



North Westside Ratepayers Assn.

10390 PINECREST ROAD
Vernon , B.C. V1H 2B1

PHONE
+1.250.542.8461

FAX
+1.250.542.8461 (call first)

EMAIL
zoeandus@telus.net

URGENT

July 8, 2011

Honourable C. Clark
Premier of B.C.
PO Box 9041, Stn. Prov. Govt.
Victoria, B.C. V8W 9E1

Honourable Christy Clark:

Re: ILMB Application No. 3412092: Joint Venture between Westbank First Nations & Canadian Aggregates (37 hectares of Crown Land, 27 km. North of Kelowna on Westside Road)

We are appealing to you for help in denying this application for a gravel pit located along scenic - but dangerous - Westside Road overlooking Okanagan Lake.

We are opposed to this use of Crown Land and have submitted our concerns through all the proper channels, including a petition of some 800 signatures (within a short timeframe) to the Integrated Land Management Bureau (ILMB). We understand there were also approximately 200 emails received against this application as well.

The Regional District of Central Okanagan's Planning staff have not supported this application, and the Ministry of Environment considers the development of a quarry at this location to be a high risk activity. In fact, several significant issues have been identified by the Ministry of Environment, by the Environment Advisory Commission (RDCO), the Advisory Planning Commission and Regional District Parks staff (see attached Report to RDCO Board dated June 21, 2010). As well, both the exploratory permit and the proposed quarrying activities are inconsistent with the Central Okanagan Regional District Zoning Bylaw and the North Westside Official Community Plan.

In spite of all this opposition, the ILMB saw fit to issue a permit for exploratory drilling and is now considering allowing this consortium to begin quarrying operations for a 50 year tenure with an estimated 40 trips daily 6 days a week, year round on this challenging road. The returning empty trucks in fact double this estimate to 80 trips. There are

several productive gravel pits in the vicinity and the need for another is questionable.

The following summarizes residents' and property owners' concerns.

Road/Public Safety: Westside Road is a scenic, narrow, winding and eroding secondary road with few safety features. In many places there are no shoulders with straight drops to the Lake below with no barriers. Planned minor improvements will not make it safe enough for gravel trucks to share it with school buses, commuters, holiday traffic, wildlife and open range cattle. If this gravel pit is approved there is a high likelihood there will be more fatalities on Westside Road creating a huge liability issue for the MoTI and the Province. Where pullouts are needed most, there are no shoulders. Furthermore, ***no amount of "pullouts" will make Westside Road safe.*** Ongoing cost of maintenance (from gravel truck traffic) will be borne by the taxpayers of this Province with little or no remuneration.

Location: This beautiful, scenic piece of Crown Land overlooks Okanagan Lake and is the last large contiguous parcel not in private ownership. It runs from above Westside Road down to the shores of Okanagan Lake and provides a natural wildlife corridor from Fintry Protected Area. The west side of the property in question borders on ***Fintry Protected Area*** which is part of the historic Fintry Park. The north side of the proposed site borders on LaCasa Resort with over 500 strata lots/cottages. Visitors to Lake Okanagan Resort, Bear Creek Provincial Park, Bear Creek Motorized Park, Evelyn Park, Traders Cove Regional Park, Killiney Regional Park use this road continually during Spring to Fall. As you can imagine there is a steady stream of motorhomes, trailers and vehicular traffic making driving Westside Road challenging without gravel trucks. This piece of Crown Land is also in close proximity to 3 subdivisions: Muir, Valley of the Sun, Fintry Delta and a 4th - the proposed Rockchild Landing subdivision which has passed 3rd reading before RDCO. (These subdivisions alone represent approximately 475 properties). Rockchild Landing has also tentatively agreed to dedicate 92 hectares of hiking trails to the Regional District - the proposed gravel pit will border this property on the south.

Cultural/Heritage/Archaeological Sites: There are also cultural and heritage sites known in this area. There have been 9 known archaeological sites recorded within 1 km of the DL4501 and 2 sites located in DL 4501 (Rockchild Landing) relating to the Hudson's Bay Fur Brigade Trail also known as the Okanagan Brigade Trail. (See Report to the RDCO Board dated June 21, 2010.)

Environmental Concerns: The Ministry of Environment in their letter dated April 29, 2009 to the ILMB states on page 1:

“The Ecosystem Section (ES) considers the development of a quarry at this location to be a high risk activity. Sensitive ecosystem mapping of the area identified the potential for several rare ecological communities. There is potential for several provincially and federally species at risk to occur in the area as these ecological communities provide critical habitat for many species at risk. Known species at risk that occur in the general area include the flammulated owl and bighorn sheep. In addition the site provides mule deer winter range values under the Forest and Range Practices Act. Our concern is for any development, that results in the permanent loss of rare ecological communities, species at risk habitat, and ungulate winter range habitat.”

Air/Noise Pollution: It is well settled fact that dust increases corrosion and is harmful to vegetation. Sand and gravel quarries produce corrosive dust (silica) and diesel exhaust that is dangerous to humans, animals and vegetation. Residents on both sides of Okanagan Lake remain concerned regarding noise and air pollution. Water will conduct and amplify sound coming from the crushers, gravel haulers and other ancillary equipment. Anyone living along this corridor (west side of Okanagan Lake) knows the winds are constant and strong coming from the water side as well as off the mountains to the west. These winds will move the fine particulate matter across, and up and down the Lake as well as into the surrounding park lands, resort areas and Fintry Protected Area causing damage to vegetation that wildlife depend upon. The flammulated owl and bighorn sheep have already suffered habitat loss because of the pine beetle epidemic and the catastrophic fires we have had recently (COSEWIC Press Release, Page 2).

We are aware that the Westbank First Nations (WFN) is a powerful lobby and we applaud their business successes generally. However, there is growing sentiment in these communities that because this is WFN's application, it will be approved regardless of any public safety or environment factors or residents/property owners' considerations. The North Westside is appealing to you Premier Clark to put public safety and protection of the environment before commerce and show us that you do indeed care about these issues.

We therefore respectfully submit the following requests:

That you consider the Regional District's Official Community Plan for this area, which is designated Parks & Recreation and the Ministry of Environment Planning Section's role in ensuring future development of both Crown and private lands is consistent with municipal/regional land use plans and zoning policies.

That you consider removing gravel quarrying from the Mine Act. Generally speaking gravel pits are miniscule in size when compared to mines and there is an abundance of private land that could be used for this purpose. We feel the use of Crown Land for gravel pits is an unfair

practice in as much as Crown Land is not required to go through any rezoning processes while privately held property does. This makes Crown Land an easily accessible "land grab."

That you investigate the application in question (ILMB #3412092) and reassure the residents, property owners and tourists that this proposal for quarrying will not be approved.

We thank you for your time and consideration in this matter, and we look forward to your response,

yours truly,



Diane Baldwin, President
NORTH WESTSIDE RATEPAYERS ASSOCIATION

emails: Ben Stewart, MLA
T. Lake, MoE
Friends of Fintry
Blair Lekstrom, Minister of Highways
S. Thomson, NRO
R. Coleman, MoEM
M. Tekano, T & I
J. Edgson, Regional Director
R. Hobson, Chair, Okanagan Aggregates Committee
R. Fralik, RDCO Planning
La Casa Strata Owners Assoc.

enclosures (letters)

Bulletin Boards: Westshores, Killiney Beach, Estamont Beach,
Aspen Shores, Fintry Provincial Park, Wilsons
Landing, Valley of the Sun, Traders Cove, Bear
Creek Provincial Park, Evelyn Provincial Park