



REGIONAL DISTRICT OF CENTRAL KOOTENAY
DEVELOPMENT PERMIT
DP2007Hn (Valhalla Foundation for Ecology)

Date: December 21, 2020

Issued pursuant to Section 490 and 491 of the *Local Government Act*

1. This Development Permit is issued to Valhalla Foundation for Ecology and Social Justice, Inc. No. S0037854 of 4711 Highway 6, New Denver, BC as the registered owner (hereinafter called the "Permittee") and shall only apply to those lands within the Regional District of Central Kootenay, in the Province of British Columbia legally described as DISTRICT LOT 388 KOOTENAY LAND DISTRICT PT LT 388 LYING S/W OF R/W PL A F P B VOL 9 FOLIO #2231-C & N OF LT 476 TO WHICH IS ASSIGNED PCL A. (PID 017-469-643) as shown on the attached Schedules 1 and 2, forming part of this Permit, referred to hereafter as the "said lands".
2. This Development Permit is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay applicable thereto, except as specifically varied or supplemented by this Permit.
3. This Development Permit shall not have the effect of varying the use or density of land as specified in the applicable Zoning Bylaw of the Regional District of Central Kootenay, nor a Floodplain Specification under Section 524 of the Local Government Act.
4. The said lands have been designated 'Agricultural' (AG) and are located within a Development Permit Area pursuant to the Slocan Lake North Portion of Electoral Area 'H' Official Community Plan Bylaw No. 1967, 2009 as amended.
5. The Permittee has applied to the Regional District of Central Kootenay for previously completed wetland restoration works and the construction of three new ephemeral ponds and an accessible walking path situated on the said lands (hereinafter called the "Works"). Pursuant to this Development Permit and subject to the terms and conditions herein contained, as well as all other applicable Regional District Bylaws, the Regional District of Central Kootenay hereby authorizes the use of the said lands for the aforementioned Works.
6. The Permittee is required to obtain approval in writing from the Regional District of Central Kootenay prior to any further disturbance, construction any new buildings, external additions to existing buildings or for any deviation from the development authorized under Schedules 2 and 3 of this Development Permit. Furthermore, the Permittee is hereby advised of the following requirements:
 - 6.1 The Works shall be carried out in accordance with Schedules 2 and 3 of this Permit and under the guidance of a Qualified Environmental Professional, in accordance with the *Riparian Areas Protection Regulation*.
 - 6.2 The Regional District of Central Kootenay Building Department requires that the Permittee obtain a demolition permit and/or building permit prior to the removal of any existing buildings and structures, the renovation, expansion or alteration of any existing building and the construction of any new building.
 - 6.3 A building permit shall be required prior to any construction involving land in this location at which time the Permittee shall be required to address sewage disposal issues

to the satisfaction of the Interior Health Authority and Regional District of Central Kootenay Senior Building Official.

- 7. The said lands shall be developed strictly in accordance with the terms and conditions of this Development Permit and the requirements of all applicable Regional District Bylaws as well as any plans and specifications which may, from time to time, be attached to this Permit shall form a part thereof.
- 8. In accordance with the Local Government Act, if the development authorized by this Development Permit is not commenced within two years of the date of this Permit, this Permit shall lapse.
- 9. In accordance with the Local Government Act, 'Notice' shall be filed in the Land Title Office that the said lands are subject to this Development Permit.
- 10. The terms of this Development Permit including subsequent amendments, are binding on all persons who acquire an interest in the said lands associated with this Permit.
- 11. It is understood and agreed that the Regional District has made no representations, covenants, warranties, guarantees, promises, or agreement (verbal or otherwise) with the Permittee other than those in this Development Permit. It is solely the responsibility of the Permittee to ensure that the requirements of all other applicable government agencies are satisfied.
- 12. This Development Permit does not constitute a building permit.
- 13. This Development Permit shall come into force and effect 14 days after the date of issuance unless a Waiver of Appeal is received from the Permittee at which time the Development Permit shall be deemed to be issued upon receipt of the Waiver of Appeal. OR If a Notice of Appeal is received the Development Permit shall be suspended until such time as the Board of the Regional District of Central Kootenay has decided the Appeal.

S Sudan

Sangita Sudan, General Manager of Development Services

February 9, 2021

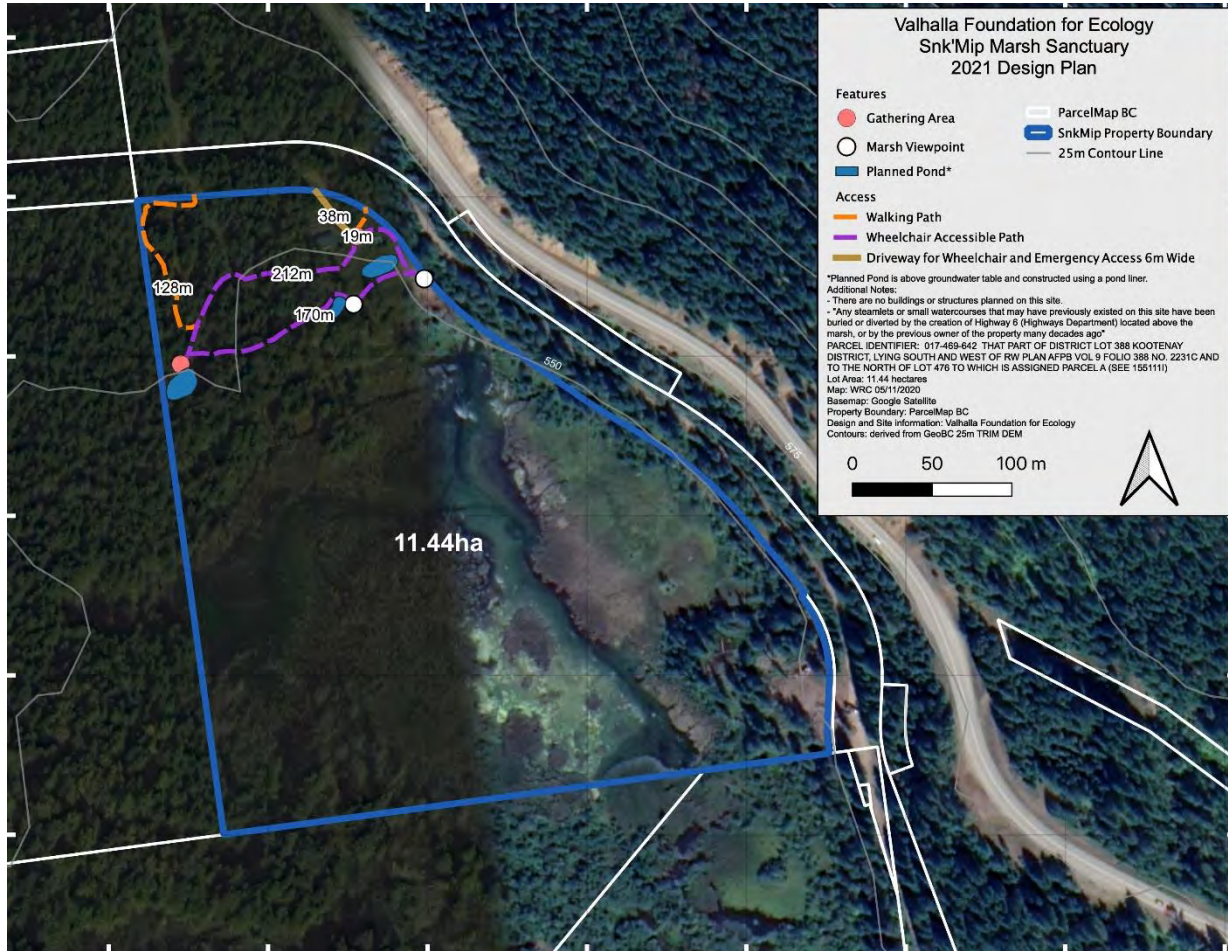
Date of Approval (date of review and approval)

Date of Issuance (pending receipt of securities)

Schedule 1: Subject Property



Schedule 2: Site Plan





**Geese & beaver
dam**
Photo taken at Snk'mip
Marsh Sanctuary by Moe
Lyons.

Schedule 3: Proposal Summary & QEP Letters

Valhalla Foundation for Ecology

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Phone: 250-358-2722 / 250-358-7796

Web-site: www.valhallafoundationforecology.org

E-mail: valhallafoundationforecology@xplornet.ca

Social Media: *Valhalla Foundation for Ecology* on Facebook and LinkedIn

November 8, 2020

Corey Scott, Planner 2
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4

Development Permit for the VFE's Snk'mip Marsh Sanctuary

Dear Mr Scott:

Thank you for your assistance in facilitating the Valhalla Foundation for Ecology's permit request to the Regional District. Here follows some context and background for this permit application to the RDCK.

The Valhalla Foundation for Ecology's mission is to save wild places for wild things. We are a federally registered charity, a provincial non-profit society in good standing and a land trust

organization. We own and steward several nature sanctuaries in British Columbia. More information on our ecological restoration work and our nature preserves can be found on our web-site: www.valhallaFOUNDATIONforecology.org

One of the private properties we steward for ecological conservation purposes is the Snk'mip Marsh Sanctuary at the north end of Slocan Lake. (Parcel Identifier for the property: 017-469-643 / Title Number: CA6250448). For the past three+ years we have been working to restore and expand wetland habitat there for the benefit of amphibians, birds and other wildlife species, and particularly for threatened species and species at risk.

All work supervised by QEPs and done under FLNRORD permit

Every inch of our restoration work thus far has been done under the supervision of two wetland restoration specialists: Tom Biebighauser and Robin Annschild. Both are Qualified Environmental Professionals, biologists, and recognized wetland restoration experts. Between them during the course of their careers, they have designed and implemented *thousands* of wetland restoration projects around the world. I would be happy to provide you with further information on their qualifications and impeccable credentials should you be interested to know more about them and the fascinating, and nuanced, field of wetland restoration.

In early 2018 we hired biologist Robin Annschild to develop a site-specific restoration prescription for our Snk'mip Marsh Sanctuary. This prescription, laid out in a comprehensive report which I would be happy to share with you, was approved by FLNRORD habitat biologist Tim Davis (Kootenay Boundary Region). Mr. Davis of FLNRORD reviewed this plan and also came in person to do a site inspection of our property before issuing the appropriate provincial permit (Water Sustainability Act authorization) for this restoration work. Two other biologists from his department also came at various times to inspect our work. We have been pleased with their care and thoroughness.

Should you require more information on our *Water Sustainability Act* authorization, please feel free to contact Tim Davis, RPBio, Habitat Biologist - Kootenay Boundary Region, Ministry of Forests, Lands, Natural Resource Operations and Rural Development, Suite 401 - 333 Victoria St, Nelson, V1L 4K3, Ph: (250) 354-6353 / e-mail: Davis, Tim FLNR:EX <Tim.Davis@gov.bc.ca>

Robin Annschild will be forwarding her own letter regarding the project to you, as the Qualified Environmental Professional and contract biologist to the VFE.

Wetland restoration efforts are complete

Since receiving our permit from FLNRORD, we have restored the riparian zone of the wetland to re-establish its initial size and extent and in some cases create sections of additional wetland habitat. We have repaired/restored some 21,200 square metres of wetland habitat to date – this is ecologically precious habitat that was bulldozed, roaded, dredged, trenched, or otherwise damaged by the previous owner of this parcel, Peter Leontowicz, over the course of decades.

Our wetland restoration work has been generously funded by the Columbia Basin Trust, the Fish and Wildlife Compensation Program, the Yellowstone-to-Yukon Conservation Initiative, the Vancouver Foundation, private individual donors, community members and others.

No development planned near a watercourse

The only watercourse (by definition of the RDCK) on our property is the Bonanza Marsh wetland itself. The previous owner, Peter Leontowicz, who owned this property for decades and did a massive amount of ecological damage here, seems to have buried some stream-branches in his decades-long effort to fill in the marsh with sand and gravel fill. This would have been done by P. Leontowicz decades ago -- decades before VFE ownership of the property, which came into effect in the fall of 2017. It is also possible that one of these streams was re-routed by construction of, or works subsequently done to, Highway 6, which runs parallel to and directly above our property.

In terms of development or structures near the riparian area, we are not building any structures on the property, our intention being to keep it as natural as possible -- it's a nature preserve. Any viewpoints, gathering areas, etc. will be natural areas, not built structures. We don't plan any boardwalks, gazebos, platforms or shelters (all of which would require maintenance)... again, our intention is to keep the property in as undeveloped, very low maintenance, and natural a state as possible.

After our acquisition of the property in the fall of 2017 we immediately set to work, cleaning up and recycling a large amount of garbage and industrial junk that had been left scattered all over the property by the previous owner. With mostly volunteer labour, we removed collapsing sheds, debris piles, abandoned vehicles and machinery, and towed out a derelict travel trailer that was in complete disrepair (in dangerous condition, actually). We hand-pulled hundreds of bags of knapweed and properly disposed of it per the guidelines provid-

ed by the Central Kootenay Invasive Species Society – and with their direct assistance. Following this massive clean up effort, the following year we began wetland restoration as detailed above.

Our plans for 2021

Looking forward to 2021, we plan to install three new ponds (ephemeral ponds) and an interpretive walking path, including (funding permitting) a pathway for those with mobility challenges. It is our belief that *everyone* should have access to communing with nature at the Snk'mip Marsh Sanctuary. In summary, we are doing the *opposite* of development -- we are *un-developing the property*, if you will.

Specific clarifications on the Property Design plan, as submitted, follow.

Clarifications: Snk'Mip Marsh Sanctuary_Property_Design Plan_06-11-2020.jpeg (as submitted)

Attached is our plan for our Snk'Mip Marsh Sanctuary property, as of November 2020. If anything substantive changes (for example in 2021 or beyond), we will submit an application for amendment to this plan. This site design plan represents the maximum amount of work planned for our Snk'mip Marsh Sanctuary property in 2021.

Note that our ability to implement the components shown on this map are pending the receipt of adequate funding from grant-making organizations such as the Columbia Basin Trust and other institutional funders, as well as donations from individual donors and several family funds that support our work. Thus this plan represents the fullest possible extent of the work we hope to do, funding pending, as of today's date.

In 2021 we will be working only at the north end of the property, an upland area above the groundwater table and well above the elevation of the wetland body (Bonanza Marsh) itself. We will not be doing any activities near the marsh.

Creation of additional ponds, comment on streams

On our Property Design map are three blue blobs, those represent liner-ponds we hope to create (pending receipt of adequate funding). As they will be located above the water-table, these ponds require amphibian-safe plastic liners to hold in water and thus create a pond. These small ponds will be ephemeral, fed only by rainwater and snowmelt. They may dry up in late summer; that is the nature of an ephemeral pond and is a condition to which many

amphibian species are adapted. These created liner-ponds will not be connected to any stream or watercourse.

You will note there are no streamlets, stream branches or watercourses, no indications of flowing water, shown on this map, at the north end of the property. Some historical Provincial Government maps show two small streams flowing through this portion of our property: while these may have existed at the time that mapping was done, they do not exist today. Any streamlets or small watercourses that may have previously existed on this site were buried or diverted by the creation of Highway 6 by the Highways Department (the highway is located above the marsh) or by Peter Leontowicz the previous owner of the property, done many decades ago – long before our ownership.

To the best of our knowledge there are no existing wells on this property and no watercourses other than the wetland body itself i.e. Bonanza Marsh. At this time we do not plan to construct any buildings, structures, or septic fields and there are no community services to the site.

There will be no parking on-site and all use of our property will be strictly non-motorized – because it's a NATURE sanctuary. Visitor use of our property will be foot access only, visitors will park elsewhere and walk along the rail-trail (Crown Land, designated as a recreational trail by Recreation Sites & Trails BC) to access our nature sanctuary property.

Construction of walking pathways and wheelchair-accessible interpretive trail

Funding permitting we hope to build a wheelchair-accessible nature trail on the property for people with mobility challenges (shown by the purple dashed line on the map). This representation as shown is not exact, some modifications will likely be required to achieve the switchbacks, gradual grades and resting areas required – nuance to be worked out once we know if we have received the funding for the creation of this pathway. Should that be successful and the wheelchair accessible trail created, those with mobility impairments may be delivered by vehicle directly to the site using the existing Driveway shown in brown on the map. There is a gate at the entrance to the property which would be opened for motorized access for the handicapped.

This summarizes our plans and, I trust, provides adequate context for your review of our permit application. Please let me know if you require any further clarification regarding our plans for the Snk'mip Marsh Sanctuary property.

We would appreciate your earliest processing of our development permit for this nature sanctuary property. We thank you for your prompt attention to this matter.

Respectfully submitted,

Lorna Visser

Lorna Visser, Director, and Project Lead Snk'mip
On behalf of the Valhalla Foundation for Ecology
November 9, 2020



Valhalla Foundation for Ecology
Preserving wild places for wild things



Wayne P. McCrory
Registered Professional Biologist (R.P.Bio.)
President, McCrory Wildlife Services Ltd.

208 Laktin Road, New Denver, British Columbia, Canada V0G 1S1

Phone (250) 358-7796 / E-mail: mccrorywildlife@netidea.com

November 11, 2020

To: Corey Scott, Planner 2
Regional District of Central Kootenay

Re: Snk'Mip Marsh Sanctuary property
RDCK Permit Application from Valhalla Foundation for Ecology

Dear Corey Scott and Planning Department of the RDCK:

I am writing in support of the comments and observations made by my fellow biologist Robin Annschild in her letter regarding the Snk'Mip Marsh Sanctuary wetland restoration project, and to confirm that all of her work has been, and will be, done under my professional oversight.

Biologist Robin Annschild has been directly involved with this work for the past three years and has designed and implemented the restoration prescription for the property under my supervision as a Registered Professional Biologist and that of globally recognized wetland restoration expert biologist Tom Biebighauser.

As an R.P.Bio. I can certify that Robin Annschild has provided impeccable biological oversight and supervision for both the restoration prescription for, and the implementation of, the wetland restoration work done at the Valhalla Foundation for Ecology's Snk'mip Marsh Sanctuary property (located in Hills at the north end of Slocan Lake).

As a Registered Professional Biologist, I have reviewed all materials and prescriptions for the work planned for this property and have determined that it abides by and exceeds all standards of care required by my profession.

Furthermore, I have conducted a science-based assessment of proposed activities and determined that all planned works will use best practices to restore previously degraded areas on the property to healthy ecological functioning. I have no hesitation in recommending that the RDCK approve this Development Permit.

This letter is to also certify that I have reviewed the RDCK's May 2013 TERMS OF REFERENCE Requirements for Registered Professional Biologist Report RIPARIAN ASSESSMENT REPORTS and all associated necessary documents for the RDCK riparian/water permit application. I can confirm that the Valhalla Foundation for Ecology has met all of the terms required.

In my capacity as an R.P.Bio., I have also overseen the VFE's FLNRORD water permit application under the Provincial Water Sustainability Act, attended the site visit with their biologist, and ensured the required monitoring was done including acting myself as an on-site monitor for amphibians and reptiles. During my engagement with Provincial biologist Tim Davies, he agreed that no fish species are present in Bonanza marsh itself (it is extremely shallow with large fluctuations in the water table, at times it dries up almost completely) and therefore that we did not require any fish studies or monitoring.

I have also overseen VFE species inventories including amphibians (conducted by R.P.Bio. Jakob Dulisse), other plant and animal inventories (Biologist Claire de La Salle) and bird counts. I have also carried out my own professional assessments including when acting as a supervisor and environmental monitor during the marsh restoration, along with wetland restoration expert Robin Annschild. I have also reviewed plant and animal inventories carried out by other organizations including the Canadian Wildlife Service's bird inventory.

The work planned for Snk'Mip Marsh in 2021 will continue to improve the ecology of the property by removing many compacted roads and converting others to healthy riparian zones vegetated with native trees and shrubs. Ephemeral ponds, walking trails and a wheel-chair accessible trail will be established in the current footprint of roads built by the previous owner (subject to funding being provided to the Valhalla Foundation for Ecology which is a Registered Charity, Provincial Nonprofit Society, and land trust organization).

The result of the works to be carried out by the Valhalla Foundation for Ecology under the supervision of Robin Annschild and my professional biologist oversight will result in a further net increase in healthy riparian and wetland habitat.

As a Registered Professional Biologist I hereby certify that all previous work undertaken by the Valhalla Foundation for Ecology on their Snk'mip Marsh Sanctuary property has been done to the highest standards of best practices for ecological restoration. Further, I certify that the work planned for 2021, as outlined in this submission to the RDCK for a Development Permit, is similarly professionally acceptable — in fact it is first-class.

I believe this covers all aspects of your requirements for a Qualified Environmental Professional to sign off on this permit application. If you require any further information, I would be happy to answer any questions you may have.

Sincerely,

Wayne McCrory

Wayne McCrory, R.P. Bio.

November 9th, 2020

Corey Scott,
Planner 2
Regional District of Central Kootenay

Re: Snk'Mip Marsh Sanctuary Wetland Restoration Permit Application

Dear Corey;

The purpose of the Snk'Mip Marsh wetland restoration project is to restore areas of the Snk'Mip Marsh Sanctuary where land alterations were carried out by the previous owner for the purposes of: road building, small scale placer mining, land clearing and the re-contouring of natural grades to flatten areas for the above purposes.

The purpose of the BC Riparian Areas Protection Regulations (RAPR) is to protect riparian areas and maintain their ecological functions when development or land alteration associated with development may impact riparian zones:

The RAPR calls on local governments to protect riparian areas during residential, commercial, and industrial development by ensuring that a Qualified Environmental Professional (QEP) conducts a science-based assessment of proposed activities.

<https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/aquatic-habitat-management/riparian-areas-regulation>

It is difficult to apply the RAPR to the restoration work planned for Snk'Mip Marsh because the land in question has already been altered and degraded by land alteration activities completed by the previous owner, and the purpose of the works is to restore degraded areas to healthy riparian function.

The wetland restoration work done to date (2019 – 2020) and 2021 planned works are carried out under an authorization under Section 11 of the BC Water Sustainability Act (attached). Three FLNRORD staff visited the project to review it from a water authorizations and habitat perspective prior to providing the authorization.

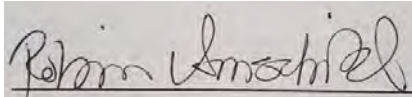
The works completed in 2019 and 2020 resulted in the removal of gravel fill that had been pushed into the wetland by the previous owner to create roads to mine soil from the wetland. 11,320 square metres of wetland and riparian habitat were restored in 2019. In the spring of 2020, the larvae of 2 species of amphibians (Columbia spotted frog and long-toed salamander) were observed breeding in wetland pools restored in 2019. These new wetlands were built in areas that had been converted to gravel roads by the previous owner.

The further work planned for Snk'Mip Marsh in 2021 will continue to improve riparian and wetland habitat by removing roads and converting them to healthy riparian zones vegetated with native trees and shrubs. Walking trails and a wheel-chair accessible trail will be established in the current footprint of roads built by the previous owner (subject to available funding). The result of the works carried out by the Valhalla Foundation for Ecology will be a net increase in healthy riparian and wetland habitat.

I encourage you to support the excellent work of the Valhalla Foundation for Ecology, whose work on the ground at Snk'Mip Marsh matches the objective of Development Permti Area #1: Watercourse Development Permit (WPD) Area *"to protect aquatic habitat; and to conserve, enhance, and where necessary, restore watercourses and their riparian areas."* (Slocan Lake North portion of Electoral Area 'H' Official Community Plan Bylaw 1967, 2009, p. 47).

I would be happy to answer any questions you may have about this project and encourage you and the RDCK planning staff team to visit Snk'Mip Marsh to review the work of the last 2 years.

Sincerely,

A handwritten signature in black ink on a light grey background. The signature is cursive and appears to read "Robin Annschild".

Robin Annschild
Wetland Restoration Specialist
Wetland Restoration Consulting