

REQUEST FOR A CATEGORY 3 PROVINCIAL PARK BOUNDARY ADJUSTMENT

March 31 , 2021

STAGE 2: DETAILED PROPOSAL

PROPOSERS:

SPIKE ELK FARM LTD ;

PID #031-086-161.

Legal Description: Lot 1, Plan EPP95591, Section 20, TWP 28, Range 22, MW5, Kootenay Land District.

*NDTE: Persona1 names have been removed from this document

SUMMARY:

We are proposing a land exchange (see attached maps and kmz) which would involve approximately 4.7 ha of Park area adjacent to the south boundary of the private land comprised of a cross dike, elevated and buried power-line, water pump and manual gate installation, and excavated drainage ditches. This infrastructure was planned, funded and constructed by Ducks Unlimited Canada (DUC) several decades ago with ongoing maintenance. DUC has also maintained close relationship with the landowners during the entire life of the project to present.

The private land proposed for the exchange a 6.7 ha wedge of land along the southwest side of the property comprised of relatively natural, undisturbed wetland habitat experiencing seasonally flooding by the Columbia River and drying during periods of low river levels (late fall through early spring). We requested and received an estimate of the surveying costs from Maddox LLS - \$15-20,000.

1. Alternatives to avoid the protected area have been considered.

As conveyed to us, Ducks Unlimited Canada (DUC) has determined that the Moberly Marsh project does not meet their (DUC) program goals (enhancement of waterfowl habitat) and the cost of the on-going management and maintenance far exceeds conservation benefits derived. DUC goal is to decommission their infrastructure and reduce the long-term cost. If that were to happen, it is my understanding that under the current park use permit, DUC would have to remove and rehabilitate all of their infrastructure in the park.

To summarize, the alternative to the boundary adjustment would be an extremely costly undertaking for DUC that would likely cause a significant level of disturbance (soils and vegetative communities) throughout the park to breach each and every dike, removal of the buried infrastructure such as power cables, pumps, gates and concrete well structures. In addition, the removal of the infrastructure would result in the annual flooding of much of our property on a regular basis and greatly reduce the amount of arable land reducing the farming income. Based on the 13 years we have owned the property, revenues from farm products (hay) have ranged from \$3000 to \$12,000 annually. The lower values reflect years when the

fields remained mostly flooded due to infrastructure (DUC) malfunctions which have since been repaired.

With reduced farming capability, the property would be de-valued well below our initial investment and if farm revenue is reduced below the minimum threshold, we would lose our farm status and end up with a significant increase in property taxes combined with a reduction in the value of the property. The land is within the Agriculture Land Reserve which limits the options for acceptable uses such as rural residential or other commercial ventures. Resultant flooding would also devalue the investment in the wetland development project (BCWF funded) on the property which was designed to create seasonally drying wetland habitat so important to many bird and other wildlife species.

BC Parks' Suggested Alternative is for the landowners to construct a new dike on their property to replace the one proposed for breaching, just 70 meters to the south. Based on the disturbance of the dike to the south, construction of a replacement dike would disturb approximately 1.6 ha. The existing dike is 30 meters wide (borrow pit and the dike itself) along 520 metres from the railway to the existing private land dike. We have contacted DUC and their engineers have estimated it would cost \$200,000 for the following:

The works would include:

- removal/replacement of existing dike onto your property,
- hydro disconnect/dismantle works,
- allowance to remove/replace existing control and modify to new control type/configuration (e.g. passive drain from landowners property to river),
- cartage, storage, disposals and seed reclamation, and
- project supervision time.

2. Overall economic benefits to the Province have been documented.

We do not anticipate any significant changes in costs or benefits to the government. Given the nature of the park, there is no real public access or use in the park resulting in very little activity and that is likely to remain unchanged.

The Park would maintain the overall area under its management by gaining wetland area that has had minimal impact by DUC and at the same time reduce the area of land most impacted by DUC's earlier construction efforts.

3. Social and environmental impacts have been documented.

I have discussed conservation issues specific to the SEF property and adjacent, Moberly Marsh, with a number of biologists, conservationists, ecologists over the years. Many of them having spent considerable time on both the property and adjacent Moberly Marsh, seem to have a consensus of opinion, that the diversity and number of migratory birds that utilize the 80 ha of hay field and wetlands on the SEF property on a seasonal basis, is both significant and

disproportionate as compared to the adjacent Moberly Marsh. From what I understand, this is due to a number of factors:

The property is located in the Columbia River valley bottom which is within Rocky Mountain Trench portion of the Pacific Coast Route, one of the most significant migratory bird flyways in North America, extending from Alaska to Peru. During the spring northbound migration period, thousands of birds stop to rest and feed on the field and our ability to hold the spring snow melt using the DUC infrastructure, is very beneficial by keeping the field flooded with snow melt. Once the spring migration is done, we open the gates and allow water to drain off and then close off the gates before the Columbia River levels naturally rise in June-July. With control of the water, the early spring flooding of snow melt would be wildly inconsistent. In the opinion of the wetland designer, "fields managed for the production of forage grasses, harvested annually, both discourages less favourable plants from taking over and the emerging shoots in the spring, provides forage for migratory birds wildlife during their northward migration. The agriculture process of planting and harvesting is key to the production of forage for wildlife."

From BC Parks' perspective, I would expect the social and environment impacts of the removal of that section of the park, to be net zero for several reasons:

- 1) The portion of the park to be removed is some of the most disturbed (man-caused) in the park with the construction of the dike/borrow pit, the above ground and buried power line, the pump and gate infrastructure;
- 2) The portion of our private land to be "swapped" is much less disturbed and due to a non-functioning dike to the north has been impacted by the dikes of any of the compartments managed by DUC.
- 3) Should the land swap be approved, nothing would actually change and the current naturally functioning ecosystems will continue as they have been for decades.
- 4) Although, the areas are approximate at this point, we are proposing to exchange 6.7 ha of our private land for 4.7 ha of existing park area which is a net gain for the park. At the same time, allowing us to continue with farming on the property and management of the wetlands which provide excellent habitat for migratory birds.

4. Mitigation and restoration measures have been identified.

Our objectives with the proposed boundary adjustment, is to negate the requirement for DUC to remove some of the more significant infrastructure which is located in the area we have proposed to exclude from the Park and add to our property and thereby minimize the costs and environmental impact that would result from the type major excavation work required to adequately decommission those structures. At the same time, allow us to continue with farming on the property and management of wetlands.

The private land proposed to be transferred to the park is a triangular-shaped parcel located along the west side of the property, adjacent to the Columbia River with park on two of the

three sides. Ecologically speaking, the area is located in the Montane Spruce Dry Cool (MSdk) biogeoclimatic subzone variant and is generally subhydric and wetter and is described as seasonal wetland. During the late spring through to mid to late summer (June – August) high water periods, the area is mostly flooded, drying throughout the fall and winter and into the early spring snowmelt period. The vegetation complex is generally comprised of water obligate species. A few trees (willows and cottonwood) exist along the elevated area on the dike in the SW corner.

An inventory of flora and fauna within the private land proposed in the boundary adjustment has been attached (see the EXCEL file: SpikeElkFarm_inventory_June2020 and KMZ showing the location). In addition to the wildlife species inventories, there are numerous other animals that I have observed over the years in various seasons including black bears, whitetail deer, Rocky Mountain Elk, Moose, wolf, coyote, numerous waterfowl including sandhill cranes, trumpeter swans, great blue heron, many common ducks and geese, raptors such as redtail hawks, turkey vultures, harriers, short and long eared owls, the list goes on and on.

First Nations have been adequately consulted.

The following First Nations were contacted prior to the Stage 1 application and no comments were received so we are assuming no opposition given the minor nature of the proposal:

- Shuswap Indian Band;
- Ktunaxa Nation Council;

5. Local community (including local governments) have been consulted.

The following local government and community groups have been contacted via email and in meetings and we have received unanimous support from, including letters of support, all group and agencies:

- Columbia Shuswap Regional District Area A director - Karen Cathcart;
- Wildsight – Joan Dolinski;
- Golden and District Rod and Gun Club – Russell Wagner
- Ducks Unlimited Canada – Bruce Harrison

6. Provincial and Federal Agencies have been consulted.

BC Wildlife Federation

The BCWF has partnered with the landowners in a project to restore/create/improve wetlands on the private land. The “Spike Elk Farm Wetland Restoration Project” was initiated in 2017 by a Wildlife Biologist with the Fish and Wildlife Compensation Program Section, Kootenay-Boundary Region, Ministry of Forests Lands and Natural Resource

Operations. Much of the Wetlands work was managed by Wetlands Program Manager, BC WF. We have support of the BCWF for our proposal.

The BCWF have invested approximately \$100,000 (estimate), landowners have made significant 'in-kind' investments (time) in the wetland project, the Northern Myotis Nesting Box and Research Program as well as a long term commitment (contractual) to maintain these wetlands on the property and the removal of DUC's flood and water control infrastructure from the area adjacent to the private property, would likely have a significant, immediate and negative impact the wetland project's viability.

Thank you for the opportunity to participate in this process.

Appendix

Includes copies of referral emails and letters of support received

- Ktunaxa Nation Council
- Shuswap Indian Band
- Ducks Unlimited Canada
- Wildsight
- Columbia Shuswap Regional District
- Golden and District Rod and Gun Club

Other References

Inventory of Flora and Fauna

LGL Moberly March Report 2016- Adama