

# **FORTISBC INC.**

## **CROWN LAND TENURE APPLICATION**

2012-11-23

FBC File: OI-2537606

### **DEVELOPMENT PLAN – Revised**

#### **A. PROJECT OVERVIEW**

##### **SCOPE & PURPOSE:**

FortisBC Inc. (“Fortis”) has been asked to supply and install electrical facilities to the new Osoyoos Cottages (“Cottages”) residential development situated on First Nations Reserve lands along the east side of Osoyoos Lake. An upgrade is necessary to provide adequate power supplies and communication services for the scope of the development. The facilities will be situated within a statutory right of way over private property and portions of Crown land through DL 2450S.

The scope of the project involves:

1. The upgrade and rebuild of existing three phase electrical facilities; and
2. Salvage/removal of a portion of the existing facilities through Lot 975 and the remainder of DL 2450S which is partially designated as Ecological Reserve.

The new Cottages development also requires internet service and an agreement between the developer and EastLink Communications involves placement of communications cable on Fortis’ poles.

##### **LOCATION:**

The site location is approximately 7.4 km north of the Town of Osoyoos, BC at the north end of Osoyoos Lake shown illustrated on the attached General & Site Specific mapping (**Schedule A**) and photos attached as **Schedule I**. The Site Map shows the application area in red outline. A Book of Reference is also included on the sketch describing each of the Crown Lands and the area affected by this application.

## B. PROJECT DESCRIPTION

### Project Overview

#### 1. Electrical Upgrade & Rebuild

Fortis is the owner of an existing Statutory Right of Way Plan A2619 over private properties in the westerly portions of the distribution system – attached for reference as **Schedule B**. Fortis hereby applies for additional Statutory Right of Way over Crown lands as shown in red on Schedule A. The proposed new right of way corridor width is 15.2m west of the Okanagan Flood Control canal and varies from 15.4m, 10m and 14m through the canal and east with an overall application area of 1.26 ha through Crown land.

The overall project involves rebuilding 3.65 Km of three phase overhead distribution line to provide electrical service & communications to the Osoyoos Cottages Development at the North end of Osoyoos Lake on Osoyoos Indian Reserve lands. Residential home construction at the development is underway.

The existing line was built in 1964, constructed with small gauge three phase copper conductor that lacks carrying capacity to service the large scale Cottages development which includes 284 single family residential units. The typical lifespan of a pole is 50 years or less and the existing copper conductor (old and brittle) is being phased out of Fortis' overall system in favor of lighter aluminum conductor. The pole line rebuild alignment will vary from existing with proposed re-routing to mitigate impacts to environmentally sensitive areas. Pole & anchor placement locations have been carefully selected to avoid wetland habitat and the Haynes Lease Ecological Reserve.

The power line facilities will be connected to existing local distribution systems commencing at Highway 97 and terminating at existing facilities on the Osoyoos Indian Reserve along Radio Tower Road (also known as Nk'Mip Road). The facilities include:

- Aerial spans of 3 Phase MCM (12470 volts/7200 volts phase to phase/phase to ground), neutral conductor and communication cables;
- Poles - primarily 50' to 55' Class 2 poles – installed in culverts;
- Anchors
  - o Buried steel plates connected to poles by a steel guy cable; and
  - o Wooden push brace support.

Fortis has consulted with the Ministry of Environment, Ministry of Transportation and other stakeholders regarding the proposed works. In order to accommodate the larger conductor and the communications cable, span lengths have been shortened resulting in some additional pole structures. There are 10 poles and 7 anchors together with associated overhead conductor and cable spans impacting affected Crown land overall.

To minimize disturbance, galvanized steel culverts will be used to contain excavations for both the poles and the anchor installations. A vacuum truck will be used to facilitate excavations and the excavated slurry will be hauled off site and disposed of in a proper



manner. Gravel will be used to backfill the poles & culverts, containing the gravel inside the culverts with the poles and anchors.

## **2. Salvage and Abandonment of Portion of Existing Alignment**

The power line rebuild will result involve re-alignment from existing to mitigate impacts to environmentally sensitive areas and specifically remove structures from seasonally wetted areas. Furthermore, the existing poles lack carrying capacity to service large scale development and the poles are closing in on their functional lifespan of 50 years or less. Fortis will salvage existing electrical facilities and abandon portions of the existing alignment within Crown land within Lot 975, Untitled Crown Land DL 2450s and the Haynes Lease Ecological Reserve shown in blue on the enclosed Fortis MOT 2 Application drawing (**Schedule C**).

Decommissioning of existing structures will be completed using existing historical access trails and spurs and will be completed using all applicable Best Management Practices including Erosion and Sediment control, waste management and spill prevention. The structure removal footprints will be as small as possible and disturbance areas will be fully restored and re-vegetated in consultation with the Ministry of Forest, Lands, and Natural Resource Operations. The reclamation of old poles and associated hardware will be recycled and reused where possible or disposed of according to Environmental Management Act (formerly the Waste Management Act).

## **C. ADDITIONAL INFORMATION**

### **LAND IMPACTS & ACCESS:**

#### ***1. Environment & Access:***

Fortis recognizes that certain sections of the application area are deemed “critical” wetland habitat and this project will require mitigation measures. As a result, Fortis has engaged the services of IC Ramsay and Associates and has contacted the Ministry of Environment, Fisheries and Oceans Canada, Pacific Region, and other environmental stakeholders and is working with them to develop a strategy to minimize and manage environmental impacts.

##### **a) Environment:**

- The alignment through Crown lands is being altered from the existing alignment to lessen impacts to the Okanagan River, wetland and surrounding natural environment;
- Environmentally there are no other route options free of issues;

- In addition to Riparian Re-vegetation, environmental enhancements such as bird flight diverters & nesting platforms will be placed strategically along the route. Distribution structure anti-nesting devices will be used on the energized pole structures that are susceptible to bird nesting in an effort to protect the wildlife by keeping the birds off those structures;
- Fortis will utilize all practical construction Best Management Practices (ie sediment and erosion control and spill prevention);
- Fortis has contacted the BC Ministry of Environment and will work with them to implement a full mitigation and restoration plan;
- A full environmental assessment is underway by Fortis' consultant, IC Ramsay and Associates;
- Site access during construction will be minimized to the greatest extent possible;
- Line construction will involve the use of 4-5 ton line truck(s), 5 ton vacuum truck(s), ¾ ton pickup trucks and possibly a small excavator (unlikely);
- For safety reasons, no vegetation overhang is permitted within specific clearance zones on power line facilities. Vegetation clearance requirements for the proposed new construction will involve removal of all undesirable tree species within 7m of the proposed facilities. Clearing requirements will be minimized as much as possible in keeping with safe line construction and maintenance. Any right of way clearing that is required will be completed by Fortis;
- A Fisheries and Oceans Canada Record of Self-Assessment is attached as **Schedule D**.

**b) Stakeholder Consultation**

- Ministry of Environment
  - South Okanagan Wildlife Management Area – Rob Stewart, Ecosystem Biologist, Penticton (250-490-8253) – written consent in principle attached as Schedule – e-mail dated November 22/12 (**Schedule E**);
  - Ministry of Environment, Kootenay Okanagan Region, Keith J. Baric, BSc. MSc., Planning Section Head (250-490-8260) – Notice of Intent to construct power line facilities within Section 42 Road through Haynes Lease Ecological Reserve (**Schedule F**);
- Ministry of Transportation and Infrastructure – Rob Bitte, District Development Technician, Penticton (250-490-2280) – Provincial Public Highway Permit Application (**Schedule G**);
- Navigable Waters Protection Act, Pacific Region- John Mackie, Program Area Officer (604-775-8890) – Application for Determination re a) exemption based on rebuilding existing works and/or b) work does not substantially interfere with navigation (**Schedule H**);
- Fortis is also in process of consulting with other individual stakeholders - the Osoyoos Indian Band, The Nature Conservancy of Canada and Ducks Unlimited in regards to this application and other private land interests.

c) **Access Plan:**

- Fortis will use the existing access roads from Highway 97, Road 22, Radio Tower Road, the Okanagan Flood Control R/W and Plan 17093 road allowance. Trucks & equipment will be limited to stay within the existing road paths that are onsite and will be marked by the environmental consultant in coordination with landowners, lessees and Environmental Stakeholders. Construction work would be limited to a frozen January/March timeline or alternatively an October/November timeline.

No other adverse impacts to drainage or fencing are anticipated but any such impacts will be mitigated and/or repaired forthwith.

**2. Socio-Economic:**

Current discussions indicate that there may be additional future development in the same general area on First Nations lands. The proposed upgrade will accommodate additional growth in the area.

No adverse impacts to land use, public health or socio economic conditions are expected with respect to the power line upgrade. Every effort will be made to minimize environmental and community impacts.

**CONSTRUCTION SCHEDULE:**

Construction timelines:

Preferred: January/March 2013 timeline.

Alternative: October/November 2013 timeline.

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