Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: June 22, 2018 9:24 AM
To: Planning
Subject: Twin Lakes Rd, 79, 85, 91, Lot 2 Twin Lakes (D2017.069- ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Twin Lakes Road and Highway 3A. Bringing electrical service to the proposed development areas will require significant extension work the cost of which may be substantial. To date, arrangements have not been completed to meet either the cost, civil work or the land rights requirement to service the proposed development and/or subdivision. The applicant is responsible for costs associated any changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements
http://fortisbc.com/5erviceMeterGuide

FortisBC Underground Design Specification
http://www.fortisbc.com/InstallGuide

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician's Name and Phone number
- FortisBC Total Connected Load Form
- Other technical information relative to electrical servicing

Otherwise, FBC(E) has no concerns with this circulation.

It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.
If you have any questions or comments, please contact me at your convenience.

Best Regards,

Steven Danielson,
Contract Land Agent for:

Nicholas Mirsky, B.Comm., AACI, SR/WA
Supervisor | Property Services | FortisBC Inc.

2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Office: 250.469.8033
Mobile: 250.718.9398
Fax: 1.866.636.6171
nicholas.mirsky@fortisbc.com

CC Applicant - July 4, 2018

Penticton Indian Band
Natural Resources Department
R.R. #2, Site 80, Comp.19
Penticton, B.C. CAN
V2A 6J7
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411 Fax: 250-493-2882

July-06-18

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Regional District of Okanagan Similkameen
101 Martin Street
Penticton, BC V2A 5J9

RTS ID: 3311
Referral ID: Bylaws: 2457.20, 2018
Referral Date: June-06-18
Reference ID:
Summary: This proposal is to amend numerous designations within the zoning bylaw in order to allow for the development of a phased multi-use development resort at the Twin Lakes Golf Course.

ATTENTION: Evelyn Riechert

We are in receipt of the above referral. The proposed activity is located within Okanagan Nation Territory and the PIB Area of Responsibility. All lands and resources within the vicinity of this referral are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

Penticton Indian Band has specific referral processing requirements for both government and proponents which are integral to the exercise of our Rights to manage our lands and resources and to ensuring that the Crown can meet its duty to consult and accommodate our Rights, including our Aboriginal Title and management Rights. There is a cost associated with PIB referral processing and engagement. In accordance with PIB policy, proponents are required to pay a processing fee for each referral.

This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be fully reviewed.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

[1]The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982

If the proposed activity requires a more in-depth review, Penticton Indian Band will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

Invoice Number: 1115

	SubTotal	Tax	Total
Admin (12%)	$ 52.50	$ 0.00	$ 52.50
G.I.S. Tracking and Review (GIS Project Technican)	$ 110.00	$ 0.00	$ 110.00
R.T.S. Data Entry (Technical Services)	$ 80.00	$ 0.00	$ 80.00
Referral Assessment (Band Administrator)	$ 67.50	$ 0.00	$ 67.50
Referral Coordination (Referrals Coordinator)	$ 190.00	$ 0.00	$ 190.00
Total	$ 500.00	$ 0.00	$ 500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW $500.00
Please make cheque payable to Penticton Indian Band. **re:** P.C.132 RTS #3311

Iimləmt,

Venessa Gonzales
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca

RTS ID: 3311
CC:

Penticton Indian Band
Natural Resources Department
773 Westhills Drive | R.R. #2, Site 80, Comp.19
Penticton, British Columbia
Canada V2A 6J7
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411 Fax: 250-493-2882

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

July-06-18

Regional District of Okanagan Similkameen
101 Martin Street
PentictonBC V2A 5J9

RTS ID: 3311
Referral Date: June-06-18
Referral ID: Bylaws: 2457.20, 2018
Reference ID:
Summary: This proposal is to amend numerous designations within the zoning bylaw in order to allow for the development of a phased multi-use development resort at the Twin Lakes Golf Course.

Attention: Evelyn Riechert
RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on July-06-18. This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

Limləmt,
Venessa Gonzales
Referrals Administrator

RTS ID: 3311
CC:

From: James Pepper
To: "PIB Referrals"; Lauri Feindell
Subject: RE: D2017.069-ZONE - bylaw Referral (Twin Lakes)
Date: July 11, 2018 1:50:00 PM
Attachments:

Good Afternoon Lauri,

The proposed Twin Lakes development is significant and located in an area of cultural importance for the syilx Nation and Penticton Indian Band. At this time PIB does not support D2017.069-ZONE - bylaw Referral as we have not received sufficient information to determine potential impacts resulting from the proposed development. The development is certain to have an impact on syilx lands and resources. The potential increase in water use and deposition is of particular concern.

I would like to further discuss this process with you prior to moving forward. Please let me know when you are available for a phone call.

Again, at this time, PIB does support or in any other manner agree with the D2017.069-ZONE bylaw referral to support the proposed development at Twin Lakes.

Sincerely,

PIB Email Signature

BRITISH COLUMBIA | Ministry of Transportation and Infrastructure

DEVELOPMENT APPROVALS PRELIMINARY BYLAW COMMUNICATION

Your File #: D2017.069-ZONE Twin Lakes (2457.20)
eDAS File #: 2018-03376
Date: July 6, 2018

Regional District Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9

Attention: Lauri Feindell, Planning Secretary

Re: Proposed Text Amendment Bylaw for:
Lot A, District Lot 228s, 2169 & 4098s, SDYD, Plan KAP46761, except Plan KAP53180 and
Lot 2, District Lot 228s and 2169, SDYD, Plan 26332 except Plan H15455
79 Twin Lakes Road, Kaleden, BC

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*, subject to the following condition:

1. An amendment to Section 13.1.7-Minimum Setbacks – to reflect the Provincial Setback requirement of 4.5 metres as stated in the Provincial Public Undertakings Regulation #513/2004. This is usually considered with the Front Yard Setback.

If you have any questions please feel free to call Rob Bitte at (250) 490-2280.

Yours truly,

Rob Bitte
District Development Technician

Local District Address
Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231

cc Applicant - July 9, 2018

☑ Ministry of Agriculture ☑ Integrated Land Management Bureau ☑ Ministry of Transportation & Infrastructure

☑ School District 67 ☑ Okanagan Nation Alliance (ONA)

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ Approval Recommended for Reasons Outlined Below

☑ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to Conditions Below

☐ Approval Not Recommended Due to Reasons Outlined Below

Signature: _____

Signed By: Janelle Rimell

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: July 4, 2018

BRITISH COLUMBIA | Ministry of Transportation and Infrastructure

DEVELOPMENT SERVICES PRELIMINARY BYLAW COMMUNICATION

Your File #: D2017.069-ZONE Twin Lakes (2457.20)
eDAS File #: 2018-03376
Date: July 31, 2020

Regional District Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9

Attention: Lauri Feindell, Planning Secretary

Re: Proposed Bylaw 2457.20 for:
Lot A, District Lot 228s, 2169 & 4098s, SDYD, Plan KAP46761, except Plan KAP53180 and Lot 2, District Lot 228s and 2169, SDYD, Plan 26332 except Plan H15455 - 79 Twin Lakes Road, Kaleden, BC

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act.*

If you have any questions, please feel free to call Rob Bitte at (250) 490-2280.

Yours truly,

Rob Bitte
Development Officer

Local District Address
Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231

Christopher Garrish

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: August 6, 2020 10:48 AM
To: Planning
Cc: Lauri Feindell
Subject: RE: Bylaw Referral - D2017.069-ZONE

Hello RDOS Planners,

Thank you for your referral D2017.069-ZONE regarding 79 Twin Lakes Road, PIDs 017694841, LOT A DISTRICT LOTS 228S, 2169 AND 4098S SIMILKAMEEN DIVISION YALE DISTRICT PLAN KAP46761 EXCEPT PLAN KAP53180 and 005141541, LOT 2 DISTRICT LOTS 228S AND 2169 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 26332 EXCEPT PLAN H15455. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

Results of Provincial Archaeological Inventory Search

According to Provincial records, previously recorded archaeological site **DiQw-4** is located on both properties.

Given the subsurface nature of most archaeological deposits, boundaries of archaeological sites are difficult to determine without subsurface testing. Therefore, any mapped boundaries are approximate, and it is possible that the site is more or less extensive than currently mapped.

DiQw-4 was recorded in 1967 as part of an archaeological survey of the upper Okanagan Valley. The site was described as an 'open campsite' with no surface features. Sub-surface artifacts were likely lithics (stone tools and/or flakes of stone produced by making/modifying stone tools) and fire-broken rock, but the site record only indicates sub-surface cultural material.

The site has not been investigated since its original recording so the condition and size of the site are currently unknown.

In addition to the presence of the archaeological site, archaeological potential modelling for the area indicates that the properties have high to moderate potential for unknown/unrecorded archaeological deposits, as indicated by the brown (high potential) and the beige (moderate potential) areas shown in the screenshot below.

Archaeology Branch Advice

DiQw-4 is protected under the *Heritage Conservation Act* (HCA) and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch.

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned within the protected archaeological site (red areas shown in the screenshot below), a Provincial heritage permit is required. Permit applications are available on the Archaeology Branch website. Completing a permit application usually requires archaeological expertise, and an archaeological impact assessment (AIA) may be required before a permit can be issued. Most applicants will therefore engage an eligible consulting archaeologist to review proposed activities, verify archaeological records, and work with the Archaeology Branch on the applicant's behalf to identify permit requirements, prepare permit application(s), and conduct any required archaeological study.

If land-altering activities are planned outside of the archaeological site (red areas shown in the screenshot below), a Provincial heritage permit may not be required prior to commencement of those activities. However, there is high potential for the archaeological site to extend beyond the limits indicated on the screenshot below or for other unknown archaeological deposits to exist, and a Provincial heritage permit will be required if archaeological deposits are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the HCA and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any unrecorded portions of the protected archaeological site.

Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

Rationale and Supplemental Information

- A protected archaeological site is located both properties, and there is high potential for previously unidentified portions of the site or for other unknown archaeological deposits to exist on other parts of the properties.
- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.
- If a permit is required, be advised that the permit application and issuance process takes approximately 8-12 weeks; the permit application process includes referral to First Nations and subsequent engagement.
- The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.
- The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person's expense, in certain circumstances, as set out in the *Heritage Conservation Act*.
- Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit.

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories.

Questions?

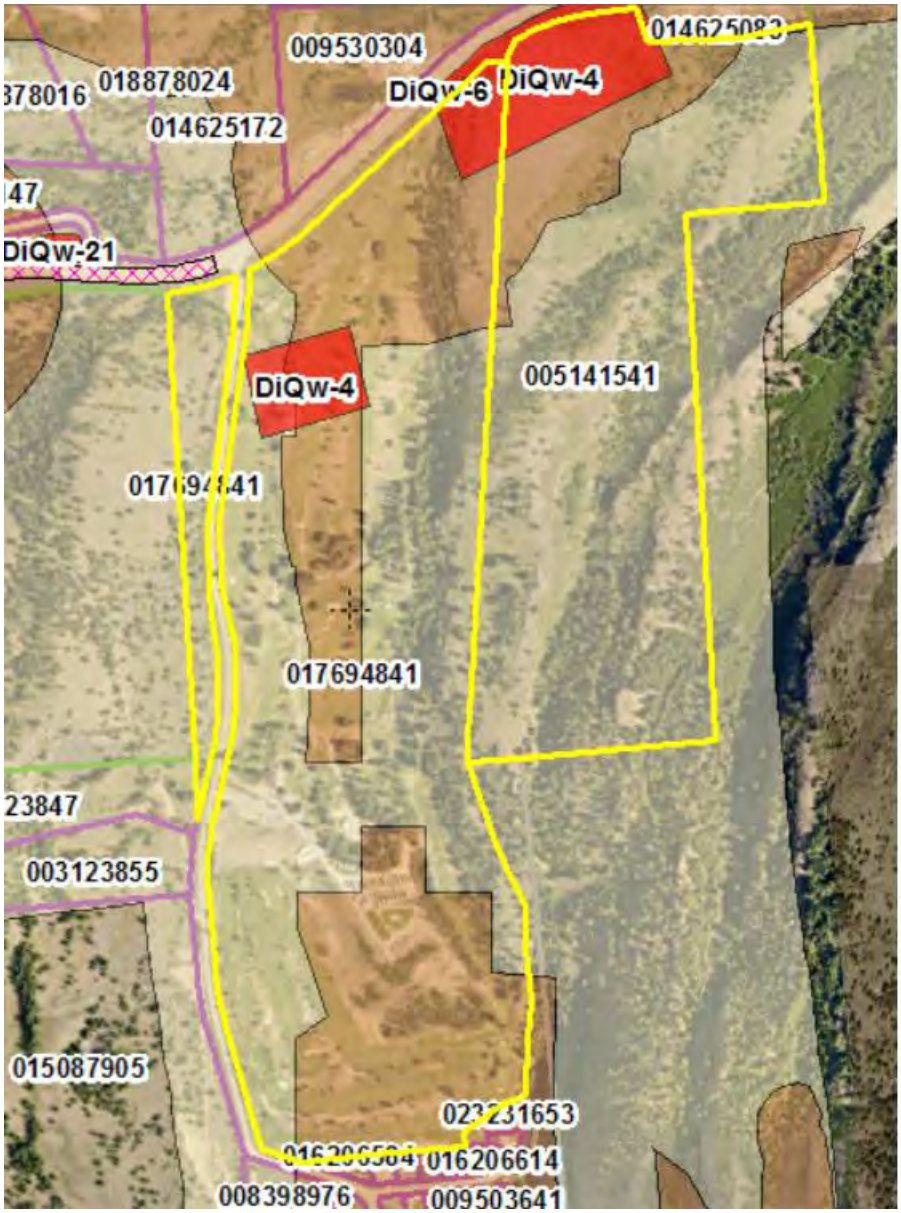
For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Please let me know if you have any questions regarding this information.

Kind regards,

Diana



Please note that subject lot boundaries (yellow), archaeological site boundaries (red), and areas of archaeological potential (brown) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change. Archaeological site boundaries may not be identical to actual site extent.

Diana Cooper
Archaeologist / Archaeological Site Inventory Information & Data Administrator
Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Phone: (250) 953-3343 | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: July 23, 2020 1:20 PM

Christopher Garrish

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: August 6, 2020 10:57 AM
To: Planning
Cc: Lauri Feindell
Subject: FW: D2017.069-ZONE - bylaw Referral (Twin Lakes)

Hello again RDOS Planners!

I discovered that there had been a previous referral response for the property back in 2018, and my response of today (Aug 6, 2020) neglected to mention DiQw-6, which is also present on Lot A. Please refer to the referral response below and let me know if you have any questions.

Kind regards,

Diana

Diana Cooper
Archaeologist / Archaeological Site Inventory Information & Data Administrator
Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Phone: (250) 953-3343 | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology

---

From: Cooper, Diana FLNR:EX
Sent: July 12, 2018 11:04 AM
To: 'eriechert@rdos.bc.ca' <eriechert@rdos.bc.ca>
Cc: 'Lauri Feindell' <lfeindell@rdos.bc.ca>
Subject: RE: D2017.069-ZONE - bylaw Referral (Twin Lakes)

Hello Evelyn,

Thank you for your referral regarding proposed bylaw changes for 79 Twin Lakes Road, PID 017694841, Lot 2, DL 228s & 2169, SDYD, Plan 26332, except Plan H15455; and Lot A, DLs 228s, 2169 & 4098s, SDYD, Plan KAP46761, except Plan KAP53180, PID 005141541. According to Provincial records, previously recorded archaeological sites DiQw-4 and DiQw-6 are recorded on the properties.

In addition, archaeological potential modelling for the area indicates that portions of the properties have potential to contain unknown/unrecorded archaeological deposits, as indicated by the brown/orange areas (high potential) and beige areas (moderate potential) in the screenshot below.

DiQw-4 and DiQw-6 are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. Given the subsurface nature of archaeological deposits, boundaries of archaeological sites are difficult to determine without extensive subsurface testing. Therefore, any mapped boundaries are considered to be approximate and it is possible that the sites are more or less extensive than currently mapped.

Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:
Bylaw Referral - D2017.069-ZONE

FN Consultation ID:
L-200723-D2017069-ZONE

Consulting Org Contact:
Planning RDOS

Consulting Organization:
Regional District of Okanagan-Similkameen

Date Received:
Friday, July 31, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

July 31, 2020

Attention: Planning RDOS
File number: D2017.069-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was sent on July 23, 2020.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economically from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

limləmt,

Maryssa Bonneau
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca

Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:
Bylaw Referral - D2017.069-ZONE

FN Consultation ID:
L-200723-D2017069-ZONE

Consulting Org Contact:
Planning RDOS

Consulting Organization:
Regional District of Okanagan-Similkameen

Date Received:
Friday, July 31, 2020

Activity No Payment

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

September 3, 2020

File number: D2017.069-ZONE

Attention: Planning RDOS

Re: Bylaw Referral - D2017.069-ZONE

We are writing regarding your failure to pay invoice #L-200723-D2017069-ZONE to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated July 31, 2020.

The Okanagan Nation holds unextinguished aboriginal title to the land and resources within our traditional territory. The above-noted activity / development is within PIB's Area of Responsibility within Okanagan territory and as such, is subject to Okanagan title, jurisdiction, rights and interests, and PIB decision making and responsibility.

Over the last two decades, the Supreme Court of Canada has clarified the law respecting the rights of aboriginal people in British Columbia, which includes the Penticton Indian Band, Okanagan Nation. The Court has clarified that Aboriginal title continues to exist in British Columbia, and is protected by s. 35 of the Constitution Act, 1982.

Most recently, in June 2014, the Supreme Court of Canada in the Tsilhqot'in case set out the following characteristics and implications of Aboriginal title:

• Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.
• The Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in

Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.
• Aboriginal title includes the right to proactively use and manage the resources.
• Once Aboriginal title is "established", the constitution prohibits incursions without the consent of the Aboriginal title holders unless the Crown can justify the infringement, which in turn requires a compelling and substantial public purpose as well as consistency with the Crown's fiduciary duty to the Aboriginal title holders, requiring the involvement of the Aboriginal title holding group in decisions.
• Before Aboriginal title is "established", the only way to ensure certainty is to obtain consent; in the absence of consent, the Crown must consult and accommodate. If consultation or accommodation is inadequate, the Crown decision can be suspended or quashed. Moreover, fulfilling the duty to consult and accommodate does not provide the certainty that consent provides; once Aboriginal title is established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co- existence or accommodation of our jurisdiction and title. The Province continues to act as though we have no beneficial interest or authority, and it takes for itself the revenues derived from our lands and resources. The payment of the referral fee is necessary in order for us to assess your proposal, assess potential impacts and determine whether it should be approved and if so, on what conditions. Because we are unable to undertake such an assessment, we must at this time advise you that we are opposed to your proposed development/activity.

limləmt,

Maryssa Bonneau
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca

Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:
Bylaw Referral - D2017.069-ZONE

FN Consultation ID:
L-200723-D2017069-ZONE

Consulting Org Contact:
Planning RDOS

Consulting Organization:
Regional District of Okanagan-Similkameen

Date Received:
Friday, July 31, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

July 31, 2020

Attention: Planning RDOS
File Number: D2017.069-ZONE

We are in receipt of the above referral. This proposed activity is within the PIB Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the Tsilhqot'in case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a $500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, PIB will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

Invoice Number: L-200723-D2017069-ZONE
SubTotal Tax Total
Referral Processing $ 500.00 $ 0.00 $ 500.00
Total $ 500.00 $ 0.00 $ 500.00
INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW $500.00
Please make cheque payable to Penticton Indian Band. re: P.C.132

If you require further information or clarification, please do not hesitate to contact me.

limləmt,

Maryssa Bonneau
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca

File: D2017.069-ZONE

Christopher Garrish
Planning Manager
Regional District of Okanagan-Similkameen
planning@rdos.bc.ca

Date: September 16, 2020

Re: Bylaw 2457.20 – Twin Lakes Golf Course rezoning

Dear Christopher Garrish,

Thank you for providing the B.C. Ministry of Agriculture with the opportunity to comment on the proposed Twin Lakes Golf course rezoning located at 79 Twin Lakes Road. Ministry staff have reviewed and provide the following comments:

- Ministry staff note that the formation of a service easement area appears to be sited within the ALR along the proposed LOT 1 southwest boundary. Ministry staff suggest confirming with ALC staff any requirements regarding the notification, registration and construction of utilities on the ALR with the ALC and LTSA office.
- Ministry staff also note that while the golf course appears to be an enduring land use, this may change in the future and given that it's adjacent to the ALR, suggest the proposed residential development have greater setback distances from the ALR edge, with the option for vegetative buffers.

If you have any questions or concerns about our comments, please do not hesitate to contact Ministry staff.

Sincerely,

Gregory Bartle, Land Use Planner
B.C. Ministry of Agriculture
Phone: 778 974-3836
Email: gregory.bartle@gov.bc.ca

Christina Forbes, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
Office: (250) 861-7201
E-mail: christina.forbes@gov.bc.ca

Email copy: Sara Huber, ALC Regional Planner, sara.huber@gov.bc.ca

Christopher Garrish

From: Moraes, Ryan <Ryan.Moraes@fortisbc.com>
Sent: November 27, 2020 9:43 AM
To: Planning
Subject: RE: RDOS Referral - Twin Lakes Golf Course

Hello,

Fortis Gas has no concerns with the rezoning.

Regards,

Ryan Moraes, AScT | Planning & Design Technologist | FortisBC
1260 Commercial Way | Penticton, BC V2A 3H5
☎250-490-2621 🖷 778-214-0509 | ✉ryan.moraes@fortisbc.com

From: Referrals <Referrals@fortisbc.com>
Sent: Friday, November 27, 2020 9:37 AM
To: Moraes, Ryan <Ryan.Moraes@fortisbc.com>
Subject: RDOS Referral - Twin Lakes Golf Course

Property Referral: 2020-1638

Hi Ryan,

Please review the attached / below and provide your comments directly to planning@rdos.bc.ca by **December 7, 2020.**

If FortisBC Energy Inc. is affected, please copy referrals@fortisbc.com in on your response so that we may update our records.

Thank you,

Mai Farmer
Property Services Assistant
Property Services
Phone604-576-7010 x57010

Lauri Feindell

From: Coral Brown [redacted]
Sent: June 27, 2018 11:57 AM
To: Lauri Feindell
Cc: Evelyn Riechert
Subject: Re: FW: D2017.069-ZONE - bylaw Referral (Twin Lakes)
Attachments: D2017.069-ZONE (TLGR).docx

Lauri,

Sorry, we lost the skysurfer internet about 5 years ago and I have been in contact with RDOS many times since then - even on the OCP review with Evelyn. Please consider giving us an extension so that we, LNID & GTLASS, can check with our membership since it states we should have month to respond.

Our main concern is for sustainable water in the dry year water cycle and we already know there is not enough water for existing residents in dry years (3 previous hydrogeological studies), but as the TLGR owner states "TLGR has lots of water". We agree the "Golf Course has lots of water" but the water here is finite and TLGR will draw the water in the aquifer from upstream - water pools under the flat area of the TLGR - (above the TLGR water moves naturally at 85 ft. /mile northward according to the Appendix A of the Botham Report).

[redacted]

Lauri Feindell

From: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Sent: June 13, 2018 5:42 PM
To: Lauri Feindell
Subject: Re: D2017.069-ZONE - bylaw Referral (Twin Lakes)
Attachments: image002.png

Thanks Lauri, mountain resorts branch interests are unaffected.

Tori

[redacted]

BRITISH COLUMBIA

July 9, 2018 File: D2017.069-ZONE

Regional District of Okanagan-Similkameen
101 Martin Street,
Penticton, BC V2A 5J9

Attention: Evelyn Reichert

Re: Rezoning to re-allocate density allowances at 79 Twin Lakes Rd., Kaleden, B.C.

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resources & Rural Development has reviewed the above noted referral. We understand that the application is for rezoning to re-allocate density allowances at 79 Twin Lakes Rd. According to our records, the proposed area contains many environmental values that should be considered before this rezoning. The environmental values present may dictate what amount of development is appropriate and its configuration. As such, we have assessed this referral to be a known and potential risk to wildlife, fish or their habitats based on the information available.

The identified values are as follows:

- federal Critical Habitat for Lewis's woodpecker
- proposed federal Critical Habitat for rattlesnake, gopher snake and desert night snake
- showy phlox critical habitat
- potential critical habitat for tiger salamander
- badger habitat and den site
- very high and high conservation ranking

We recommend that the proponent retain a qualified professional (QP) to conduct an assessment of the site prior to re-zoning in order to evaluate the environmental values present, determine the potential for adverse effects to environmental values as a result of resulting development, and develop value-specific mitigation measures to avoid or limit adverse effects. The results of this assessment should be submitted to the undersigned for review using the attached *Thompson Okanagan Region Qualified Professional Checklist for Environmental Values* (attached). The submitted Checklist must be based on the development as proposed currently. QPs are encouraged to contact

Ministry of Forests, Lands and Natural Resource Operations

Resource Management
Thompson Okanagan Region
1259 Dalhousie Drive
Kamloops, BC V2C 5Z5

Telephone: (250) 371-6200
Facsimile: (250) 828-4000

July 12, 2018 cc-Agent.

the undersigned directly for further information if necessary. We will notify the referring agency of any outstanding recommendations for consideration in the approving the application following review of the Checklist. In rare instances, a more detailed assessment (e.g., environmental impact assessment (EIA)) may be required based on our review of the completed Checklist.

We appreciate the opportunity to contribute to this application as part of the Ministry's One Land Manager model. Please contact the undersigned if you cannot follow the recommendations provided in this referral response. It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Sustainability Act* and the *Wildlife Act*. The undersigned may be reached at jamie.leathem@gov.bc.ca or 250-490-8294 if you have further questions or require additional information.

Sincerely,

Jamie Leathem, M.Sc.
Ecosystems Biologist
For the Referral Committee

JL/jl

Attachment: *Thompson Okanagan Region Qualified Professional Checklist for Environmental Values*

June 7, 2018

RDOS Okanagan-Similkameen

RE: Project No. D2017.069-Zone Proposed rezoning of 79 Twin Lakes Road

I am writing this in opposition to the above proposed rezoning for the following reasons:

We moved to this area from Penticton to get away from dense population, noise and a higher crime rate. We currently reside in the last house, Lot #6, on Range Rd. It is a peaceful and serene setting where we enjoy a lovely view and the peace and quiet that attracted us to this area. If this rezoning passes we will lose all of that!

What we will initially get is the destruction of "old growth trees" and months of putting up with construction noise and traffic. What we will end up with is a Multi-Unit Housing Complex which will drastically impact the traffic along our now quiet street, a view of not trees but structures and more people equals an increase in our crime rate. Thank you very much – NOT!

In years past the proposal of multi housing units being built here has not passed due to concerns with water issues. Has that somehow been miraculously corrected?

You want to put another 40 to 50 units in this area without any fire protection services? That certainly increases our risk. So far we've seen, in the proposed plans, only one entrance/exit into this new development, how would that impact us all in case we were required to evacuate?

With the predicted decline in real estate sales how many of these structures will be left sitting empty? If you talk to a majority of real estate agents they will tell you that this area is not a favorable market area. We currently have 2 homes and two vacant lots up for sale just on Range Rd.

Certainly the idea of this proposal passing sickens us.

If by chance this proposal does pass we would like to request a qualified survey be completed to establish our true property lines prior to any construction beginning. When the initial survey stakes were placed for this proposal I was told by the gentleman doing the work that where the stakes were being placed was a "close estimate" of our property lines.

We would also like to submit because our 6-lot Strata completed Phase 1 of the original Twin Lakes Development the new proposed development should be considered an outside lot line not an inside lot line.

Sincerely,

Kathleen Greene & Bill Rogocky - [redacted]

Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2017.069-ZONE

FROM: Name: Karin Wiebe
(please print)

Street Address: [redacted]

Tel/Email:

RE: **Electoral Area "D" Zoning Amendment Bylaw No. 2457.20, 2017**
79 Twin Lakes Road (Twin Lakes Golf Course Resort)

My comments / concerns are:

- [x] I do support the proposed development.
- [ ] I do support the proposed development, subject to the comments listed below.
- [ ] I do not support the proposed development because:

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2455.31

Feedback Forms must be completed and returned to the Regional District no later than Friday June 29th, 2018

Further information can be found at www.rdos.bc.ca /Planning/Current Applicatians & Decisions/Electoral Area D-1/ D2017.069-ZONE

Feedback Form: Open House
February 1, 2018

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2017.069-ZONE

FROM: Name: MARTIN CARON
(please print)

Street Ad[redacted]

Tel/Email[redacted]

RE: **Electoral Area "D" Zoning Amendment Proposal: Twin Lakes Golf Resort**

My comments / concerns are:

- [ ] I do support the proposed development.
- [x] I do support the proposed development, subject to the comments listed below.
- [ ] I do not support the proposed development because:

Written submissions received from this Open House will be compiled and used to assist RDOS and the Proponent to move forward with the application

- Request TRASSIC to use golf course access And Not RANGE Rd
- Request Rulse About Working Hours : Monday to friday BetWeen 7:30 AM And 4:30 pm Saturday 9:00 AM Til 3:00 PM . Sunday : No work
- The Reason Why I Moved Here Is for quiet . Please Respect me
- The developement should Be done on a 3 year plan, Hiring a Bigger MAn power, so it dont stretch to a 10 years project

Further information can be found at www.rdos.bc.ca /Planning/Current Applications & Decisions/Electoral Area D-1/ D2017.069-ZONE

Feedback Form: Open House
February 1, 2018

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2017.069-ZONE

FROM: Name: KEN + JACQUELINE COOKE
(please print)

Street Address: [redacted]

Tel/Email: [redacted]

RE: **Electoral Area "D" Zoning Amendment Proposal: Twin Lakes Golf Resort**

My comments / concerns are:

- ☐ I do support the proposed development.
- ☒ I do support the proposed development, subject to the comments listed below.
- ☐ I do not support the proposed development because:

Written submissions received from this Open House will be compiled and used to assist RDOS and the Proponent to move forward with the application

DO NOT USE RANGE ROAD AS THE ACCESS TO THE DEVELOPMENT. ACCESS MUST COME THROUGH TWIN LAKE RD, THE DEVELOPERS OWN PROPERTY OR FROM HWY 3A

WE WILL NOT ACCEPT MANY YEARS OF CONTINUOUS CONSTRUCTION, VEHICLES + POTENTIAL BUYERS COMING UP + DOWN, AND OR PARKING ON SUCH A NARROW, RURAL ROAD.

THE STOP SIGN ON RANGE ROAD IS ALSO A HAZARD AREA FOR TRAFFIC COMING NORTH UP TWIN LAKE ROAD. EXTRA TRAFFIC WILL ONLY MAKE THIS INTERCETION MORE DANGEROUS.

Further information can be found at www.rdos.bc.ca /Planning/Current Applications & Decisions/Electoral Area D-1/ D2017.069-ZONE

Resource Operations and Rural Development

- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to Conditions Below

☑ Approval Not Recommended Due to Reasons Outlined Below

I feel that the water system in the Twin Lakes area is a very sensitive ecosystem. If you move forward with this proposed development, I feel it will negatively affect the environment. Also, I feel because of the wet/dry cycles of the water system in this area, further research needs to be done that clearly demonstrates that there is enough water in this area to support such a development. I think the real focus of the RDOS should be to create solutions for existing water problems around the area today such as flooding, and protection against dam droughts

Signature: [redacted]

Signed By: Anita Bonin

Agency: Concerned resident.

Title:

I refuse amendment bylaw no. 2457.20 outright. There is no proven sustainable water supply for the proposed new construction. This evidence includes the Golder Study, critiqued by the Ministry of Forests, Lands, and Natural Resources.

I refuse a community water system and regulation since I invested in my own well, and will not agree to have a water meter on it. My family and I strongly practice water conservation methods due to a lack of water already due to the dryness of our climate in the Okanagan and global warming/climate change.

I am asking and demanding from the Board supposed to protect its citizens to do just that, to ignore the extra few million dollars they can get from this development, and to keep their citizens from dying of thirst.

May Cooper

University of British Columbia -- University Student

Local Resident

Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2017.069-ZONE

FROM: Name: Dennis Laramee
(please print)

Street Address: [redacted]

Tel/Email: [redacted]

RE: **Electoral Area "D" Zoning Amendment Bylaw No. 2457.20, 2017**
79 Twin Lakes Road (Twin Lakes Golf Course Resort)

My comments / concerns are:

- [x] I do support the proposed development.
- [ ] I do support the proposed development, subject to the comments listed below.
- [ ] I do not support the proposed development because:

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2455.31

I support this development as well as any future development on what I think is called Parkers Hill. It is good to see our community grow. With growth so will our community services expand. It could only be good for all.

Feedback Forms must be completed and returned to the Regional District no later than Friday June 29th, 2018

Further information can be found at www.rdos.bc.ca /Planning/Current Applications & Decisions/Electoral Area D-1/ D2017.069-ZONE

Resource Operations and Rural Development

- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

☑ **Approval Not Recommended Due to Reasons Outlined Below**

I refuse this development as described in amendment bylaw No. 2457.20, 2018
In the last few years people in our area came to a situation where they had no water in their wells. the proposed plan will drain our aquifer and their for will risk all the residents in the area.

Signature: [redacted]

Signed By: Elad Milman

Agency:

Title: Resident

Resource Operations and Rural Development
☑ Agricultural Land Reserve
☑ Ministry of Agriculture
☑ School District 67
☑ Lower Nipit Improvement District
☑ Integrated Land Management Bureau
☑ Okanagan Nation Alliance (ONA)
☑ Canadian Wildlife Services
☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to Conditions Below

☑ Approval Not Recommended Due to Reasons Outlined Below

I object to the development because the Golder study was critiqued and proven as inadequate. If you look at the water situation for the last 100 years there were droughts and people had no water. This development can seriously risk the aquifer. There are no studies that prove water sustainability. Approving this development doesn't protect the residents who already live here and chose to build their families and their lives here.

Signature: [redacted]

Signed By: Gloria Pucil

Agency:

Title:

Resource Operations and Rural Development		
☑ Agricultural Land Reserve	☑ Lower Nipit Improvement District	☑ Canadian Wildlife Services
☑ Ministry of Agriculture	☑ Integrated Land Management Bureau	☑ Ministry of Transportation & Infrastructure
☑ School District 67	☑ Okanagan Nation Alliance (ONA)	

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

☐ **Approval Not Recommended Due to Reasons Outlined Below**

- Risk for damaging ecosystem
- Risk for loss of aquifer.
- Not enough water supply.
- Violation of human right for not supplying clean and sufficient water to the citizens.
- Instead of protecting the existing residence RDOS is supporting a developer that has interest outside the community.

Signature: [redacted]

Signed By: Concerned citizen

Agency:

Title:

Resource Operations and Rural Development

- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

☒ **Approval Not Recommended Due to Reasons Outlined Below**

I am absolutely opposed to phase 2 of this proposal. I do not believe there will ever be enough water to sustain this idea. I also am not in favour of passing on the maintenance of water to sewer to the RDOS. This will only result in higher costs all round. In these days of weather uncertainty, adding more density doesn't make sense. I am late in turning this in. I only just received this form.

Signature: [redacted] **Signed By:** GAIL Simpson

Agency: [redacted] **Title:**

(Trout Lake)

Lauri Feindell

From:	A C [redacted]
Sent:	July 7, 2018 11:34 PM
To:	Planning
Subject:	Response to Rezoning Bylaw No. 2457.20, 2018 from 25 people
Attachments:	Signed response to bylaw No. 2457.20, 2018.pdf; 2018-07-06 Letter to RDOS regarding rezoing.docx

Dear Council Members,

Please find attached our signed and scanned Bylaw Referral form regarding the proposed rezoning for the potential development at Twin Lakes Golf Course.

Also included is our letter which explains our concerns and objection to this amendment which is signed by 25 people.

Please let us know if you have any questions.

Amir & Orit Cooper

Dear RDOS Council Members,

We are Twin Lakes residents and we are very concerned about the proposed development of Suki Sekhon at Twin Lakes Golf course due to the fact that the aquifer cannot sustain the current residences, let alone more residents in this area. The past 4 hydrogeological studies done in this area, including the Golder study, have not proven sustainable water supply for the already existing residents of Twin Lakes. Also the Golder study was paid for by the developer Suki Sekhon, thereby making this a conflict of interest.

Historically there is 20 year water cycle, with 10 years wet and 10 years dry. We are obviously currently in the wet cycle, but just as recent as 2009 it was a dry year and many Twin Lakes residences were without water. Right now in the wet years it is costing our government hundreds of thousands of dollars in emergency measures. For example it costs $80,000 to run one diesel pump for a few months and currently there are 2 pumps operating to prevent flooding to the homes of Twin Lakes. The military had to come and build an eight foot wall to prevent 9 homes from flooding and we cannot even imagine what the cost of this was. What is apparent is that the Twin Lakes area is a sensitive and dynamic water system and we need a management structure to mitigate between the wet and dry years. We need to triple check and err on the side of caution before bringing more development that would upset the already precarious balance here.

We understand that Suki is in a process of getting approval for rezoning so he is one step closer to implementing phase 1 of his development of 46 units. Approving this rezoning bylaw is a mistake when the most pressing and important issue that needs to be on the agenda is what is currently being done to help the existing residents of Twin Lakes manage the water way so they don't run out of water like they did in 2009 or get flooded out.

One possible solution is to store water in the wet years but due to different invested interests this option is meeting opposition. For example, the land surrounding Upper Twin Lake (Horn Lake) is owned by the Nature's Trust of BC. This land is being leased by the Clifton family for cattle grazing. It seems the Nature's Trust are against storing more water in Upper Twin Lake/Horn Lake because this would reduce the land for grazing cattle and jeopardize the money they receive from leasing the lands.

We are not against development but development uses water and risks hundreds of people that can be without water and homeless. Who will be responsible for providing water when the Twin Lakes water way has a dry year? There was an overdevelopment in Barton Creek in Texas where a developer built many residences which dried up and destroyed the aquifer. Now all the residences in Barton Creek have been abandoned. Everyone loses when this happens, including the developer. We don't want to be without water and without our homes. We want our local representatives to take proactive measures to protect the water and our homes that are currently at risk now. We

feel it would be grossly negligent of the council to move forward with the development at Twin Lakes as they would blatantly ignore the current water issues that were proven in studies and jeopardize the security of people living in this area. No planning or poor planning and over development now can have devastating consequences for our future and future generations. We strongly oppose the rezoning application of Suki Sekhon at Twin Lakes Golf Course.

Sincerely,

Amir & Orit Cooper, Yam Cooper, May Cooper, Sharel Cooper, Laura Fidalgo, Idan Cooper Fidalgo, Elad Milman, Gloria Bucil, Florian Hohenbichler, Anita Bains, Stephanie LeClair, Steinar Gronnesby, Avive LeClair Gronnesby, Sandra Light, Nir Light, Melodie Light, Elena Light, Allison Ward, Georgia Afendoulis, Carolyn Cartwright, Ann LeClair, Patty Irwin, Ron Nissim, Adiel Nissim

Residents, Visitors, and potential home buyers in the area

[illegible]

RESPONSE SUMMARY

[illegible]

☐ Approval Recommended for Release [illegible]

☐ [illegible]

☒ Approval Recommended Subject to Conditions Below

☐ [illegible]

A study by an independent party
hired by RdCS, suggesting [illegible]
that our rating levels [illegible]
are [illegible] not changing.

[redacted]

[illegible]

Lauri Feindell

From:	S C [redacted]
Sent:	July 17, 2018 2:38 PM
To:	Planning
Subject:	Disapproval To Amendment 2457.20
Attachments:	Refusal to Amendment 2457.20 - Sharel.PDF

Dear Planning Department,

Attached are my reasons for the disapproval of the propsed new development in the Twin Lakes area and the amendment of bylaw no. 2457.20.

Please see that my opinion on the matter is acknowledged by all departments in the RDOS concerned with this proposed new development.

Regards,

Sharel

Resource Operations and Rural Development

- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

☑ **Approval Not Recommended Due to Reasons Outlined Below**

I do not approve the amendment of bylaw No. 2457.20 because in the last four hydrogeological studys it was not proven that there is sufficiant water supply in the area.

The South Okanagan is one of the driest areas in b.c, and experts say that we need to use extreme caution with our water usage.

I request that my disapproval will be strictly observed.

Signature: Sharel Cooper **Signed By:** Sharel Cooper

Agency: _____ **Title:** Resident of Twin lakes

Resource Operations and Rural Development

- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

☐ **Approval Not Recommended Due to Reasons Outlined Below**

· Not proving sustainable water supply for the area

Increased risk of water contamination

Damage of ecosystems

· Access to clean water is a Human Right and it will be at stake if more development happens (Home units).

Studies that prove that it is not sustainable have been dismissed. Areas in Risk for destroying aquifer - Risk to lose our homes for lack of water.

Signature: [redacted]

Signed By: Laura F. Fidalgo

Agency: Concerned citizen / Resident

Title:

Lauri Feindell

From:	Ron Nissim [redacted]
Sent:	July 17, 2018 5:23 PM
To:	Planning
Subject:	Bylaw referral - amendment bylaw number 2457.20, 2018
Attachments:	Bylaw referral.pdf

Dear planner,

Attached my concerns.

Just to let you know that I was looking for a property in the Twin Lakes area for a while. I was ready to make an offer for a property at the time but luckily I became aware of the plans to develop that area.

I don't see that area earning much from such development. It will loose its charm. Imagine dozens or a hundred cars coming out from that intersection on the highway. Next thing will be an annoying traffic lights.

Do you have any plans to deal with that development other than collecting more property tax?

Let the people that are looking for condos go to the cities. Why Twin Lakes?

Thanks for the consideration.
Ron

Resource Operations and Rural Development

- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to Conditions Below

☒ Approval Not Recommended Due to Reasons Outlined Below

Concern to water sustainability. From that point of view, this is a wrong move for an area with a delicate and dynamic water cycle (dry/wet years). Currently no support from RDOS to implement a plan to mitigate between the dry/wet years, and current residents needing to face droughts or floods.
No backup plan if ground water can't supply the demand, then everyone will be without water.
Potential loss due to property price drop.

Signature: [redacted]

Signed By: Ron Nissim

Agency:

Title: Potential home buyer

Peter and Melissa Jensen
[redacted]

Wednesday, June 13, 2018

RE: Twin Lakes Golf Course
File # D2017.069-ZONE

Good day,

We support the proposed development, subject to the comments listed below.

Range Road & Alternative Road for construction and traffic flow including emergency exit:
We are not at all in favour of Range Road being the only road in / out for this new development. This road is not wide enough as is to accommodate increase in safe traffic.
MOT and Twin Lakes Golf Course must have a third-party firm conduct a full traffic impact assessment and report. This will be linked to the traffic flow study and report as listed below for twin lakes road.
Such a large development will lead to a lot of traffic issues on Range Road and other local roads.
Just think about the ongoing construction traffic for many years to come.
What about winter months and would Twin lakes golf course not be required to have an Emergency or other primary entrance / exit from such a large concentration of town homes ?
What if there was a fire or other natural disaster?
It makes no sense to us that Range Road will be the only primary road in and out for this development and we hope MOT along with any third party firm will conduct a proper and complete traffic impact and assessment for Range Road and the other local roads and recommend alternative primary entrance and exit to to Phase one.

Building Scheme, Existing Homes and Property Values:
The proposed town home building scheme is completely out of the existing building design and may also have an impact on existing property values. Such small town homes as proposes will attract weekend visitors, short term renters, and as stated by Suki possibly those seeking affordable housing.
Is this really a place for such? We are just asking as there are zero amenities nor public transportation available here. High Density homes such as these small town homes may be suitable elsewhere but the ROI for a developer would be close to the same by building another 15 nice family homes.
Such will sell and be occupied all year round which is far better than town homes occupied by weekend visitors, airbnB, etc.

Back Road to Oliver / HWT 97 / Observatory:
The backroad going down from Twin lakes to HWY 97 and Oliver, will without a doubt have an increase in traffic and this road is not in the best of shape as is. Yes, re-pavement has happened however look at all the washouts underneath the road and we will in all likelihood see more of those over the next years. The road is also a concern for winter travelling. Not sure if an traffic Impact Report has been conducted for any of the roads impacted by the proposed development however MOT and Twin Lakes Golf Course should have such prepared by a third-party so residents and anyone impacted by the large volume of new traffic can study this report and come forward with his or her concerns.

Entrance / Exit from Golf Course / Parking and Clubhouse:
We are extremely concerned with current traffic coming and going from the golf course parking as majority of traffic will pull out from this parking area while traffic is coming from the south (Over Hill) and we have been in many near collisions ourselves. Visibility is far from ideal. This part of the road is also EXTREMELY dangerous during winter months as it is often really slick and icy and traffic is often going up and down in the center of the road to avoid sliding off into the ditch on either side of the road. If this part of the road is not addressed then there surely will be accidents to come especially with so many new town homes and new occupants travelling up and down this road.

Water:
Unlike most others, we do not feel that this will be an issue for phase one.

Thank you,

Peter & Melissa Jensen

Feedback_Form_June12

Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2017.069-ZONE

FROM: Name: Karen Evans
(please print)

Street Add[redacted]

Tel/Email: [redacted]

RE: **Electoral Area "D" Zoning Amendment Bylaw No. 2457.20, 2017**
79 Twin Lakes Road (Twin Lakes Golf Course Resort)

My comments / concerns are:

- ☐ I do support the proposed development.
- ☒ I do support the proposed development, subject to the comments listed below.
- ☐ I do not support the proposed development because:

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2455.31

Twin Lakes needs gun laws. There is hunting allowed on White Lake Rd and on the Natures trust Land. The provincial laws are not enough. The police are not aware of the provincial rules in this area and do nothing when shots are fired near the residences and roadways. Medium density does not work with rural when it comes to guns. White lake rd. is the access point to the boat launch. We will have more people using the lake via that road where gunfire is currently being allowed. Planning must take this issue in to consideration if there is further development. Some one is going to get hurt.

Feedback Forms must be completed and returned to the Regional District no later than Friday 13, 2018

Further information can be found at www.rdos.bc.ca /Planning/Current Applications & Decisions/Electoral Area D-1/ D2017.069-ZONE

Feedback Form: Open House
February 1, 2018

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2017.069-ZONE

FROM: Name: Richard Hawthorne
(please print)

Street Address: [redacted]

Tel/Email: [redacted]

RE: **Electoral Area "D" Zoning Amendment Proposal: Twin Lakes Golf Resort**

My comments / concerns are:

- ☐ I do support the proposed development.
- ☐ I do support the proposed development, subject to the comments listed below.
- ☒ I do not support the proposed development because:

Written submissions received from this Open House will be compiled and used to assist RDOS and the Proponent to move forward with the application

My concerns are related to what will be done with waste water from any treatment plant. The most effective treatment facilities cannot remove everything (most notably pharmaceuticals and biocides). Our water source is from TROUT LAKE and I am concerned that having a waste water treatment plant nearby may impact our water, it may also affect nearby ground water supplies also (wells).
It is my understanding that they plan to use the effluent to irrigate the golf course, but what will they do with all that water during the time of year they do not irrigate?

[redacted]

Further information can be found at www.rdos.bc.ca /Planning/Current Applications & Decisions/Electoral Area D-1/ D2017.069-ZONE

Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2017.069-ZONE

FROM: Name: J. Craig Hunter
(please print)

Street Address: [redacted]

Tel/Email:

RE: **Electoral Area "D" Zoning Amendment Bylaw No. 2457.20, 2017**
79 Twin Lakes Road (Twin Lakes Golf Course Resort)

My comments / concerns are:

- ☐ I do support the proposed development.
- ☐ I do support the proposed development, subject to the comments listed below.
- ☒ I do not support the proposed development because:

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2455.31

(1) The RDOS and Province must establish a water shed management plan to adequately support and protect the interests and viability of the current homes in the area and any future development considered as above.
(2) 12 Four Plexs = 48 units is High Density. It does not fit with the community profile.
(3) This development is not "green". There is no public transit forcing all residents to drive cars. (100+)
(4) Twin Lake Road and Range Rd are not designed to safely manage the projected volume of traffic (@ 100+)
(5) It not likely that these 4 plexes will be occupied by F/T owners, who invest in the community. It is likely they will be used as Vacation Rentals which often means they will be occupied by short term people who are focused on partying. This generated profits for the owner and taxs for the RDOS but degrades the quality of life for local property owners.

Feedback Forms must be completed and returned to the Regional District no later than Friday 13, 2018

Further information can be found at www.rdos.bc.ca /Planning/Current Applications & Decisions/Electoral Area D-1/ D2017.069-ZONE

Feedback Form: Open House
February 1, 2018

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2017.069-ZONE

FROM: Name: BRUCE ANDERSON

Street Address: [redacted]

Tel/Email:

RE: **Electoral Area "D" Zoning Amendment Proposal: Twin Lakes Golf Resort**

My comments / concerns are:

- [x] I do support the proposed development.
- [ ] I do support the proposed development, subject to the comments listed below.
- [ ] I do not support the proposed development because:

Written submissions received from this Open House will be compiled and used to assist RDOS and the Proponent to move forward with the application

Further information can be found at www.rdos.bc.ca /Planning/Current Applications & Decisions/Electoral Area D-1/ D2017.069-ZONE

Resource Operations and Rural Development
- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to Conditions Below

☑ Approval Not Recommended Due to Reasons Outlined Below

the area has no proven sustainable water supply in the past Hydrogeological studies therefore any new development + population growth would risk the water supply in the area, if the aquifer is drained to supply water it will be destroyed.
there is also a risk to the ecosystems in the area that would most likely be destroyed.
I feel there will also be a risk to water systems getting contaminated with development in the area

Signature: [redacted] Signed By: Georgina Afendoulis

Agency: A Concerned area visitor and potential future resident. Title:

Resource Operations and Rural Development

- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

☑ **Approval Not Recommended Due to Reasons Outlined Below**

Having multi family homes on the golf course will be detrimental to our water supply. A few homes in a development would be OK but 46-4plex units would be too much of a strain. This year was a good year. What about those drought years? We would need an unbiased water study. We cannot afford to have our property values decrease due to over use of water that is not in unlimited supply. There are many wells that access the same aquifer & ~~the~~ ~~as~~ ~~the~~ majority of users are at the lower end of the water supply. What happens to those with wells above? Not to mention increased traffic & what about a fire hall?

Signatu[redacted]

Signed By: Paula Hauser Twin Lakes.

Agency: _____

Title: _____

☑ Ministry of Agriculture

☑ Integrated Land Management Bureau

☑ Ministry of Transportation & Infrastructure

☑ School District 67

☑ Okanagan Nation Alliance (ONA)

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

☐ **Approval Not Recommended Due to Reasons Outlined Below**

1. Proponent never proved water availability for Phase 1 let alone for Phase 2. Development for over 40 units will negatively impact the residents of Twin Lakes by reducing the water source in the aquifer. Please think long term not 10 years, think 50 years.
2. Impact to DRAO is a concern; again not in 5 years but in 15 years when you have an increase in wifi etc. in the area.
3. Unfair to have development on ALR land when the residences of Twin Lakes are governed by zoning to only have one single dwelling.
4. Absolutely unreasonable for the RDOS to end up being owners of water and sewer systems. The developer / strata can pay for their own water (or in years lack of water) instead of the rate payers covering for the developer.
5. Why does this Bylaw referral tell the developer to build and install fire hall since we are in a non - protected fire zone?
6. Why does this Bylaw referral not outline how the developer will build a state of the art water and septic system they will manage?

Signature: V Mumby **Signed By:** *V Mumby*

Agency: _____ **Title:** [redacted]

Date: June 28, 2018

☑ Ministry of Agriculture ☑ Integrated Land Management Bureau ☑ Ministry of Transportation & Infrastructure

☑ School District 67 ☑ Okanagan Nation Alliance (ONA)

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

x☐ **Approval Not Recommended Due to Reasons Outlined Below**

- Approving this zoning is premature. First, prove that there is sustainable water in this upland sensitive Twin Lake valley before considering any further allotment of water - where rezoning will lead. The previous studies, including the 2016 TLGR Golder Study did not prove sustainable water in dry years. We have been in wet years since 2010 and so in June, 2018 it was easy for the Golf Course Developer to state, "TLGR has lots of water – we just dug a hole 4 inches deep and found water". Now, in July, the TLG Course has large, dry, brown areas except where the irrigation is abundant.
- The TLGR is down gradient from Twin Lake. The Twin Lake acts as a reservoir or "canary in the coal mine" for the #261 Twin Lake Aquifer. It is the lake not the Golf Course wells which will signal a diminishing, dangerous water situation. Water in the Twin Lakes aquifer moves downhill at a faster rate, but then, slows and pools under the level TLGR before turning around Parker Mt. under Trout Lake and again coursing down gradient in the Mamara Creek Valley. Thus TLGR wells draw from the aquifer which is recharged mainly by the up gradient Twin Lake. Twin Lake & the aquifer is recharged by snow melt on Orofino Mt. – it is recharge- limited.
- Use of filtered TLGR water maybe safe for a test glass of water, but is there a way to filter the endocrine disrupters which seep to Trout Lake residents who must (because the aquifer is only under Trout Lake) all draw their water from Trout Lake?

Thus all residents in the Twin Lake basin which are up gradient from the TLGR may potentially be affected by a loss of water quantity and the downstream Trout Lake area residents by a decrease in water quality.

Signature: _____ Signed By: Coral Brown

Agency: Lower Nipit Improvement District_ Title: Chairperson_____

Date: July 27, 2018

From.
Sent: February-18-18 1:49 PM

Subject: Re: Twin Lakes Golf Course zoning change

Received, thank you.

On Feb 18, 2018 1:28 PM,

I wish tp cpmment in my personal capacity as well as chair of the Greater Twin Lakes Area Stewardship Society.
Generally we support growth which can bring benefits such as a fire service and access to sewer and water in the future.
We still have concerns over water availability in dry years and look forward to hearing the developers (Golders) response to the critics (the 3 government hydrologists, Western water and Dobson), Some of their concerns were crucial, such as the Nature Trust Water Licence.These concerns are somewhat mitigated, at least at the early stages, by the proposal to shut down watering of the golf course in times of drought. This could provide a substantial buffer. Of critical importance would be enforcement as well as the establishment of trigger points which are considered appropriate by a hydrologist representing the community.

Board Date: August 2, 2018

Agenda Item: B.2.b.

D2017.069-ZONE

Additional Representations

GOLDER

TECHNICAL MEMORANDUM

DATE 9 July 2018

Reference No. 1114930112-002-TM-Rev1

TO Mr. Suki Sekhon
Twin Lakes Golf Course Ltd.

FROM Jacqueline Foley,
Darlene Atkinson

EMAIL jfoley@golder.com,
datkinson@golder.com

UPDATE ON ONGOING WATER MONITORING PROGRAM FOR TWIN LAKES GOLF RESORT, TWIN LAKES, BC

Golder Associates Ltd. (Golder) is pleased to submit this technical memorandum providing an update on the ongoing water monitoring program associated with the Twin Lakes Golf Resort proposed development at Twin Lakes, BC. The water monitoring program is being completed subsequent to the completion of a hydrogeological assessment for the Twin Lakes watershed, and as a result of recommendations therein. The purpose of this memorandum is to support ongoing conversations between Twin Lakes Golf Resort Ltd. And the Regional District of Okanagan Similkameen.

Golder was initially retained in 2011 by the CRS Group of Companies to complete a hydrogeological assessment for a proposed residential development associated with the Twin Lakes Golf Resort. The proposed development is being completed in a phased approach, with Phase 1 consisting of 50 residential units, and full build-out consisting of approximately 220 units. The purpose of the hydrogeological assessment was to develop an improved understanding of the hydrogeological regime of the Twin Lakes watershed, and evaluate the sustainable groundwater use for the aquifer at Phase 1, applying various climate scenarios. A conceptual model was developed and a numerical model created to represent the hydrogeological regime. The results of the hydrogeological assessment are summarized in Golder's January 2016 report titled *"Hydrogeological Assessment, Groundwater Availability Study, Proposed Residential Development (Phase I) Twin Lakes, BC"*.

The numerical model concluded that sufficient groundwater was available for the proposed Phase 1 development, and it was recommended that a water monitoring program be developed in a phased approach. The water monitoring program included the collection of groundwater and surface water data, such that the numerical model developed as part of the assessment could be updated at a later date for Phase 2, to refine hydrogeological parameters and aquifer and lake level predictions.

Twin Lakes Golf Resort has been collecting surface water and groundwater elevation data since approximately 2010, and we propose to continue the monitoring program until at least 2020, collecting 10 years of hydrological data. Surface water elevation data are collected from three surface water bodies (Horn Lake, Twin Lake and Trout Lake), and groundwater elevation data are collected from several surrounding groundwater wells. Water levels are collected automatically using pressure transducers, as well as manually during the monitoring program. To date, the information gathered has not changed any of our recommendations in our 2016 report.

It is understood that Twin Lakes Golf Resort Ltd. will retain a qualified professional to update the numerical model following completion of approximately 10 years of water level monitoring, or upon completion of Phase 1, in order to confirm groundwater and surface water model predictions, and to engage in collaborative discussion with the Regional District of Okanagan Similkameen regarding full build-out of the proposed development in the future.

We trust this provides you with the information you require at this time. Should you have any questions or require additional clarification, please feel free to contact Jacqueline Foley at 250-860-8424 at your convenience.

GOLDER ASSOCIATES LTD.

[redacted]

Jacqueline Foley, MSc, GeoL
Associate, Senior Hydrogeologist

[redacted]

Darlene Atkinson, MSc, PEng
Associate, Senior Environmental Engineer

JF/DA/asd/lmk

\\golder.gds\gal\kelowna\active\2011\1493\11-1493-0112 twin lakes\07 deliverables\1114930112-002-tm-rev1\1114930112-002-tm-rev1-2018 gw monitoring-09jul_18.docx

Lauri Feindell

To: James pepper
Subject: RE: Twin Lakes rezoning

From: James Pepper[redacted]
Sent: July-30-18 2:28 PM
To: 'James Pepper' <jpepper@pib.ca>; Evelyn Riechert <eriechert@rdos.bc.ca>
Cc: [redacted]
Subject: RE: Twin Lakes rezoning

Hi Evelyn,

It looks like we are aligned on a number of factors – especially water. Do you know if any of the other standard information has been collected? If not, PIB would like to see several additional "No Build" covenants:

1. **THAT a 'no ground disturbance' covenant be registered on the title of "Lot A" in order that any ground disturbance cannot proceed until a Cultural Assessment is conducted which concludes that no Cultural impact will result from the proposed development, the Penticton Indian Band must be involved in this assessment;**
2. **THAT a 'no build' covenant be registered on the title of "Lot A" until an environmental study, including species at risk, is completed which concludes that no species at risk or environmental impacts will result from the proposed development, the Penticton Indian Band must be involved in this assessment;**
3. **THAT the property owner petitions and receives approval from the Penticton Indian Band prior to the occurrence of any development.**

Please let me know when you are free to discuss.

Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: July 12, 2018 11:04 AM
To: Evelyn Riechert
Cc: Lauri Feindell
Subject: RE: D2017.069-ZONE - bylaw Referral (Twin Lakes)

Hello Evelyn,

Thank you for your referral regarding proposed bylaw changes for 79 Twin Lakes Road, PID 017694841, Lot 2, DL 228s & 2169, SDYD, Plan 26332, except Plan H15455; and Lot A, DLs 228s, 2169 & 4098s, SDYD, Plan KAP46761, except Plan KAP53180, PID 005141541. According to Provincial records, previously recorded archaeological sites DiQw-4 and DiQw-6 are recorded on the properties.

In addition, archaeological potential modelling for the area indicates that portions of the properties have potential to contain unknown/unrecorded archaeological deposits, as indicated by the brown/orange areas (high potential) and beige areas (moderate potential) in the screenshot below.

DiQw-4 and DiQw-6 are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. Given the subsurface nature of archaeological deposits, boundaries of archaeological sites are difficult to determine without extensive subsurface testing. Therefore, any mapped boundaries are considered to be approximate and it is possible that the sites are more or less extensive than currently mapped.

Prior to any land-altering activities (e.g. addition to home, property redevelopment, extensive landscaping, service installation), an Eligible Consulting Archaeologist should be engaged to determine the steps in managing impacts to the archaeological sites.

An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

If a permit is required, proponents should be advised that the permit application and issuance process takes approximately 8-10 weeks and should plan their development schedule accordingly.

If work is planned that is **outside of the red areas** as shown in the screenshot below, the Archaeology Branch cannot require the proponent conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent. However, the Archaeology Branch strongly encourages engaging an archaeologist prior to development as the site may extend beyond the limits indicated on the attached screenshot.

If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

If you or your clients have questions, please visit the FAQ page at http://www.for.gov.bc.ca/archaeology/faq.htm and the Property Owners and Developers web page at http://www.for.gov.bc.ca/archaeology/property_owners_and_developers/index.htm.

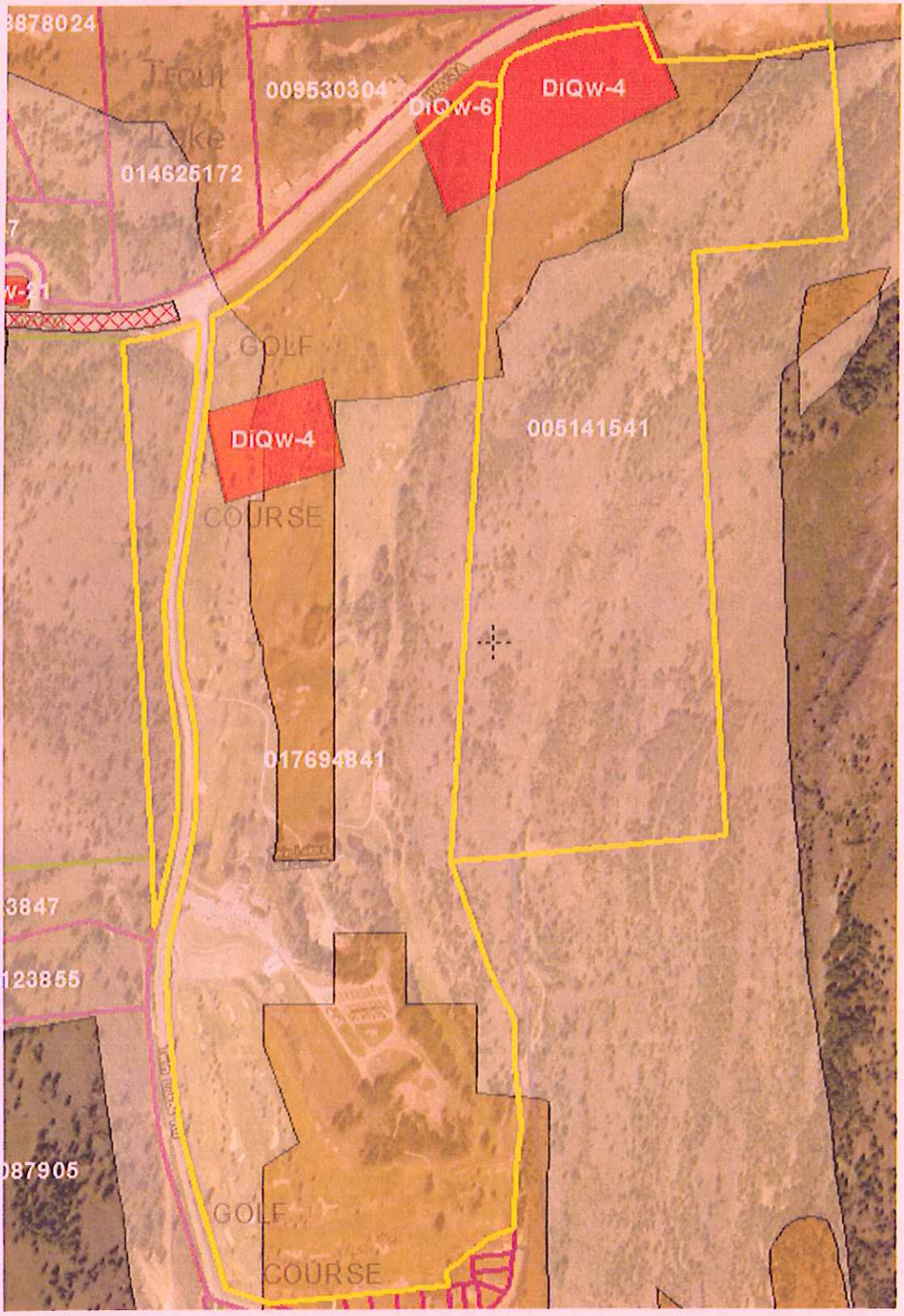
If you or your clients have further questions regarding the permitting process, please contact Nathan Friesen (Supervisor, Archaeology Branch) at 250-953-3306 or Nathan.P.Friesen@gov.bc.ca.

Please review the screenshot of the properties below (outlined in yellow) in relation to the archaeological site (red area). If this is not the property as described in the referral, please contact me.

Please feel free to contact me should you have any questions regarding this information.

Kind regards,

Diana



Diana Cooper | Archaeologist/Archaeological Site Inventory Information and Data Administrator

Archaeology Branch|Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7| PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3

Lauri Feindell

From: Evelyn Riechert
Sent: July 27, 2018 3:49 PM
To: Planning
Cc: Stephen Juch
Subject: FW: D2017.069-ZONE, #79 Twinlakes Road
Attachments: 2016 Review of 2016 Golder report for LNID by Don Dobson (1).pdf

Evelyn Riechert • MCIP RPP, Planner
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4204 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • eriechert@rdos.bc.ca
FACEBOOK • YOUTUBE • Sign up for REGIONAL CONNECTIONS

From: Andy and Jodie Reeder [redacted]
Sent: July-27-18 2:44 PM
To: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: D2017.069-ZONE, #79 Twinlakes Road

Hi Evelyn

This is in response to an email that I received from Coral Brown with respect to the development rezoning referenced above. I am the registered owner of 220 Twin Lakes road. While I'm not within 100metres of the development, I am within one kilometre of the aforementioned development and will be injuriously affected along with may others in the community if there is not enough capacity within the aquifer to support this development. I don't believe that I received a notice of the proposed zoning change. This may be due my proximity to the development. However, I understand that you are accepting comments despite the expired timeline and I certainly appreciate any consideration of my comments.

I have read the Golder and Associates 2016 hydrological aquifer capacity assessment, the subsequent assessment by Western Water Associated, the Provincial water licensing agency and Don Dobson's subsequent assessment (attached). From the attached and from the Province's assessment of the review, its clear that that there is considerable doubt about available water for additional demands. I believe that the issue of water availability should be resolved before any rezoning proceeds.

Don Dobson states "it appears that modeling work undertaken by Golder has used a value of 2,200 L/unit/per day for the entire Twin Lakes area. While there are good reasons for the RDOS to consider revising its bylaw and reducing the design flows, for the purposes of the assessments undertaken by Golder it does not seem reasonable to use a value of 2,200 l/unit/day as a blanket value that would apply to all residents without first confirming that a reduction in design flow of 75% can be accommodated by existing development.

Within the 2016 review by Golder and Associates states the validity of the study is premised on the area consumption of 2,200 L/unit/day and that the large existing agricultural licences will ever be fully utilized in the future. Both of these assertions seem faulty, given the comments by the Province and Don Dobson above.

Further, the Average Daily Demand and the Maximum Daily Demand water flows are developed by looking at multiple years of water demand on the subject water system. Choosing water demands from either greater Victoria, or even Vernon should <u>not</u> be applied to rural areas as the lot sizes and densities, are substantially different from rural

areas. Also, there is significant differences in climate between Victoria and the Okanagan. I would suggest that you use actual numbers from more rural type of water systems within the Okanagan based on actual consumption (ie. Faulder, Naramata) should you wish to change or vary the bylaw. Please note that I have some experience and expertise in this area.

Should there be enough water, I am not opposed to the development. However, I am very opposed to the development as long as their is reasonable doubt about the capacity of the aquifer. With respect to question of water availability, I believe that the Regional Board should ere on the side of caution as the consequences of running out of water from the aquifer are so substantial.

Thank you for your consideration

Andrew Reeder, P.Eng.,

DOBSON
Engineering Ltd.

File: 228-001/16039

December 20, 2016

Lower Nipit Improvement District
RR# 1, Site 26A, C1
Kaleden, BC V0H 1K0

Attention: Coral Brown

Re: Review of "Hydrogeological Assessment Groundwater Availability Study, Proposed Residential Development (Phase 1), Twin Lakes, BC" by Golder Associates

The following comments are provided for your review regarding the 2016 Golder Associates report titled "Hydrogeological Assessment Groundwater Availability Study, Proposed Residential Development (Phase 1), Twin Lakes, BC", dated January 26, 2016. I reviewed your document "2016 Independent Review of 2016 Golder Study" and will not repeat many of the points that you have documented.

My comments based on my review of the report are as follows:

1. In 2011 Golder completed a review of the EBA's 1994 and 2011 reports and the Summit 2010 report that provided divergent views on whether or not there was sufficient groundwater for development proposed on the TLGR lands. Golder, 2011 concluded in its report to MoTI titled "Review of Groundwater Reports, Twin Lakes, Penticton, BC" that "The results indicated that, based on the range of parameters provided within the reviewed reports, additional groundwater withdrawals from the Twin Lakes watershed would likely result in *"further and unacceptable declines in water levels in lake and groundwater levels in the catchment"*."
2. In its 2016 report, "Golder is of the opinion that projected future groundwater usage at the proposed Phase 1 development at the TLGR, within the range of climate and other physical parameters evaluated, <u>should be</u> sustainable at the proposed rate of 600 m^3/d."
3. This "opinion" is premised on:
    a. The projected groundwater withdrawal rates proposed by Twin Lakes Golf Resort and MSR being controlled by bylaws, variance permits and/or regulations promulgated by the appropriate regional, provincial or federal authority; and,
    b. Groundwater withdrawals for the Phase 1 development at the proposed rate (2,200 L/unit/d) and surface water withdrawals being adequately enforced and monitored.
4. The RDOS subdivision servicing bylaw no. 2000 Schedule A currently requires a design flow of 8,000 l/single family unit/day and a peak hour domestic flow of 13,600 l/single family unit/day. These are the bylaw requirements for all the existing residential development in the Twin Lakes area to date, and most likely the basis for the design of the existing properties. The consultant for the TLGR, MSR Solutions Inc., has requested that the RDOS either amend its bylaw or provide a development variance permit that would reduce the

2580 Dunsmuir Road, Kelowna, BC V1W 2V3 (O) 250.861.5595 (Cell) 250.878.4502

design flows to 2,200 L/single family unit/day. It is interesting that this request was made to the RDOS for the proposed development but appears to have been applied to the entire Twin Lakes area – retroactively.

5. It appears that the modeling work undertaken by Golder has used a value of 2,200 L/single family unit/day for the entire Twin Lakes area.
6. While there are good reasons for the RDOS to consider revising its bylaw and reducing the design flows, for the purposes of the assessments undertaken by Golder it does not seem reasonable to use a value of 2,200 L/single family unit/day as a blanket value that would apply to all residents without first confirming that a reduction in design flow of 75% can be accommodated by existing development.
7. Golder's "opinion" that the aquifer can sustain the Phase 1 development + all existing and future development on all private lands, is based on the reduced design flow for all groundwater users AND further, that there will enforcement of the 2,200 L/residence/day on all residents.
8. In my opinion the assumption made by Golder that if all the existing residents were to conform to the reduced supply recommended by MSR, then there <u>may</u> be sufficient water for the Phase 1 development, places an unreasonable burden on the community to change its water use so that a developer can develop, is not technically sound.
9. Golder decided to use a steady-state model rather than a transient model. They state that aquifers are not in steady-state, but decided to use a steady-state model regardless. The rationale for using this type of model is not clear. When the approach was reviewed by groundwater professionals at MFLNRO they identified concerns using a steady-state model as it does not address seasonal variations in groundwater levels and also the impacts of maximum groundwater extraction and recommended using "a more comprehensive uncertainty analysis". This recommendation was not implemented.
10. The assumption by Golder and MSR, that surface water licenses that are not currently being used should not be considered in the supply and demand analysis is wrong. There are irrigation water licenses for lands held by the Nature Trust have a demand of ~300,000 m^3/yr and these licenses are in good standing. The Nature Trust has the right to use these licenses to the maximum allowed, for the purposes specified in the license, whenever they choose or, they could decide to sell the lands and a new owner would have the right to utilize these licenses since they are appurtenant to the lands. For this reason the demand for <u>all</u> water licenses in good standing must be included in a supply and demand analysis.
11. Golder states that when the Nature Trust water license demand is included that the model indicates that the level of Twin Lake would be drawn down by 26.6 m annually when present and future groundwater demands are modeled. This would be unacceptable to the residents and likely the province.
12. It is stated by Golder that the TLGR currently uses ~75% of all the water used in the Twin Lakes area and that in Golder's opinion this is reasonable and unlikely to change. For a single development to consume the majority of a limited resource and request the right to use even more is not reasonable.
13. It is a concern that Golder chose not to consult with LNID during the project in order to solicit knowledge and data from the improvement district that has 50 years of history managing the water and collecting data in the Twin Lakes area. For Golder to make statements "Little is known about...." when referring to information on the water resources in the area is a very serious oversight. Also to state that they were not able to explain why

the level of Twin Lake was lower in 2012 than in 2013 when LNID knew why, raises questions regarding the credibility of the results of the assessments.

14. In addition to these comments by the consultant, I am also concerned about the data used by Golder in its modeling as detailed in your response. In an area where there are known and documented water supply concerns, as well as limited data, any supply and demand analysis should use data that represents a conservative supply in conjunction with realistic demands that would produce conservative results.

The Twin Lakes system is a very complicated, unique, closed system that involves the interactions between annual precipitation, surface runoff and groundwater flows. The Twin Lakes area is recognized as having a unique climate as it is sheltered by mountains to the south, west and north. Unfortunately there is very limited climate data at this time but there is a climate station in the area now collecting data that will be useful in the future once sufficient data is available. Because there is limited data on surface runoff, groundwater flux and flows, and the area has a history of sustained periods of drought, there are very compelling reasons to proceed with a high degree of caution when making decisions on further development that will result in additional demands on a limited water resource. The RDOS in its recent OCP review recognizes that water is a limiting resource and has included additional requirements to help address this issue. It is a start but by no means the whole solution.

Golder has completed an analysis of a proposal for development of Phase 1 on the TLGR lands based on information provided to them and using a number of assumptions. If one reduces the demand significantly in a supply and demand study and applies specific assumptions it is possible to achieve any desired result. My assessment of the details of the groundwater modeling completed by Golder is that it is very detailed BUT, I believe that the fundamentals used in the analysis in the Twin Lakes area are flawed and do not provide an appropriately balanced approach.

I would be pleased to discuss these matters with you at your convenience.

Yours sincerely,

D.A. Dobson, PEng

Lauri Feindell

To: Brad Dollevoet
Subject: RE: Twin Lakes Development Rezoning application Ammendment ByLaw No. 2457,20,2018

Dear Ms. Kozakevich,

I am writing on behalf of many concerned citizens at Twin Lakes. I and so many others are deeply concerned that as the hydrogeology reports state, our aquifer is already at capacity of use. Re-zoning should not be approved until water availability and sustainability have been proven for this development. Andrew Reeder P. Eng. addressed this issue succinctly in his submission to the RDOS, included below. We are also attaching the 2016 Golder Report Critique from Don Dobson P. Eng. We hope you will read these statements and consider them very carefully. Water is life, and our lives are depending on due consideration being given the science in the hydrogeology reports as Andrew discusses. If water sustainability is proven, we would not oppose the development.

Thank you for your time and consideration.

Jennifer Strong
[redacted]

2018 Bylaw referral D2017.069-ZONE (TLGR) 1.pdf

☑ Ministry of Agriculture ☑ Integrated Land Management Bureau ☑ Ministry of Transportation & Infrastructure

☑ School District 67 ☑ Okanagan Nation Alliance (ONA)

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

x☐ **Approval Not Recommended Due to Reasons Outlined Below**

- Approving this zoning is premature. First, prove that there is sustainable water in this upland sensitive Twin Lake valley before considering any further allotment of water - where rezoning will lead. The previous studies, including the 2016 TLGR Golder Study did not prove sustainable water in dry years. We have been in wet years since 2010 and so in June, 2018 it was easy for the Golf Course Developer to state, "TLGR has lots of water – we just dug a hole 4 inches deep and found water". Now, in July, the TLG Course has large, dry, brown areas except where the irrigation is abundant.
- The TLGR is down gradient from Twin Lake. The Twin Lake acts as a reservoir or "canary in the coal mine" for the #261 Twin Lake Aquifer. It is the lake not the Golf Course wells which will signal a diminishing, dangerous water situation. Water in the Twin Lakes aquifer moves downhill at a faster rate, but then, slows and pools under the level TLGR before turning around Parker Mt. under Trout Lake and again coursing down gradient in the Mamara Creek Valley. Thus TLGR wells draw from the aquifer which is recharged mainly by the up gradient Twin Lake. Twin Lake & the aquifer is recharged by snow melt on Orofino Mt. – it is recharge- limited.
- Use of filtered TLGR water maybe safe for a test glass of water, but is there a way to filter the endocrine disrupters which seep to Trout Lake residents who must (because the aquifer is only under Trout Lake) all draw their water from Trout Lake?

Thus all residents in the Twin Lake basin which are up gradient from the TLGR may potentially be affected by a loss of water quantity and the downstream Trout Lake area residents by a decrease in water quality.

[redacted]

☑ Ministry of Agriculture	☑ Integrated Land Management Bureau	☑ Ministry of Transportation & Infrastructure
☑ School District 67	☑ Okanagan Nation Alliance (ONA)	

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

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At Strata K551 we have a licensed well that provides water to 9 strata properties. When the lake is low the quality and quantity of water in our well is affected.

There needs to be proof of water before any further zoning or rezoning is undertaken. Our strata and well have been in place for 40 years and according to FITFIR rules we have rights to the water ahead of any new developments but we can not exercise our rights if the water is gone.

Before anymore plans are made there needs to be a plan for how water will be controlled and monitored, and decisions made about who and how the rules are enforced

Signature: _____ **Signed By: Pamela Mann**

Agency:Title: StrataK551 **Chairperson James Mann President**_____

_____

Date: July 27, 2018

☑ Ministry of Agriculture	☑ Integrated Land Management Bureau	☑ Ministry of Transportation & Infrastructure
☑ School District 67	☑ Okanagan Nation Alliance (ONA)	

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Thus all residents in the Twin Lake basin which are up gradient from the TLGR may potentially be affected by a loss of water quantity and the downstream Trout Lake area residents by a decrease in water quality.

Signature: XConnie Bellinger [redacted]

[redacted]

Date: July 27, 2018

☑ Agricultural Land Reserve	☑ Lower Nipit Improvement District	☑ Canadian Wildlife Services
☑ Ministry of Agriculture	☑ Integrated Land Management Bureau	☑ Ministry of Transportation & Infrastructure
☑ School District 67	☑ Okanagan Nation Alliance (ONA)	

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

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Thus all residents in the Twin Lake basin which are up gradient from the TLGR may potentially be affected by a loss of water quantity and the downstream Trout Lake area residents by a decrease in water quality.

Signature: G Choma **Signed By: Glenna Choma**

[redacted]

Date: July 27, 2018

Lauri Feindell

From: Yam C [redacted]
Sent: July 23, [redacted]
To: Lauri Feindell
Subject: Re: Response to amendment Bylaw No.2457.20

Hi Lauri,
Here is what it says:
"I refuse the amendment bylaw no 2457.20. There is no proven sustainable water supply in the area. Several studies have proven that, and I want to live here for a long time. If the aquifer dries up, no one will be able to live here anymore."
Thanks
Yam

[redacted]

Resource Operations and Rural Development

- ☑ Agricultural Land Reserve
- ☑ Ministry of Agriculture
- ☑ School District 67
- ☑ Lower Nipit Improvement District
- ☑ Integrated Land Management Bureau
- ☑ Okanagan Nation Alliance (ONA)
- ☑ Canadian Wildlife Services
- ☑ Ministry of Transportation & Infrastructure

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.20, 2018

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Recommended Subject to Conditions Below**

☒ **Approval Not Recommended Due to Reasons Outlined Below**

No proven sustainable water for the development or myself

Signature: [redacted]

Signed By: DAWNE AMBLER

Agency:

Title:

From: JGStrong [redacted]
Sent: July 31, 2018 8:36 PM
To: Karla Kozakevich <kkozakevich@rdos.bc.ca>
Subject: Questions regarding the Twin Lakes Development Rezoning application Ammendment ByLaw No. 2457,20,2018

Dear Ms. Kozakevich,

Further to our email of July 29th, please ALSO consider the following when examining the Twin Lake Development Rezoning application;

1. Why are the unbiased earlier hydrogeology reports which stated that the aquifer is at capacity with current use, being ignored by RDOS staff who have said that they are only considering the latest review (Golder 2) paid for by the developer?
2. Why are all the residents, including new residents who would buy in a new development, being put at risk of loss of water?
3. Why was the previous approval for 36 units and why is the current rezoning application being pushed through prior to proof of water availability?
4. What monitoring is proposed?
5. If the water and sewer infrastructure is eventually to be extended to all residences, how much more will existing residents be paying?
6. Why is this critical decision being pushed through so close to the coming election?
7. The Golder 2 report paid for by the developer was eviscerated by experts Dobson (attached) and Reeder (sent in an earlier email, below), and a response from Golder ought to be sought. Has this been done? If so, where is the response?
8. Under the circumstances, we think it reasonable to ask to see the original draft of Golder 2, prior to all the revisions the developer required before releasing it.
9. What are the implications of the lapsed variance permit?
10. How does building more than 250 homes and more structures help 'Land Stewardship and Preservation' as the developer suggests?
11. Is the RDOS proposing to ignore the letter from the Ecosystems section of the Ministry of Forests recommending an assessment?

Again, thank you for your time and careful consideration of this critical decision.

Sincerely,
Jennifer Strong (on behalf of many concerned citizens at Twin Lakes.

[redacted]

Board Date: August 2, 2018

Agenda Item: B.2.b.

D2017.069-ZONE

Additional Representation

Suki Sekhon:

- Golder Associates Report (July 9, 2018)
- Hydrogeological Assessment (January 26 2016)

Email and attachments (May Cooper and residents)

Lauri Feindell

From: Suki Sekhon [redacted]
Sent: August 1, 2018 2:22 PM
To: [redacted]

Cc:
Subject: Twin Lakes - Bylaw No. 2457.20, 2018, Electoral Area "D" Zoning Amendment Bylaw
Attachments: Pages from Groundwater Availability Report 26JAN2016.pdf; 1114930112-002-TM-Rev1-2018 GW Monitoring-09JUL_18 (005).pdf

Attention RDOS Board Members

We are writing in regard to the previous and present propaganda against the Twin Lakes development project on the availability of water.

Please see attached a summary of the Groundwater Availability Report and the update by the environmental engineering firm, Golder Associates that clearly states a 50-lot development (Phase I) will have little or no impact on the water supply in the area. The proposal meets the current OCP and is consistent with the RDOS planning objectives.

It has been 8 years working with RDOS, MOT, consultants and the area residents through the OCP and we now have a long term sustainable plan through this application which is supported by the staff of the RDOS.

Should you have any questions, please give me a call on my cell at 604-506-5100.

Sincerely,

Suki Sekhon | President & CEO
CRS Group of Companies
[redacted]

GOLDER

TECHNICAL MEMORANDUM

Reference No. 1114930112-002-TM-Rev1

DATE 9 July 2018

TO Mr. Suki Sekhon
Twin Lakes Golf Course Ltd.

FROM Jacqueline Foley,
Darlene Atkinson

EMAIL jfoley@golder.com, datkinson@golder.com

UPDATE ON ONGOING WATER MONITORING PROGRAM FOR TWIN LAKES GOLF RESORT, TWIN LAKES, BC

Golder Associates Ltd. (Golder) is pleased to submit this technical memorandum providing an update on the ongoing water monitoring program associated with the Twin Lakes Golf Resort proposed development at Twin Lakes, BC. The water monitoring program is being completed subsequent to the completion of a hydrogeological assessment for the Twin Lakes watershed, and as a result of recommendations therein. The purpose of this memorandum is to support ongoing conversations between Twin Lakes Golf Resort Ltd. And the Regional District of Okanagan Similkameen.

Golder was initially retained in 2011 by the CRS Group of Companies to complete a hydrogeological assessment for a proposed residential development associated with the Twin Lakes Golf Resort. The proposed development is being completed in a phased approach, with Phase 1 consisting of 50 residential units, and full build-out consisting of approximately 220 units. The purpose of the hydrogeological assessment was to develop an improved understanding of the hydrogeological regime of the Twin Lakes watershed, and evaluate the sustainable groundwater use for the aquifer at Phase 1, applying various climate scenarios. A conceptual model was developed and a numerical model created to represent the hydrogeological regime. The results of the hydrogeological assessment are summarized in Golder's January 2016 report titled *"Hydrogeological Assessment, Groundwater Availability Study, Proposed Residential Development (Phase I) Twin Lakes, BC"*.

The numerical model concluded that sufficient groundwater was available for the proposed Phase 1 development, and it was recommended that a water monitoring program be developed in a phased approach. The water monitoring program included the collection of groundwater and surface water data, such that the numerical model developed as part of the assessment could be updated at a later date for Phase 2, to refine hydrogeological parameters and aquifer and lake level predictions.

Twin Lakes Golf Resort has been collecting surface water and groundwater elevation data since approximately 2010, and we propose to continue the monitoring program until at least 2020, collecting 10 years of hydrological data. Surface water elevation data are collected from three surface water bodies (Horn Lake, Twin Lake and Trout Lake), and groundwater elevation data are collected from several surrounding groundwater wells. Water levels are collected automatically using pressure transducers, as well as manually during the monitoring program. To date, the information gathered has not changed any of our recommendations in our 2016 report.

Executive Summary

This report summarizes the results of a hydrogeological assessment conducted for Twin Lakes Golf Resort in Twin Lakes (Twin Lakes Valley), BC. Development of the scope of work for this project was initiated in 2011, with refinement of the scope occurring iteratively over the next several years (2012 through 2015). Twin Lakes Golf Resort is proposing a 50 unit residential development (Phase I) to be constructed in the area of the golf resort at Twin Lakes (TLGR[1]). As part of the development approval process, Twin Lakes Golf Resort has submitted an application to the Ministry of Transportation and Infrastructure (MOTI). Prior to MOTI approval and to address concerns regarding the availability of water in the Twin Lakes Valley, the Regional District of Okanagan-Similkameen (RDOS) has stipulated that a sustainable groundwater source be identified to supply the proposed Phase I development. As outlined in a Water Use Plan prepared for the Twin Lakes Valley by MSR Solutions Inc. (MSR, 2012; and MSR, 2015), and as approved in principal by RDOS, Twin Lakes Golf Resort is proposing an average day demand of 2,200 L/unit/d for Phase I of the development. This assessment is for the 50 units of Phase 1, plus the existing and future irrigation demand at the TLGR, and existing and future water demand outside of the TLGR.

It is estimated that currently the TLGR accounts for approximately 75% of water used in the Twin Lakes Valley for domestic and irrigation purposes (excluding return to ground and surface water licenses). It is Golder's opinion that it is acceptable to assume that the water use values used in the assessment are appropriate and are unlikely to be changed dramatically by users outside of their control.

The hydrogeological assessment was conducted to: i) develop an improved understanding of the hydrogeological regime of the Twin Lakes watershed (catchment), by gathering additional, and refining existing, hydrogeological information to allow a reasonable evaluation to be made of the groundwater flows through the Twin Lakes Valley; and ii) evaluate the sustainable groundwater use for the aquifer in the Twin Lakes Valley for various climate scenarios, including dry periods, with the proposed Phase I development at TLGR, using a calibrated numerical groundwater flow model developed as part of the work.

We understand that MOTI and RDOS will be seeking the technical assistance of the Ministry of Environment (MoE) and the Ministry of Forest, Lands and Natural Resource Operations (MoFLNRO) to: make a decision on whether a sustainable supply of groundwater is available for the proposed residential development at TLGR; and to review the methodologies and results of this Groundwater Availability Study. Where applicable, this Study attempts to address questions and comments provided by MoE and MoFLNRO on behalf of RDOS based on their review of a previous draft report.

The Study Area defined for this assessment included the entire Twin Lakes catchment (watershed) and the western portion of the Marama Creek catchment in the area of Trout Lake, and is considered to be of sufficient area for this assessment. The Study Area Aquifer was defined for the numerical model, and included the unconsolidated sand and gravel aquifer within the Twin Lakes Valley bottom, and to a distance of approximately 400 m east of Trout Lake within the Marama Creek Valley bottom. For the purposes of this report, and given

[1] Where the reference is to the physical location of the Twin Lakes Golf Resort, the acronym TLGR is used. Where the reference is to the Twin Lakes Golf Resort ownership, the name has been spelled out in entirety.

It is understood that Twin Lakes Golf Resort Ltd. will retain a qualified professional to update the numerical model following completion of approximately 10 years of water level monitoring, or upon completion of Phase 1, in order to confirm groundwater and surface water model predictions, and to engage in collaborative discussion with the Regional District of Okanagan Similkameen regarding full build-out of the proposed development in the future.

We trust this provides you with the information you require at this time. Should you have any questions or require additional clarification, please feel free to contact Jacqueline Foley at 250-860-8424 at your convenience.

GOLDER ASSOCIATES LTD.

[redacted]

[redacted]

Jacqueline Foley, MSc, GeoL
Associate, Senior Hydrogeologist

Darlene Atkinson, MSc, PEng
Associate, Senior Environmental Engineer

JF/DA/asd/lmk

\\golder.gds\gal\kelowna\active\2011\1493\11-1493-0112 twin lakes\07 deliverables\1114930112-002-tm-rev1\1114930112-002-tm-rev1-2018 gw monitoring-09jul_18.docx

January 26, 2016

HYDROGEOLOGICAL ASSESSMENT

Groundwater Availability Study, Proposed Residential Development (Phase I), Twin Lakes, BC

Submitted to:
Mr. Suki Sekhon
CRS Group of Companies
730 - 475 West Georgia Street
Vancouver, BC
V6B 4M9

REPORT

Report Number: 1114930112-R-Rev0

Distribution:

2 copies - CRS Group of Companies
2 copies - Golder Associates Ltd.

Golder Associates

that the portion of the aquifer within the Marama Creek Valley bottom is small and close to the aquifer within the Twin Lakes Valley bottom, the Study Area Aquifer is hereafter described as being located within the Twin Lakes Valley.

Numerical Model

A coupled groundwater-surface water steady-state numerical model was developed for the Study Area based on the conceptual model of assessed hydrological and hydrogeological conditions. The numerical model was developed to estimate groundwater flux through the Study Area Aquifer; to assess whether the projected future groundwater use at the proposed Phase I development at the TLGR would be sustainable over the long term (an infinite period of time); and to evaluate the potential future impacts of the projected groundwater use on the Study Area Aquifer and the lakes. Using the numerical hydrogeological model, various climate scenarios were assessed based on current and proposed water uses.

Results

The numerical model developed for the Study Area provided estimates of groundwater flux through the Study Area Aquifer, with respect to normal and drier climate conditions, and resultant changes in saturated thicknesses of the Study Area Aquifer under projected future groundwater usage. While not included in the Executive Summary, a synopsis of the predicted groundwater and surface water flow budgets for each scenario, with the inferred resulting saturated aquifer thicknesses and lake stage levels for each scenario, is provided in tabular format as an attachment to this report and is discussed in Section 7.4 of this report.

The following provides the key points based on the results of the numerical modelling:

- Based on the future withdrawals at the rates specified in the MSR Water Use Plan (i.e., total of 600 m^3/d within the Study Area), the groundwater requirements for the proposed Phase I development at the TLGR will result in impacts, that are assessed to be small, to the groundwater and lake system within the Study Area.
- Projected future groundwater usage at the proposed Phase I development at the TLGR, within the range of climate and other physical parameters evaluated, should be sustainable at the proposed net withdrawal rate of 600 m^3/d within the Study Area.
- Surface water licenses within the Study Area, specifically those associated with Twin Lake and Horn Creek, are inferred to be over allocated. Application of the larger surface water licenses (i.e. Nature Trust and Lower Nipit Improvement District) resulted in significant decreases (26.6 m) to water levels within Twin Lake, but did not significantly affect aquifer levels or groundwater availability.

Conclusions

Based on the assumptions provided, and the results of the Study, which assume implementation of water conservation strategies, return of irrigation and wastewater to ground, and limited agricultural groundwater usage, and subject to:

1) The projected groundwater withdrawal rates proposed by Twin Lake Golf Resort and MSR being controlled by bylaws, variance permits and/or regulations promulgated by the appropriate regional, provincial or federal authority; and,

2) Groundwater withdrawals for the Phase I development at the proposed reduced rate (2,200 L/unit/d) and surface water withdrawals being adequately enforced and monitored.

Golder is of the opinion that projected future groundwater usage at the proposed Phase I development at the TLGR, within the range of climate and other physical parameters evaluated, should be sustainable at the proposed rate of 600 m^3/d. At all times, TLGR should adhere to their water management plan and irrigation best management practices, as outlined in MSR (2012). In terms of Twin Lake Golf Resort's proposed Phase I development at the TLGR, if approved, the development should be completed as stipulated in 2) above.

Recommendations

Recommendations made by Golder for Twin Lakes Golf Resort, and which support the RDOS Draft Official Community Plan (OCP), consist of the following:

- Continue implementing best water management practices in the overall Twin Lakes catchment, including the ongoing long term monitoring (surface water, groundwater), and enhance aquifer recharge where possible.
- Implement water conservation and best management practices related to the proposed Phase I development at the TLGR.

Recommendations made by Golder for RDOS or the appropriate regulatory authority (MoE, MoFLNRO), consist of the following:

- Implement practices and policies that are outlined within the Draft OCP, in support of water resource protection and management., including enacting appropriate bylaws or regulations for the Twin Lakes catchment that would allow both monitoring and regulation of all water use in the catchment.

Review and revise surface water licensing and allocation within the Twin Lakes Study Area, specifically the larger licenses that have not been used in the last several years. It is our understanding that MSR requested the RDOS, on behalf of Twin Lakes Golf Resort, to support community water and sewer systems through the creation of a Utility Service Area, which would be owned and operated by the RDOS (MSR, 2012); it is Golder's opinion that the creation of a Utility Service Area would allow for the easier regulation of water use. Future expansion of the community water and sewer systems might add existing properties outside of the TLGR (within the Twin Lakes Valley) as they elect to abandon their private water and sewer systems.

Implementation of Water Use Bylaws

For the findings of this report to be relied on, regulatory authorities at the necessary levels of government should promulgate, enforce and monitor water use by-laws and regulations that will maintain withdrawal rates both within the proposed development, as well as outside water users (i.e. those users outside the proposed TLGR development) at or below those outlined in MSR, 2012; Furthermore, those regulatory authorities should review this report and agree with its findings before enacting the necessary bylaws or regulations.

Lauri Feindell

From:	May Cooper [redacted]
Sent:	August 1, 2018 2:05 PM
To:	Karla Kozakevich
Cc:	Planning; Stephen Juch; skye.thomson@gov.bc.ca; Klaus.rathfelder@gov.bc.ca; Nicole.pyett@gov.bc.ca; Bill Sparks; Coral Brown; ddobson@dobsoneng.com
Subject:	Letter to RDOS about Major Concerns Regarding Twin Lakes Gold Course Resort Development
Attachments:	Letter from Highly Concerned Twin Lakes, BC Residents to Amend Proposed Conditions_Don Dobson Critique.pdf

Hello, Chair Kozakevich,

Thank you for your time today on the phone.

Attached is the letter I wrote on behalf of the citizens in Area D that are seriously concerned about the ramifications of the proposed development in Twin Lakes, BC, by Suki Sikhon, if Phase 1 will be approved by the RDOS.

Please forward this to all Board Members. I have CC'd other officials concerned with this matter as I believe this is a matter of serious public health and safety.

Sincerely,

May Cooper

Highly Concerned Citizens about Bylaw Amendment 2457.20

Aug 1 2018

To the RDOS Chair; Board of Directors of Okanagan-Similkameen; Planning Department officials at the RDOS; RDOS Subdivision Supervisor; and any other officials involved with Bylaw Amendment 2457.20:

As citizens of Area D, Twin Lakes, BC, we strongly believe that the conditions proposed to the Twin Lakes Golf Course development bylaw rezoning application by Suki Sikhon are inappropriate as there is reasonable doubt that there is not enough capacity within the aquifer required to sustain the new development, the existing community and the environment. Further, it puts the homes and our lakes at risk, whereas the developer is only risking a monetary investment.

According to various studies and critiques as late as December 2016, it is clearly stated that Twin Lakes does not have sustainable water to sustain the proposed development, even in its first phase. **Twin Lakes is not the only area in the valley that relies on aquifer #216.**

The Golder Study of 2016 does not prove sustainable water, and has been reviewed by several experts in the field, such as Don Dobson, P.Eng., Skye Thompson M.Sc., P. Geo, Klaus Rathfelder, Ph.D, Nicole Pyett M.Sc., GIT, Coral Brown of LNID, and others. The concerns raised by these individuals have not been addressed or reviewed in the May 2016 paper by Western Water Associates, specifically Don Dobson's, December 2016 letter, attached.

Concerns about the 2016 by Golder & Associates study by the aforementioned experts include:

- The hydrogeological model has never been calibrated by pumping or any infield tests.
- The study uses a variance (8000L/unit/per day to 2200L/unit/per day) to reduce water consumption based on areas that don't represent the rural Okanagan (both in lot size and climate),
- Golder has not only used this variance in its calculations of water use inside the aforementioned development, but has also used this value in areas outside the development. The areas outside of the development will not have the xeriscaping and other water conservation proposed inside the current development,

- Golder uses a steady state model and not a transient model as required by the province.
- Both of the premises in which Golder uses in their water usage calculations are wrong. The large agricultural license of approximately 300,000 m^3 has not been considered in their water usage calculation and a blanket value of 2,200 L/unit/day of residents in the community has been used.

These concerns should be addressed before any increase in density or change in zoning is considered. If the Golf Course will shut down in order to maintain a reasonable distribution of water to all, residents around it could lose their life-long investments and market value of their homes, which can easily realize into lawsuits. There isn't much sense in investing in a resort-style residence when the developer will need to shut down the source of its allure.

In 2010, the lake and the aquifer levels were so low that a number of residents lost the use of their water wells and the lake lost much of its fish and painted turtle habitat. It seems inconceivable that the RDOS would allow additional demands on the aquifer and lake system.

Not only do we believe that the proposed zoning allowing 46 units to be constructed will harm our community, we also believe that this is a disservice to the developer, as he will need to make a substantive investment in constructing the 46 units and their basic amenities that may never pay dividends unless all phases of development are realized. And yet there is no sustainable proof of water even for 46 units.

We as citizens of the Twin Lakes constituency hope that you will honor your pledge to *"To enhance quality of life, the environment, and the level of public safety within the Regional District..."* to protect our community, and our health and safety.

We think that this development will:

- **degrade our quality of life.** According to many professionals, there is **"reasonable doubt"** that the water source will be able to sustain anymore withdrawal. Without water, there is no "quality" of life. Without water, we can't live here.

- **lower real-estate value** if no sufficient water supply is proven. People will lose their homes—their main asset—and property values will plummet. No new buyers will be interested in a place devoid of a water source.

- **hurt the environment**, and hurt the species and their habitats in the area.

- **risk public safety**; without access to water, no life will be able to sustain itself, including wildlife. There will also be no option to suppress fires ourselves.

The above list are our stated **conditions that have been identified as necessary to address before any stage of this proposed development is approved**. Approval and/clearance of current inadequate conditions will harm the public interest, the life and survival of the Twin Lakes Residents, surrounding communities, and the environment.

We propose that the deficiencies raised by Don Dobson, P.Eng, the Province and ourselves be thoroughly reviewed before any further approval is made to the Applicant. There has **not** been proof for sustainable water, even for existing residencies; the only "proof" we have has been obtained from a study riddled with internal conflicts, and conflicts of interest.

The Golder 2011 study stated that any more withdrawals from aquifer #216 will cause water levels to reach "unacceptable levels". The Golder 2016 study approved Phase 1 of the development. Doesn't it seem suspicious that the only element that has changed between them is who contracted and paid for their work?

Regards,

May Cooper

On behalf of Coral and Alex Brown, Mark and Mary Ann Robertson, Amir and Orit Cooper, Stenya LeClair, Steinar Gronnesby, Anita Bains, Florian Hohenbichler, Gloria Bucil, Sandra and Nir Light, Elad Milman, Melodie and Elena Light, Allison Ward, Georgia Afendoulis, Carolyn Cartwright, Anne LeClair, Ron and Adiel Nissim, Patty Irwin, Tal Rotchild-Pery, Yair Pery, Amit Pery, Naama Rom, Beatriz Bitran, Yam Cooper, Laura Fidalgo, Sharel Cooper and others who wished to remain anonymous.

Long-Time Residents, Visitors, and Potential Buyers in Area D

DOBSON
Engineering Ltd.

File: 228-001/16039

December 20, 2016

Lower Nipit Improvement District
RR# 1, Site 26A, C1
Kaleden, BC V0H 1K0

Attention: Coral Brown

Re: Review of "Hydrogeological Assessment Groundwater Availability Study, Proposed Residential Development (Phase 1), Twin Lakes, BC" by Golder Associates

The following comments are provided for your review regarding the 2016 Golder Associates report titled "Hydrogeological Assessment Groundwater Availability Study, Proposed Residential Development (Phase 1), Twin Lakes, BC", dated January 26, 2016. I reviewed your document "2016 Independent Review of 2016 Golder Study" and will not repeat many of the points that you have documented.

My comments based on my review of the report are as follows:

1. In 2011 Golder completed a review of the EBA's 1994 and 2011 reports and the Summit 2010 report that provided divergent views on whether or not there was sufficient groundwater for development proposed on the TLGR lands. Golder, 2011 concluded in its report to MoTI titled "Review of Groundwater Reports, Twin Lakes, Penticton, BC" that "The results indicated that, based on the range of parameters provided within the reviewed reports, additional groundwater withdrawals from the Twin Lakes watershed would likely result in "*further and unacceptable declines in water levels in lake and groundwater levels in the catchment*"."
2. In its 2016 report, "Golder is of the opinion that projected future groundwater usage at the proposed Phase 1 development at the TLGR, within the range of climate and other physical parameters evaluated, <u>should be</u> sustainable at the proposed rate of 600 m^3/d."
3. This "opinion" is premised on:
    a. The projected groundwater withdrawal rates proposed by Twin Lakes Golf Resort and MSR being controlled by bylaws, variance permits and/or regulations promulgated by the appropriate regional, provincial or federal authority; and,
    b. Groundwater withdrawals for the Phase 1 development at the proposed rate (2,200 L/unit/d) and surface water withdrawals being adequately enforced and monitored.
4. The RDOS subdivision servicing bylaw no. 2000 Schedule A currently requires a design flow of 8,000 l/single family unit/day and a peak hour domestic flow of 13,600 l/single family unit/day. These are the bylaw requirements for all the existing residential development in the Twin Lakes area to date, and most likely the basis for the design of the existing properties. The consultant for the TLGR, MSR Solutions Inc., has requested that the RDOS either amend its bylaw or provide a development variance permit that would reduce the

design flows to 2,200 L/single family unit/day. It is interesting that this request was made to the RDOS for the proposed development but appears to have been applied to the entire Twin Lakes area – retroactively.

5. It appears that the modeling work undertaken by Golder has used a value of 2,200 L/single family unit/day for the entire Twin Lakes area.
6. While there are good reasons for the RDOS to consider revising its bylaw and reducing the design flows, for the purposes of the assessments undertaken by Golder it does not seem reasonable to use a value of 2,200 L/single family unit/day as a blanket value that would apply to all residents without first confirming that a reduction in design flow of 75% can be accommodated by existing development.
7. Golder's "opinion" that the aquifer can sustain the Phase 1 development + all existing and future development on all private lands, is based on the reduced design flow for all groundwater users AND further, that there will enforcement of the 2,200 L/residence/day on all residents.
8. In my opinion the assumption made by Golder that if all the existing residents were to conform to the reduced supply recommended by MSR, then there <u>may</u> be sufficient water for the Phase 1 development, places an unreasonable burden on the community to change its water use so that a developer can develop, is not technically sound.
9. Golder decided to use a steady-state model rather than a transient model. They state that aquifers are not in steady-state, but decided to use a steady-state model regardless. The rationale for using this type of model is not clear. When the approach was reviewed by groundwater professionals at MFLNRO they identified concerns using a steady-state model as it does not address seasonal variations in groundwater levels and also the impacts of maximum groundwater extraction and recommended using "a more comprehensive uncertainty analysis". This recommendation was not implemented.
10. The assumption by Golder and MSR, that surface water licenses that are not currently being used should not be considered in the supply and demand analysis is wrong. There are irrigation water licenses for lands held by the Nature Trust have a demand of ~300,000 m^3/yr and these licenses are in good standing. The Nature Trust has the right to use these licenses to the maximum allowed, for the purposes specified in the license, whenever they choose or, they could decide to sell the lands and a new owner would have the right to utilize these licenses since they are appurtenant to the lands. For this reason the demand for <u>all</u> water licenses in good standing must be included in a supply and demand analysis.
11. Golder states that when the Nature Trust water license demand is included that the model indicates that the level of Twin Lake would be drawn down by 26.6 m annually when present and future groundwater demands are modeled. This would be unacceptable to the residents and likely the province.
12. It is stated by Golder that the TLGR currently uses ~75% of all the water used in the Twin Lakes area and that in Golder's opinion this is reasonable and unlikely to change. For a single development to consume the majority of a limited resource and request the right to use even more is not reasonable.
13. It is a concern that Golder chose not to consult with LNID during the project in order to solicit knowledge and data from the improvement district that has 50 years of history managing the water and collecting data in the Twin Lakes area. For Golder to make statements "Little is known about...." when referring to information on the water resources in the area is a very serious oversight. Also to state that they were not able to explain why

the level of Twin Lake was lower in 2012 than in 2013 when LNID knew why, raises questions regarding the credibility of the results of the assessments.

14. In addition to these comments by the consultant, I am also concerned about the data used by Golder in its modeling as detailed in your response. In an area where there are known and documented water supply concerns, as well as limited data, any supply and demand analysis should use data that represents a conservative supply in conjunction with realistic demands that would produce conservative results.

The Twin Lakes system is a very complicated, unique, closed system that involves the interactions between annual precipitation, surface runoff and groundwater flows. The Twin Lakes area is recognized as having a unique climate as it is sheltered by mountains to the south, west and north. Unfortunately there is very limited climate data at this time but there is a climate station in the area now collecting data that will be useful in the future once sufficient data is available. Because there is limited data on surface runoff, groundwater flux and flows, and the area has a history of sustained periods of drought, there are very compelling reasons to proceed with a high degree of caution when making decisions on further development that will result in additional demands on a limited water resource. The RDOS in its recent OCP review recognizes that water is a limiting resource and has included additional requirements to help address this issue. It is a start but by no means the whole solution.

Golder has completed an analysis of a proposal for development of Phase 1 on the TLGR lands based on information provided to them and using a number of assumptions. If one reduces the demand significantly in a supply and demand study and applies specific assumptions it is possible to achieve any desired result. My assessment of the details of the groundwater modeling completed by Golder is that it is very detailed BUT, I believe that the fundamentals used in the analysis in the Twin Lakes area are flawed and do not provide an appropriately balanced approach.

I would be pleased to discuss these matters with you at your convenience.

Yours sincerely,

D.A. Dobson, PEng

Lauri Feindell

To: Debra Paulhus
Subject: RE: Our wells ran dry in 2010 and deer walked across the lake

From: JGStrong [redacted]
Sent: August 2, 2018 7:42 AM
Dear Director Siddon and Chair Kozakevich,

Thank you for taking the time to talk to me and hear my concerns about the proposed development. As I understand it you are concerned that if the RDOS does not abide by the wording of the proposed zoning changes that the Regional District may be liable. You have not clarified what the RDOS would be liable for or how the RDOS would be liable since the water issues have been identified since the original zoning.

I would think that delaying the proposed zoning in order to address the concerns raised by the water experts at the Ministry of Forests and Don Dobson would be the prudent thing to do. I'm not a solicitor, however if there is a future water shortage and there is harm to our community or the lakes in our area, I would think that the RDOS could be at risk. The experts from the Province and Don Dobson have identified a number of concerns that have never been addressed by Western Water or Golder and Associates. Further, this may be a disservice to the developer who may start building the infrastructure required for the entire development and may need to be stopped in the future due a lack of water.

In 2010 a number of residents in my community lost their ability to pump their wells due to the severe decline in water levels. One of these residents was my neighbour. The water in Twin Lakes was so low that deer were able to walk across the lake and the number of dead fish washing up on shore was enormous. Adding additional demands on the lake/aquifer system doesn't seem to make any common sense.

There are two experts, the Ministry of Forests and Don Dobson, who are stating that there are flaws in the 2016 Golder study. The comments by Western Water have never fully addressed the concerns raised by these two bodies. Specifically:

- The hydrogeological model has never been calibrated by pumping or any infield tests.
- The study uses a variance (8000L/unit/per day to 2200L/unit/per day) to reduce water consumption based on areas that don't represent the rural Okanagan (both in lot size and climate),
- Golder has not only used this variance in its calculations of water use inside the aforementioned development, but has also used this value in areas outside the development. The areas outside of the development will not have the xeriscaping and other water conservation proposed inside the current development,
- Golder uses a steady state model and not a transient model as required by the province.
- Both of the premises in which Golder uses in their water usage calculations are wrong. The large agricultural license of approximately 300,000 m^3 has not been considered in their water usage calculation and a blanket value of 2,200 L/unit/day of residents in the community has been used.

I hope that you will take the time to review these concerns and perhaps discuss the above with your solicitor and your engineers before rezoning proceeds. We hope that you will do the right thing and protect our homes and our lakes.

Please understand that while I am authoring these emails, I am writing on behalf of and with input from the community.

Jennifer Strong

Courtney News Aug. 1/18.

Water removed from an aquifer not easily replaced

Dear editor,

When you live on an island, the only water you get is from the sky.

When you remove that water as proposed by bottling (from) an aquifer in Merville, the water removed will not ever come back unless we have a deluge from the sky.

We are in a prolonged dry spell, and they tell us the glacier will be gone in a few years.

We should listen to our K'omoks First Nation, and do everything to preserve our water, above and below the surface.

The world is drying up and we should pay attention ...

Tuesday any day of the wee

Lauri Feindell

Subject: FW: Twin Lakes Golf Course - 2nd reading Mar 21, 2019
Attachments: 190318TLGR Water.pdf

As per my previous email dated Feb 14, the RDOS staff will be presenting second reading for the above work project on Mar 21. As there is a lot of misinformation regarding the project I encourage you to ensure that the RDOS staff has provided all the information that you require.

As there is an organized group of anti-development people who are using the water issue as their platform I would ask you to turn your attention to the following:

- Golder Summary Report;
- Over the past 60 years Twin Lakes has constantly flooded with no plan in place except to pump water out of the area;
- Twin Lakes Golf Course (TLGC) has reduced its water consumption by 50% over the past 6 years and TLGC has an abundance of water below our course which base is 70 to 165 ft to bedrock (photo attached).

All the technical information and files confirm the above and I would suggest people who are "actually" concerned about water should co-operate with all the community members including Nature's Trust and TLGC to work on the best practices for water conservation and water management. To date we have had little or no cooperation from the LNIP group and would encourage the directors to have the LNIP and other groups to work together going forward.

Should you have any questions please do not hesitate to call me directly on my cell at 604-506-5100.

Regards,

Suki Sekhon | President & CEO
CRS Group of Companies
920 - 475 West Georgia Street | Vancouver, BC | V6B 4M9
Tel: 604.689.3800 | Fax: 604.689.3722 | Email: suki@crsgroup.ca

Twin Lakes Golf Development and Impacts to the Ground Water

Twin Lakes Golf continues to make efforts in the reduction of water usage through improvements to the irrigation system serving the golf course. They also maintain monitoring records of ground water and as part of the rezoning are committed to providing proof of water conservation.

During site investigations for the development the Twin Lakes basin can be seen below. The ground water table reached the surface in a number of locations on the golf course in 2018 and can be anticipated to approach near high levels in the 2019 freshet. This identifies the total depth of water below the golf course is in excess of 75 feet to the bedrock, showing a substantial groundwater flow

Figure 1 - Twin Lakes Ground Water Table 2018

Twin Lakes Golf will continue to support water conservation on the golf course, and in the development of the properties, so there continues to be water for all to share from Twin Lakes, on down to the Okanagan Lake system.

Lauri Feindell

Subject: FW: Twin lakes

-----Original Message-----
From: Ric and Judy Ellis
Sent: March 18, 2019 1:08 PM

Subject: Twin lakes

Hi, writing to say my two cents worth.
With only 3 land owners in favour of golf corse development that don't even live on lake, this tells an interesting story.
The locals who bought years ago have been let down so far.
We don't want around 300 new houses or vacation homes. Its the same thing.
The lower twin lake should have had its outflow reinstated to maximize water height.
The high water level could have been fixed by directional drilling outflow. Flood years automatically regulated, low years water is kept. Housing development will consume water in high and low years.
Its a poor idea that will destroy the area and benefit very few!

From Rick Ellis

Lauri Feindell

Subject: FW: March 21 TLGC vote

-----Original Message-----
From: Wayne
Sent: March 19, 2019 8:53 AM
To: Info <info@rdos.bc.ca>
Subject: March 21 TLGC vote

Can you pass this on to the Directors please

On March 21 you will be voting on the TLGC Development. We are currently suffering from bad decisions that were made by the RDOS allowing development of lots on a lake that has no natural ability to drain.While I am pro-development it has to be done responsibility.
The answer to all of this is to use Horn lake to store and control output in agreement with the owner Natures Trust.
Thanks
Wayne Whitehead

Sent from my iPad

Lauri Feindell

Subject: FW: Twin Lake concerns please forward to RDOS directors

Dear RDOS Director;
On March 21 you will be considering a very important item - 2nd reading for the Twin Lakes Golf Resort rezoning to move the 226 dwelling development and Village from an upper ledge to the comfortable basin of the Golf Course Lands. RDOS believes the developer is giving up concessions to do this rezoning, but on the contrary it creates an easier access, build & water supply. TLGR requested some crown land be added to the development property and has stated that the ledge lands (designated sensitive land) are now farm lands - since the trees have been cut down and a garlic patch was planted in 2018.
We are asking you, the Directors, to consider carefully this high risk for sustainability, ground water- limited area with the Precautionary Principle, "When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically" (wikipedia).

Consider:

- The 180 signature petition was submitted in Nov. 2018 requesting that RDOS not pass the 2nd reading for rezoning. The original zoning is what was purchased in 2008.
- The 48 dwelling 1st phase development is based on a water variance. If a water variance is required is there, in fact, enough water? In 2016, when the RDOS Board passed the water variance the Chair Michael Bryden asked the CAO, Bill Newell if RDOS is responsible for water?and the answer was, "No". Then, we ask, why can RDOS pass a water variance? It is recommended that for sustainable water in the Twin Lakes Aquifer only **30 to 35% of the recharge be allotted for use**. 2 past water studies confirmed the fact that water is already over allocated.
- The TLGR development is on a waterway "set up" for ranchers not for development. Until the waterway is restored, there should not be increased development of any kind. Lower Twin Lake has no outlet and the wetlands have been altered. Presently, floods & droughts plague this area's water quality & quantity.
- And finally, there is no fire protection.

Regards,

Nicole and Jeff Dennis

http://www.rdosmaps.bc.ca/min_bylaws/contract_reports/CorpBd/2019/20190321

Lauri Feindell

From: GailP
Sent: March 19, 2019 11:23 AM
To: Info <info@rdos.bc.ca>
Subject: To: Mark Pendergraft, George Bush, Rick Knodel, Ron Obirek, Karla Kozakevich, Riley Gettens, Tim Roberts, Bob Coyne, Subrina Monteith, John Vassilaki

Dear RDOS Director;
On March 21 you will be considering a very important item - 2nd reading for the Twin Lakes Golf Resort rezoning to move the 226 dwelling development and Village from an upper ledge to the comfortable basin of the Golf Course Lands. RDOS believes the developer is giving up concessions to do this rezoning, but on the contrary it creates an easier access, build & water supply. TLGR requested some crown land be added to the development property and has stated that the ledge lands (designated sensitive land) are now farm lands - since the trees have been cut down and a garlic patch was planted in 2018.
We are asking you, the Directors, to consider carefully this high risk for sustainability, ground water- limited area with the Precautionary Principle, "When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically" (wikipedia).

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- The TLGR development is on a waterway "set up" for ranchers not for development. Until the waterway is restored, there should not be increased development of any kind. Lower Twin Lake has no outlet and the wetlands have been altered. Presently, floods & droughts plague this area's water quality & quantity.
- And finally, there is no fire protection.

Regards,
Gail Simpson
Concerned Resident
Trout Lake on the aquifer

To the RDOS Board of Directors:

The petition of the undersigned residents, land owners and friends of the Greater Twin Lakes Area who may be affected by the reduction of the Twin Lake aquifer or harm to the watershed, states that

1) as the rezoning of the Twin Lakes Golf Resort (TLGR) lands will allow an even larger development than the original zoning when the property was purchased in 2008 and

2) as sustainable water has not been proven for this large development in this ground water & recharge limited area, and

3) as the science behind the 2010 Summit Study, the 2011 Golder Peer Review which agreed with Summit, the Ministry of Forests critique and the Dobson Review of the 2016 Golder Study show that the Twin Lakes aquifer has limited water availability during dry years and is already at capacity with current use, and

4) as Dobson, in his review of the Golder 2016 study wrote, "...the fundamentals used in the analysis in the Twin Lakes area are flawed and do not provide an appropriately balanced approach" , and

5) as the Ministry of Forests Lands & Natural Resources Operations "Comments letter" to the RDOS on the Golder 2016 Hydrogeological study states that there is: a. a lack of data, b. many assumptions and c. disagreement with the steady state ground water model method used ..."as it neglects to address the seasonal variation of natural groundwater levels in a system hydraulically connected to surface water and the maximum impacts of ground water extraction, as is required for ecosystem management." (p. 2 of Memorandum File: 38050-30/Twin Lakes May 24, 2016).

Your Petitioners Respectfully request that the RDOS Board of Directors Not approve the 2nd reading of the Rezoning D2017.069-Zone, #79 Twin Lakes Road.

Date	Name (Print)	Address (include postal code)
Sept 18, 2018	Jim Bain	
M, 2018	DAN WALLACE	
" "	LAURA WALLACE	
Sept 18/18	Keith Vanderlinde	
Sept 18/18	Sonja Fedkes	
"	R. Rowlands	
"	D. Shillitto	
"	L. Dale	

on line petition at https://www.thepetit
take action/288/638/133/

P. 1

To the RDOS Board of Directors:

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5) as the Ministry of Forests Lands & Natural Resources Operations Comments letter to the RDOS on the Golder 2016 Hydrogeological study states that there is
    a. a lack of data
    b. many assumptions
    c. disagreement with the *steady-state ground water model method* used "...as it neglects to address the seasonal variation of natural groundwater levels in a system hydraulically connected to surface water and the maximum impacts of groundwater extractions, as is required for ecosystem management." (p. 2 of Memorandum File: 38050-30/Twin Lakes May 24, 2016)

Your petitioners respectfully request that the RDOS Board of Directors NOT approve the 2nd reading of the ReZoning D2017.069-ZONE, #79 Twin Lakes Road

Date	Name (printed)	Address (incl. Postal Code)	Signature
Sept 20 1918	Connie Kusler		

P. 2

To the RDOS Board of Directors:

The petition of the undersigned residents, land owners and friends of the Greater Twin Lakes Area who may be affected by the reduction of the Twin Lake aquifer or harm to the watershed, states that

1) as the rezoning of the Twin Lakes Golf Resort (TLGR) lands will allow an even larger development than the original zoning when the property was purchased in 2008 and
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3) as the science behind the 2010 Summit Study, the 2011 Golder Peer Review which agreed with Summit, the Ministry of Forests critique and the Dobson Review of the 2016 Golder Study show that the Twin Lakes aquifer has limited water availability during dry years and is already at capacity with current use, and
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Your petitioners respectfully request that the RDOS Board of Directors NOT approve the 2nd reading of the ReZoning D2017.069-ZONE, #79 Twin Lakes Road

Date	Name (printed)	Address (incl. Postal Code)	Signature
Sept 20 2019	Lynn Kusler		

To the RDOS Board of Directors:

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Your petitioners respectfully request that the RDOS Board of Directors NOT approve the 2nd reading of the ReZoning D2017.069-ZONE, #79 Twin Lakes Road

Date	Name (printed)	Address (incl. Postal Code)	Si
Sept 20 2018	RON WILSON		

P.4

To the RDOS Board of Directors:

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Your petitioners respectfully request that the RDOS Board of Directors NOT approve the 2nd reading of the ReZoning D2017.069-ZONE, #79 Twin Lakes Road

Date	Name (printed)	Address (incl. Postal Code)	Signature
Sept 19/18	Deborah Whites		

P.6

To the RDOS Board of Directors:

The petition of the undersigned residents, land owners and friends of the Greater Twin Lakes Area who may be affected by the reduction of the Twin Lake aquifer or harm to the watershed, states that

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    a. a lack of data
    b. many assumptions
    c. disagreement with the *steady-state ground water model method* used "...as it neglects to address the seasonal variation of natural groundwater levels in a system hydraulically connected to surface water and the maximum impacts of groundwater extractions, as is required for ecosystem management." (p. 2 of Memorandum File: 38050-30/Twin Lakes May 24, 2016)

Your petitioners respectfully request that the RDOS Board of Directors NOT approve the 2nd reading of the ReZoning D2017.069-ZONE, #79 Twin Lakes Road

Date	Name (printed)	Address (incl. Postal Code)	Signature
Sept. 26/18	Linda Penfold		
Sept 26/18	Rodney A Penfold		

P. 7

To the RDOS Board of Directors:

The petition of the undersigned residents, land owners and friends of the Greater Twin Lakes Area who may be affected by the reduction of the Twin Lake aquifer or harm to the watershed, states that

1) as the rezoning of the Twin Lakes Golf Resort (TLGR) lands will allow an even larger development than the original zoning when the property was purchased in 2008 and
2) as sustainable water has not been proven for this large development in this ground water & recharge limited area, and
3) as the science behind the 2010 Summit Study, the 2011 Golder Peer Review which agreed with Summit, the Ministry of Forests critique and the Dobson Review of the 2016 Golder Study show that the Twin Lakes aquifer has limited water availability during dry years and is already at capacity with current use, and
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5) as the Ministry of Forests Lands & Natural Resources Operations Comments letter to the RDOS on the Golder 2016 Hydrogeological study states that there is
    a. a lack of data
    b. many assumptions
    c. disagreement with the *steady-state ground water model method* used "...as it neglects to address the seasonal variation of natural groundwater levels in a system hydraulically connected to surface water and the maximum impacts of groundwater extractions, as is required for ecosystem management." (p. 2 of Memorandum File: 38050-30/Twin Lakes May 24, 2016)

Your petitioners respectfully request that the RDOS Board of Directors NOT approve the 2nd reading of the ReZoning D2017.069-ZONE, #79 Twin Lakes Road

Date	Name (printed)	Address (incl. Postal Code)	Signature
12 Sept 18	Jennifer Strong		
12 Sep 18	Kim Denis		
12 Sep 18	Jennifer Nelson		
18 Sep 18	Jennifer Busman		

Sept 17.18

To the RDOS Board of Directors:

The petition of the undersigned residents, land owners and friends of the Greater Twin Lakes Area who may be affected by the reduction of the Twin Lake aquifer or harm to the watershed, states that

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Your Petitioners Respectfully request that the RDOS Board of Directors Not approve the 2nd reading of the Rezoning D2017.069-Zone, #79 Twin Lakes Road.

Date	Name (Print)	Address (include postal code)	Signature
19 Sept 18	Sandy Brown	104	
19 SEPT 18	DAVE SMITH	4	
22 Sept 18	Nina Livingston	#7	
23 Sept 18	Ken Horncastle	1	

on line petition at https://www.thepetitionsite.com/en-ca/take action/288/638/133/

P. 9

To the RDOS Board of Directors:

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Date	Name (Print)	Address (include postal code)	Signature
Sept 24/18	Bill Rogocki		
Sept 24/18	Fabrice CHARVIN		
Sept 24/18	Vanessa Charvin		
Sept 24/18	RENEE LEIGHTON		
Sept 24/18	JACQUELINE DAVIDSON		
Sept 24/18	KEN COOKE		
Sept 24	CLARENCE F		

on line petition at https://www.thepetitionsite.com/en-ca/take action/288/638/133/

P. 10

To the RDOS Board of Directors:

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Date	Name (Print)	Address (include postal code)	Signature
Sept 21/18	Susan Russell		
Sept 23	JESSICA WAGER		
Sept 23/18	Paula Hauser		
Sept 23/18	Leland Hauser		
Sept 23/18	Pauline Wilson		
Sept 23/18	Brenda Mackie		
Sept 23/18	Mark Robertson		
Sept 23/18	Mary Ann Robertson		

online petition at https://www.thepetitionsite.com/en-ca/take action/288/638/133/

P. 11

To the RDOS Board of Directors:

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Date	Name (Print)	Address (include postal code)	Signature
Sept 23	STEPHEN BROW		

on line petition at https://www.thepetitionsite.com/en-ca/take action/288/638/133/

P. 1/2

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Date	Name (Print)	Address (include postal code)	Signature
23-9-18	Patricia Carvalho	11	
23-9-18	[illegible]	11	
23-9-2018	Gail Simm		
23-9-2018	Josip S[illegible]		
23 9 2018	Richard [illegible]		
23 9-18	Sandra Hawthorne		
	JACK TAGGART		
23-9-18	Deb McCrae		

on line petition at https://www.thepetitionsite.com/en-ca/take action/288/638/133/

P. 13

#10

Petition to Protect Aquifer and Watershed at Twin Lakes

Name	Address	
Bill Rogocky		
Gary Cahill		
Clarence Foar		
Renee Leighton		

To the RDOS Board of Directors:

The petition of the undersigned residents, land owners and friends of the Greater Twin Lakes Area who may be affected by the reduction of the Twin Lake aquifer or harm to the watershed, states that

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Date	Name (Print)	Address (include postal code)	Signature
Sept 18 2018	PENNY SPORANZA		
Sept 18 2018	JOE VEASTAEN		

on line petition at https://www.thepetitionsite.com/en-ca/take action/288/638/133/

P.15.

Kaleden Community Association
Box 136, Kaleden, BC, VOH 1K0
250-497-6985
kaledencommunity@gmail.com

September 3, 2018

Dear RDOS Directors:

The Kaleden Service Area includes Twin Lakes, and as such, we, the Kaleden Community Association, have serious concerns about the proposed Twin Lakes Golf Course development. It is critical that any and all development of lands in the south Okanagan ensure a sustainable water source.

The 2010 Summit Study, the 2011 Golder Peer Review which agreed with Summit, the Ministry of Forests critique and the Dobson Review of the 2016 Golder Study show that the Twin Lakes aquifer has limited water availability during dry years and is already at capacity with current use. Furthermore, other professionals recommend against additional development, including Dr. Brian Horejsi, Wildlife and Forest Ecologist and Robert Gray, Fire Ecologist. It also appears that the Summit and the Golder Study draw on different data in reaching their conclusions. Given the limited water availability of the Twin Lakes aquifer using the most conservative data would appear to be the most logical way to proceed or that at a minimum the developer should pay for an independent study that uses longitudinal data in addressing concerns about the water source particularly the availability of water during 'dry years'. There is obviously great community concern about the proposed development and their water source given the 2011 petition with 181 signatures and the standing room only attendance at public meetings and RDOS Board meetings.

We understand that you will soon be voting on the 2nd Reading of a Rezoning Application which in the end would allow for 208 additional residences and a village of museums, art galleries, shops, restaurants and an indoor

recreation facility with a swimming pool. Given the data which has been provided by Summit, Golder (2011) and Dobson, who in his review of the 2016 Golder study wrote, "...the fundamentals used in the analysis in the Twin Lakes area are flawed and do not provide an appropriately balanced approach", indicates that no additional draws on the Twin Lakes aquifer ought to be approved until water sustainability is proven, we implore you to ensure that there is an independent study on the Twin Lakes aquifer before considering the rezoning proposal and to vote 'no' on this rezoning application at this time.

Sincerely,

Randy Cranston, Chair
Kaleden Community Association

cc: Bill Newell, CAO, RDOS

To the RDOS Board of Directors:

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Number	Date	First Name	Last Name	City	State/Province	Country	Why is this important to you?
1	09-14-2018	Glenda	Stewart-Smith	Kaleden		Canada	I own XXXXXXX and believe we need to be more concerned about a water management plan before development
2	09-14-2018	Jennifer	Strong	Kaleden		Canada	
3	09-14-2018	Coral	Brown	Kaleden		Canada	In dry years we will be out of water as in the past dry years if increased water use is allowed with out first restoring the waterway and assess available water in the dry year water cycle.
4	09-14-2018	Duanne	Wilson	Calgary		Canada	We are concerned about the water levels and quality of Twin Lakes
5	09-14-2018	Alex	Brown	KALEDEN		Canada	Sustainable water in a recharge & ground water limited area must be managed carefully...
6	09-14-2018	Melissa	Wilson	Calgaru		Canada	
7	09-14-2018	Nicole	Dennis	Coquitlam		Canada	We own property at XXXXXXX directly on twin lake. Water levels have been extremely inconsistent and largely unmanaged over the last many years. There appears to be no way of telling if it will be extremely high or unbearably low
8	09-14-2018	Sandy	Brown	Kaleden,		Canada	Proof of sustainable water is a must for a Development in an upland recharge & ground water limited area.
9	09-14-2018	Dale	Clark	Vancouver		Canada	
10	09-14-2018	Freda	Webb	Kelowna		Canada	
11	09-14-2018	Karen	Dorion	Kaleden		Canada	This is my home snd I have s right to have it protected by you.
12	09-14-2018	Sandra	Wilson	Twinlakes Kaleden		Canada	Live full time at this residence and the inconsistency of water is very troublesome. Sharing water in our area is a responsibility of all residents living here at this time. However to bring in additional homes that will require a wa
13	09-14-2018	Orit	Cooper	Kaleden		Canada	
14	09-14-2018	Ronald	Roth	Kaleden		Canada	
15	09-14-2018	Anita	Bains	Kaleden		Canada	This development can turn into an ecological disaster for everyone involved. If there is no proof of a sustainable water supply, it is not a responsible decision to develop this area.
16	09-14-2018	Glenna	Choma	Saskatoon		Canada	Because I have a cabin at Twin Lakes and Having water now and in the future is very important!!!!
17	09-14-2018	Wayne	Whitehead	Kaleden		Canada	What will the RDOS do if we have no water? You will be responsible if you allow over building.
18	09-14-2018	Christine and Rick	Rempel	Kaleden		Canada	We are full time residences at twin lake. We have not seen any reports showing that the aquifer can handle more development! Until this can be proofed 100% we do not support any future development in this area.
19	09-14-2018	Noreen	Minish	Kaleden		Canada	I am a resident of Twin Lakes.
20	09-14-2018	Robert	Hermanson	Penticton		Canada	We need to have a good and stable use of water that can be used without running out
21	09-14-2018	Gloria	B	Kaleden		Canada	It is irresponsible to develop in this area if there is no proof of a sustainable water supply.
22	09-14-2018	Kevin	Wilson	Calgary		Canada	
23	09-14-2018	Raydene	Good-May	Kaleden		Canada	This is my home. The sustainability of our water is of utmost importance. A development that is allowed to push forward with out absolute certainty that our aquifer can sustain it, boggles the mind. A reservoir using Horn Lak
24	09-14-2018	Patricia and Daniel	Kilgore	Kaleden		Canada	Our water supply is directly affected during dry seasons. It would be irresponsible to allow such development to occur when there is not proof of sustainable water for house holds on Twin Lakes.
25	09-14-2018	Dave	Hetherington	Langley		Canada	Because I will be living on the lake property full time in the near future and do not believe the data supports development beyond the first phase .
26	09-14-2018	Leana	Trogi	Kaleden		Canada	
27	09-14-2018	Vera	Gibson	Twin Lakes		Canada	Seems reckless to ignore the monumental evidence as presented in the numerous submissions referred to in item 3 of this petition.
28	09-14-2018	Cindy	E	Oliver		Canada	We have enjoyed our place at twin lakes n want our next generation to be able to also!!
29	09-14-2018	Randy	Cranston	Kaleden		Canada	
30	09-14-2018	Susan	Kelly	Kaleden		Canada	
31	09-15-2018	Larry	Dahlgren	Kaleden		Canada	
32	09-15-2018	jaynie	molloy	kaleden		Canada	
33	09-15-2018	Paulo	Reeson	Toronto		Canada	
34	09-15-2018	Michael	Jacobson	Twin lakes		Canada	I support the call to have an independent study done on our water sustainability before moving forward with any residential expansion
35	09-15-2018	Julia	Jacobson	Twin lakes		Canada	
36	09-15-2018	Kenzie	Smith	Penticton		Canada	
37	09-15-2018	Melissa	Jensen	Kaleden		Canada	I live at Twin Lakes, I'm concerned about the water supply as well.
38	09-15-2018	Susan	Perry	Kaleden		Canada	
39	09-15-2018	Robert	Wilson	Kaleden		Canada	
40	09-15-2018	Dallas and Leslie	Kennedy	Chilliwack		Canada	We own a cabin on Twin Lake with a drilled well which has yet to be developed so thus far unused. It would be a shame if that well was dry when we do develop it. We are all for new development on the golf course if and wh
41	09-15-2018	Verna	Mumby	Twin Lakes		Canada	
42	09-15-2018	Wendy	Beauchamp	Surrey		Canada	Cabin in danger
43	09-15-2018	Cindy	Mylrea	Kaleden		Canada	Low water years should get as much attention as high water years. Sustainable water for a large scale development has not been proven.
44	09-15-2018	Jody	Young	Kaleden		Canada	
45	09-15-2018	Linda	Yeomans	Kaleden		Canada	
46	09-15-2018	Sandra	Nolan	Kaleden		Canada	When we lose our well and have to have build a cistern and have water trucked in, who is going to pay for that? The developer will be long gone...
47	09-16-2018	Randall	Castle	Kaleden		Canada	I live in this area and will be directly affected by it.
48	09-16-2018	Cornelia	Cathelin-Castle	Kaleden		Canada	We all need water.It is an essential. No more building of overpriced houses that locals can not afford and will bring in more buyers from other countries.
49	09-16-2018	Jodi	Morris	Kelowna		Canada	To protect the water sustainability of the Twin Lakes community
50	09-16-2018	Barbara	Grimm	KEREMEOS		Canada	This is my neighborhood. There isn't enough water for this development.
51	09-16-2018	Reinhard	Maier	Twin Lakes		Canada	
52	09-16-2018	ELIZABETH	MORANTZ	Vancouver		Canada	
53	09-16-2018	Mike	Robertson	Toronto		Canada	
54	09-16-2018	Larry	Arnett	NORTH VANCOUVER		Canada	in the last 10 years the water level on Twin Lake has gone from a low that forced homes to switch to a well to a record high that has flooded homes all around the lake. a proper study over a many years needs to be performe
55	09-16-2018	Marilee	Besth	Vancouver		Canada	Our friends live there
56	09-16-2018	Patti	Derita	Kaleden		Canada	
57	09-16-2018	Madelyn	Chan	Victoria		Canada	
58	09-16-2018	edward	brunoro	aldergrove		Canada	have been there numerous times and lake level can be up or drop drastically . would be a shame to see it dry up from over consumption
59	09-16-2018	Liane	Scott	Burnaby		Canada	
60	09-17-2018	Karen	Cheung	Kaleden		Canada	
61	09-17-2018	Lynette	Tetlow	NORTH VANCOUVER		Canada	
62	09-17-2018	Laura	Fidalgo	Kaleden		Canada	Because it is risking human rights of our community: the right to have clean water. This is a serios threat.
63	09-17-2018	Craig	Hunter	Kaleden		Canada	I have been a Twin Lakes resident for 30 years and have witnessed 20 year cycles of drought and flood. The growth of the community would provide a larger tax base that could provide more funds to provide needed services including community water and sewer, fire department and flood management infrastructure able to ret In the absence of confirmed/empirically verified adequate water supply to support the Twin Lakes Golf Resorts 48 four plex units of Phase 1, the provincial approving bodies are not demonstrating the required "due dilegenc In the absence of water, civilization collapses. Water is to this century what oil was to the previous century.
64	09-17-2018	ken	lang	toronto		Canada	
65	09-19-2018	George	Windsor	Delta		Canada	The Twin Lakes area is subject to a wide range of weather conditions, including excessive snow levels, drought, and heavy rains. This affects the Twin Lakes area and we need to be prepared for times of high and low water levels.
66	09-19-2018	Kearnon	Kanne	Vancouver		Canada	We spend time at Twin Lakes during the year and would be inconvenienced by further erosion of water table and lake.
67	09-19-2018	Shawna	Wilman	Kaleden		Canada	I don't believe sustainable water has been proven suffficent to support development of this size
68	09-20-2018	Christine	Mettler	KELOWNA		Canada	
69	09-20-2018	Amir	Cooper	Kaleden		Canada	The water and environmental impact of this development is my main concern.
70	09-20-2018	mary	masiel	princeton		Canada	Because the issue of water supply is finite not infinite. We must take care of water resources. If an aquifer is depleted, then it is finished. We must think of the future and consequences of misuse of water. Immediate gratific
71	09-20-2018	Elad	Milman	Kaleden		Canada	More then 50% of my body is water... and I would like to keep it that way :)
72	09-21-2018	Jack	May	Kaleden		Canada	This is my home. There is nothing more important than a sustainable water supply to a community. This development size is of great concern to me and the impact of our aquifer. From all the reports I have read and heard at
73	09-21-2018	Gail	Simpson	KALEDEN		Canada	My water supply comes from this very acquifer . A large development is unsustainable in the long run.
74	09-21-2018	Jessie	Robertson	Coquitlam		Canada	Let's help to protect the aquifer & watershed because Twin Lakes is my favourite place on Earth!
75	09-21-2018	Reid	Robertson	Coquitlam		Canada	I have been vacationing with family at Twin Lakes for two decades. It is a very special place.
76	09-21-2018	Shauna	Robertson	Coquitlam		Canada	The residents of Twin Lakes have been advocating for the acquifer for years now. Why do they need to fight to protect water? When will common sense prevail? Ask those in California if they could have done anything differ
77	09-21-2018	Shea	Robertson	Coquitlam		Canada	Twin Lakes is a part of me. We should work to sustain/assist the watershed ... or it will sustain/undergo great change.
78	09-21-2018	Darrell	Robertson	Coquitlam		Canada	There is a balance to managing the watershed of this small community. It has been beyond exhausting for some. Add a large development? Who does that make sense to?
79	09-22-2018	Allan	Tucker	Kaleden		Canada	
80	09-23-2018	SIMON	SIEBEN	kaleden		Canada	
81	09-23-2018	Nir	Light	Okanagan Falls		Canada	We would are interested in buying a property in Twins Lake, and we are worried that the rezoning of the TLGR lands and its development are not sustainable and it will affect the availability of water in the area
82	09-23-2018	Florian	Hohenbichler	Kaleden		Canada	For my children, Preserving ecological resources, Granting the basic right of water access for everyone in the area. Thanks for reading.
83	09-23-2018	Steinar	Gronnesby	Kaleden		Canada	Worried that the water source will be used in a non sustainable way
84	09-25-2018	Arlene	Van Hove	Langley		Canada	
85	09-25-2018	Lise	proulxshore	kaleden		Canada	
86	09-26-2018	Peter	Hamilton	Kaleden		Canada	This aquifer is already under pressure. Why on earth do you want to put more pressure on it?
87	09-26-2018	Adiel	Nissim	Summerland		Canada	The water are precious, nobody should ignore that.
88	09-26-2018	Marjolein	Vriend	Abbotsford		Canada	
89	09-26-2018	Ron	Nissim	Summerland		Canada	Potential buyer. Interested in the area as is not another suburb. Concerned from the priorities of RDOS, keeping the interest of existing residents vs. development.
90	09-27-2018	Stephanie	LeClair	Penticton		Canada	Having access to sustainable water is important for life and for our future. The RDOS is taking too big a risk approving further development in Twin Lakes without a proper water sustainability study and water management pla

91	09-27-2018	Trish	W	Kaleden		Canada	
92	09-28-2018	Teaghan	Smith	Richmond		Canada	
93	09-28-2018	Georgia	Afendoulis	Keremeos		Canada	I'm a regular visitor to the area and it would be a shame if this development happens as the water supply is at risk and the potential damage to the Acquifer
94	09-29-2018	Kathryn	McCourt	Summerland		Canada	Because the Okanagan-Similkameen area has the lowest per-capital supply of water in all of Canada, and we need to be doing everything we can to conserve it. I strongly oppose further development of the kind proposed fo
95	09-29-2018	Patrick	Little	Kaleden		Canada	Prudence in regards to water supply must be taken for a development of this size.
96	10-01-2018	Kaeli	Benoit	Kaleden BC		Canada	
97	10-01-2018	gary	ellis	comox		Canada	we have a cabin on the lake

Christopher Garrish

From: Neal Moretti
Sent: November 25, 2020 9:57 PM
To: Planning
Cc: Bill Sparks
Subject: Zoning Bylaw Amendment 2457.20,2018 - TL Golf Course Development
Attachments: Twin Lakes Area Density Map.jpg; Twin Lakes Area Aquifer Map.docx

Good Evening,

My name is Neal Moretti (property owner at XXXXXX), and I would like to pass along some information ahead of the December 7th public consultation regarding Zoning Bylaw Amendment 2457.20,2018 (TL Golf Course Development).

From the previous meeting, I realize there have already been many submissions and comments from residents concerned about traffic, wildlife/ecosystems, and most importantly, water availability. I would like to add an additional viewpoint connected to density and community 'fit'. With the help of Cory and Kelly at the RDOS (thank you!), we were able to determine that the approximate housing density of the Twin Lakes area (Twin Lakes, Grand Oro, DRAO, etc) is 0.17 dwellings per hectare (131 dwellings over 770 hectares – map attached). This density only accounts for hectares within parcels (does not include the overall area, which would be about 5584 hectares). The Twin Lakes development proposal includes the building of 36 dwellings on a 1 hectare parcel. Although 36 dwellings/hectare is below maximum density allowed within the recently changed zoning of the Twin Lakes Golf Property (TL village centre), it is well above the existing density of the surrounding rural area. In fact, if my calculation is correct, the difference between 0.17 dwellings/ha and 36 dwellings/ha represents a 21076.5 % increase.

I support the responsible use and appropriate development of lands, but I don't believe that this proposal is congruent with, or respectful of, the existing community of Twin Lakes. Obviously the dramatic increase in density will not be a 'good fit' for the area, but the increased water use/demand for water from this development (from the already vulnerable aquifers, see attached map) could be irresponsible. From a 2015 Infrastructure Study, it is stated, "The upland recharge areas for the alluvial aquifers in this area are relatively small, and a significant portion of the groundwater in this area is held in storage as compared to annual recharge. **Further groundwater development in this area is not recommended without further study**." (p.16, Infrastructure Study For Electoral Area D-1, 2015 --LINK: https://drive.google.com/file/d/1L0Eih0LupRhUHuvMtpI0IjHk8-qPZ7PV/view).

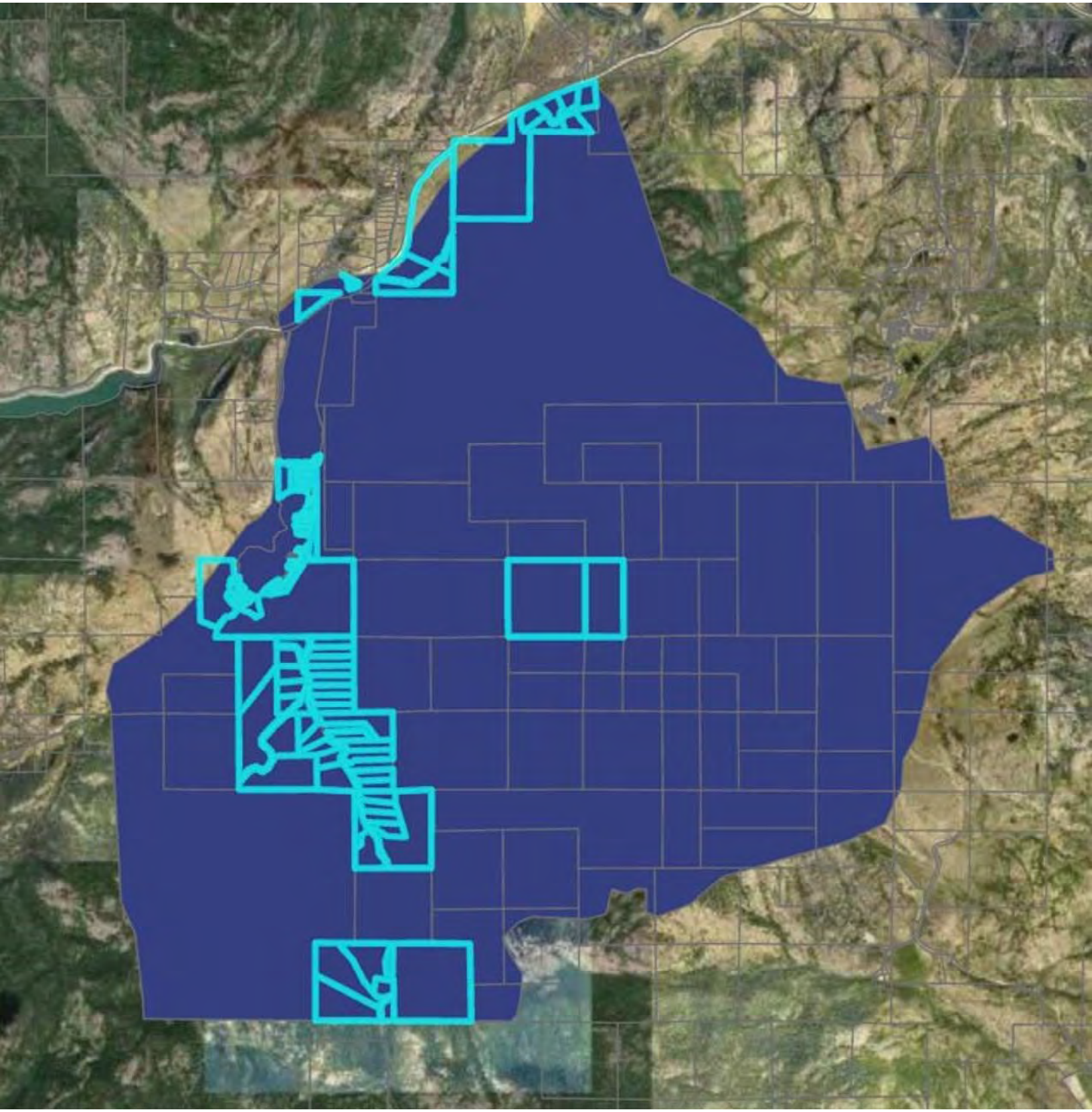
In previous emails to the RDOS, I have requested information about how water availability/capacity has been determined to be suitable or sustainable for this proposed development, but so far, I have not received a response (other than a statement that water matters fall under a provincial responsibility). How does the RDOS and provincial government communicate and coordinate to ensure sustainable water capacity for new developments in rural areas? I will likely raise this question at the December 7th public consultation.

I will be attending the December 7th, 2020 public consultation regarding the Twin Lakes Development Proposal, but I wanted to submit this information, and my perspective, in advance of the discussion on December 7th. If you have any questions or concerns about this message, or the information contained in this message, please feel free to contact me.

Thank you for your time and consideration.

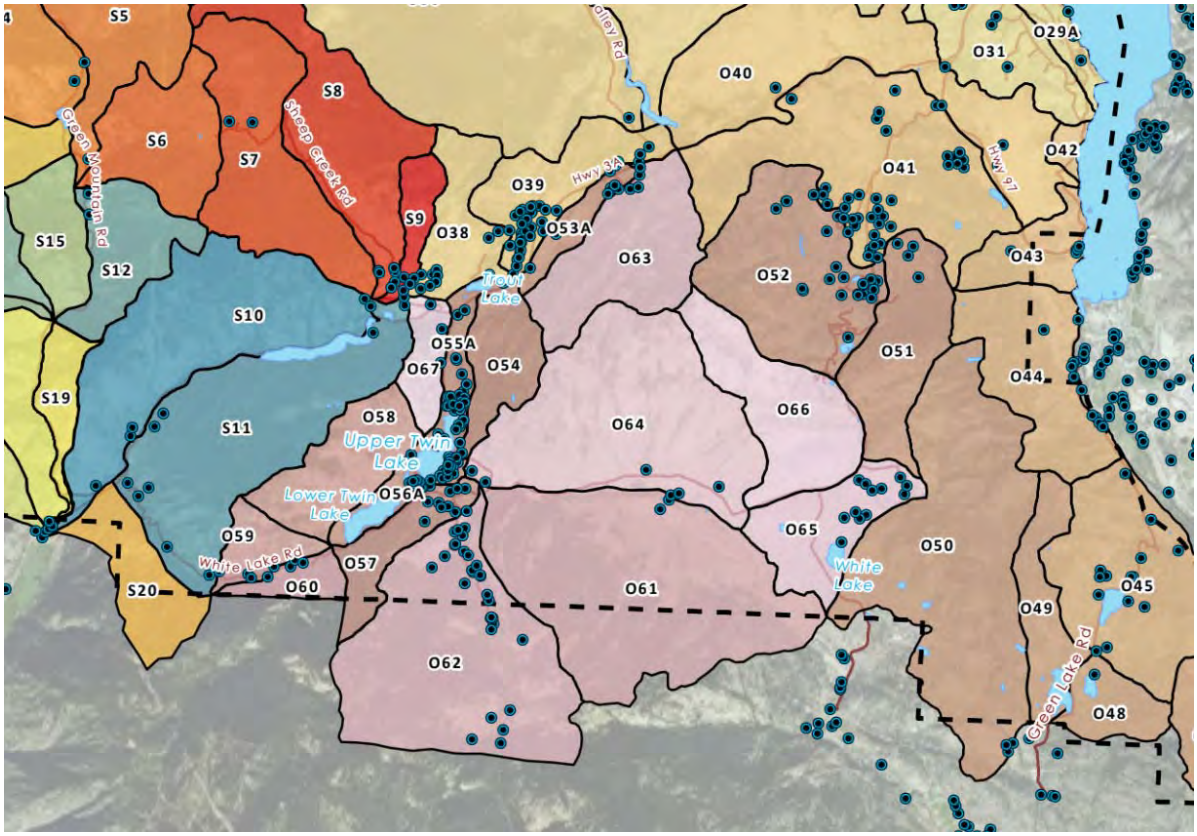
Take Care,

Neal Moretti



Vulnerable aquifers in the Twin Lakes Area (Aquifers O56A, O55A, O53A) and surrounding aquifers (O60 - O66). These aquifers span the communities/areas of Trout Lake, Twin Lakes, Grand Oro, and White Lake/DRAO.

Map Source: https://drive.google.com/file/d/1L0Eih0LupRhUHuvMtpI0IjHk8-qPZ7PV/view (p.18)



Christopher Garrish

From: Sparkes, Bill TRAN:EX
Sent: November 27, 2020 10:28 AM
To: 'Neal Moretti'
Cc: Planning; Rob Bitte
Subject: RE: Zoning Bylaw Amendment 2457.20,2018 - TL Golf Course Development

Thank you for your comments. I would like to clarify that I have no involvement, comments, or authority regarding RDOS decisions about land use matters or zoning bylaws. If and when I have a subdivision application to review, I consider regional district zoning and other requirements. The designated land use of a property as defined by the regional district zoning, indicates to me what land use, lot size, servicing, and other matters have been reviewed and approved for any property that is the subject of a subdivision application submitted to me.

Bill Sparkes
Provincial Approving Officer
Ministry of Transportation and Infrastructure
Okanagan Shuswap District

From: Neal Moretti
Sent: November 25, 2020 9:57 PM
To: planning@rdos.bc.ca
Cc: Sparkes, Bill TRAN:EX
Subject: Zoning Bylaw Amendment 2457.20,2018 - TL Golf Course Development

Good Evening,

My name is Neal Moretti (property owner at XXXXX), and I would like to pass along some information ahead of the December 7th public consultation regarding Zoning Bylaw Amendment 2457.20,2018 (TL Golf Course Development).

From the previous meeting, I realize there have already been many submissions and comments from residents concerned about traffic, wildlife/ecosystems, and most importantly, water availability. I would like to add an additional viewpoint connected to density and community 'fit'. With the help of Cory and Kelly at the RDOS (thank you!), we were able to determine that the approximate housing density of the Twin Lakes area (Twin Lakes, Grand Oro, DRAO, etc) is 0.17 dwellings per hectare (131 dwellings over 770 hectares – map attached). This density only accounts for hectares within parcels (does not include the overall area, which would be about 5584 hectares). The Twin Lakes development proposal includes the building of 36 dwellings on a 1 hectare parcel. Although 36 dwellings/hectare is below maximum density allowed within the recently changed zoning of the Twin Lakes Golf Property (TL village centre), it is well above the existing density of the surrounding rural area. In fact, if my calculation is correct, the difference between 0.17 dwellings/ha and 36 dwellings/ha represents a 21076.5 % increase.

I support the responsible use and appropriate development of lands, but I don't believe that this proposal is congruent with, or respectful of, the existing community of Twin Lakes. Obviously the dramatic increase in density will not be a 'good fit' for the area, but the increased water use/demand for water from this development (from the already vulnerable aquifers, see attached map) could be irresponsible. From a 2015 Infrastructure Study, it is stated, "The

THOMPSON RIVERS UNIVERSITY

FACULTY OF SCIENCE
Department of Natural Resource Sciences

November 25, 2020

Bill Sparkes,
Provincial Approving Officer
Regional District of Okanagan Similkameen (RDOS)
Ministry of Transportation and Infrastructure (MoTI)

Dear Mr. Sparkes,

It has come to my attention that there is an upcoming public meeting (virtual) regarding an amendment to a bylaw that influences proposed land use changes in the Twin Lakes area. I know there has been considerable discussion concerning the impact this development will have on the local aquifer (water reservoir). I would like to add my concern regarding the potential impact the proposed development will exert on wildlife in the entire White Lake Basin (WLB).

For over 6 years now my research group has been examining the impact of vehicles on the community of snakes in the WLB. This work has been done in collaboration with Environment & Climate Change Canada, the National Research Council (through the Observatory), and the BC Ministries of FLNRORD and MoTI. To summarize very briefly, our work has shown that the population of the listed Western Rattlesnake in this region currently experiences 6-7% annual mortality on the White Lake and Willbrook roads under current levels of traffic. This may not sound too onerous, but remember this occurs in addition to natural sources of mortality. It is no surprise that our modelling efforts indicate the population is in a decline due to this rate of roadkill. Although models suggest that if this rate holds steady, the rattlesnakes are likely to be present in 100 years. However, the population will be considerably smaller and the decline will continue. Moreover (and to the point of this letter), **any further increase in traffic flow will almost certainly hasten the demise of this wildlife community.** We believe this same situation faces two other threatened snake species in the same area that contribute substantially to the large number of roadkills we document each summer.

In response to our work, MoTI has invested considerable resources in establishing a series of 'ecopassages' under the roads in the WLB. Our intention is that this effort will act to mitigate current road mortality at the site. To date, we have detected snake use of these passageways, **but** it is too early to determine whether there will be an accompanying and significant change in road mortality and population survival. Our target at the present time is three more years of in-depth monitoring at this site.

/...2

900 McGill Road, Kamloops, British Columbia, Canada V2C 0C8 Dept Tel 250.828.5467
www.tru.ca/science/program/nrs

My concern regarding the development should now be obvious. Any increase in traffic flow through the WLB will exacerbate the stress already placed on the snake community (and likely other species as well, such as the at-risk amphibians in the area). From what I understand about the proposed development, its location should result in some of the increased traffic to the North Okanagan flowing largely over Highway 3A. However, local traffic to Okanagan Falls, Oliver, Willowbrook, Osoyoos and other southern destinations still will funnel through the WLB.

I would ask that this predictable negative effect from the development, should it proceed, be taken into consideration during discussions. Due to our work (past and present), we have perhaps the best data set on reptile road mortality in Canada - certainly in the western part of the country. Unlike so many other areas in the South Okanagan, we will be able to effectively measure the actual response of the snake population to increased traffic. This is a 'natural experiment' that I would like to avoid conducting.

Ironically, many of the snakes in the WLB inhabit federal land for a large part of their life history, where the federal Species-At-Risk Act applies. But, the most significant impact on the animals stems from death on *provincial* roads. Although the BC Wildlife Act affords some protection to snakes, the province lacks comprehensive species-at-risk legislation; responsible stewardship for our wildlife must therefore come from other directions and processes.

Please let me know if you require any further information or any questions need addressing.

Many thanks,

Dr. Karl Larsen
Department of Natural Resource Sciences, Thompson Rivers University

cc: Verna Mumby, President, Greater Twin Lakes Stewardship Society (GTLASS)
Leigh Anne Isaac, Provincial Small Mammal & Herpetofauna Specialist
Jamie Leathem, Ecosystems Biologist, FLNRORD
Christine Bishop, Research Scientist, Environment & Climate Change Canada

December 7, 2020

The Greater Twin Lakes Stewardship Society (GTLASS) is a registered non-profit society. The mission statement is, “To protect the Greater Twin Lakes area water, land, air and inhabitants." Since 2014, GTLASS has consistently stated we are not against development in the Twin Lakes area if it is sustainable development. That means development that will not contaminate the aquifer or use more than 30% of its recharge capacity. The present development plan does not meet a sustainable standard.

WATER:

The 2016 TLGR hydrogeology report stating there is enough available water was eviscerated by the BC Ministries of the Environment and Forest Land and Natural Resources Operations. Proof of water for 46 new dwellings has not been provided yet seemingly approved until the second phase of building. This appears to be an egregious statement to place importance of development above confirmation of water source for all within the greater Twin Lakes area who draw from the same aquifer system.

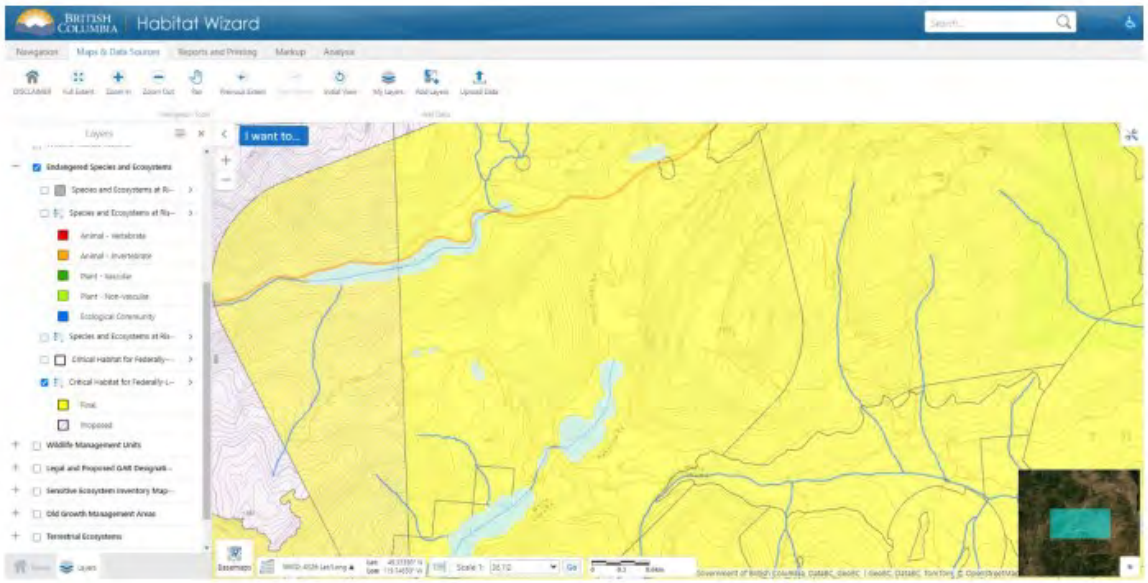
ENVIRONMENTAL ASSESSMENT:

The area where TLGR wishes to build the 225 dwellings was developed in the past for the RV Park and thereby does not require an environmental assessment. This refusal to look at the environmental data that increasingly shows this is a highly environmentally sensitive area is biased.

A review of the RDOS mapping shows there is only one layer of data related to endangered species and ecosystems. Twin Lakes has some area noted as Environmentally Sensitive but most of it shown as Important Ecosystems that do not require an environmental assessment.

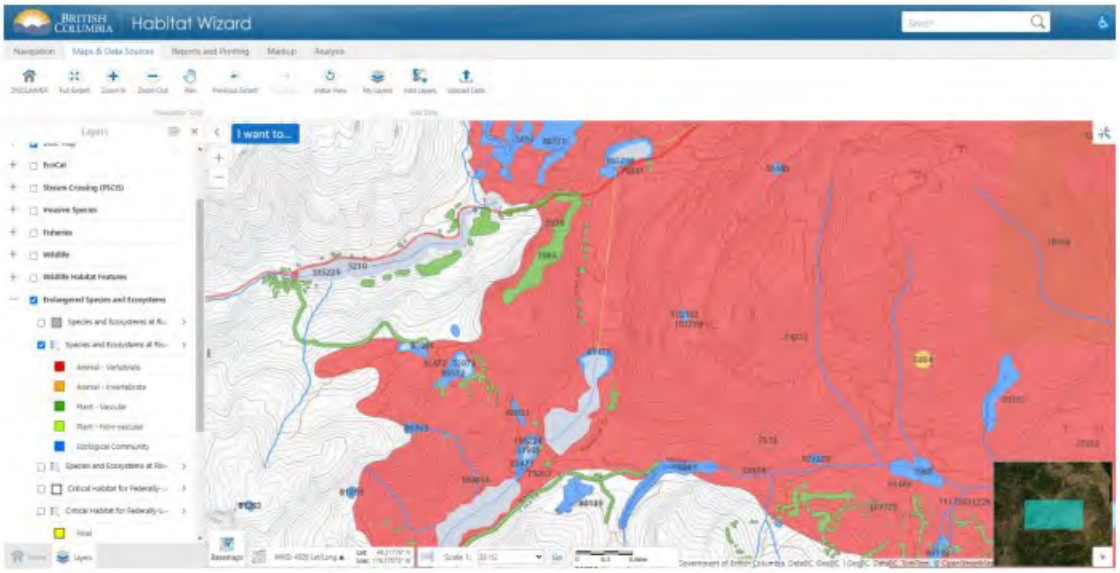
A review of the BC government Habitat Wizard mapping program used by professional biologists and other QEP (qualified expert professionals) paints a very different picture of the Twin Lakes Area. There are 24 layers of data. I will share three.

1. The yellow colour in the screenshot identifies the Critical *Habitat for Federally Listed Species At Risk.* ALL of the Twin Lakes area is designated yellow.

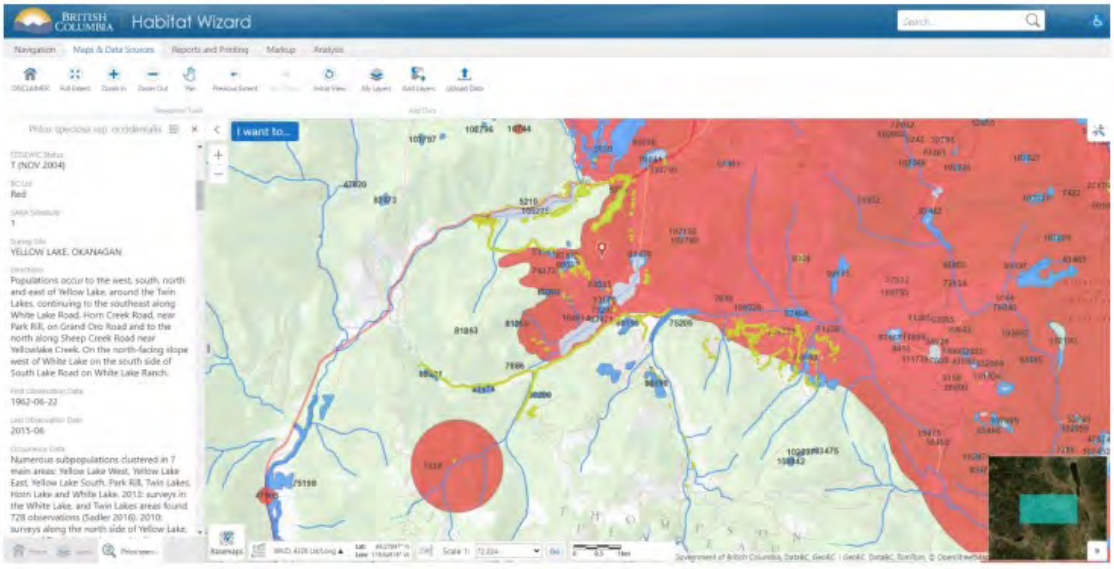


December 7, 2020

2. The following screenshot is *Species and Ecosystems at Risk* where you see the category of species and their distribution. The entire Twin Lakes area is designated as Animal-Vertebrate (red), with identified areas of Plant- Vascular (green) and Ecological Community (blue).



3. Another breakdown of data is available to show the detailed Animal- Vertebrate and Plant-Vascular. The following map shows the presence of the BC red listed *Showy Phlox* (in yellow). Note that it was found on the golf course.



December 7, 2020

LAKE ACCESS:
Currently there is no public access at the north end of the lake nearest to where the proposed 226 multi-family residential units are proposed. The north end of the lake is all private property and the north-west area past the boat launch belongs to Nature Trust BC. Responsibility for the boat launch on the west side of the lake, and two natural, undeveloped sites has recently been requested by the RDOS and granted by MOTI. The boat launch is in critical need of improvements due to the volume of usage since its location was advertised widely in the fall of 2019. There is no beach area for recreation, as its' main function is a boat launch for non-motorized watercraft. One of the natural, undeveloped sites, on the south-west end of the lake is between two private properties. Owners would like assurance that the RDOS will provide toilets, bear-proof trash bins and collection, enforcement of noise violations and will prevent parking and fire issues. The second location is on the east side of the lake and access is very steep and extremely hard to imagine how it could be accessible to all, as our Director has promised. There is no area for parking available at either location. Even if this development does not advertise lake access, the new property owners will see a lake and want access to it.

TRAFFIC
Forty-six new dwellings would add another 46-92 vehicles to the intersections of Highway 3A and Twin Lakes Road, Highways 3A and 97, and secondary roads. The intersection of Highways 3A and 97 is of great concern at present levels due to multiple collisions and fatalities. Over 500 animals are killed each year on local secondary roads spring to fall, a statistic, which includes many protected species like the Western Painted Turtle, and the Western Rattlesnake (which will likely be extirpation in our area at current road kill rates). Forty-six to 92 more vehicles would increase already high mortality rates for endangered and protected species. Furthermore, as a responsible stewardship society, we must point out that the carbon footprint of a new development 18 km from the nearest business centre is environmentally irresponsible, particularly in view of climate change hastened by greenhouse gas emissions.

FIRE
Twin Lakes is in an unprotected fire zone. Wildfires in this area occur annually and threaten our homes as well as those of the hundreds of endangered species. Drivers tossing their cigarette butt out of their windows into the roadside ditches cause many of these wildfires. Increased traffic will increase the number of cigarette butt caused wildfires. More residents in this unprotected fire zone will increase fire risk due to backyard and beachside fires, as well as house fires, which spread throughout the community. No fire fighters will come to our aid.

A portion of the RDOS Mission statement reads, "…serve the broader public interest in an effective, equitable, environmental and fiscally responsible manner." The proposed zoning change does not serve the broader public interest considering water sustainability, environmental concerns, lake access issues, road mortality of protected species and highway fatalities.

Sincerely,
Verna Mumby, President GTLASS
305 Westview Road

To protect the Greater Twin Lakes Area water, land, air and inhabitants.

From:	Renee Leighton
To:	Planning
Subject:	Notice of Public Hearing - 79 Twin Lakes Road (Twin Lakes Golf Course)
Date:	December 7, 2020 4:28:57 AM

Hi Cory,
My name is Renee Leighton. My husband and I own 2 properties on XXXXX, XXXXX and we are doing a new build at XXXXX. Our future retirement home.

I am writing today as I'm opposed to the new development proposed for the Multi Family residential dwelling units at the Twin Lakes Golf Course.

We originally bought in this beautiful area as we loved the serenity of this valley. The neighbourhood is quiet and friendly.
If this development goes through, the serenely will be lost to traffic, noise and light. We will no longer enjoy the neighbourhood children riding their bikes along Range Road, walking our dogs along on our rural roads, the stars at night and the peaceful quietness of our beautiful neighbourhood. The reason we moved here in the first place.

Not to mention the damage this will do to our wild creatures that share their land with us.
Every summer we love watch the Western Painted Turtles that live in the pond at the Golf Course and keep an eye on them as the travel to Nipit Lake (Twin Lake) every Spring. Should this development go in, there will be no chance for the Turtles to make this journey without being run over by a vehicle. Even with just the first phase of 46 Units. That is potentially 92 vehicles traveling down Twin Lakes Road! The Western Painted Turtle is listed on the Provincial Blue List as Vulnerable to Habitat loss. We need to protect this species!
With that said, we have also registered with The Ministry of the Environment, when we found a Northern Rubber Boa in our back yard a couple of years ago. This rare snake is known to den in rocky areas, grasslands, coniferous forests and dry Pine forested areas. As both our properties back onto the Twin Lakes Golf course, we are concerned about this snake as it is listed on the Endangered Species at Risk site as of "Special Concern."
They live on the hillside to the East on Lot 1.

We also love to watch the heard of deer that frequently graze on the course. The Spring is especially wonderful with the new fawns running after their Moms! I'm afraid that they will no longer come, as there will be too much traffic, light and noise. Our neighbours across the street, on Range Road, have a Doe that delivers her fawns every Spring in their front yard. Truly magical!

Your letter speaks about Phase 1 involving 46 dwelling units in the "Twin Lakes Village".
I know that the "Village" is part of the development scheme, however there is nothing proposed on the RDOS website. What would this area look like and how would a "Village" fit in? What about our lovely neighbours that own and operate the Twin Lakes Market adjacent to the Twin Lakes Golf Course? What will happen to their livelihoods? Again, another quaint operation that is part of the ambiance of this Valley.

One last note. Upon discussing the proposed development with our neighbours that live on the Strata property at the end of Range Road, (East Side) they have voiced their concern about the water issue. They currently have their well on the Golf Course common ground and although there are only 4 homes using this well, it is maxed out. The 2 empty lots remaining on the Strata property have sold this summer and they are sure that the new owners are looking to build. How will they have enough water to support 6 homes? Not to mention that is their well is on the Twin Lakes Golf Course's common ground, what's stopping the Golf Course from taping into this well to improve their water findings?

Please reconsider this proposed development. It will definitely have an impact on this beautiful Valley and the residents that live here. Not in a positive way.
Please consider our small children, the wildlife that we treasure and need to protect and the absence of light and traffic noise that we so appreciate. It is the reason we live here.

With kind regards,

Renee Leighton and Clarence Fehr

From: SHAWNA
To: Planning
Subject: Dec 7 -Twin Lakes Public Hearing
Date: December 7, 2020 1:28:28 AM

Dear Sir/Madam

Am writing to express my concern regarding the rezoning proposal for the Twin Lakes Golf course. It seems there is an established history there is a of lack of sufficient water supply to support this development and no proof of adequate water availability.

It would be a terrible loss to the community at large if the golf course was sacrificed by reducing it to a 9 hole course or cease operations altogether in order to allocate the water used to operate the course towards meeting water requirements for build out of phase one.

I ask that rezoning be denied at this time.

Twin Lakes resident
Shawna Wilman

From:	JGStrong
To:	Planning
Cc:	Bill Sparks
Subject:	Twin Lake Rezoning
Date:	December 6, 2020 5:12:46 PM

Good day,

Rezoning and developing the Twin Lake golf course into a residential area with a village is against the public interest for the following reasons;

1) **Water sustainability has not been proven**. In their letter of May 24th, 2016 Klaus Rathfelder, Aquifer Water Quality Scientist, Ministry of Environment & Nicole Pyett, Groundwater Protection Officer, Ministry of Forests, Lands and Natural Resource Operations cited lack of surface water data in the 2019 Golder Study paid for by the developer.
* Hydrologic and hydro-geologic information in the watershed remain very limited.
* Stream flow data for Horn Creek was used (1968-77) from April-September, not year-round.
* Groundwater model results are based on a steady-state model and neglects to address the seasonal variation of natural groundwater levels in a system hydraulically connected to surface water, and the maximum impacts of groundwater extraction, as is required for ecosystem management.
* The finding of adequate supply depends on the validity of several modeling assumptions regarding water use and water conservation.
The extent to which the water use assumptions will be realized is uncertain. Ministry staff recommended all necessary bylaws and regulatory structure be in place prior to any approvals of proposed development.
*Summit stated that only 30-35% of the annual estimated recharge should be used, otherwise the aquifer would be mined, that is, so much water drawn out that it will not recharge.
* The subdivision standards for Average Daily Demand (ADD) & Maximum Daily Demands are based on observed demands of a water system. In Kelowna for a single family unit, that is 2,700 L/sfu/day. Residential lots in Kelowna are less than 1⁄4 acre. The majority of Twin Lakes lots are over a 1/2acre, that is twice the size. Residents have food-producing gardens to maintain, as well as landscaping to prevent wildfire damage to homes.
* Only larger commercial wells will be licensed and monitored. Board approval with the assumption that the Water Sustainability Act (WSA) will be triggered to investigate the Proof of Water may be incorrect. The WSA is triggered for new wells. TLGR will use existing wells.
* The development will require 600 cubic meters per day, which is 178 acre feet. Twin Lake is 88 acres. The development will use the equivalent of 2 vertical fee of Twin Lake annually. The development and the irrigation would use over 4 vertical feet of water annually, which is more than the amount of water which flows into Twin Lake in an average year.
* Existing water users will be subject to water use restrictions under new and future groundwater regulations to ensure water availability for new homes.

2) **Housing density** on the proposed development is far above the density of the surrounding area. Our density is currently 0.17 homes per hectare. The proposed development's housing density is 36 homes per hectare, over a 21,000% increase over the existing surrounding neighbourhood.

3) This development puts the hundreds of **protected and endangered species** (See reports at websites for Species at Risk (SARA) Public Registry, IBA Canada, BC Conservation Data Centre, Nature Trust BC) in our area at far greater risk due to loss of water, increased fire risk and increased road mortality.

4) **Climate change** must be taken into consideration. All climate data point to our area becoming drier, which means less water availability and increased fire risk.

The Precautionary Principle is the standard of the Canadian federal government and applies to the Twin Lakes area. This requires that water sustainability be proven, housing density be appropriate, endangered species be protected and climate change understood and considered prior to development and zoning change approvals.

From: Richard Hawthorne
To: clebrecque@rdos.bc.ca; Planning
Cc: roly.russell@bcndp.ca; Subrina Monteith
Subject: Dec. 7 public hearing
Date: December 5, 2020 2:41:20 PM

Hello,

I just reviewed the information on Twin Lakes rezoning.
https://www.rdos.bc.ca/assets/PLANNING/AreaI/2017/069-ZONE/PowerPointPresentation20200805.pdf
Interesting history on this property. Would have liked to read all the articles from the papers rather than just the headlines.

I am not sure if I will be available for the meeting but would like to enter a question/comment I see that part of the servicing agreement addresses waste water and that the system must be built in accordance to RDOS bylaws. The waste water is my greatest concern regarding this development. I live on Trout Lake, which I believe is on the downward side of the aquafir and the lake is our water source, as well as the Twin Lakes Store, all the other residents on Trout Lake, the residents on Resolute Road and ???. The concern is whether any waste water with possible contaminates will leech down stream into Trout Lake or the aquafir. My question is: will there be any monitoring of the ground water below where the waste water will be released and flow? And, If so, what exactly will the monitoring be testing for?
There was recent case near Golden where a small community has developed contaminated water from septic seepage.
https://www.castanet.net/news/BC/317206/Residents-of-small-community-near-Golden-reject-costly-water-system-despite-aquifer-contamination

I tried to read the submissions from the March 2019 RDOS meeting (http://www.rdosmaps.bc.ca/min_bylaws/contract_reports/CorpBd/2019/Mar21/C1_NewRepresentations_after1stReading.pdf) but was not able to access them.

Regards,

Dr. Richard Hawthorne

From: Debbie S
To: Planning
Subject: Twin Lakes Golf Resort - 50 Units Development
Date: December 5, 2020 7:00:23 AM

Hi
My name is Debbie Shillitto, I live at XXXXXXXXX. I have lived/worked in the Twin Lakes area since 1975.
I am opposed to the Twin Lakes Golf Resort – 50 Units Proposed Development.
These are the reasons why;

- We live in a tiny , very quiet neighbourhood with a narrow hardly used road taking us to our homes on Range Rd.
- 50 Unit means approx. 100 people, each with a vehicle, which means we will have 100 cars driving through our quiet, quaint little neighbourhood daily.
- **Every Spring I personally watch as Turtles cross Range Rd.** The **Turtles** travel from the pond on the golf Course to Nipit Lake every Spring. I see 2-3. My neighbours also see a few each spring, so I know that they have that natural journey each year to make. I would be horrible (& is horrible) to see the **Turtles** kill by a vehicle, and with the potential of so many cars driving down our little Rd the **Turtles** don't have a chance to survive their journey. And that would be a total shame.
- My neighbours have small children that like to ride there bikes around the neighbour hood (Range Rd). Where it has always been safe to do so.
- My neighbours and I like to walk to each others homes, take walks along the roadside, walk our dogs along our road (Range Rd).
- We built our home here on Range Rd in 1996 because we loved the quietness and the natural beauty of our surroundings.
- We love the fact that there is little to no lights out here at night and that we can lie in our yards at night and gaze at the amazing stars in the sky. This is something I do almost every night throughout the summer. I don't want street lights and lights of 50 units on constantly disturbing our rural area.
- I love that the deer walk through my yard and neighbourhood, and sometimes we will see bears crossing the golf course, or by my house going from one mountainside to the other mountainside.
- I love that I live out in an area that is still countryside and rural and safe to stroll along my Rd. Without fear of being hit by a car.
- And I can't even imagine how horrible it would be the have construction of 50 Units being built and the dump trucks and equipment constantly driving by all day long for months and months!
- The dust will be horrific!
- The kids won't be able to play outside going from one friends home to another without being in danger.

And I have a question;
Why don't they build their development units in an area on the golf course property (such as the RV/gravel pit area) where the unit owners would drive through the golf course property? There is ample land there and they would not disturb our small, quaint neighbourhood? That would just

make more sense to me!
And it would also make more sense to me if they were able to build units on **Lot 2** where the street/road access could be accessed off of the highway on the left before they even came to Twin Lakes Rd.

Thank you for allowing me to voice my concerns.

Sincerely,
Debbie Shillitto

Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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September 15, 2020

Reply to the attention of Sara Huber
ALC Issue: 51853
Local Government File: D2017.069-ZONE

Lauri Feindell
Administrative Assistant, Regional District of Okanagan Similkameen
lfeindell@rdos.bc.ca

Delivered Electronically

Re: <u>Regional District of Okanagan Similkameen Zoning Amendment Bylaw No. 2457.20</u>

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Zoning Amendment Bylaw No. 2457.20 (the "Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the *ALC Act* (ALCA), the Agricultural Land Reserve (ALR) General Regulation, (the "ALR General Regulation"), the ALR Use Regulation (the "ALR Use Regulation"), and any decisions of the ALC.

Current Proposal:

The Bylaw proposes to amend the zoning of the property identified as 79 Twin Lakes Road; PID: 017-694-841 ("Property 1") and PID: 005-141-541 ("Property 2"), collectively referred to as the "Properties", in order to allow for the phased development of a multi-use resort at the Twin Lakes Golf Course which is going to "complement the existing golf course use with up to 232 new residential units and tourism facilities, in two proposed phases, over the next 25 years." While Property 2 is outside of the ALR, Property 1 is partially within the ALR, as shown below.

ALR Boundary:

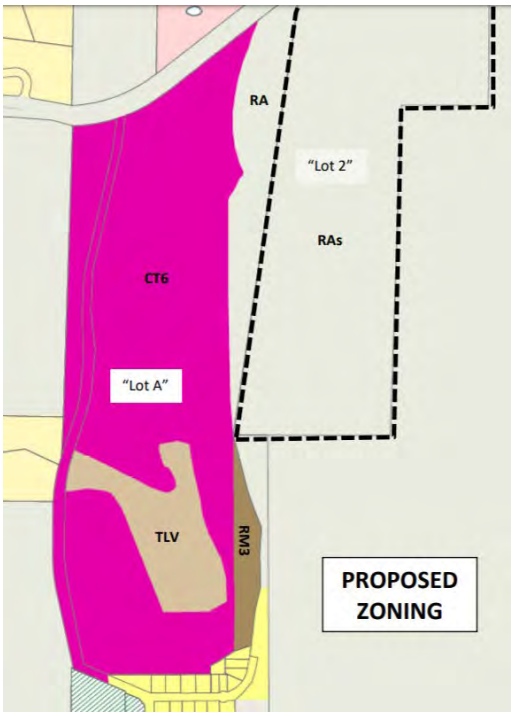
Phase 1 is comprised of a one-lot subdivision off of Range Road and a 46 unit multi-family building strata to be constructed in phases. Phase 2 is to be located around the golf course clubhouse on Property 1. No further details were provided regarding the development within Phase 2.

The Bylaw proposes to remove the residential zoning designations currently on the eastern hillside area of Property 2 and replace them with Resource Area (RA). The Bylaw will also remove the provision for “campground” use under the RA zone. While the applicant had initially contemplated moving the existing RV Park from Property 1 onto the hillside area of Property 2, this is no longer being considered and the applicant wishes to retain the RV Park in its current location.

The Bylaw also proposes to introduce a replacement zone for the former RM3 zone, which was previously removed from Electoral Area “I” Zoning Bylaw No. 2457, 2008 as part of other text amendments. The replacement zone, the Twin Lakes Village Zone (TLV), is proposed to be placed over 2.4 ha of Property 1. The Bylaw also proposes to amend the TLV zone to allow for duplexes and campgrounds and to increase the density from 55 units/ha to 60 units/ha.

The provision for a campground under the TLV zone is at the applicants request so that the existing RV Park on Property 1 can be maintained and potentially expanded in future. As previously mentioned, the provision that would have allowed for the transfer of the existing RV Park from Property 1 to Property 2 is proposed to be deleted in support of this request.

Proposed Bylaw Amendments:



History:

In 1981, the ALC refused an exclusion application on Property 1 to facilitate the recreational development of the existing Twin Lakes Golf Course, and to create 14 lots of 0.2 ha each along

the southern boundary of the Property (Application 31497; Legacy 12359). The exclusion was refused on the grounds that the Property is suitable for agriculture, but the ALC allowed the subdivision of the 14 lots on the southern boundary and the expansion of the golf course by 9 holes (for a total of 18 holes). At this time, the ALC did not provide further comment on the proposed condominium development, RV hookup, campsite, swimming pool, tennis court and cabins until a more detailed site plan was received (Resolution #1308/1981).

In 1983, after the ALC received a detailed site plan, the ALC approved the recreational development of Property 1 (Application 31497; Legacy 12359). The ALC approved the following uses identified on the associated site plan (Resolution #897/1983):

- 3 group camping sites (for a total of 19 tents)
- 56 partially serviced RV/camp sites
- 29 fully serviced RV/camp sites
- 5 washroom facilities
- 235 yard driving range
- 8 m paved road
- Laundry facility
- Sani-station
- 2 tennis courts
- Caretaker's house and store
- Change rooms
- Playground
- Open play area
- 166 day use parking sites

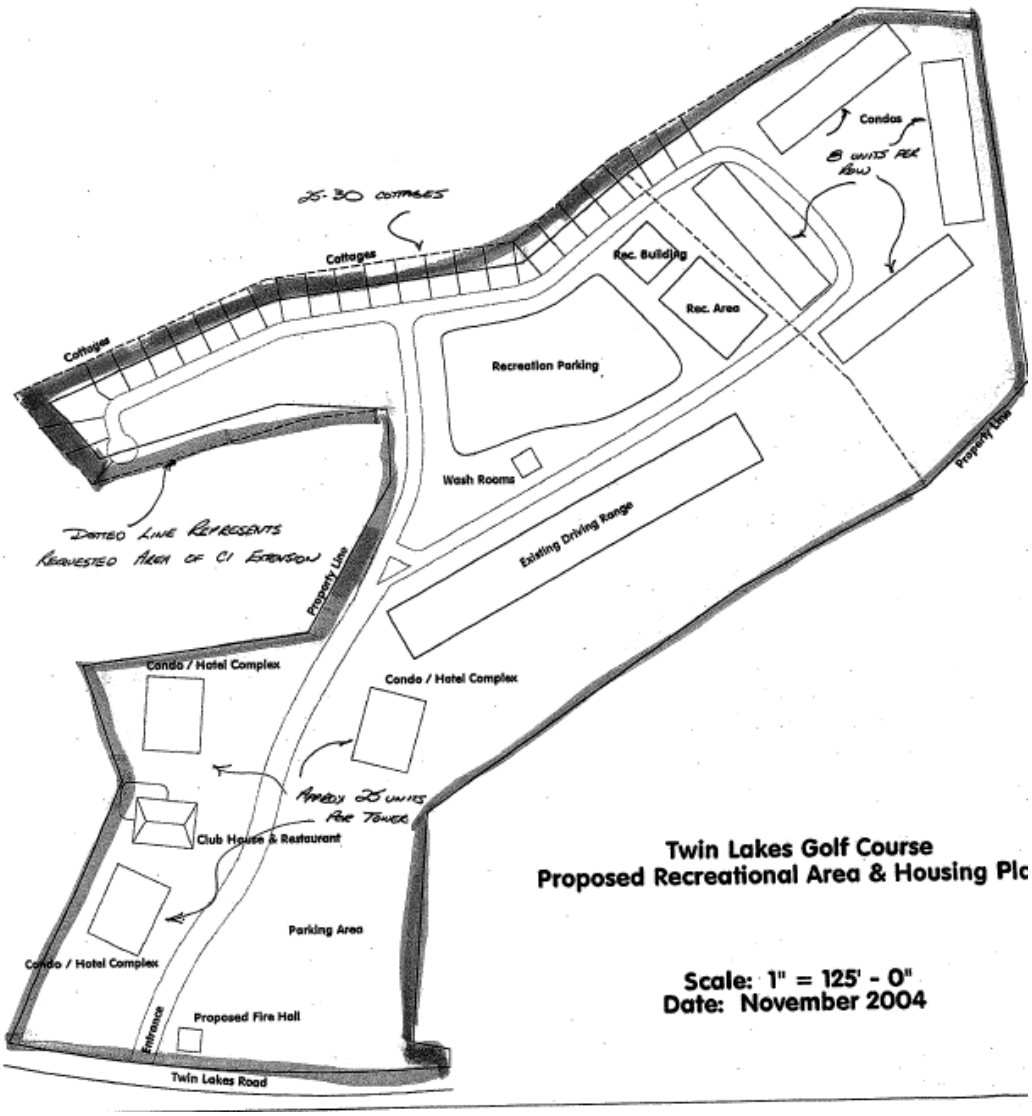
In 1983, the applicant requested an amendment to the ALC's approval for subdivision (Application 31497; Legacy 12359). The applicant advised that the RDOS had rezoned the 1.6 ha area to allow for a minimum lot size of 9000 ft^2 (0.08 ha), thus the applicant wished to create 16 lots, rather than 14. The ALC approved the request (Resolution #1850/1983).

In 1992, the ALC received an application to rezone 1.72 ha to General Commercial in order to allow for the expansion of the existing RV Park, a 10,000 ft^2 recreational building, tennis courts, and 10 motel units to start, with additional units planned for the future on Property 1 (Application 336; Legacy 26722). At the time, it was noted that the Property currently contained a gold course and driving range, 30 RV sites, restaurant and lounge in the clubhouse, a dwelling, and workshop. The application was approved by Resolution #1073/1992.

In 2005, the ALC received an application to develop a 7.5 ha section of Property 1 as a residential resort (generally including 137 units comprised of 25-30 recreational cottages, 32 multi-family condominium units, 75 hotel units) (Application 41813; Legacy 35856). The existing RV resort was also to be expanded, and the existing golf course and driving range retained. At the time, it was noted that the Property contained an 18-hole golf course, RV Park, two gravel pits, a residence, clubhouse, and parking lot. The ALC approved the use of 7.5 ha for a residential resort by Resolution #191/2005, on the grounds that the land had poor agricultural capability due to existing resort development and gravel extraction.

In 2008, the ALC sent a letter to the RDOS clarifying the components of the development, noting that while the ALC had initially approved 137 units, the ALC would allow up to 142 units provided the footprint remains within the 7.5 ha approved area.

Resolution #191/2005:



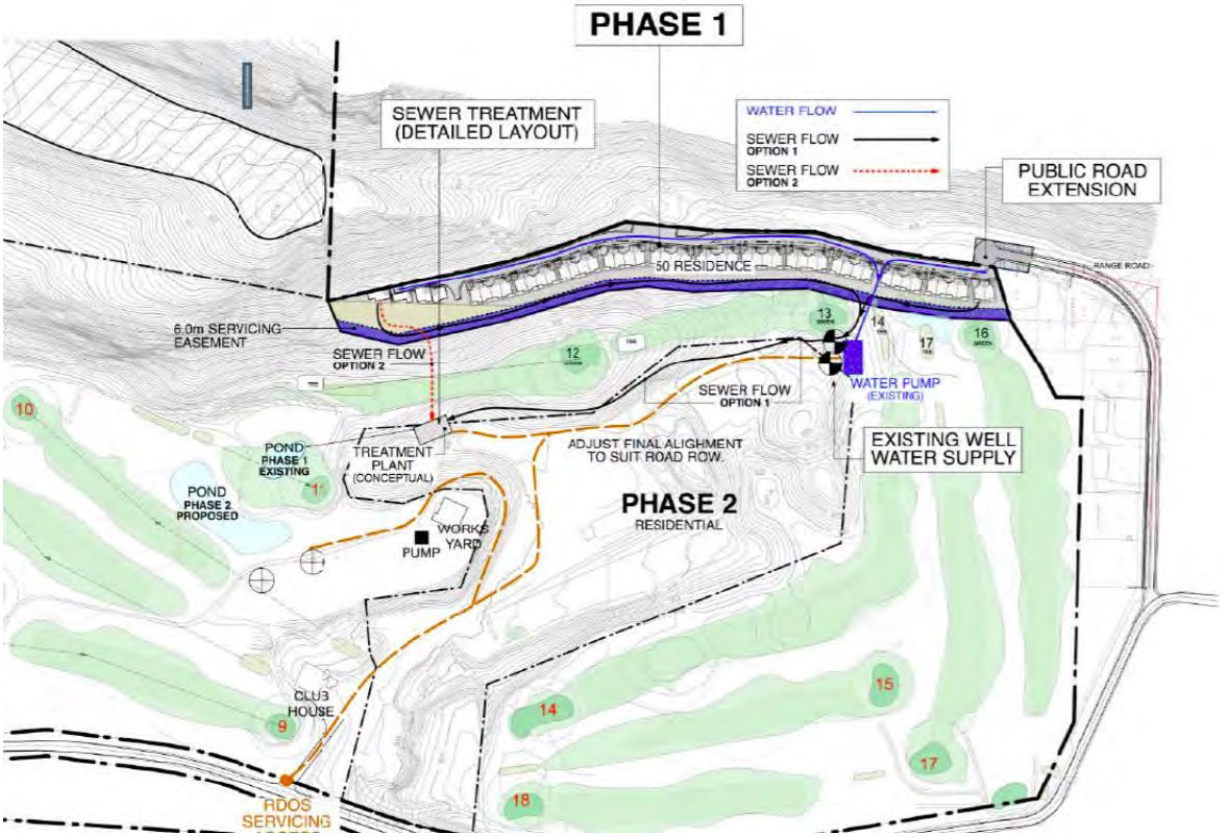
ALC Staff Comments:

ALC staff recognize that in 2005 the ALC approved the use of 7.5 ha for a residential resort, including condos, cottages, and hotels. The 7.5 ha area within the ALR is proposed to be rezoned to TLV as part of Phase 2 of the development plans. According to the referral, there is no new development proposed for this area at this time. ALC staff wishes to reiterate that the ALC's approval is for **142 units** and that any additional units beyond this number would require review and approval from the ALC Commissioners, despite the density provisions provided under the TLV Zone.

As part of Phase 1 of the development, there are also areas on the eastern boundary of Property 1 (primarily outside of the ALR) which are proposed to be rezoned to TLV. ALC staff note that on the northern portion of this area, there is a service easement noted within the ALR.

ALC staff advises that while a service easement may be registered with the Land Title's and Survey Authority (LTSA), in order to construct within the easement an application to the ALC is required.

Site Plan of Phase 1 and 2:



Provided the Bylaw remains consistent with the ALC's previous decision in Resolution #191/2005 and/or is outside of the ALR, ALC staff has no objection to the Bylaw.

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The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Sara Huber, Regional Planner

Enclosure: Referral of RDOS D2017.069-ZONE

CC: Ministry of Agriculture – Attention: Christina Forbes

51853m1

Lauri Feindell

Subject: FW: Response to TLGR rezoning bylaw
Attachments: 2020 Response TLGR Rezoning RDOS Open House Dec.pdf

From: Coral Brown
Sent: December 7, 2020 7:27 PM
To: Planning <planning@rdos.bc.ca>
Subject: Response to TLGR rezoning bylaw

To RDOS Planning,
I did send my letter this afternoon before the open house but it did not go through so am sending it again with my 3 questions
1. Who is liable if the Twin Lake Area water is not sustainable?
2. Does RDOS use the Precautionary Principle which is actually law in the UK?
3. Will shut off valves be put on the proposed 46 dwelling units once the 2200 L/day are used?

Please see the attached letter.

Respectfully Submitted with concern,
oral Brown

Response TLGR Rezoning RDOS Open House Dec.7 by Coral Brown

The TLGR rezoning seems minor but it is the beginning of a 46 dwelling development which is the 1st phase of a 224 unit and Village Centre on an upland ground water limited aquifer where water sustainability is questionable and the water use will reach a maximum. Groundwater is a recent science, so to have the 2016 & 2019 Golder **Groundwater Availability Study information is of benefit. However, it is not definitive** - words like inferred, assumed, and estimate are commonly used. The Twin Lake aquifer capacity must be assessed carefully as there is nowhere else to pump or pull water from to the Twin Lake Area. Being a height of land – waterway, it influences down gradient aquifers. In 2015 Remi Allard, hydro geologist, indicated the far reaching possible repercussion of this water use in an RDOS "Infrastructure Study for Area D1 OCP" by stating that **water balance of the DRAO aquifer "could be impacted by development in the up-gradient areas".** Likewise, the water balance down gradient has the potential to draw down the water level from up gradient water. This was observed in the dry years of 2007 to 2009 when Lower Twin Lake Level fell to 7.5 ft. (a reference to the hydrometric 1968 normal high water level of 17.6 ft.) and well levels fell by 1 to 2 meters (Summit). Water- out was greater than water-in.

The gazette names should be used - the Horn Creek Watershed and the valley bottom lakes are Twin Lake and Trout Lake. Twin Lake with a large freshet becomes one lake in the spring but with dry/hot weather becomes 2 lakes called Upper Twin & Lower Twin Lake (the lower lake has not & does not divide). The Turtle Pond is a man made pond formed by the storage dam at one end & Eastview Rd. at the other. The lakes on this waterway each have an overflow outlet including the Top Lake at 1554 masl from which Horn Creek originates. Our Ministry Dam Supervisor has reported Twin Lake as endoheric but we see it more as a leaky bottom reservoir, "a canary in the coal mine" signaling aquifer distress. If it is truly endoheric, it is destined to dry up and disappear.

To improve the Twin Lake Area surface & groundwater understanding , please realize:

- In 2009 after 9 dry years with limited snow pack and increased TLGC water use, some wells water levels tested had fallen 1 to 2.5 m (Summit p. 13 Table 2).
- Historically there has been about a 20 year water cycle – 10 years wet & 10 years dry. **Golder has been** involved with water monitoring of the TLGR **during wet years**. The TLGR water monitoring is not 9 years but 7 years and according to the 2016 Study Water Use see 6.5.2.1 page 32. Climate change will likely bring a new pattern, but so will the massive **logging happening now in the Horn/Myers Creek watersheds.**
- The geology created the waterway. Horn Creek is the main surface water source and it moves from 1554 masl but meets Parker Mt. & then bifurcates - one arm moves towards Park Rill as ground & surface water and the other as ground water under the Twin Lake Golf Course (TLGC). In the spring side- hill surface melt is rare or minimal likely due to the dry climate & sublimation. Water rarely runs in the crevasses - in 20 years it was observed only in 2017.
- Gray water used for TLGC irrigation will carry endocrine disruptors to the aquifer under Trout Lake where the 17 dwellings around Trout Lake must draw their water as the rock clings to the lake edge.
- It is snow pack/precipitation which indictates the recharge. The nearest snow pillow is Mt. Keogh. A snow pillow on Orofino Mt. would predict the snow pack which settles from the Cathedral Mt. winds.
- The Marron Valley RDOS weather station is accurate for the Lower Twin Lake climate.
- The Nature Trust (TNT) water licence does not influence present availability of water as it has **not been** used since 1987 when the TLGC became 18 holes. It was traded for Golf course irrigation – this water is already used! The Improvement District water licences are used only for water management in wet years.
- The 2010 Summit Aquifer Capacity Study stated 200 US gpm is available for use. Golder stated the existing residences to be 130 which are actually 150+ when new residences and Trout Lakefront residences are included. Golder stated 600m^3/day (106 US gpm) is the water use required for the basin and Phase 1 development, but add the 20 existing dwellings, the Phase 2 – (178 units, to equal 79.2 US gpm + 106 US gpm = 185.2 US gpm), now the large new Green Mountain Medical Health Facility and the effects of the 2018-2020 logging in the Horn/Myers Creek Watersheds.