

## Lauri Feindell

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**Subject:** FW: Response - Bylaw Amendment Referral - 3775 Willowbrook Road | File No. C2024.015-ZONE

**From:** Referrals <Referrals@fortisbc.com>

**Sent:** October 8, 2024 2:39 PM

**To:** Planning <planning@rdos.bc.ca>

**Subject:** Response - Bylaw Amendment Referral - 3775 Willowbrook Road | File No. C2024.015-ZONE

No concerns – thanks

Krystina O’Gorman

Lands Administrator

Lands, FortisBC Energy Inc.

16705 Fraser Hwy, Surrey, BC V4N 0E8

Direct Phone 604-592-8205

Toll Free 1-800-773-7001



**Lauri Feindell**

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**Subject:** FW: Bylaw Amendment Referral - 3775 Willowbrook Road | File No. C2024.015-ZONE

**From:** Fire Chief Tony Iannella <Tony.Iannella.WVFD@hotmail.com>

**Sent:** October 7, 2024 11:43 AM

**To:** Planning <planning@rdos.bc.ca>

**Subject:** Re: Bylaw Amendment Referral - 3775 Willowbrook Road | File No. C2024.015-ZONE

I have no concerns with this subdivision.

Thank you,

Tony Iannella  
Fire Chief Willowbrook VFD  
Protective Services Coordinator, RDOS  
Fire Branch Coordinator, RDOS EOC  
Taskforce Leader, BCWS

One Region Working Together

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## Lauri Feindell

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**From:** Penticton Indian Band Natural Resources Department <no-reply-snpinktn@knowledgekeeper.ca>  
**Sent:** October 7, 2024 3:41 PM  
**To:** Planning  
**Subject:** C2024.015-ZONE  
**Attachments:** consultation-response-91607-l-241007-c2024015-zone-20241007-1540.pdf

Hello Planning RDOS,

The proposed project falls within the Okanagan/syilx territory and the Penticton Indian Band's area of responsibility. All lands and resources within the vicinity of this referral are subject to unextinguished Okanagan/syilx Nation Aboriginal Title and Rights.

Please review attached letter.

Please do not reply to this email message. Replies to this message will not be received as this is a no-reply email address. Please contact me at:

Maryssa Bonneau  
Referrals Coordinator  
snpink'tn (Penticton Indian Band)  
Natural Resources  
email: [mbonneau@pib.ca](mailto:mbonneau@pib.ca)  
office: 250-492-0411 Ext: 241  
address: 841 Westhills Drive  
Penticton, British Columbia  
Canada V2A 0E8



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

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**Project Name:**

C2024.015-ZONE

**FN Consultation ID:**

L-241007-C2024.015-ZONE

**Consulting Org Contact:**

Planning RDOS

**Consulting Organization:**

Regional District of Okanagan Similkameen

**Date Received:**

Monday, October 7, 2024

**File number:**

C2024.015-ZONE

October 7, 2024

WITHOUT PREJUDICE

Attention: Planning RDOS

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

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

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

1. Invoice Number: L-241007-C2024.015-ZONE

Referrals Processing Fee

Sub Total \$ 500.00

Tax \$ 0.00

Total \$ \$500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

We accept cash and cheque via mailing as well as EMT. Our mailing address is 841 Westhills Drive Penticton BC, V2A 0E8. Our EMT is [PIBPayments@pib.ca](mailto:PIBPayments@pib.ca).

Please have 'ATTN: Natural Resources File # [insert referral number] PC:132 ' in the notes if you are using EMT or if you are using another method, please supply the referral number with it .

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

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

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

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

limlæmt,

Maryssa Bonneau  
Referrals Coordinator  
snpink'tn (Penticton Indian Band)  
Natural Resources  
email: [mbonneau@pib.ca](mailto:mbonneau@pib.ca)  
office: 250-492-0411 Ext: 241  
address: 841 Westhills Drive  
Penticton, British Columbia  
Canada V2A 0E8

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L-241007-C2024.015-ZONE -

L-241007-C2024.015-ZONE

Regional District of Okanagan Similkameen

Attention: Evelyn Reichert,

We are in receipt of the above referral. The proposed activity is located within syilx (Okanagan Nation) Territory and the snpink'tn (Penticton Indian Band) Area of Interest. All lands and resources within the vicinity of the proposed development are subject to our unextinguished Aboriginal Title and Rights.

snpink'tn has now had the opportunity to review the proposed activity. Our preliminary office review has indicated that the proposed activity is located within an area of cultural significance and, as such, has the potential to impact snpink'tn cultural heritage, rights and interests. When potential impacts to snpink'tn interests have been identified, snpink'tn requires that a Cultural Heritage Resource Assessment (CHRA) be undertaken by qualified snpink'tn Cultural Heritage Technicians in an effort to determine the nature and extent of any potential impacts.

Please contact Maryssa Bonneau, Natural Resources Referrals Coordinator at mbonneau@pib.ca to arrange within 30 days.

Please note that our participation in the referral and consultation process does not define or amend snpink'tn Aboriginal Rights and Title or does it limit the positions that we may take in future negotiations or court actions.

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

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Maryssa Bonneau

Referrals Coordinator

snpink'tn (Penticton Indian Band)

Natural Resources

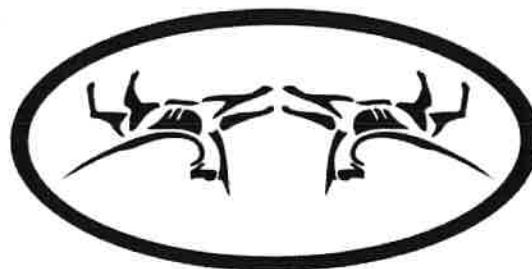
email: mbonneau@pib.ca

office: 250-492-0411 Ext: 241

address: 841 Westhills Drive

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