

September 21, 2012

Our File: 306-1331

FrontCounter BC
441 Columbia Street
Kamloops, B.C.
V2C 2T3

Attention: Ms. Bernadette Aura, Natural Resource Officer

Dear Ms. Aura:

RE: *Buchanan Road Water Well, Town of Oliver*
– Your File No. 91140

This letter is a follow up to your emails to Kaitlin Klamut of our staff on March 23, 2012 and August 17, 2012. The Town of Oliver has recently had to discontinue use of its CPR Well for water supply purposes due to high arsenic concentrations. There is now extreme urgency to proceed with the drilling and construction of the proposed Buchanan Road water well. To have a new well at the Buchanan Road site operational for the high demand period of the summer of 2013, drilling has to be initiated in immediate near future.

The application related to the Buchanan Road water well was first submitted to your office in December 2012. In the period since first submission to your office, we have.

- addressed inconsistencies between your mapping and the project site plan prepared by TRUE.
- met on site with Mr. Shaun Reimer of the Ministry of Environment to discuss dyke related issues.
- engaged Mike Sarrell of Ophiuchus Consulting to provide an overview assessment of habitat values on the site.
- identified existing Fortis infrastructure on the site as a design constraint.

The site plan for the proposed well has been revised and finalized to reflect the preceding. Your email of March 23, 2012 describes four items for which additional information will be required. We respond to these items as follows.

1. Historical Context

As you are aware, the Town operates a domestic water well at this location that was inherited from the former Southern Okanagan Lands Irrigation District (SOLID) upon its dissolution by the Province in 1989. This well is located on Parcel 3, Plan A1432, immediately east of the dyke and north of Buchanan Road. At the time of SOLID

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dissolution, the land on which this well is located should have been transferred to the Town's ownership in accordance with provincial OIC1870/1989. Unfortunately, through some oversights, this transfer never took place and the land is now part of the South Okanagan Wildlife Management Area.

The attached site plan (drawing 306-1331-P2) illustrates both the existing and proposed works on the site. Referring to the drawing, existing works are located in a cleared and filled area measuring about 12m by 25m immediately adjacent to the Buchanan Road Right of Way. Existing works in this area comprise:

- existing drilled well and cast in place concrete below grade enclosure diameter measuring 3m by 3m. These works were constructed in 1969.
- security fence around the well. The security fence encloses an area measuring 6m by 9m.
- pipeline infrastructure including air release valve and drain connecting the well to the System No. 1 supply main.
- electrical service infrastructure.
- water supply mains in the graded area west of the well enclosure fence.

All of the above described works were in place when the Town of Oliver assumed ownership of the irrigation system in 1989. The Town has not, in the period 1989 to date, expanded the footprint of the works.

2. Correct Legal Description and Application Area

The Application Area has been revised to the existing graded area immediately adjoining the Buchanan Road Right of Way which contains the existing waterworks. As shown on the site plan, the application area represents a total site area of about 365 square meters.

To avoid capacity interferences between the existing and proposed wells, the proposed well would have ideally been located at the north end of Parcel 3. This location however represents the potential of adversely impacting habitat, particularly during construction, and would require use of the existing dyke for access. A further complication is the requirement for an electrical service to the north end of Parcel 3 and the potential impacts on habitat that the electrical service construction may represent.

By locating all proposed works at the south end of Parcel 3 in an area containing existing works, impacts on habitat are anticipated to be minimal. Construction will not require any tree or brush removal.

3. Written Authorization from MOE/FLNRO

I am not sure what you require in the form of authorization from MOE/FLNRO. Under separate cover we will be making an application to FrontCounter BC pursuant to Section 9 of the Water Act to construct works in and about a stream.

The Town's preference would be for fee simple tenure of the site area. In the interim, a license of occupation is requested to enable the construction to proceed in the immediate near future. As noted in the introduction of this letter, there is significant urgency to initiate the drilling as soon as possible. I am hopeful that the drilling can be authorized on the basis that the Town already owns and operates a well on the site and the proposed drilling will include a replacement of the existing well.

Should any additional information be required, please contact the writer.

Yours truly,

A handwritten signature in black ink, appearing to read 'T.R. Underwood', with a stylized flourish at the end.

T.R. Underwood, P. Eng.

TRU/cab

Enclosures

cc: Tom Szalay
Shawn Goodsell
Shaun Reimer
Dannie Carsen
Rob Stewart