

APPENDIX D

AGRICULTURAL

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REPORT

Agricultural Land Commission

Sicamous to Armstrong Rail Trail Development Agricultural Assessment



MARCH 2020

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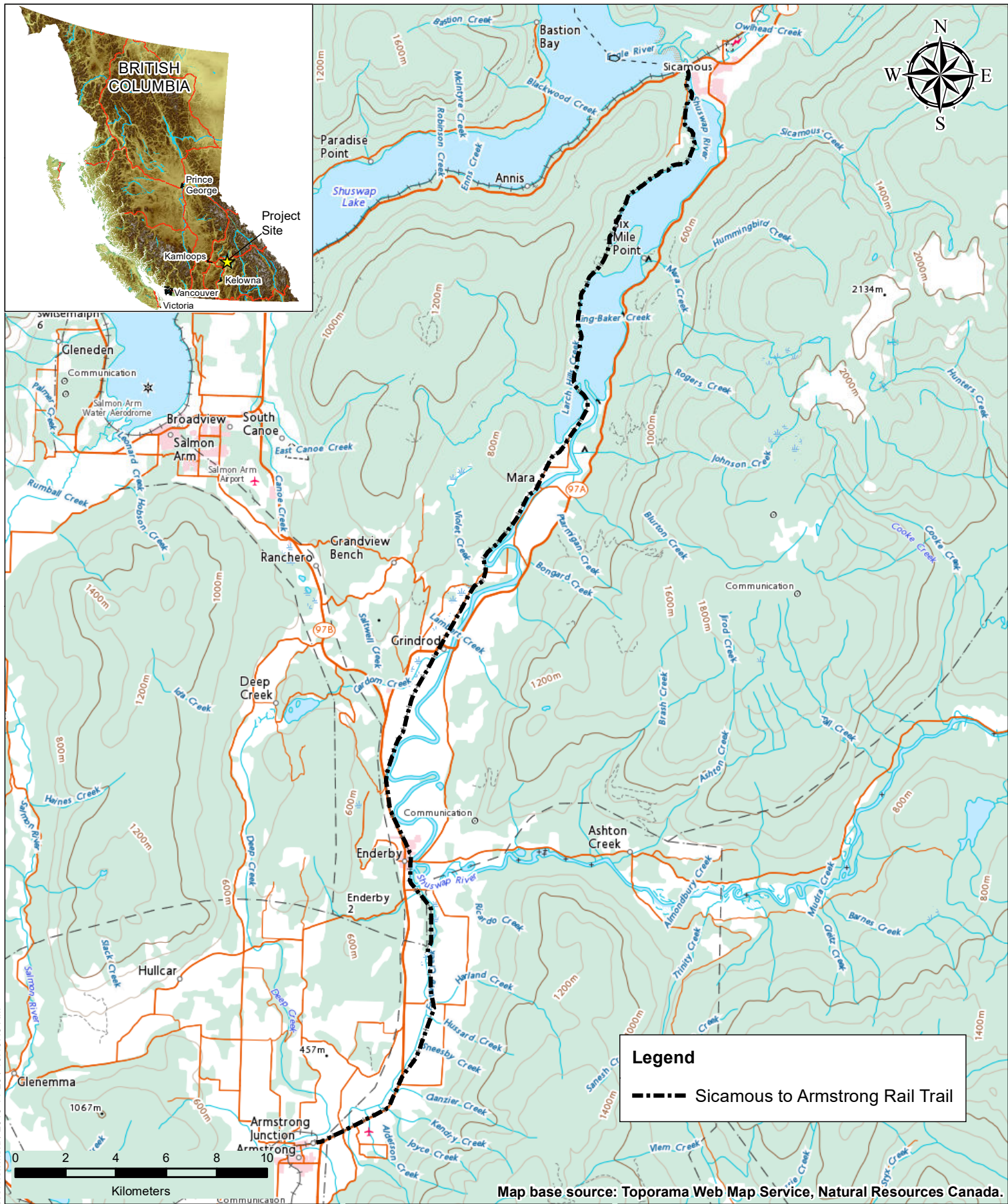
1 INTRODUCTION

On December 15, 2017, ownership of the Canadian Pacific (CP) Railway Corridor that extends from Sicamous to Armstrong was transferred from CP Rail to the Columbia Shuswap Regional District (CSRD) and the Regional District of North Okanagan (RDNO) as joint owners (the Owner), excluding the sections of the corridor owned by Splat sin First Nations. The 51-km corridor is to be converted into a safe and functional trail for four season, non-motorized recreational use by pedestrians and cyclists. The purchase and development of the corridor was a strategic land acquisition through the inter-jurisdictional collaboration of the CSRD, RDNO, Splat sin of the Secwepemc First Nation, and all member municipalities. As stated in a Memorandum of Understanding (2015), the vision of inter-jurisdictional collaboration is, among other goals, to protect the environmental, agricultural and cultural values.

To design, construct and maintain the trail, the Owner have formed a Technical Operational Committee (the Committee). This committee is supported by the Shuswap Trail Alliance, a group that assists and supports trail management in the region with partners like CSRD Parks, municipalities, the province. The Shuswap Trail Alliance is well versed in trail use issues and have seen successful solutions to trail use issues. The Shuswap Trail Alliance is the Project Manager and administrative support, and is the liaison with landowners and Urban Systems Ltd., the trail design engineer, and other sub-consultants.

Associated Environmental Consultants Inc. (Associated) was retained by the Shuswap Trail Alliance on behalf of the Owner through their Committee for the Rail Trail. Associated's role is to complete the agricultural assessment and application for approval to the Agricultural Land Commission (ALC). The ALC approval is under their requirements for transportation, utility and recreation uses on agricultural land (Section 6 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation). It is an assessment of potential effects from the trail development on lands in the Agricultural Land Reserve (ALR) adjacent to the proposed trail. The agricultural assessment and the development of this report were completed in consultation with the ALC.

The non-motorized multi-use trail will be developed as a continuous route between Sicamous and Armstrong (Figure 1-1). All impacted ALR land is within the RDNO. A 7 km section of the trail corridor is located on Splat sin (Secwepemc) First Nation land. Agricultural land use on Splat sin land is considered here but is not part of this application because it is not under ALC jurisdiction.



PROJECT NO.: 2019-8483
 DATE: November 2019
 DRAWN BY: BdJ

FIGURE 1-1: OVERVIEW MAP

The Shuswap Trail Alliance
 Sicamous to Armstrong Rail Trail
 - Agricultural Assessment

2 ASSUMPTIONS

To complete the agricultural assessment, several assumptions were adopted from the initial scoping of the trail development project. These assumptions will be confirmed as the project advances to final concept development and construction.

The agricultural assessment is based on the following key assumptions:

- The trail will be publicly accessible and continuous.
- The trail will follow the route of the discontinued rail corridor to limit potential impacts on the environment, archeological and culturally significant sites, agricultural use, and adjacent properties.
- The existing rail corridor was constructed within the legal property boundaries of the purchased railway corridor. Based on current planning, no agricultural land outside the existing corridor will be required for trailhead or trail development.
- Removal of railway infrastructure has been completed and environmental remediation of contaminated sites is in process under Licence Agreement with the Owner and CP Rail and will meet the standards of the Contaminated Sites Regulation and local zoning.
- The plans and intent of trail development are conceptual in nature.
- Existing materials will be used where possible.
- Road crossings are being developed based on existing information from the Committee and input from landowners.
- It is the responsibility of the Committee, supported by the Shuswap Trail Alliance, to liaise with adjacent landowners. Liaison specific to ALR is supported by Associated.
- Significant drainage improvements will not be required based on the concept design given the existing grades. Regrading will occur during construction to ensure effective drainage and no impacts on agricultural production.

3 APPROACH TO TRAIL DEVELOPMENT

The concepts proposed for the trail development and use are described below, which provide a background for the assessment of potential impacts on agriculture outlined in Section 6. Trail routing follows the CP Rail line. There is not a rail trail section between Armstrong and Vernon, but in the future a section between these two cities will link the Sicamous to Armstrong rail trail with the Okanagan rail trail.

3.1 Pre-Purchase

Prior to the transfer of ownership, CP Rail removed the rails and ties from the rail corridor, leaving ballast and bridge crossings intact. Areas of potential contamination were identified, tested, and are in the process of being remediated to Industrial Standards under the Contaminated Sites Regulation (B.C. Reg 375/96) by CP Rail. CP Rail is remediating these areas under License Agreement with the Owner and Certificates of Compliance for BC Ministry of Environment and Climate Change Strategy (ENV) are pending.

3.2 Trail Governance

The policy, planning and decision making are the responsibility of the Inter-Jurisdictional Governance Advisory Committee. The two-part inter-jurisdictional structure consists of:

- A politically accountable governance body (the Governance Advisory Committee) for policy, planning and decision-making comprising Splatshin (Secwepemc First Nation), CSRD (including Areas C, D, E, F, City of Salmon Arm, and District of Sicamous), and RDNO (including Area D, F, City of Enderby, City of Armstrong, Township of Spallumcheen and Village of Lumby) leadership; and
- The Technical Operational Committee (the Committee) is responsible to design, implement and managed corridor development and use. The Committee includes staff from the Inter-Jurisdictional government partners and dedicated operational management and administrative support.

The Shuswap Trail Alliance is the Project Manager for trail development on behalf of the Owner and the Committee.

3.3 Trail Design

The final, detailed trail design is in process. A concept design report has been drafted by the Committee (McIntyre-Paul, 2019). The "Full Technical Rail-Trail Design Plan" will include landscape architectural and engineering design drawings, signage content, amenity locations, and additional information. The information in this report is based on initial planning and next steps. The Committee is proposing a basic standard trail finished with compacted gravels or hard surface (asphalt). The trail is to be a non-motorized separated pathway that is designed for high use and is accessible and safe for all abilities. The trail will be two-way and suitable for pedestrian, bicycle and mobility-accessible use (accommodates universal access by all ages and ability, including wheel chair use, mobility scooters and type 1 pedal assisted eBikes). For the 51 km route, the trail will not exceed a 5% grade and will have a minimum of 3-m width (Figure 3-1).

Trail construction will begin once ALC approval is received and detail design of highway crossings are finalized. Construction is expected to continue for two years, with construction typically from March to mid-November. Access points and locations of amenities are being finalized by the Committee, with input from the public. It is the intent of the Committee to direct people to communities rather than rural areas to access the trail, except for areas that currently attract recreational users to park. These potential problem areas are being considered and appropriate parking locations will be designated (see potential issues and mitigations measures in Section 6).



Figure 3-1 Concept for trail dimensions

3.4 Construction

All construction will be within the Sicamous-to-Armstrong rail corridor (railway right-of-way). The changes required to convert the existing railway bed to a functioning trail surface will entail:

- Staking construction layout;
- Mobilizing to appropriate staging area;
- Clearing and grubbing;
- Excavating, backfilling, and compacting;
- Grading, shouldering, and ditching; and
- Installing granular surface.

Standard excavation equipment (e.g., excavator, bobcat, loader, dump truck) will be used to excavate or build the trail on the existing trail surface. Compaction and grading equipment (e.g., water truck, steel drum roller, and grader) will be used to provide a finished subgrade with proper surface drainage. Ditching and drainage works will consist of cleaning or widening ditches to maintain existing drainage courses and existing culverts may be extended or replaced where required. All surplus material will be taken off site and disposed at a suitable and approved location.

Trail construction will include improvement of eroded areas and storm water crossings requiring stabilization, steep slope mitigation, trail crossing improvements, as well as culvert assessment and replacement, as required. A light activated crossing will be installed where the trail crosses Highway 97 at Grindrod, and at Stepney Road will be grade separated at the crossing (i.e. the trail will go over or under the highway).

Most excavation, backfill, compaction, shouldering, and ditching is expected to occur within 3 m of the existing shoulders. Access to the trail development will be limited to existing rail corridor access points.

4 PUBLIC CONSULTATION

The flat grade, limited road crossings, and connections to destinations provide opportunities for many types of trail use. The Owner is endeavouring to completed careful planning through consultation with the public, agricultural land users, trail user groups and other municipalities that manage rail trails. The information sought pertains to issues related to trail use, including conflicts with agricultural producers. This is to inform rail trail planning and management.

There have been 5 open houses for property owners and 3 open houses for landowners with property in the ALR adjacent to or potentially affected by the trail (held on December 4th in Armstrong, and December 7th and February 1st in Enderby). The ALR specific meetings have entailed a presentation by Phil McIntyre-Paul of the Shuswap Trail Alliance about trail planning and governance. This is followed by a presentation by Melanie Piorecky, P.Ag., of Associated, outlining the role of the ALC and typical issues associated with trails in agricultural areas. This is followed by a question and answer period and opportunity for follow-up with the Technical Operational Committee and/or the ALC. All ALR landowners listed in Appendix A have been notified through two mailings (Nov. 19, 2019 and Dec 19, 2019) that included the ALC Brochure and Feedback Form.

Input has also included additional meetings, emails and discussions with various groups, listed below. As well, the Owner has published regular news releases and information bulletins via social media, on behalf of the partners. A website with online feedback survey, dedicated email, and dedicated phone line were created by the Shuswap Trail Alliance on behalf of the Owner. These tools are to receive feedback about the rail trail. Relevant feedback is documented and shared with the Committee and considered in trail planning.

Groups and organizations communicated with to date include:

- | | |
|--|---|
| - Armstrong-Spallumcheen Trail Society | - Recreation Sites and Trails BC |
| - BC Parks | - Shuswap Tourism |
| - Chambers of Commerce | - Spallumcheen Agricultural Roundtable |
| - Community Futures Shuswap & North Okanagan | - Splat sin Development Corporation |
| - Mailings to property owners | - Splat sin of the Secwepemc First Nation |
| - Ministry of Forest Lands and Natural Resource Operations and Rural Development | - The RDNO Trail Committee |
| - Ministry of Transportation and Infrastructure | - The Shuswap Regional Trails Roundtable |
| - Municipal staff at meetings in Armstrong, Spallumacheen, Enderby, and Sicamous | - The Shuswap Trail Alliance |
| - North Okanagan Agricultural Advisory | - Vernon Ribbons-of-Green |

- Okanagan Rail Trail Society

The Owner has determined that primary users of the trail will be pedestrians and cyclists. Dogs on leash will be permitted on the trail. Horse riding on the trail was identified during the public consultation sessions; however, due to unresolved issues among these users and related trail access and bylaw considerations, the inclusion of equestrian use is still under review. Motorized vehicles, except for maintenance and emergency vehicles and legitimate accessibility aides, will not be permitted on the corridor. Only type 1 pedal-assist eBikes will be allowed.

5 EXISTING AGRICULTURAL CONDITIONS

Soils and agricultural capability mapping for this area is available on the BC Soil Information Finder Tool (Province of BC 2018). This agricultural assessment focusses on ALR properties within the Sicamous-to-Armstrong Rail Trail corridor and adjacent to it and the current land use, not the mapped agricultural capability. Land uses for these properties were determined through a review of Google Earth imagery, land ownership information supplied by the Committee (RDNO Agricultural Land Use Inventory dataset), during field investigations and with input from the landowners directly. Property boundaries and total areas are based on B.C. Data Catalogue (2020; administered by DataBC) and the RDNO Agricultural Land Use Inventory dataset.

5.1 ALR In and Adjacent to the Rail Trail Corridor

The portion of the Sicamous-to-Armstrong Trail corridor that is ALR is approximately 35 km of the total 51-km, which comprises 105 property titles adjacent to the corridor, an additional 64 properties that are not directly adjacent but potentially affected, and 47 titles in the ALR and the corridor that are owned by RDNO and CSRD. The list of properties has been submitted as separate Excel tables, "ALR Properties along Sicamous to Armstrong Rail Trail" and "ALR_Properties in Corridor". Appendix A includes the maps showing the Sicamous-to-Armstrong Trail corridor, ALR boundaries, parcels by number that are in the ALR, land use and total property area in hectares. The mapping corresponds to the Excel tables. Crossing locations are also shown in the appended maps and identified in the Excel tables. Natural barriers between the corridor and ALR properties include tree and shrub, mounded and vegetated earth, ditches and topographic transition.

All ALR properties owned by the RDNO and CSRD in the corridor are not actively farmed. The ALR properties reviewed that are adjacent or with potential to be affected by the trail total approximately 1,733 ha. By property (not area) approximately 60% are used for hay production, forage, and corn, and the remainder for cattle (6%), dairy (9%), hobby farms and vacant land. The majority of the corridor is not fenced, though portions are fenced with barbed wire that is a remnant of CP corridor management, or there is fencing by the landowner to keep livestock in. The notable difference in agricultural production along this trail relative to the Okanagan Rail Trail is the lack of fruit trees, but there is production of crops that have intensive, short harvest periods. Specifically, corn harvest happens over three days in the fall and requires big machinery that is expensive to rent. The application of manure as fertilizer is also practiced, again with big machinery used over a short period. The machines cross the trail as frequently as 10 times per hour during harvest or manure application. The solutions to these issues will be property specific and are being worked out with the landowner, the Shuswap Trail Alliance, the Technical Operational Committee and will be finalized with the Owner.

A list of properties with PIDs along the rail trail within the ALR, both in the corridor, adjacent and within proximity (but not directly adjacent) to the corridor is provided in the Excel file ALR Properties along Sicamous to Armstrong Rail Trail and ALR_Properties in Corridor. The information provided in the table includes:

- Unique ID (correlates to mapping labels);
- Parcel Identifier (PID) and/or Parcel Number (PIN);
- Total property area (in hectares);
- Description of existing use;
- Parcel type;
- Plan Number;
- Number of crossings;
- Owner/Company;
- Issues raised by landowner; and
- Solutions communicated.

Shape files of properties in the corridor have been submitted separately to the ALC. The ALR area affected will be within the corridor, so limited to only RDNO and CSRD owned properties (see Excel table, properties in the corridor). The exact footprint has not been determined.

In general, the vegetation on and adjacent to the rail corridor is a combination of native, agronomic and invasive species. Columbia Shuswap Invasive Species Society, in conjunction with RDNO, has documented the types and locations of invasive species present along the northern portion of the corridor along Mara Lake (the ALR area) (Table 5-1, Columbia Shuswap Invasive Sp. Society 2018).

Table 5-1 Invasive species recorded along the corridor

| Common Name | Species Name | Noxious ¹ |
|-----------------------|-----------------------------------|----------------------|
| Meadow knapweed | <i>Centaurea pratensis</i> | Regionally noxious |
| Flat peavine | <i>Lathyrus sylvestris</i> | Unregulated |
| Dame's rocket | <i>Hesperis matronalis</i> | Unregulated |
| Cypress spurge | <i>Euphorbia cyparissias</i> | Provincially noxious |
| Common tansy | <i>Tanacetum vulgare</i> | Regionally noxious |
| Dalmatian toadflax | <i>Linaria genistifolia</i> | Provincially noxious |
| Chicory | <i>Cichorium intybus</i> | Unregulated |
| Orange hawkweed | <i>Hieracium aurantiacum</i> | Regionally noxious |
| Hawkweed spp. | <i>Hieracium</i> spp. | Regionally noxious |
| Sulphur cinquefoil | <i>Hieracium aurantiacum</i> | Regionally noxious |
| Queen Anne's lace | <i>Daucus carota</i> | Unregulated |
| Bull thistle | <i>Cirsium vulgare</i> | Unregulated |
| St. John's wort | <i>Hypericum perforatum</i> | Unregulated |
| Spotted knapweed | <i>Centaurea stoebe</i> | Provincially noxious |
| Oxeye daisy | <i>Chrysanthemum leucanthemum</i> | Regionally noxious |
| Mullein | <i>Verbascum</i> | Unregulated |
| Western goat's beard | <i>Tragopogon dubius</i> | Unregulated |
| Yellow toadflax | <i>Linaria vulgaris</i> | Provincially noxious |
| Annual sow thistle | <i>Sonchus oleraceus</i> | Provincially noxious |
| Meadow/tall buttercup | <i>Ranunculus acris</i> | Unregulated |
| Bladder campion | <i>Silene cucubalus</i> | Unregulated |
| Canada thistle | <i>Cirsium arvense</i> | Provincially noxious |
| Sow thistle spp. | <i>Sonchus</i> spp. | Provincially noxious |
| Burdock spp. | <i>Arctium</i> spp. | Regionally noxious |

¹ BC Weed Control Regulation, B.C. Reg. 66/85

A priority noxious weed for RDNO is Cypress spurge (bolded), which is being managed through spraying. Management of invasive species will continue once the trail is built and will be the responsibility of the corresponding owner; however, the PlayCleanGo will be used as trailhead signage and concepts used in trail management. PlayCleanGo is a program initiated by the Invasive Species Council of BC and will be managed in partnership with the Columbia Shuswap Invasive Species Society. It is an education and outreach campaign that encourages outdoor recreation while promoting changes in behaviour to slow or stop the spread of invasive species. It is designed to foster actions that interrupt recreational pathways of spread.

In the ALR section, RDNO will continue to manage invasive species through mechanical, chemical and cultural efforts (e.g. education about how not to spread weed seeds). Organic producers in the ALR will create an arrangement with the RDNO to ensure chemical control used does not compromise their organic status, i.e. is far enough away from the property.

6 POTENTIAL EFFECTS ON ALR

No ALR land will be disturbed adjacent to the existing Sicamous-to-Armstrong rail corridor (railway right-of-way). No temporary work space or other disturbance will be required on ALR land. However, the construction and use of the rail trail has potential for indirect effects on agricultural production and/or properties. The potential effects and associated mitigation measures during trail construction and subsequent use are described below.

6.1 Potential Effects from Trail Construction

All construction activities will be restricted to the corridor, and no access through farm land is proposed. Construction activities are not anticipated to impact agricultural works and all crossings will remain open and accessible during construction. Equipment will operate temporarily within the corridor, which will cause noise, vibration, and/or dust disturbance. Construction activities may cause the spread of invasive species identified within and near the project area.

6.2 Mitigation Measures for Trail Construction

The mitigation measures to be implemented during the construction phase include:

- Notify landowners in the ALR about the construction project and anticipated timing of construction activities. The Committee sent a notification letter to all landowners adjacent to the corridor regarding the project, sent out in November and then in December to additional landowners possibly affected by the trail, but not adjacent (Appendix B).
- Provide an opportunity for landowners to comment on the project to the Committee and ALC. A letter has been sent to the landowners a letter notification about the trail planning and development with Committee contact information, along with the ALC's "Notification to Affected Landowners" (Appendix B), which provides a way for landowners to contact the ALC.
- Follow the Environmental Management Plan with guidance for weed, noise and dust control by Western Water Associates environmental consultants.

The BC Weed Control Act (R.S.B.C. 1996, c. 487) states that any noxious weed species must be controlled by the owner of the land on which it occurs. To reduce the transfer or establishment of weeds, the following mitigation measures will be undertaken:

- Ensure all vehicles accessing the site are clean and free of weeds and any associated seeds before entering or leaving the worksite.
- Replant disturbed areas with native species, where appropriate, to discourage the establishment of weed species.
- Develop and implement a rehabilitation plan for areas with yellow-flag iris to safely remove and dispose of the plant.

- Implement weed management procedures to restore the disturbed areas to a reasonable functioning ecological condition.

6.3 Potential Effects from Trail Use

Potential effects on agricultural land during trail use include potential conflict with landowners from trespassing, damage to crops, theft and vandalism, harassment of livestock, gates being opened or closed, fire, obstruction of access, and disruption of privacy. Potential effects during trail use also include dust deposition, drainage issues, litter, introduction and/or spread of invasive or noxious weed species, spraying to manage invasive species, and liability. General issues and resolutions that have been communicated specific to the trail and landowners in the ALR are listed in Table 6-1, with mitigations reiterated in Section 6.4. Detailed summary of issue by landowner is provided in the Excel table, submitted separately.

Table 6-1 General Issues and Proposed Resolutions

| Issue Raised | Resolutions* |
|---|---|
| <p>How will rules be enforced? How will you control vandalism and trash?</p> | <p>Rules will be communicated through signage, education and social policing by other trail users, and bylaw and/or other law enforcement will occur if warranted. Site specific management tools will include gates, bollards, barriers and buffer zones. The experience from other trail development and use demonstrate that managed trails are less likely to have issues than abandoned rail lines.</p> <p>In general, an adaptive management approach will be taken once the trail is in use. This entails monitoring and adapting to issues as they arise. The Shuswap Trail Alliance is acting as the point of coordination for volunteer organizations who are invited to assist as trail ambassadors.</p> |
| <p>There are several certified organic farms along the route. How will weed control (i.e. spraying) affect them?</p> | <p>A specific arrangement will be developed with the RDNO to ensure herbicide use does not compromise the organic status of farms along the trail. This can include notifications if spraying will occur, no spray areas and buffer zones.</p> |
| <p>Will I be liable for people injured on my property? Will I be liable if rock falls off my property on to a trail user?</p> | <p>The Owner will have full liability for the rail corridor, and adjacent property owners have liability for their property. In general, safe practice and coverage under the Occupiers Liability Act precludes a landowner from liability.</p> <p>Specific to rockfall, there are consultants reviewing the trail for geotechnical and steep slope issues. Potential problem areas are being identified and property owners notified. Landowners with a potential problem have been asked to notify the Committee with the location.</p> |
| <p>How can you prevent motorize traffic on the trail from accessing the trail inappropriately?</p> | <p>Unlike some provincial trails, this rail trail will be a maintained, managed trail. Gates, barriers and bollards will help to prevent access by motorized vehicles. Notification by adjacent property owners of unauthorized use will assist in management. Bylaw enforcement will occur if warranted.</p> |
| <p>Will leases that property owners had with CP be honoured?</p> | <p>Yes, and crossing agreements are currently being drafted. The Owner will honour existing agreements until such time as new agreements are executed.</p> |
| <p>Will there be any costs to the new agreements?</p> | <p>Yes, agricultural properties will be charged a small administration fee. The Owner is ensuring fees are as low as possible and the agreements for as long a period as they can commit to at any one time.</p> |
| <p>My crops/fencing/sheds may have moved onto the rail trail property over the past few years. What happens now?</p> | <p>Encroachments will be dealt with on a case-by-case basis. If structures or fencing are on rail trail property and it won't affect the actual trail construction, a formal</p> |

| Issue Raised | Resolutions* |
|---|---|
| | encroachment agreement may be applicable. The Owner will require the removal of any unauthorized encroachments. |
| When will crossing [for irrigation and machinery] and/or encroachments need to be identified? | Crossings have been identified (Appendix A). The Committee is in the final design phase and landowners that raised this issue have been asked to contact them with notification of crossings. |
| The trail property is a mess with weeds. Will you be cleaning that up soon? | Each regional district has conducted preliminary invasive species assessments and some mitigation measures. Weed management programs will be re-activated in the spring and PlayCleanGo will be part of the management approach to weeds along the trail. |
| What about vegetation management as a whole? Since the rail line has been abandoned, trees and bushes are growing quickly. Some of my crops could be affected by the shading trees produce and sluice gates may be blocked. | The trail corridor will remain naturally vegetated, with trees and shrubs forming a buffer between users and adjacent landowners. In areas where field productivity and sight lines for vehicle crossings are affected, the growth will be managed. Not impacting agricultural use is a key component of the trail going forward. |
| What about privacy for houses that sit right beside the trail? | These will be addressed on a case-by-case basis. Please advise us if you think privacy will be an issue for you. |
| How many people will be on the trail? | Unknown, but 588,000 user trips were recorded using the Okanagan Rail Trail (ORT) in the first year. The ORT services a population of approximately 185,000, about 10 times that of the populations the Sicamous to Armstrong Rail Trail corridor. Based on population alone, 50-100,000 users per year |
| Where will trailheads and access points be located? | The Committee has been meeting with all the local governments to address parking within their communities. It is the intent of the project to direct people to communities rather than rural areas to access the trail. Several locations, however, will require special attention for trailhead parking management, including the Mara South/Rosemond Lake area and Grindrod. Rural property owners have been invited to provide direction in planning appropriate trailhead access points in these areas. Rural property owners have been invited to identify potential problem areas such as Mara south/Rosemond Lake areas. |
| Has parking been figured out? | Potential parking issues are being raised during design process and involve all communities to find solutions. There will be designated parking areas and signage directing the public to those areas. See comment above. |
| What about bathrooms? | Currently 8-10 vault toilets are planned along the trail, with preferable locations at trailheads. |
| What has the farmers' experience been on the Okanagan Rail Trail? | Prior to the trail being developed, owners had some serious problems with crime, unauthorized camping and other trespassing. These appear to have been resolved |

| Issue Raised | Resolutions* |
|--|--|
| | now that the trail is open and operating. Off leash dogs haven't been as big a problem as was anticipated. Orchards haven't had problems with trespassing. |
| What if property owners want fencing put up by the trail Owner? | This will be evaluated on a site-by-site basis, but the goal is to use natural and existing buffers as much as possible to maintain the visual integrity of the corridor and keep trail users focused on the trail. If issues arise during trail use, they will be reviewed and management approach adapted to resolve that issue. |
| Will the trail be open all the time? | This is under consideration. Parks tend to be open from 7 am to 10 pm. Other trails such as Larch Hills (Salmon Arm, BC) are open 24/7 with warning signage. |
| Will the trail property be used for utilities such as natural gas lines? | Not at this time. The Governance Advisory Committee has decided that encumbering the trail with additional utilities would be unwise and could impede future use. |
| What are the implications of farmers that are currently using the rail corridor? | The corridor is closed at this time and only trail staff and consultants are allowed on the property. All other uses are considered trespassing without an agreement with the Owner (CSRD/RDNO and Splatsin). |

*Resolutions are captured in mitigations, below.

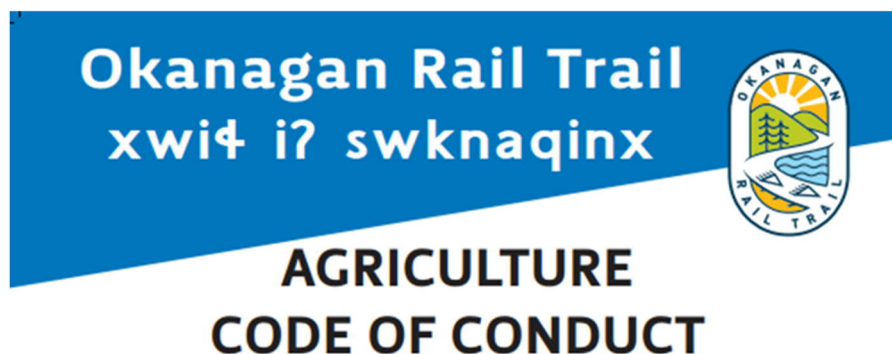
6.4 Mitigation Measures for Trail Use

Mitigation measures are based on the experience of other greenway trails through the ALR and typical conditions, guidance from the ALC, and guidance for trails in farm and ranch areas (AgriService BC 2019). In addition to mitigation measures listed below, the Committee will take an adaptive management approach to managing the trail, which has proven successful on trails in the Shuswap that are managed with support through the Shuswap Trail Alliance. This approach is essentially to 1) monitor, 2) report, 3) adapt and 4) continue to monitor. Adaptation can include increased education and/or bylaw presence, barriers to movement, signage and other means. The Owner, supported by the Shuswap Trail Alliance, will have a dedicated reporting system (in addition to the ability for landowners to report issues directly to the Owner), and are developing a Management and Maintenance Plan that will outline monitoring of the trail.

Mitigation measures to be implemented during trail use are listed here:

- Develop a Code of Conduct or rules of the trail to inform trail users of etiquette in agricultural areas (see Figure 6-1 as an example).
- Install permanent signage along the trail at appropriate locations. The general types of trail signs will include trail etiquette, map of the trail and amenities, educational, and advertising.
- Post advisory signs during times of sensitive agricultural operations, such as harvesting, use of large machinery and manure application.
- Establish a system to reduce potential for conflict during short, intensive harvesting and manure spreading windows in places where large machinery crosses the trail. This will be site specific and may include railway crossing boom barrier or other method, to be determined with the landowner, the Committee and Owner.
- The Committee will work with the Ministry of Transportation and Infrastructure to ensure crossings and road access off the highway and across the trail are safe.
- Retain and maintain existing buffers between the trail and agricultural land. Buffers include vegetation, elevation differences, ditches and existing fencing within the corridor.
- Install signage at gate locations within the trail corridor stating whether to keep gates closed or open.
- A dogs-on-leash policy will apply to the whole corridor. Signage to this effect will be at every trailhead entrance, road crossing and in locations where there is greater risk of interaction with livestock (e.g. near the dairy farm locations).
- Enforce local government bylaws regarding no smoking and no fires along the trail. Place fire hazard signs at trailheads to warn users of fire risks.
- Enforce local government bylaws regarding no hunting along the trail.
- Provide parking at trailheads and make it clear that parking should not obstruct farm access points.
- Install and maintain trash cans, washrooms, drinking water, benches, and tables. Describe the location of this infrastructure on maps and at trailheads.
- Remove garbage on a regular basis.
- Provide inspection and maintenance of drainage on a regular basis. Repair erosion damage and clear ditches and culverts.
- Provide agricultural landowners with contact information in the event of problems or concerns relating to the trail. The dedicated Shuswap Trail Alliance phone line and website for feedback will be kept for the foreseeable future as a mechanism of communication.

- RDNO will continue to manage invasive species through mechanical, chemical and cultural efforts (e.g. education about how not to spread weed seeds), and a PlayCleanGo will be used as trailhead signage and concepts used in trail management. Documenting treatment and infestations will be a means to monitor invasive species management success. Organic producers in the ALR will create an arrangement with the RDNO to ensure chemical control used does not compromise their organic status.



WHEN USING THE OKANAGAN RAIL TRAIL PLEASE:

- Respect the agriculture community and the work of farmers
- Keep to the trail
- Do not trespass on farmlands
- Keep dogs on leash and under control
- Leave gates and livestock alone
- Give way to farm vehicles
- Do not block driveways or gates
- Help prevent fire and vandalism
- Remove and dispose of weed seeds in waste receptacles

SEASONAL FARMING

| | |
|--------------------|---------------------------|
| Spring: | Fertilizer Application |
| Spring and Summer: | Spraying for Pest Control |
| Summer and Fall: | Harvest |
| Winter: | Pruning |

Under the Farm Practices Protection Act (BC), farm operators adjacent to the trail are waived of liability associated with normal farm practices.



District of Lake Country
T: 250.766.5650
www.lakecountry.bc.ca

Figure 6-1 Example of an Agricultural Code of Conduct

REFERENCES

AgriService BC. 2019. Trails in Farm and Ranch Areas. Available at:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/strengthening-farming/trails-in-farm-and-ranch-areas>

Columbia Shuswap Invasive Sp. Society. 2018. Record of Invasive Plants Occurrence along the Rail Trail North. Submitted to Associated.

McIntyre-Paul, P. 2019. Shuswap North Okanagan (Sicamous-to-Armstrong) Rail-Trail: Preliminary Concept Design Report. Available at:

[http://www.shuswapnorthokanaganrailtrail.ca/userfiles/file/19%2008%2019%20Sicamous-to-Armstrong%20\(Shuswap%20North%20Okanagan\)%20Rail-Trail%20CONCEPT%20DESIGN%20-%20REPORT.pdf](http://www.shuswapnorthokanaganrailtrail.ca/userfiles/file/19%2008%2019%20Sicamous-to-Armstrong%20(Shuswap%20North%20Okanagan)%20Rail-Trail%20CONCEPT%20DESIGN%20-%20REPORT.pdf)

Province of British Columbia. 2020. B.C. Data Catalogue. Available at: <https://www2.gov.bc.ca/gov/content/data/bc-data-catalogue/bc-data-catalogue-about/bc-data-catalogue-user-guide>

Province of British Columbia. 2018. Soil Information Finder Tool (SIFT). Available at:

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/land/soil/soil-information-finder>

The Shuswap Trail Alliance. 2019. Shuswap North Okanagan (Sicamous-to-Armstrong) Rail Trail Preliminary Design Report. Available at:

[http://www.shuswaptrails.com/userfiles/file/19%2007%2012%20Sicamous-to-Armstrong%20\(Shuswap%20North%20Okanagan\)%20Rail-Trail%20CONCEPT%20DESIGN%20-%20REPORT.pdf](http://www.shuswaptrails.com/userfiles/file/19%2007%2012%20Sicamous-to-Armstrong%20(Shuswap%20North%20Okanagan)%20Rail-Trail%20CONCEPT%20DESIGN%20-%20REPORT.pdf)

APPENDIX A - MAPS OF THE ALR AND ARMSTRONG TO SICAMOUS RAIL TRAIL CORRIDOR WITH PARCEL IDENTIFIED

Submitted as separate file.

APPENDIX B – LANDOWNER NOTIFICATION LETTER AND FEEDBACK FORM



Shuswap North Okanagan Rail Trail (Sicamous to Armstrong) Update – Dec 17, 2019

Dear Agricultural Land Owner:

We would like to thank the property owners that attended one (or both) of our two meetings. The discussion and feedback has been very helpful. However, it's been brought to our attention that a few properties were missed in our mail out and also there has been interest in having another meeting for those unable to attend one of the first two.

Our 3rd and final meeting will be held on Saturday, February 1, 2020 from 2 pm to 4 pm. The location is Enderby Drill Hall, 208 George Street (Highway 97A), Enderby.

The purpose of this public information meeting is to discuss the non-farm use application (as per Section 6 of BC Regulation #171/2002) to the ALC for a recreational trail within the Agricultural Land Reserve.

An informal presentation of the application will begin the meetings. The ALC's role will be defined, the Rail-Trail concept plan outlined, and some of the issues and example of solutions from the Okanagan Rail Trail shared. Following the presentation, representatives will be available to field questions or concerns related to the Shuswap North Okanagan Rail Trail ALC application.

Current Status

Preliminary concept design work for the Rail Trail is underway. Agricultural land use along the corridor is being carefully considered. As part of submitting a Recreational Trail Use application to the Agricultural Land Commission (ALC), we are working to create a Code of Conduct for the trail that will outline general rules or etiquette that should be followed when using the trail in agricultural areas. Through this process, we can identify potential issues and opportunities to guide the trail design, use, and management. A copy of the "Advisory for Landowners in the ALR" brochure, and an ALC response form is enclosed. If you have comments or suggestions please provide them as described on the form. Please ensure your responses are sent in by Jan 3, 2020.

Over the next few months, you may see project personnel on the trail who will be considering all aspects of designing a safe, resilient trail including: recreational, environmental, agricultural, archeological, geotechnical, and steep slope erosion, among others. Please be aware there will be project personnel travelling the corridor by foot or vehicle during their investigations. Please also note that temporary kilometre markers have been installed for design and construction use.

For further information, please contact:

Phil McIntyre-Paul, Project Manager

railtrail@shuswaptrails.com

Tel 778-930-RAIL (7245)

ShuswapNorthOkanaganRailTrail.ca



TRANSPORTATION, UTILITY, AND RECREATION USES ON AGRICULTURAL LAND

An Advisory for Landowners in the Agricultural Land Reserve

The purpose of this brochure is to describe the application process for pipelines, roads, recreational trails and other utility corridors in the Agricultural Land Reserve (ALR), and the rights and duties of proponents and affected landowners. It does not address compensation or other issues that may arise between a proponent and a landowner, which are private matters to be resolved between the parties and their professional advisors.

Application Process

The provincial *Agricultural Land Commission Act* protects agricultural land in BC for present and future farm use. Proponents of transportation, utility and recreation corridors through the ALR must, in addition to obtaining a landowner's permission, apply and receive permission from the Agricultural Land Commission for such development. Upon receipt of an application, the Commission may contact local governments and other agencies for their comments and recommendations. After reviewing the proposal, the Commission will make a decision and communicate this in writing to the proponent.

The proponent is responsible for notifying the affected landowners at two stages in the process:

- ☐ At the time the application is filed with the Commission, and
- ☐ When the Commission makes a decision.

If an application is approved by the Commission, the second notice must include any conditions of approval imposed by the Commission.

Landowner's Rights

As an owner of land in the ALR through which a gas, sewer or water line, road, recreation trail or other utility corridor is being proposed, you have the right:

During the Route Selection Stage

- ☐ To all information from the proponent on the options and preferred route location of the transportation or utility corridor through your property; and
- ☐ To contact the proponent and the Commission to express concerns or suggest specific changes to the preferred route location.

During the Application Stage

- ☐ To be notified by the proponent that an application under the *Agricultural Land Commission Act* has been filed for that portion of the proposal which affects your property; and
- ☐ To contact the proponent and the Commission to express concerns or make suggestions on site preparation and reclamation.

During the Approval Stage

- ☐ To be notified by the proponent of the Commission's decision, by way of a copy of the Commission's approval letter outlining the conditions of approval; and
- ☐ To view any of the proponent's site preparation and reclamation reports submitted to the Commission. (During any negotiations between a landowner and the proponent, the landowner may request construction or rehabilitation conditions beyond those specified by the Commission.)

During the Construction & Reclamation Stages

- ☐ To review all site preparation, construction and reclamation work as it proceeds; and
- ☐ To contact the Commission directly if the Commission's conditions are not being met.

To ensure that the Commission's conditions are being met, the Commission staff will review the construction and reclamation procedures. If the procedures being used do not satisfy the approved conditions, the Commission may amend the conditions or issue a stop work order. The Commission staff has the authority to modify the approval conditions, provided the modifications do not materially alter the intent of the approval.

Notification of Affected Landowners

The Commission requires the proponent to give this brochure to affected landowners. If you have any concerns about the proposal, please complete the back of this form and send it to the Commission within 14 days of receiving the notification



TRANSPORTATION, UTILITY, AND RECREATION USES ON AGRICULTURAL LAND
An Advisory for Landowners in the Agricultural Land Reserve

RESPONSE FORM

The Agricultural Land Commission requires proponents of transportation and utility corridors through ALR land to notify affected landowners. If you have any concerns about the proposed transportation or utility proposal, please complete the following and send it to the Commission within 14 days of receipt of this brochure.

Please note that the information on this form and other documents you provide are collected to process an application under the *Agricultural Land Commission Act* and regulation. This information will be available for review by any member of the public. If you have any questions about the collection and use of this information, contact the Agricultural Land Commission and ask for the staff member handling the application.

Name:

Address:

Telephone:

Email:

Parcel Identifier(s) (PID) of Affected Property:

Current Use of Property:

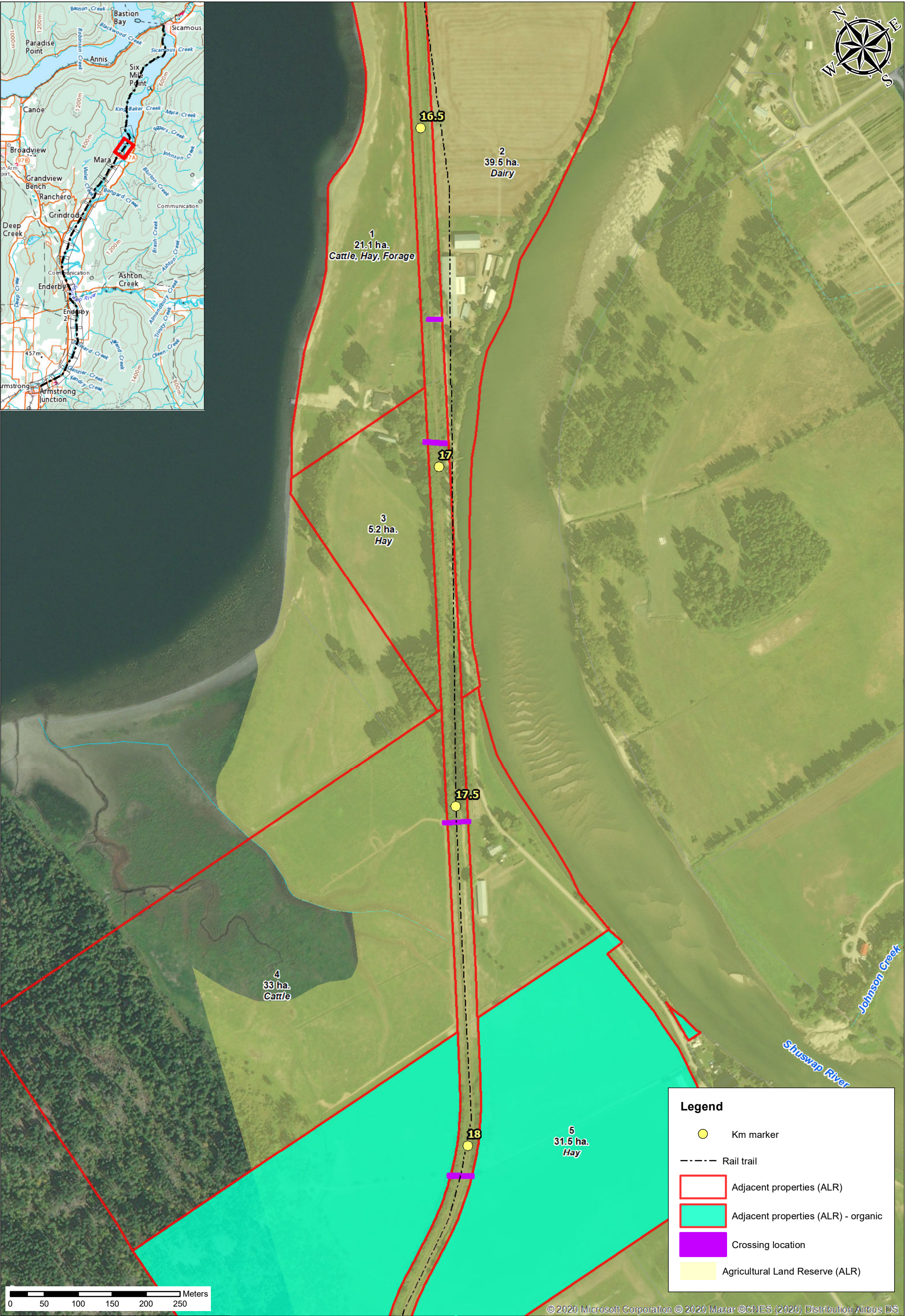
Company or Agency Proposing the Right of Way:

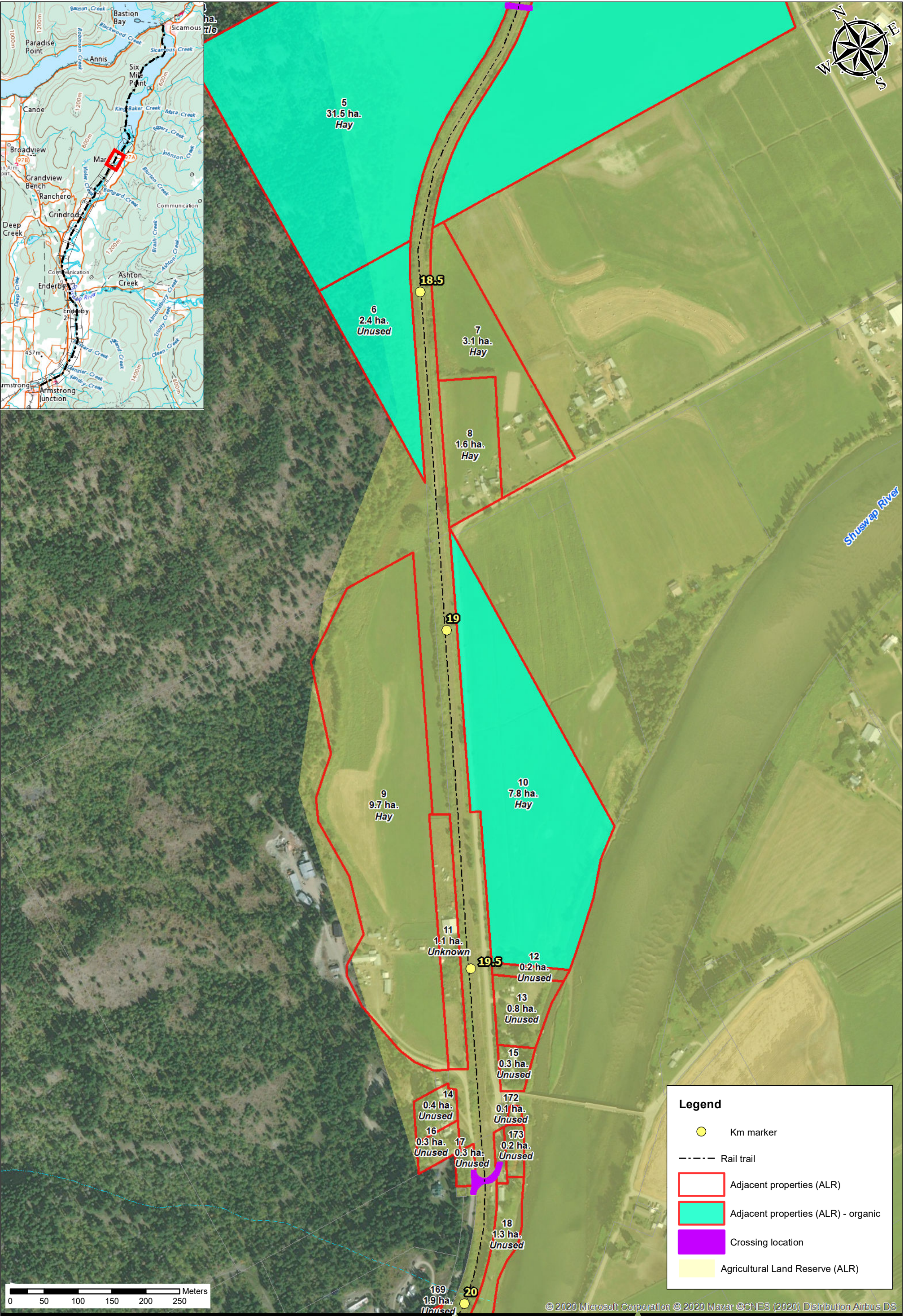
Project Name (if any):

Comments & Suggestions:



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PROJECT NO.: 2019-8483
DATE: September 2020
DRAWN BY: BdJ

FIGURE 3: RAIL TRAIL PLAN

The Shuswap Trail Alliance
Sicamous to Armstrong Rail Trail
- Agricultural Assessment

