational Committee regarding MoTI use of Rail Trail lands for highway use.	GAC	Following MoTI presentation (March 18, 2022)
Install highway signs and produce promotional video footage utilizing available funding (Motion 5.c.iii.)	TOC	In progress

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

Attendance: Shuswap North Okanagan Rail Trail Governance Advisory Committee – January 27, 2023

Acting Governance Representatives at Meeting:

Allysa Hopkins	Regional District of North Okanagan	Area F Director
Brian Schreiner	City of Enderby	Councillor
Christine Fraser	Township of Spallumcheen	Mayor



Doug Thomas - GAC Chair	Splatstsin	Kukpi7
Gord Bushell	District of Sicamous	Councillor
Jay Simpson	Columbia Shuswap Regional District	Director Area F
Jessie Valstar	City of Armstrong	Councillor
Kevin Acton - GAC Co-Vice Chair	Village of Lumby	Mayor/RDNO Chair
Kevin Flynn	City of Salmon Arm/CSR D	Councillor/CSR D Chair
Louis Wallace Richmond – via ZOOM	City of Salmon Arm	Councillor
Marty Gibbons	Columbia Shuswap Regional District	Area C Director
Natalya Melnychuk – via ZOOM	Columbia Shuswap Regional District	Area G Director
Rhona Martin - GAC Co-Vice Chair	Columbia Shuswap Regional District	Director Area E
Rick Fairbairn	Regional District of North Okanagan	Director Area D
Theresa William – via ZOOM	Splatstsin	Tkwamipla7

Alternate Representatives (Observing)

Denis Delisle	Regional District of North Okanagan	Area F Alternate Director
Joe Cramer – via ZOOM	City of Armstrong	Mayor
John Bakker – via ZOOM	Township of Spallumcheen	Councillor
Randal Ostafichuk	Village of Lumby	Councillor
Shirley Fowler – via ZOOM	City of Armstrong	Councillor

Staff:

Brad Ackerman – via ZOOM	City of Armstrong	Operations Manager
Carie Liefke	Township of Spallumcheen	Planner
Darcy Mooney	Columbia Shuswap Regional District	Manager, Operations Management
David Sewell	Regional District of North Okanagan	CAO
Dawn Low – via ZOOM	City of Armstrong	CAO
Gerald Christie	Columbia Shuswap Regional District	Manager, Development Services
Grahame Go	Splatstsin Development Corporation	CEO
Jeromy Schuetze – via ZOOM	District of Sicamous	Operations and Engineering
John MacLean	Columbia Shuswap Regional District	CAO
Ryan Nitchie	Columbia Shuswap Regional District	Team Leader, Community Services
Scott Beeching – via ZOOM	District of Sicamous	Development Services Manager
Sharen Berger	Columbia Shuswap Regional District	Rail Trail Lease/Legal Administration
Zach Parker	Splatstsin	Director, Splatstsin Title & Rights

Other:

Alex de Chantal – via ZOOM	Shuswap North Okanagan Rail Trail	Fundraising Strategy Coordinator
Ken Netzel – via ZOOM	General Public	
Phil McIntyre-Paul	Shuswap Trail Alliance	GAC/TOC Secretariate
Stuart Sorkilmo – via ZOOM	General Public	



Also attending via ZOOM: Brent, Guido, Corey's iPhone 12	General Public	
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Regrets:

Alan Harrison	City of Salmon Arm	Mayor
Ian Wilson	Regional District of North Okanagan	General Manager, Strategic and Community Services
Todd York	Township of Spallumcheen	Councillor
Tundra Baird	City of Enderby	Councillor



The Shuswap North Okanagan Rail Trail (Sicamous-to-Armstrong)

BRIEFING NOTE: Rail Trail Progress Update – April 2024

To: Shuswap North Okanagan Rail Trail Joint Roundtable Elected Representatives and contacts

From: Shuswap North Okanagan Rail Trail Technical Operational Committee (Splatsin te Secwépemc, Columbia Shuswap Regional District, Regional District of the North Okanagan)

Prepared by: Phil McIntyre-Paul, Secretariat, SNO Rail Trail Technical Operational Committee

Date: April 16, 2024

Re: Progress Update on the Shuswap North Okanagan Rail Trail between Sicamous and Armstrong

BACKGROUND LINKS:

- **View the Shuswap North Okanagan Rail Trail – Community Update Video** (Oct. 23, 2023): <https://shuswapnorthokanaganrailtrail.ca/shuswap-north-okanagan-rail-trail-community-update-oct-23-2023/>
- **Previous Progress Update Report:** [December 7, 2023](#)
- **Rail Trail Public Update Bulletin:** [March 22, 2024](#)
- Please visit shuswapnorthokanaganrailtrail.ca for ongoing general updates.

BACKGROUND OVERVIEW:

- **Rail corridor acquired and owned** by Splatsin te Secwépemc, RDNO, CSRD with funding support from Province of BC (2014-2018)
- **Joint agreement to develop** the rail corridor together as a linear greenway trail (2019)
- **Joint Governance and Technical Management Structure** developed to ensure the corridor remains contiguous and is developed, operated, and maintained for its use as a continuous non-motorized recreational trail, particularly for pedestrian and bicycle transportation, as well as future potential use as a continuous multi-model regional transportation corridor. ([GAC ToR](#))
- **Development plan** completed and approved January 2021 with funding support from the BC Rural Development Program and the District of Sicamous and CSRD Area E Economic Opportunities Fund (See: <https://shuswapnorthokanaganrailtrail.ca/development-plan/>)



- **Agricultural Land Commission Decision** – following a two-year planning and consultation period with adjacent agricultural property owners, the ALC approved the proposal to convert the corridor into a rail trail subject to conditions in February 2021. TOC staff have since been working with agricultural property owners and the ALC to meet the conditions which include accessing ALR lands across the rail trail. (See [ALC File 60525, Resolution #65/2021](#))
- **Rail Trail Governance Bylaw and Permit:** A bylaw to regulate the use of the Shuswap North Okanagan Rail Trail within the jointly owned RDNO and CSR D portion of the rail corridor was drafted and approved in 2023. The new bylaw and accompanying permits provide clearer assurance and terms for various situations including access to adjacent properties and other uses and encroachments within the rail trail lands. (See [RDNO Bylaw 2977](#) and [CSR D Bylaw 5865](#))
- **Amenities and Sign Standards** – Comprehensive [Amenities and Sign Design Standards](#) for the rail trail were developed to guide standardized development of the rail trail corridor.
- **Long-term Maintenance** – A [comprehensive maintenance standards plan](#), schedule, and cost sharing agreement was adopted spring 2023 and is now being implemented with the Splatsin Development Corporation’s Yucwmenlúcwu (Caretakers of the Land) providing the lead maintenance contract services.
- **Invasive Species Management Plan** has been developed and implemented as part of long-term care for the corridor. (See [Invasive Species Management Plan](#))
- **Revegetation Plan** incorporating traditional indigenous species was completed for the [Enderby-Splatsin Pilot Section Revegetation Plan](#) in July 2023. The full corridor plan is being finalized.
- **Capital Funding Secured to Date:** \$15,103,361
 - \$250,000 from the Provincial Tourism Infrastructure Grant program through Thompson Okanagan Tourism Association (TOTA/MTACS)
 - \$459,061 Federal/Provincial COVID Recovery Infrastructure Stream (CVRIS)
 - 2 x \$500,000 from the BC Active Transportation Infrastructure program (BCAT)
 - \$12,539,445 from the Active Transportation Fund – Infrastructure Canada
 - \$160,000 from CSR D rail trail reserves matching for BCAT Armstrong – Lansdowne grant.
 - \$160,000 from RDNO rail trail reserves matching for BCAT Armstrong – Lansdowne grant
 - \$232,000 from the Economic Opportunities Fund - District of Sicamous and CSR D Area E matching for BCAT Sicamous – Mara Early Access grant
 - \$302,855 in individual and corporate donations including Askews Foods, SASCU, and Rotary (funds are held in reserve through the Shuswap Community Foundation)

- **Enderby-Splatsin Pilot Section** (KM 35.8 – 37.8) – completed November 2023. Now open to the public. (Funding: TOTA/MTACS Tourism Infrastructure Grant, CVRIS Grant)
- **Sicamous-to-Mara Early Access, Safety, and Erosion Mitigation** (KM 1.5 – 4.5) – Rock scaling was completed July 2023. Trail flood mitigation and surfacing shifted south of KM 0.0 due to archaeological concerns at Bruhn Bridge, and south again to KM 1.5 while the District of Sicamous worked through rezoning of rail trail lands for the km 0.5 to 1.5 section. This project grant also includes Rosemond Lake Bridge repairs and decking (KM 15). Construction underway spring 2024 for completion by September 30, 2024 funding deadline. (Funding: BC Active Transportation Grant, Sicamous/CSR D Area E Economic Opportunities Fund)
- **Armstrong-to-Lansdowne Road** (KM 49.15 – 50.4) – Construction tenders to be posted this spring 2024 for completion by September 30, 2024 funding deadline. (Funding: BC Active Transportation Grant, RDNO & CSR D Rail Trail Reserve Funds)
- **Sicamous-to-Stepney X Road** (KM 0.5 – 42.6) – Splatsin Development Corporation’s Yucwmenlúcwu (Caretakers of the Land) currently preparing archaeological reviews and scheduling for construction to begin spring 2024 and completion in 2025. (Funding: Active Transportation Fund – Infrastructure Canada, community capital donations fund)
- **Still to raise for final completion** (KM 42.6 – 49.15) – Highway 97A Pedestrian/Bicycle Overpass and trail construction finish. Completion of the final 6.6 km will require an estimated \$5.6 million in additional funding. The SNO Rail Trail partners are now seeking funds to complete engineering design and costing and assemble final funds to aim for an ideal completion in 2026.



CURRENT PROGRESS UPDATE:

- Mobilization began the week of March 18, 2024 on the northern section between km 1.5 - 4.5 within Splatsin IR3 and CSR D Area E jurisdiction utilizing the BC Active Transportation grant funds (Grant completion deadline: Sept 2024). Construction staging is at Folland Road.



- The SplatSIN Development Corporation's Yucwmenlúcwu (Caretakers of the Land) team are constructing the trail based on their successful work last fall completing the Enderby-SplatSIN pilot section. Urban Systems is providing detailed engineering design, tender, and construction services.
- The quick timing on the District of Sicamous rezoning decision, relatively early in the construction season, increases the chance of the km 0.5 to 1.5 section being added to the 2024 construction schedule. The Technical Operational Committee are currently going over construction plans with the Yucwmenlúcwu Project Construction Manager to see if and how this can be accommodated.
- Access to this northern section of trail will remain closed until it is safe and interim trailhead access is resolved. Access points are closed, fenced, and signed.
- Final Sicamous access will be over the new Bruhn Bridge which will include a separated multi-use pedestrian/bicycle pathway to Old Spallumcheen road and the rail trail. But current delays mean this will not be completed for at least the next two years, possibly longer.
- The Technical Operational Committee are undertaking active exploration of a number of alternate interim trailhead access options for the northern end of the rail trail.
- Construction of the rail trail will continue, however, as there are many layers to complete including erosion and flood mitigation. Funding is currently in place with deadlines for completion. Work on the rail trail is anticipated to continue over the next two years.
- Correspondence has been sent to all adjacent property owners near construction zones reminding them to remove or modify any encroaching structures that could compromise the integrity of the rail trail, or interfere with the construction, maintenance, and repair of the rail trail or with future erosion mitigation works.
- Additionally adjacent property owners and the public are being reminded that no construction of structures, including steps, stairs and retaining walls, or removal or disturbance of vegetation or soils is permitted within the rail trail lands without prior approval of the Rail Trail Owner.
- SplatSIN leadership are finalizing details with the Federal Government on the Active Transportation funding agreement. Under this funding, the SplatSIN Development Corporation's Yucwmenlúcwu (Caretakers of the Land) team are preparing to keep construction moving south from the initial km 1.5-4.5 section with funding sufficient to complete all aspects of trail construction to km 42.6 at Stepney X Road through 2024 and 2025. Final ALC clearance is pending.
- Additional funding is secured through the BC Active Transportation program to also complete the section of parallel pathway into Armstrong between Lansdowne Road at km 49.15 and Smith



Drive at km 50.4 this season. The City of Armstrong are working on plans to extend their pathway system from this point into town. Final ALC clearance is pending.

- Agricultural Land Commission – A [Summary of Communications and Engagement with Agricultural Property Owners Report](#) was submitted in February 2024 in accordance with the conditions of [ALC Resolution #65/2021](#) issued in February 2021. ALC commissioners indicated at least 1 adjacent landowner continues to have issues with the trail regarding crossing permits. TOC representatives meet with ALC commissioners this month to discuss finalizing compliance with this condition.
- An official opening of the completed Enderby-Splatsin pilot section with Splatsin, RDNO, and CSR leadership is scheduled for Friday, May 10, 10:00 am to Noon at the new trailhead across from Belvidere Park in Enderby.
- A \$287,000 application was recently submitted by the rail trail owners to the PaciCan Destination Development funding program to support initiation of landscaping and revegetation of the new Enderby-Splatsin section and engineering design/costing for the Hwy 97A overpass just north of Armstrong.
- Once ready, the overpass design/costing will be used by the Rail Trail owners (Splatsin, RDNO, CSR) to seek and apply for capital funding to complete this final part of the trail.

Following is a summary of progress and anticipated future timelines for construction of the rail trail:

- July 2023 – rock scaling completed along Mara Lake.
- November 2023 - rail trail Pilot Section completed between km 35 – 37 in Enderby.
- January 2024 – construction tenders issued for spring work.
- March-May 2024 – trail surfacing between km 1.5 – 4.5 (Sicamous and North Mara Lake)
- April-May 2024 – prepare for repair work on the Rosemond Lake Bridge.
- April-May 2024 – prepare for trail construction of km 49 – 50 (Lansdowne Road to Armstrong).
- May-June 2024 – submit erosion mitigation plans for environmental review and archaeology.
- 2024- 2025 – continue trail surfacing between km 4.5 – 42.6 (Sicamous and Stepney X Road).
- 2025 – finish erosion mitigation repairs, trailhead areas, and signage; fundraising for overpass.
- 2026 - Hwy 97A pedestrian overpass and final trail construction.



Enderby-Splatsin Pilot Section – newly packed aggregate surfacing (completed November 2023)



Enderby-Splatsin Pilot Section – entrance bollards and signage (completed November 2023)



Enderby-Splatsin Pilot Section – Cliff Avenue Pedestrian activated crosswalk.



Enderby-Splatsin Pilot Section – Belvidere Park Trailhead.



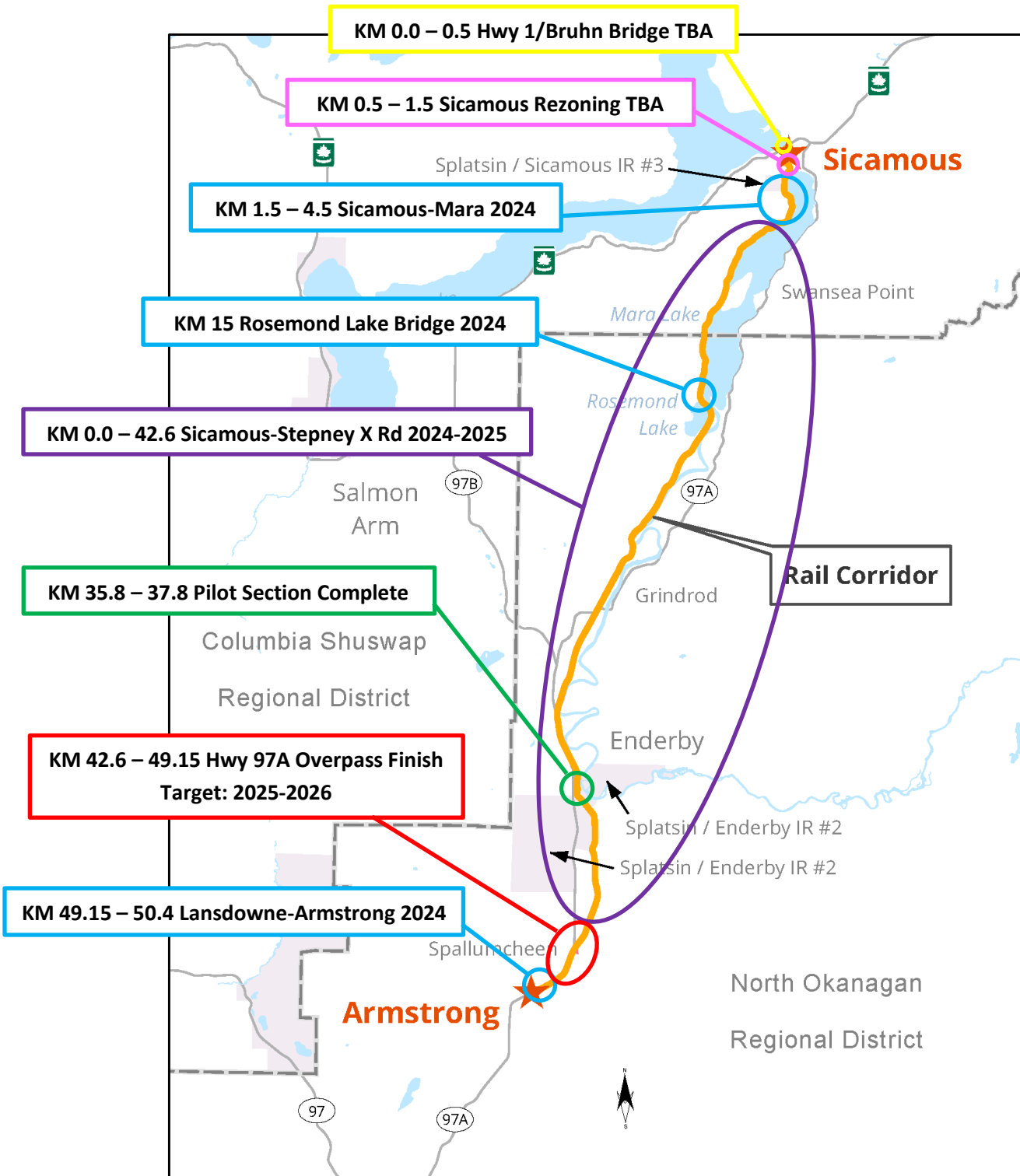
Splatsin team prepare rail bed ready to receive aggregate at north end of Mara Lake (Km 1.5-4.5)

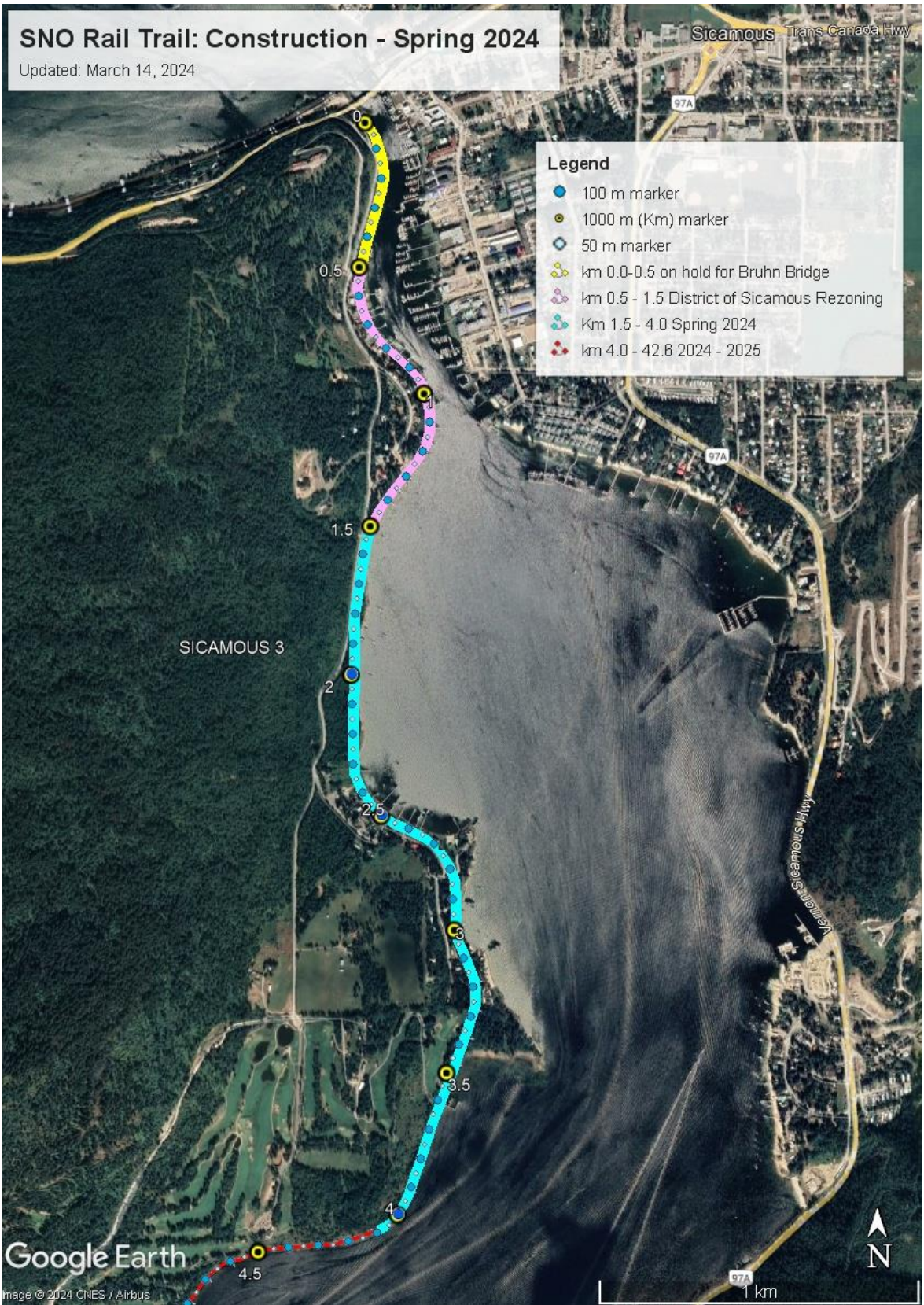


Preparation of staging area at Folland Road.



All access is closed with fences and signs.









The Shuswap North Okanagan Rail Trail (Sicamous-to-Armstrong)

BRIEFING NOTE

To: Rail Trail Governance Advisory Committee

From: Technical Operating Committee

Date: UPDATED May 03, 2024

Re: Requests for use of Rail Trail lands

RECOMMENDATION:

THAT: the Rail Trail Governance Advisory Committee recommend to the Boards of the Columbia Shuswap Regional District and the Regional District of North Okanagan, and Spltasin Kukpi7 and Tkwamipla7s, that consistent with the rail trail vision, values and objectives, which include active transportation, recreation and destination tourism, the following Policy Guidelines for the use of surplus Rail Trail Lands be approved:

- The proposed use must not negatively impact:
 - Public use of the trail, or
 - Environmental, cultural, heritage (archaeology) or agricultural values;
- Applicants will be responsible for all costs, including archaeological investigations, permitting, installation of temporary fencing etc. as well as on-going costs for maintenance of the Licence Area;
- No new permanent structures will be permitted;
- Any temporary structures, including fencing, must be approved by the TOC;
- Applicants will be responsible for complying with any local zoning or other regulations in respect of the proposed use;
- Agreements for use of surplus Rail Trail Lands will have a maximum term of 25 years;
- Agreements will include a clause that the rail trail owners can terminate the agreement with two years notice;
- Applicants will be responsible for taking appropriate measures to minimize risk to the public from their use of the Licence Area; and
- Applicants will be responsible for taking appropriate measures to protect any structures placed within the Licence Area from damage or vandalism.

THAT: the Rail Trail Governance Advisory Committee recommend to the Boards of the Columbia Shuswap Regional District and the Regional District of North Okanagan, and Spltasin Kukpi7 and Tkwamipla7s, that the Rail Trail Owner enter into Licence Agreements for use of surplus Rail Trail lands, with the City of Enderby for a linear dog park, with Shuswap Trail Alliance for the location of a sculpture, as part of the Secwépemc Landmarks Project, and with Parsons environmental consultants representing Imperial Oil for property owned at 401 Vernon Street in Enderby, as these requests meet the proposed policy guidelines.



SPECIFIC RAIL TRAIL REQUESTS:

1. City of Enderby Proposed Dog Park:

Enderby has inquired whether the Rail Trail Owners would consider allowing the installation of a fenced, linear dog park, on surplus land not required for the trail (for example, see Attachment A). The City would be responsible for all costs including installation, maintenance, archaeological investigations (in accordance with the policy guidelines).

This proposal could provide a few benefits, in blocking unauthorized motor vehicle access across the trail, and some of the surplus Rail Trail Lands land would be maintained by the City. However, it could also lead to additional issues with this section of trail, with regards to parking and possibly an increase of dog feces or litter on the trail.

Attachment A shows an example of what is proposed, but the exact location and dimensions would need to be determined.

2. Secwépemc Landmark Sculpture

The Secwépemc Landmarks Project is a Secwépemc-led arts project that supports Secwepemtsín (Secwépemc language) learning and creates awareness of Secwépemc oral histories, language, and laws in Secwepemcúlecw. As part of this project, eight sculptures have been commissioned and are being placed in public locations within the Splatsin territory. See this link for more information: <https://shuswaptrails.com/points/>

The Landmarks committee has requested permission to place a sculpture on rail trail lands, near the trailhead at Cliff Avenue (Attachment B), but the exact location is yet to be determined.

The Landmarks Committee would be responsible for any installation costs, including archaeological investigations. If approved, the rail trail owners would be responsible for on-going maintenance, through an agreement with the Shuswap Trail Alliance.

The sculpture includes a metal “tree” trunk with wood elements near the top, as well as a metal fishing weir. The sculptures have been designed to help minimize the amount of maintenance required, as well as the risk of vandalism or damage. Staff have some concerns about the potential risks of people climbing on the fishing weir and have requested some split-rail fencing to help keep people off.

The Technical Operational Committee is recommending support of this request, subject to appropriate measures being taken to minimize risk to the public and potential damage to the sculptures, consistent with the policy guidelines.

See Attachment B



3. Temporary Environmental Monitoring Wells within rail trail lands

The Rail Trail Owners were approached in August 2023 by Parsons environmental consultants representing Imperial Oil for property owned at 401 Vernon Street in Enderby (identified in black outlined area on Attachment C).

A total of 6 environmental monitoring wells are proposed to be located on Rail Trail lands immediately east of the Imperial Oil property, to monitor any contamination (leaching) from an old Esso gas station located at the 401 Vernon Street property onto Rail Trail lands.

Two installation options are proposed for the monitoring wells. One is a cast-iron road box flush with grade; the second a 'stick-up' well stretching 1 meter above ground level to remain visible. The monitoring wells are proposed to be decommissioned within 2 years.

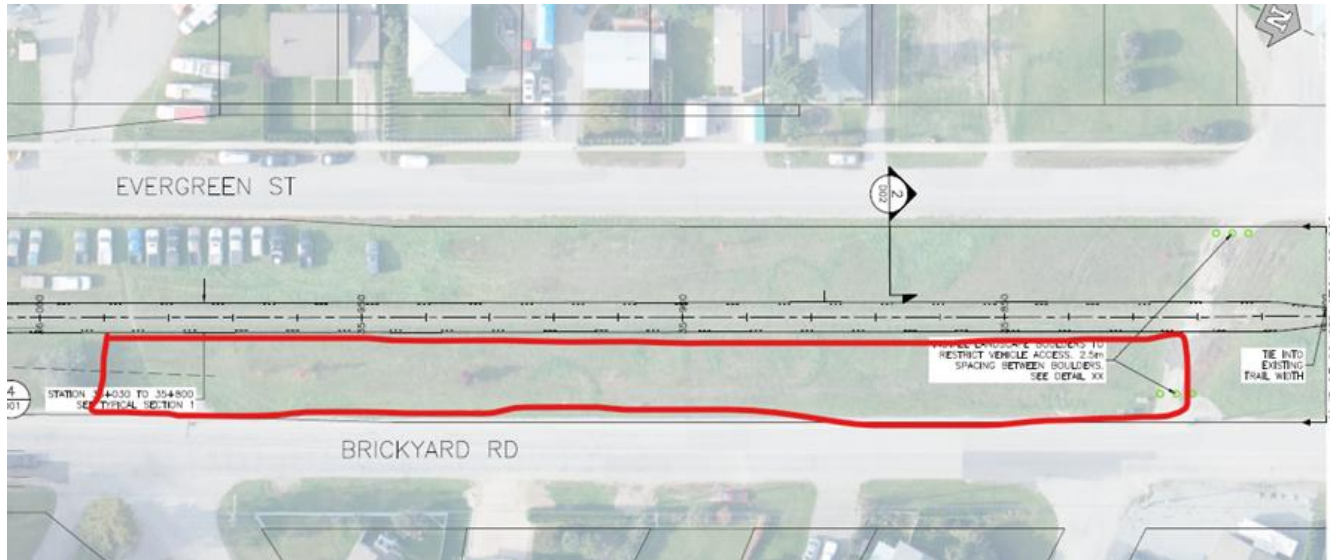
Each borehole for each monitoring well will be advanced with a combination of hydro-excavator and auger drill rig with a diameter of 0.2m in going to depths no deeper than 6.7 mbgs. A combination of soil, groundwater and soil vapour data would be collected during the initial drilling and subsequent follow-up monitoring events. Any soil cuttings or purged groundwater would be stored in drums on the Imperial Oil property.

The proposed disturbance within Rail Trail lands is not associated with rail trail construction and as such would require a separate Heritage Permit through the Archaeology Branch. The Technical Operational Committee recommend support of this proposal, with all associated costs being borne by the owners of 401 Vernon Street, in accordance with the policy guidelines.

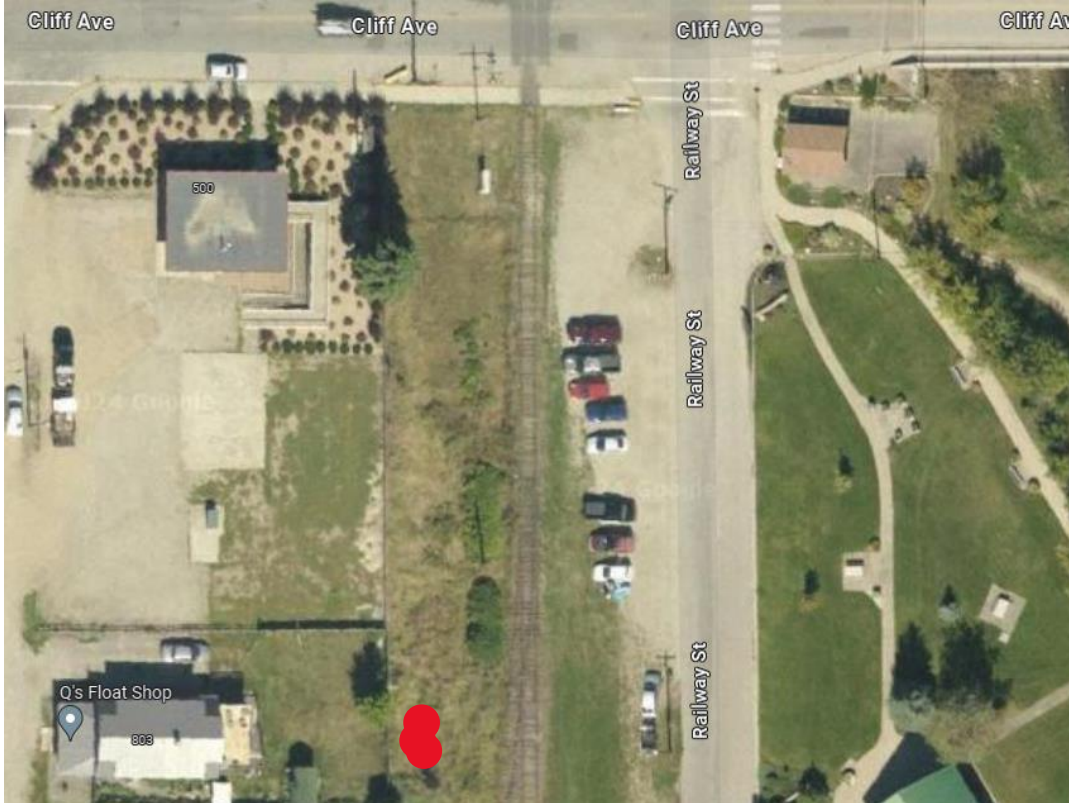
See Attachment C

ATTACHMENTS:

Attachment A. Sketch showing proposed linear Dog Park operated by Enderby. The actual location and dimensions would need to be determined, if approved.



Attachment B. Proposed location (red) for the Landmarks Sculpture (top) and an illustration of the two pieces to be installed (bottom).



Secwepemc Landmarks Phase II
S'platsin/City of Enderby
Hop, Tony & David - Draft Design

Steel Stump of tree

- Top same diameter as the base of the carving
- animal and plant names and images etched into side (fig.1)
- viewfinders in sidewall
- corten finish with etching
- epimatic clear applied to both steel and wood
- place names and transitions cut into steel sidewall (fig.2)

Steel Cutout Pieces, Animals & plants illustrations

Technical Criteria

- Concrete Footing with 18" Sono Tube or larger helical w/ xl plate
- Connections with tamper proof hardware
- 3/4" stainless or zinc plated connection bolts and hardware
- concrete (or helical plate) to steel
- 20,000 lbs bearing substrate

*final design with additional surrounding artwork and engineering details TBD

← Wood Carving

viewfinders to landmarks

5'

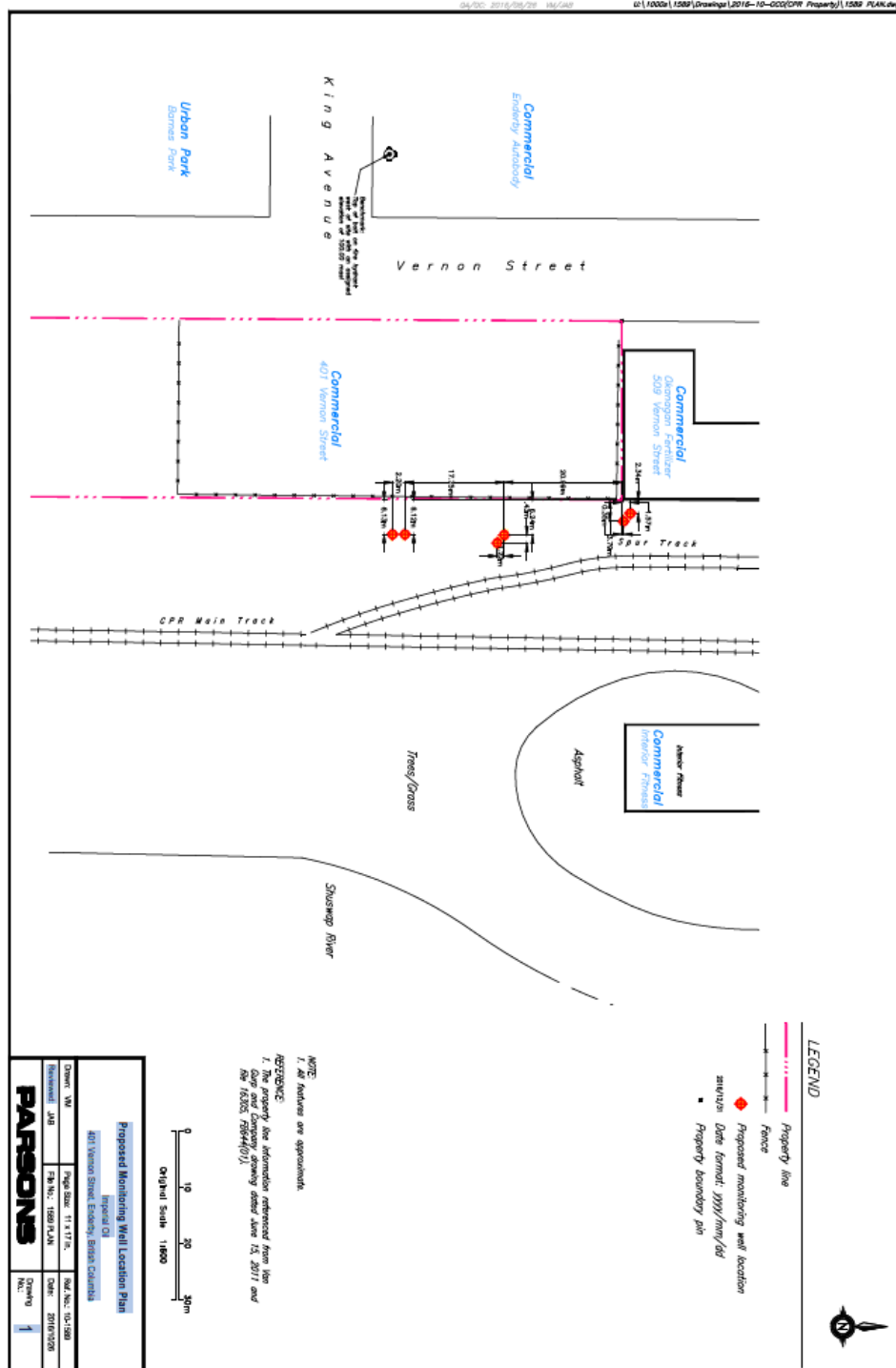
3'

Fishing Weir

- Made of corten steel 15mm rod
- three point contact helical foundation
- 3" pipe fence with cross bar
- all assembled with fasteners and high grade welds

*Note: All sculptures are designed to CSA Parks and Safety Standards

Attachment C. Proposed locations for monitoring wells on the Rail Trail properties, south of Granville Avenue. The exact locations are to be determined (two of the wells are mistakenly shown on another private property to the north).





The Shuswap North Okanagan Rail Trail (Sicamous-to-Armstrong)

BRIEFING NOTE

To: Shuswap North Okanagan Rail Trail Governance Advisory Committee

From: Technical Operational Committee

Date: April 29, 2024

Subject: Provincially Untenured Docks Adjacent to Rail Trail Lands

RECOMMENDATION:

THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to the Board of Directors of the Columbia Shuswap Regional District and the Regional District of North Okanagan, and Splatsin Kukpi7 and Tkwamipla7s, that a letter be sent to the Ministry of Water, Land and Resource Stewardship, asking them to take action to remove the Provincially Untenured docks, which are located adjacent to the Rail Trail Lands within CSRD Electoral Area E, along Mara West Road.

BACKGROUND:

The Province of BC is responsible for the issuance of leases, licences, and general and specific permissions as they pertain to the development of the Foreshore and Aquatic Crown Land. The *Provincial Land Use Operational Policy Private Moorage, January 21, 2019*, and *Crown Land Use – General Permission for Private Moorage – June 1, 2022*, state that General Permission for a dock is **only** granted to owners of waterfront property or to individuals who are the Crown lessee of the Upland Property. Despite the Provincial Private Moorage Policy, there are individuals who own non-waterfront property located adjacent to the rail trail lands, within CSRD Electoral Area E, who have constructed docks in the absence of obtaining provincial permission for private moorage. They also did not receive upland consent from CP Rail, the previous owner of the Rail Trail lands.

Provincial Ministry staff has now indicated that, consistent with the Provincial Private Moorage Policy, it will not renew tenures or grant new tenures for private moorage facilities without the consent of the adjacent riparian landowner.

DISCUSSION:

The CSRD has enacted land use bylaws which regulate the use of Land, including the surface of the water. Consistent with the Provincial Private Moorage Policy, Lakes Zoning Bylaw No. 900 does not permit docks for non-waterfront properties. Additionally, the recently adopted Electoral Area E Official Community Plan Bylaw No. 840 (Bylaw No. 840), and Electoral Area E Zoning Bylaw No. 841 (Bylaw No. 841), do not support private uses, including privately owned docks, on



water adjacent to park lands. Bylaw No. 840 designates the Rail Trail Lands PK – Parks and Recreation, and Bylaw No. 841 zones the Rail Trail Lands PK – Parks and Protected Areas

The subject of docks located within Electoral Area “E” of the CSR D, adjacent to the Rail Trail Lands, was considered by the CSR D Board of Directors at its October 2019 CSR D Board meeting. At that meeting, the Board passed a motion that a moratorium on any new upland consent be instituted until such time as a new Policy could be presented to the Rail Trail Governance Advisory Committee.

At its meeting on January 27, 2023, the Rail Trail Governance Advisory Committee recommended that Policy A-85 - Provincially Tenured Lawfully Non-Conforming Docks – Electoral Area E Adjacent to Rail Trail Lands (Policy A-85), be adopted by the RDNO and CSR D Boards and Splatsin Kukpi7 and Tkwamipla7’s. On February 16, 2023, the CSR D adopted Policy A-85.

Policy A-85 allows the Rail Trail Owner to consider entering into Licence and Upland Consent Agreements with dock owners, where the zoning does not permit the existing use, but the docks have been determined by the CSR D Development Services staff to have lawful non-conforming status, **and where the province has previously granted permission for the docks. The dock owner must have submitted an application to the Province for Private Moorage and received provincial tenure approval to construct a dock adjacent and connected to the rail trail lands prior to the adoption of Bylaw No. 900, August 16, 2012;**

Summary:

The Provincial Land Use Operational Policy Private Moorage, January 21, 2019, and Crown Land Use – General Permission for Private Moorage – June 1, 2022, the Common Law of Riparian Rights in BC, and CSR D Land Use Bylaws do not support granting Licence and Upland Consent to non-waterfront property owners. Despite these regulations, there have been docks constructed in Electoral Area “E”, adjacent to the Rail Trail Lands without the necessary Provincial tenure permission or Upland Consent.

In October 2023, the CSR D adopted the Rail Trail Governance Bylaw No. 5865, 2023, which regulates use of the Rail Trail Lands, establishes Fees for use, and provides the method for implementing the Permitting process. Individuals who have docks located adjacent to the Rail Trail Lands in Electoral Area E, which meet the conditions set out in Policy A-85 and have been issued a Dock/ Upland Consent Permit, will be paying the Annual Fee set out in Schedule B of Bylaw No. 5865. Individuals who have not received provincial approval or upland consent and have constructed docks in the absence of permission, will not be subject to the same Annual Fee, creating an unequal/unfair situation.

The Ministry of Water, Land and Resource Stewardship has jurisdiction over the issuance of leases, licences, and general and specific permissions as they pertain to the development of the Foreshore and Aquatic Crown Land. Therefore, to ensure that individuals who have obtained all the required permissions and consent are not treated unfairly, the Province should take action to remove the untenured docks.

Reference Documents (OneDrive Links):

- [Provincial Land Use Operational Policy Private Moorage, January 21, 2019](#)
- [Crown Land Use – General Permission for Private Moorage – June 1, 2022](#)



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- [Provincial General Permission Requirements Checklist and Interpretive Guide Version February 2023](#)
 - [Policy A-85](#)
 - [Bylaw No. 5865](#)



The Shuswap North Okanagan Rail Trail (Sicamous-to-Armstrong)

BRIEFING NOTE

To: Shuswap North Okanagan Rail Trail Governance Advisory Committee

From: Technical Operational Committee

Date: April 29, 2024

Subject: Upland Consent Required for Docks Located Adjacent to Rail Trail Lands along Mara Lake

RECOMMENDATION:

THAT: The Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to the Board of Directors of the Columbia Shuswap Regional District and the Regional District of North Okanagan, and Splat7in Kukpi7 and Tkwapila7s , that all individuals having a dock located adjacent to the rail trail lands along Mara Lake, must be **issued a Dock/Upland Permit from the Rail Trail Owner** prior to June 30th, 2024; or, **have submitted an application and all required supporting information for a Dock/Upland Permit prior to June 30th, 2024;**

AND THAT: after June 30th, 2024, a letter be sent to the Ministry of Water, Land and Resource Stewardship, providing a list of the dock owners who have not obtained a Dock/Upland Permit, requesting that the Province take appropriate action regarding the tenures granted for those docks.

(Note: Most of these docks do have Provincial tenure – but the Upland Consent has expired, and without upland consent, the province should be advising the dock owners that their tenure will be cancelled.)

BACKGROUND:

Tenured and untenured docks...

The Province of BC is responsible for the issuance of leases, licences, and general and specific permissions as they pertain to the development of the Foreshore and Aquatic Crown Land. The Provincial Land Use Operational Policy Private Moorage, January 21, 2019, and Crown Land Use – General Permission for Private Moorage – June 1, 2022, state that General Permission for a dock is **only** granted to owners of waterfront property or to individuals who are the Crown lessee of the Upland Property.

Provincial Ministry staff has now advised that, consistent with the Provincial Private Moorage Policy, it will not renew tenures or grant new tenures for private moorage facilities without the consent of the adjacent riparian landowner.



On April 12, 2024, Staff from the Ministry of Water, Land and Resource Stewardship contacted the CSR asking whether the Rail Trail Owner had adopted the bylaws, if the Permitting system was in place, and which tenure holders, if any, had obtained Upland Consent from the Rail Trail Owner, consistent with their Tenures. Provincial officials have requested to be informed of docks that do not have upland consent.

DISCUSSION:

In October 2023, the CSR adopted the *Rail Trail Governance Bylaw No. 5865, 2023*, (Bylaw No. 5865) which regulates use of the Rail Trail Lands, establishes Fees for use, and provides the method for implementing the Permitting process. Bylaw No. 5865, and the corresponding Regional District of North Okanagan *Shuswap North Okanagan Rail Trail Regulations and Fees Bylaw No. 2977, 2023*, were prepared in response to concerns from individuals who own land adjacent to the rail trail lands, regarding the Agreements that had been prepared by the Rail Trail Owner, to replace the CPR Agreements.

To address those concerns, the Dock/Upland Permit conditions are as follows:

- Permits are shorter, simpler, and more consistent/standardized than the Agreements;
- Permits are for ten (10) year terms, with an option to renew;
- 2023 is the initial year of the term for Dock/Upland Permits;
- The annual fee for the 2023 year has been waived;
- The notice of termination period has been increased to two (2) years;
- Permits may be assigned to successive property owners for the remainder of the existing term, with the permission of the Rail Trail Owner; such permission not to be unreasonably withheld;
- All Dock/Upland Permits will have a common expiry date of December 31, 2032;
- Individuals who have an existing executed Licence and Upland Consent Agreement with the Rail Trail Owner will have that Agreement converted to a Dock/Upland Permit; the expiry date of the Permit will be extended; and
- to be consistent with the common expiry date, and any fee paid for the Agreement will be applied to the Permit fee.

On December 11, 2023, letters were sent to individuals who own docks within the District of Sicamous, adjacent to the rail trail lands, advising them that Bylaw No. 5865 had been adopted, and that the Permit process was in place. The letter requested that the dock owners complete and submit the Dock/Upland Permit application to the CSR as soon as possible and enclosed a copy of a Dock/Upland Permit, for their use. To date, **none** of the District of Sicamous dock owners have submitted an application for a Dock/Upland Permit.

With the adoption of the *District of Sicamous Zoning Amendment Bylaw No. 1044, 2024, on April 24, 2024*, which rezoned the Rail Trail Lands within the District of Sicamous from R-1 One and Two Unit Residential to P-3 Park - General, the Rail Trail Owner is prepared to pivot on construction of the rail trail, extending the rail trail north of 1.5km, to 0.5km within the District of Sicamous, rather than using the British Columbia Active Transportation (BCAT) grant funding for the Rosemond Lake Bridge repairs. BCAT grant agency will allow the scope change.



Letters will be sent out to individuals who own property within the District of Sicamous, adjacent to the rail trail lands, advising of the date that construction will take place on the 0.5km to 1.5km section of the rail trail, and that Encroaching structures that could compromise the integrity of the rail trail, or interfere with the construction, maintenance, and repair of the rail trail or with future erosion mitigation works, must be removed, or modified prior to construction of the rail trail. The letter also states that where feasible, encroaching infrastructure will be moved by construction crews. Where it is not feasible to move the encroaching infrastructure, it may be damaged.

Summary:

The Provincial Land Use Operational Policy Private Moorage, January 21, 2019, and Crown Land Use – General Permission for Private Moorage – June 1, 2022, the Common Law of Riparian Rights in BC, and CSR D Land Use Bylaws do not support granting Licence and Upland Consent to non-waterfront property owners.

Provincial Ministry staff has now indicated that, consistent with the Provincial Private Moorage Policy, it will not renew tenures or grant new tenures for private moorage facilities without the consent of the adjacent riparian landowner.

The Ministry of Water, Land and Resource Stewardship has jurisdiction over the issuance of leases, licences, and general and specific permissions as they pertain to the development of the Foreshore and Aquatic Crown Land. Therefore, the Province should be provided with a list of individuals **who have not obtained a Dock/Upland Permit for their docks prior to June 30, 2024**, and in accordance with Provincial Land Use Operational Policy Private Moorage, January 21, 2019, ask that the Province take action to remove the Provincially Untenured docks. .

Reference Documents:

- [Provincial Land Use Operational Policy Private Moorage, January 21, 2019](#)
- [Crown Land Use – General Permission for Private Moorage – June 1, 2022](#)
- [Provincial General Permission Requirements Checklist and Interpretive Guide Version February 2023](#)
- [Bylaw No. 5865](#)



The Shuswap North Okanagan Rail Trail (Sicamous-to-Armstrong)

BRIEFING NOTE

To: Rail Trail Governance Advisory Committee

From: Technical Operating Committee

Date: April 29, 2024

Re: Local Government Requests to place utility infrastructure within and parallel to the rail trail lands, and register associated Statutory Rights of Way on the Rail Trail Lands.

RECOMMENDATION:

That: the Shuswap North Okanagan Rail Trail Governance Advisory Committee recommend to the Boards of the Columbia Shuswap Regional District (CSR D) and the Regional District of North Okanagan (RDNO), and to Splat sin Kukpi7 and Tkwamipla7s, that requests to place utility infrastructure within and running parallel to the rail trail lands, and to register associated Statutory Rights of Way (SROWs), be considered on an individual basis by the Governance Advisory Committee (GAC);

And That: following consideration by the GAC of such requests, that a subsequent recommendation be made to CSR D and RDNO Boards and Splat sin Kukpi7 and Tkwamipla7s.

BACKGROUND:

In 2019, the GAC, when considering the various types of encroachments on the Rail Trail Lands, recommended to the CSR D and RDNO Boards, and Splat sin Kukpi7 and Tkwamipla7s, that Statutory Rights of Way be granted only to local government to replace existing agreements for utility works. The CSR D and RDNO Boards and Splat sin Kukpi7 and Tkwamipla7s subsequently considered and passed the recommendation. During the discussion at the GAC Meeting, the GAC advised that it did not support SROWs for parallel use of the Rail Trail Lands, as such use could hamper future use of these public lands.

1. City of Enderby Request – Future Construction of a trunk Watermain line:

In March of 2021, the TOC forwarded a request from the City of Enderby for a linear SROW for a trunk water main between Mill Avenue and Bass Avenue within the rail corridor, to the GAC for consideration at its March 19, 2021, meeting, along with the sketch provided by the City. The GAC supported the City’s request. (See sketch and Minutes of GAC March 19, 2021, attached).

There was not a formal recommendation made at the March 19, 2021, GAC Meeting, and therefore, there was no subsequent consideration and approval of the City’s request, by the RDNO and CSR D Boards, and Splat sin Kukpi7 and Tkwamipla7s.

However, based on the GAC approval in principle, and subsequent follow-up with the TOC, the City has had a surveyor prepare a plan for the future trunk watermain line (see Plan EPP111993



attached). The Plan has not yet been registered as a charge against the title of the Rail Trail Lands.

2. District of Sicamous Request:

The District of Sicamous (DoS) recently inquired whether the Rail Trail Owner would consider allowing the DoS to register a SROW running parallel with the Rail Trail Lands, through the portion of the Rail Trail Lands located within the DoS, for future utility infrastructure.

DoS staff has not provided additional details regarding the type of utilities that may be placed within the Rail Trail Lands, should it obtain the approval of the GAC (and RDNO and CSR D Boards and Splitsin Kukpi7 and Tkwamipla7s).

Where the GAC and Splitsin Kukpi7 and Tkwamipla7s, and the Boards of the CSR D and RDNO grant approval to local governments, for placement of utility infrastructure within the Rail Trail Lands, it must be made clear to the local governments that if the installation of any utility works will result in the disturbance of soil or excavation, an archaeological assessment is required. The Archaeology Permit (or Heritage Permit) obtained by the Rail Trail Owners applies to construction of the Rail Trail only. Local Governments would be responsible for obtaining their own Heritage Permit, ensuring compliance with all other laws and regulations, and obtaining any and all permits that may be required by any authority having jurisdiction regarding the water lines and drainage course.

The TOC is asking that the GAC recommend that a Policy be adopted by the Rail Trail Owner, regarding requests from Local Governments to place utility infrastructure within and running parallel to the rail trail lands, and to register associated Statutory Rights of Way on the Rail Trail Lands. The Policy would then provide direction to the TOC should it receive similar requests in the future.

Reference Documents:

- [MINUTES Shuswap North Okanagan Rail Trail Governance Advisory Committee, March 19, 2021](#)
- [21 03 31 Gmail – Rail Trail – Trunk Water Line Map Location \(Enderby\)](#)
- [Survey Plan Certification EPP111993 Signed, June 10, 2021](#)