



Regional Board Report

Request for Decision

Approved for Board Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

To: Regional Board

From: Corie Griffiths, Director of Corporate Services

Brian Reardon, CAO

Date: April 14, 2022

Subject: Referral – Black Mountain Irrigation District (BMID) Boundary Amendment Application

Voting Entitlement: *All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)*

Purpose: To consider the Black Mountain Irrigation District (BMID) request for support of their boundary amendment application that includes fifteen (15) parcels within the Regional District.

Executive Summary:

BMID has initiated a service area expansion through a provincially legislated boundary amendment process and has requested the Regional Board provide comment on their application. The proposed agricultural water service expansion includes fifteen parcels of land, or approximately 2284 acres, that are within the Regional District boundaries. BMID is requesting support for their boundary amendment application and expansion of their service area.

The request from BMID has been circulated for review internally to Community Services, Engineering Services and Regional Park Services for comment. While the RDCO first received the request in August 2021, there has been regular communication with BMID to share information and provide updates on the progress of the referral. During this time, the respective departments at the RDCO have reviewed the proposal to determine what, if any, impacts the plan would have on their respective service areas.

In all instances, there were both areas of alignment and areas of concern for regional services that may be affected by the proposed works. The review resulted in unanimous agreement that the BMID boundary amendment application be considered for conditional support by the Regional Board.

As a referral agency, the Board can provide comment on the proposal, which is then included in the BMID application package to the province. Based on the review, the recommendation for Board consideration includes conditional support with the five conditions forming part of the resolution.

Recommendation(s):

THAT the Regional Board receive the Referral – BMID Boundary Amendment Application report from the Director of Corporate Services dated April 14, 2022;

AND THAT the Regional Board provide conditional support for the proposed Black Mountain Irrigation District application to the Province of B.C. for a boundary amendment that would include fifteen (15) parcels within the Regional District of the Central Okanagan, subject to the following five conditions:

1. Include referral comments from key regional stakeholders, being the Okanagan Basin Water Board, Westbank First Nation and Okanagan Nation Alliance; and
2. Environmental impacts of the expansion of the BMID irrigation system are considered and appropriately addressed to safeguard water supplies for the region's natural environment and for communities drinking water needs; and
3. Address Philpott Trail Community Park impacts, trail restoration improvements, and additional recreational trail alignment and connections; and
4. Ensure continuing access through Pyman Road/Black Knight Forest Service Road to Black Mountain-sntsk'il'nten Regional Park; and
5. Include mitigation methods related to slope stability and adjacent farming operation impacts on Black Mountain-sntsk'il'nten Regional Park and users.

Respectfully Submitted:



Corie Griffiths, Director of Corporate Services

Prepared by: Karen Needham, Corporate Officer

Attachment(s): 1. 20210812_Ltr-to-RDCO_BMID Boundary Extension
 2. 210812_BMID-Irrigation-Expansion-Plan_Rev03-w-Appendices

Strategic Plan Alignment:

Priorities: Economic Development, Sustainable Communities

Values: Regional Perspective, Resiliency

Background:

The request to the Regional District from BMID provides an overview of the proposed service expansion into the Regional District jurisdiction and outlines generally the boundary amendment proposal being forwarded to the province for consideration. As a referral agency, the RDCO has been asked to support the proposal.

The review of information provided by BMID with their request, was to determine how the proposal impacts RDCO interests in the area, whether services are affected, and if so, by how much. Following the completion of the internal review, which is summarized below, staff in each service area found conditional support to be the most appropriate determination.

Discussion:**Planning Services**

In the review, Planning Services considered the Regional Growth Strategy, the RDCO Agricultural Plan and the Joe Rich Rural Land Use Bylaw. The viability and protection of agricultural land and agricultural uses through the proposed provision of water service for 1300 acres of arable lands, aligns with all three RDCO policy documents.

However, planning staff also noted the existing policies are intended to protect rural areas and rural lifestyles in the Joe Rich community, and only support growth and development that minimizes urban encroachment. Planning staff therefore notes that the expansion of services to facilitate further development or subdivision of lands would not be supported.

Parks Services

The focus of the Parks Services review in the area was Philpott Trail Community Park, the Black Mountain-sntsk'il'nten Regional Park and future recreational trail connectivity. Parks staff noted that BMID has a right of way over Philpott Trail Community Park, and the right to construct a waterline. As part of the BMID plan, alignment of the west transmission line is shown as running along a portion of the trail, which could offer an opportunity for extension and improvement of the Trail. Staff would like to have further discussions with BMID on the potential impacts to the park, and at a minimum, would suggest that the Park and Trail be returned to the same condition prior to any works at a minimum, but preferably in a better and improved condition.

The potential impact to Black Mountain-sntsk'il'nten Regional Park included access to the park along Pyman Road and Black Knight Forest Service roads which the RDCO has an interest in maintaining. Of note was ensuring suitable buffers were in place to protect park users from adjacent farming operations and the use of chemical sprays.

Of greater concern was the location of the water mains which, if there was a failure of a water main or irrigation system, could potentially undermine and impact slope stability within the park. Staff would like to request further discussion with BMID on the impacts and methods for mitigation as a result of any proposed works Black Mountain-sntsk'il'nten Regional Park.

Engineering Services

The RDCO has been working with the Joe Rich community to provide a sustainable drinking water system in the Falcon Ridge area. The proposed expansion of the BMID irrigation water system, with previous drought conditions and redirection of water away from Mission Creek and the RDCO intake structure, could adversely impact system flows if reduced beyond existing levels.

To safeguard water supplies for our natural environment and for our communities drinking water needs, the environmental impacts of the expansion of the BMID irrigation system must be part of the consideration and be appropriately addressed to limit the impacts to RDCO infrastructure and water service.

Conclusion:

The agricultural water service expansion proposal submitted by BMID has been reviewed to ensure the interests of the Regional District and residents have been considered with the following points to summarize the findings:

- Conforms to RDCO land use policies;
- Supports agriculture in the region; and

- Is aligned with the Board priorities of fostering economic development and building sustainable communities.

Should the Board support the request from BMID, then staff recommend the following five conditions be included to ensure a full referral process is completed, public trails and access to Regional Parks is maintained, and measures to protect the environment are implemented:

1. include referral comments from key regional stakeholders, being the Okanagan Basin Water Board (OBWB), Westbank First Nation and Okanagan Nation Alliance; and
2. ensure the environmental impacts of the expansion of the BMID irrigation system are considered and appropriately addressed to safeguard water supplies for the region's natural environment and for communities drinking water needs; and
3. address Philpott Trail Community Park impacts, trail restoration improvements, and additional recreational trail alignment and connections; and
4. permit continuing access through Pyman Road/Black Knight Forest Service Road to Black Mountain-sntsk'il'nten Regional Park; and
5. include mitigation methods for, slope stability and adjacent farming operation impacts on Black Mountain-sntsk'il'nten Regional Park.

Alternate Recommendation:

THAT the Regional Board receive the Referral – BMID Boundary Amendment report from the Director of Corporate Services dated April 14, 2022;

AND THAT the Regional Board supports the Black Mountain Irrigation District application to the Province of B.C. for a boundary amendment which includes fifteen (15) parcels within the Regional District of the Central Okanagan.

Considerations not applicable:

- Organizational/External
 - Financial
 - Legal/Statutory Authority
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