



# REGIONAL DISTRICT OF BULKLEY-NECHAKO

## Supplementary AGENDA Thursday, October 10, 2024

<b><u>PAGE NO.</u></b>	<b><u>ELECTORAL AREA PLANNING</u></b>	<b><u>ACTION</u></b>
2-7	Jason Llewellyn, Director of Planning -OCP Amendment and Rezoning Application RZ C-01-24 – Electoral Area C (Fort St. James Rural) (Board Agenda Pgs 19-36)	Recommendation
<b><u>ADMINISTRATIVE CORRESPONDENCE</u></b>		
8-9	Investment Agriculture Foundation -Agriculture Water Infrastructure – Stream 3 (AWP) Decision Letter	Receive

### **ADJOURNMENT**



# Regional District of Bulkley-Nechako Board of Directors Supplementary

**To:** Chair and Board  
**From:** Jason Llewellyn, Director of Planning  
**Date:** October 10, 2024  
**Subject:** **OCP Amendment and Rezoning Application RZ C-01-24**

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**RECOMMENDATIONS:** **(all/directors/majority)**

1. That the staff report on pages 19 – 36 of the regular agenda regarding RZ C-01-24, and the Nak'azdli Whuten referral response, be received by the Board.
  2. That staff send the Nak'azdli Whut'en referral response to the Ministry of Environment and Climate Change Strategy to address the concerns regarding watercourse disturbance.
  3. That staff send the Nak'azdli Whut'en referral response to the Minister of Lands, Water and Resource Stewardship and the Minister of Transportation and Infrastructure with the request that they investigate the closure of the road through DL 1087 which has been used by the public and First Nations for the last 50 years.
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## DISCUSSION

The property owners for application RZ C-01-24 have requested in the attached e-mails that their application be pulled from the agenda as they wish to consider amending their application. Staff have also recently received the attached referral response from the Nak'azdli Whut'en First Nation.

Staff recommend that the staff report regarding RZ C-01-24, and the Nak'azdli Whut'en referral response be received by the Board. And that staff send the Nak'azdli Whut'en referral response to the Ministry of Environment and Climate Change Strategy, the Minister of Lands, Water and Resource Stewardship, and the Minister of Transportation and Infrastructure for their attention.

Staff will work with the applicant to understand how they wish to amend their application in light of First Nations and RDBN staff concerns, and any response received from the Province.

## ATTACHMENTS:

- Property owner emails dated October 4<sup>th</sup> and 7<sup>th</sup>, 2024.
- Nak'azdli Whuten referral response dated October 8, 2024.

**From:** Andrew Contumelias [REDACTED]  
**Sent:** October 4, 2024 3:17 PM  
**To:** [jason.llewellyn@rbdn.bc.ca](mailto:jason.llewellyn@rbdn.bc.ca) <[jason.llewellyn@rbdn.bc.ca](mailto:jason.llewellyn@rbdn.bc.ca)>  
**Cc:** Danielle Contumelias [REDACTED]  
**Subject:** Rezone application

Hi Jason,

Thanks for taking my call.

My wife and I both feel that we are asking very little and that we should be entitled to legal access to our own property. An easement is our last option because of how much the road and power poles cost. Our first option is the rezone to allow us to purchase close to 10 acres, our second option is to purchase his entire property (with this option we will keep the park designation and not change any of the zoning), and our last option is an easement.

We understand that you have concerns about the waterfront being overdeveloped but that is not the case. We already started building a dual family dwelling and we have asked for an amendment to the H2 zoning (what Danielle suggested) to be able to build a detached third dwelling in lieu of losing the cabins that our current zoning would allow us to have. We were under the impression the the third dwelling would be built behind the waterfront zone, so we don't understand where the overdevelopment concerns are coming from.

We kindly ask that the our application be taken off the schedule for next week to allow us time to adjust the application in a way that everyone is happy. Jim Heaton (13267 Sowchea Road) has also asked me to pass on that he is not agreeing to any adjustments to his land use designation until him and I have completed our negotiations. Our negotiations have been on hold while we wait for the this rezoning application.

Thanks,

Andrew

**From:** DownHomeBC [REDACTED]  
**Sent:** October 7, 2024 1:43 PM  
**To:** Jason Llewellyn <jason.llewellyn@rdbn.bc.ca>  
**Subject:** OCP Zoning Changes

[EXTERNAL EMAIL] Please do not click on links on open attachments from unknown sources.

From William James Heaton, 13267 Sowchea Rd. Ft. St. James [REDACTED]  
In regards to the proposed zoning changes to 13267 Sowchea Rd. involving Parks, I would ask that you remove this topic from your upcoming meeting on Thursday Oct 10 / 24. Andrew and I are working on a plan to address the concerns of the District. Thankyou for your consideration, Jim Heaton



**October 8, 2024**

**RED LETTER**

Re: Nak'azdli Whut'en First Nation Response to RZ C-01-24 on Antimony/Sowchea Bay Road

Greetings Danielle Patterson, B.A, B.Pl. Senior Planner  
 Regional District of Bulkley Nechako

Thank you for providing Nak'azdli Whut'en First Nation (NW) with the data concerning **RZ C-01-24 on Antimony/Sowchea Bay Road.**

The purpose of this letter is to set out the response of NW to the proposed activity. Please also see attached formal response letter from the impacted Keyoh family representatives (725T003). NW response is as follows:

1. NW requests that the Regional District ensure that recently disturbed area and water courses be investigated in depth by the Ministry of Environment and Climate Change Strategy and any other relevant provincial agencies. NW must be involved in any compliance, mitigation, remediation and/or enforcement processes arising from such investigation.
2. The Regional District should deny the re-zoning application until mitigation measures are in place regarding access and an easement granted or similar accommodation.

The proposed activities pose a significant risk to areas identified as having cultural and spiritual values. NW cannot provide consent or support until there has been adequate action as outlined in this letter and the letter of the Keyoh family representatives to address potential impacts on NW's Aboriginal Interests.

Given the foregoing, please accept this as a **RED** letter. Thank you for your participation in our referral and decision-making process.

Sincerely,

Omineca Jack  
 Lead Referral Clerk

A color-coding scheme is being used to identify harvesting opportunities. The coding is as follows:

**Red** -The NWFN will not support development in any area with this coding. These are areas that have been identified as having significant cultural and spiritual values, and thus have been ranked as "extremely sensitive". In addition, this coding may be applied to developments where there is potential for significant damage to fish habitat in S1 or S2 streams and rivers.

**Yellow** - this code identifies development where more information is required prior to any recommendations about the final NWFN coding of the proposed development activity area.



**Yinka Huwunline**  
PO Box 1329  
Fort St. James, BC V0J 1P0  
P: 250.996.008

**Green** - this code indicates development areas where activities will not be opposed by the NWFN since it is judged not to be an unjustified infringement on the aboriginal rights of the NWFN with respect to cultural or fisheries values. The NWFN may place conditions on the development of "green" projects.

September 20 2024

Hadih (Hello) ,

On behalf of our family I am requesting that the existing road be opened back up for our inherent right to access our Keyoh-traditional territories. It is my understanding that the new owner is applying for permits to clear, build and establish the property. He is requesting a rezone which I don't think would be ideal. He has already done all the work prior to approval of building the road, diverting a creek, clearing the land & buildings are going up along with digging out the cliff near the water which is among many sacred sites of our people. We got there to pray, to rejuvenate, to gather medicines to harvest for our families etc and he has shut us completely out of being able to access the land anymore. I feel strongly that before anyone destroys the land or water sheds builds or goes forward with construction there should be consultation with keyoh holders and Nak'azdli Whut'en first and foremost. We have traditional territories, sacred sites, reserve lands etc that we can no longer access due to the fence putting up and cutting off the road completely. We are also hoping to build a family cabin or multiple cabins to connect our families back to the land past this place after being effected by cultural genocide of residential schools and assimilative tactics to take us off the land and keep us on reserves. I feel like it will help my family connect back to their identities and help us all to heal from Intergenerational traumas. His request to build a road around the property is just not feasible. I am requesting assistance to help with the matter as it effects us all including all the existing cabin owners & their families.

Crystal Millard

TL0725T003

2024-09-20

Nellie Davis  
 Regional District of Bulkley-Nechako  
 PO Box 820  
 Burns Lake, BC, V0J 1E0

Re: Agriculture Water Infrastructure – Stream 3 (AWP) Decision Letter

This is official notification of project funding approval for the following Agriculture Water Infrastructure (AWP) Project. Please keep this letter for your records.

Project Number:	AWP-202507-13046	
Project Activity:	<ul style="list-style-type: none"> <li>Agricultural water supply assessment or feasibility study</li> </ul>	
Project Start Date:	Sep/20/2024	
Deadline Date for Project Completion:	Feb/19/2026	
*Maximum Funds you are eligible to receive: <i>(based on eligible claim submission)</i>	\$40,000.00	
<i>Failure to retain and submit related invoices as requested by the IAF may result in the cancellation of your project and no payment.</i>		

Funding for your project is based on the cost-shared amount for eligible project activities and related estimated costs in your approved application. Your reimbursement costs will be calculated based on the cost share ratio being applied to actual costs associated with approved activities in your application. All payments are subject to funding availability from the BC Ministry of Agriculture and Food.

To be eligible for reimbursement, your project must comply with the following:

- All projects must abide by all applicable federal, provincial and local government laws and regulations, including, but not limited to, the Federal and Provincial environmental assessment and protection acts, trade agreements, water licence(s) and zoning bylaws. It is the responsibility of the applicant, not the Program, to ensure compliance.
- Project expenses are not incurred before the Project Start Date.
- Project is completed by the deadline date.
- Project is completed in accordance with the work plan that was approved in your

application. **Please let your contractor know to begin the work.** (Any revisions must be approved by IAF program staff prior to work being completed to be considered eligible for funding consideration.)

- A completed project report and project deliverables (including assessments, engineering studies or plans) must be received by the IAF office on or before the deadline date.
- Related invoices including proof of payment for the approved project must be received by the IAF office on or before the deadline date. Please note proof of payment is described as:
  - Photocopies of cancelled cheques (front and back), credit card payment slip or credit card statement, clearly showing vendor and amount (account # and other transactions should be blacked out). Vendor statement indicating the payments on account that has been credited. An invoice with PAID stamped on it if it has been generated by the vendor's accounting system shows a zero-balance owing. A receipt with vendor domicile stamp or letterhead.
- Project completion complies with all Terms and Conditions outlined in your signed application.

#### PROJECT VERIFICATION:

On-site visits will be conducted for some AWP projects to evaluate and ensure that they have been implemented according to the agreed-upon terms. Your project may be selected for an on-site visit.

#### PROJECT COMMUNICATION:

Projects may be selected to be profiled by IAF to help promote the AWP program and/or showcase technologies that other farmers might be interested in. You will be contacted by IAF Communications Staff if your project is selected to participate in promotional communication activities.

#### FURTHER INFORMATION:

Payments are made by Electronic Funds Transfer (EFT). We require you to provide direct deposit information to receive payment(s). In the client portal, under Organizations – Validated and scroll to the EFT section to add a Bank Account.

If you have any questions regarding your project, please contact IAF at [awp@iafbc.ca](mailto:awp@iafbc.ca) or refer to the AWP Project Resource Hub located on our website at <https://iafbc.ca/project-resource-hub/awp/>.

Best regards,

The Investment Agriculture Foundation of BC



TJ Schur, CEO



w: [iafbc.ca](http://iafbc.ca)

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