

Board Chair
Regional District of Okanagan South
101 Martin Street
Penticton, British Columbia
V2A 5J9



14 December 2023

Conservation Committee
South Okanagan Naturalists' Club
c/o 550 Wade Avenue East
Penticton, British Columbia
V2A 1T3

Subject: RDOS Bylaw 2912

Thank you for the opportunity to provide comments on the proposed Bylaw amending the Environmentally Sensitive Development Permitting process.

The South Okanagan Naturalists' Club (SONC) has followed this issue for a number of years. We believe we understand the difficulties the current process has created, but we are not generally supportive of the proposed amendments.

As we understand it, the proposed amended ESDP bylaw is intended not to get rid of the process but to streamline it so that it applies to major developments like subdivisions, rather than small changes to already developed land. As the Sensitive Ecosystem Inventory is currently constructed, everything in the RDOS appears to be "sensitive". This is not realistic, and it's not likely the case. Senior agencies need to provide some form of priority for sensitive habitats so that it doesn't appear that all development must be curtailed. As well, there continues to be a debate between the UBCM and the Province as to whether ESD Permitting is enforceable, which has not been settled yet, and we encourage that process to move forward as well. However, other regional districts and some cities in the Okanagan have managed to make planning and protecting sensitive ecosystems work. We urge the Board to look to those other models, and to work with other levels of government, who have both already made significant financial contributions, to fine tune both the Sensitive Ecosystem Inventory and permitting to prevent undo impacts on sensitive environments.

We suggest targets be set throughout the Regional District for how much of the various sensitive ecosystems need to be protected to meet the needs of identified endangered species, to maintain viable populations, and to maintain connectivity of habitats. This latter point should include both north-south connectivity for currently existing habitats, and vertical connectivity. Both will be important in mitigating the effects of climate change, as various species respond by moving north and/or upslope to find preferred habitats. We believe this is the role of senior governments, and we are willing to help as needed.

SONC also believes the Professional Reliance Model, where Qualified Environmental Professionals (QEP) are required to comment on proposed developments, is also flawed, for a number of reasons: 1) it expects a QEP to

give advise on how to mitigate potential impacts of a development on sensitive habitats, when no one has established a priority for those habitats identified as sensitive; 2) no one has determined how much of those habitats are needed to maintain viable populations of target species; 3) there has been no evaluation after the fact to see how much of that advice was actually taken; and 4) there has been no determination of whether the habitats conserved through the process have resulted in any positive impact on the target species. These issues would also appear to be the responsibility of senior government agencies.

Finally, SONC believes the real problem lies at the zoning phase. If sensitive habitats are not identified then, again in relation to how much of those habitats must be protected to meet species population targets, the ESDP process is only tokenism. Small changes on someone's property to protect a small piece of an identified SEI is just window dressing. Preventing habitat fragmentation is the objective, and that can only happen at the landscape level.

The South Okanagan Naturalists' Club is pleased to be able to assist in the protection and management of our spectacular natural environment here in the South Okanagan. Please let us know how else we can assist the Board as it moves forward to do the same.

R. McKelvey

Per SONC Conservation Committee

Lauri Feindell

Subject:

FW: RDOS Public Hearing Thursday, December 21, 2023 RE Amendment Bylaw 2912

-----Original Message-----

From: Deborah Webb

Sent: December 8, 2023 9:47 PM

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

Subject: RDOS Public Hearing Thursday, December 21, 2023 RE Amendment Bylaw 2912

[Some people who received this message don't often get email from webb.deborah.lynn@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello,

I strenuously object to the removal of requiring EDSPs for land construction and alterations while restricting EDSP requirement to only subdivisions and rezoning.

On West Bench Drive, we already have seen a property just south of Bartlett by two lots be carved up and filled to totally alter the land form of the house lot.

Mature trees with nests of owls were unnecessarily cut down in September of the year prior to the actual year the work encroached on that area, before the young owls had fledged. That land alteration and filling has altered the existing natural drainage gulley pattern. There is potential for flooding into southern land plots during heavy rain or rapid snow melt.

I do not want any further land alterations on any lot to occur without the proper EDSP process.

Sincerely,

Deborah Webb



Kaleden Community Association

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www.kaledencommunity.com

December 8, 2023

RDOS Board of Directors
101 Martin Street
Penticton, BC
V2A 5J9

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Regional District

DEC 11 2023

101 Martin Street
Penticton BC V2A 5J9

Dear Directors:

RE: OPC Amendments to Environmentally Sensitive Development Permits
Bylaw No 2912, 2023

On behalf of the Kaleden Community Association, I am writing this letter to express our concerns about the amendments to the Environmentally Sensitive Development Permits. Amending the current process appears to make it easier for any person to do whatever they feel inclined to do on their property, from damming up a creek, filling in a wetland or putting a road through their property. If this is so, why would we want to remove steps in a process that are in place to protect the environment?

If the purpose is to streamline a process, we encourage you to vote against this amendment and instead ensure there is something in place before getting rid of the only tool in place to protect the environment within the Regional District.

Sincerely,

Randy Cranston, Ph.D
Chair, Kaleden Community Association

cc: Subrina Monteith, Director Area I
Chris Garrish, Senior Manager of Planning

