

From: McKay, Ariana FLNR:EX
To: Tepper, Herb FLNR:EX; McKechnie, Nicole ENV:EX
Cc: Knapik, Mike B FLNR:EX
Subject: RE: Re: Proposed marina development on Lake Windermere - Land File 4405612
Date: September 11, 2018 3:45:00 PM

Nicole,

Were you able to track down Peter Holmes' comments from 2016? I would be happy to provide a habitat perspective on terrestrial/wildlife related aspects that Peter may have identified.

Thanks,

Ariana McKay MSc, RPBio

Habitat Biologist, Kootenay Boundary Region

Ministry of Forests, Lands, Natural Resource Operations, and Rural Development

205 Industrial Rd. G, Cranbrook, BC, V1C 7G5

Phone: 250-489-8557

From: Tepper, Herb FLNR:EX
Sent: Tuesday, September 11, 2018 3:37 PM
To: Tepper, Herb FLNR:EX
Cc: McKay, Ariana FLNR:EX; Knapik, Mike B FLNR:EX
Subject: Re: Re: Proposed marina development on Lake Windermere - Land File 4405612

Nicole,

Mike asked me to expand on my previous comments below:

1. My comments were related to the water application which I reviewed. I do not review land referrals as it is part of Ariana's job and I should have sent my comments to her.
2. Windermere Lake has been highly impacted by non-native fish species like bass and likely others. As such, many of the native species like burbot, bull trout, etc. have virtually disappeared.
3. As you likely know, Windermere Lake has become a recreational playground for many people with little to no fishery other than a bit of winter fishery for bass, which historically was a big burbot fishery.
4. The EMP which I reviewed, related to the water application, seems to mitigate impacts to fish habitat for any native fish that may still exist in Windermere Lake.
5. The docks may improve the fishery for bass in that area as they like to live under docks. I certainly, do not advocate for the improvement of non-native fish habitat, but unfortunately there is little that can be done to remove bass from Windermere Lake.

If you have any questions please let me know. Thank you.

Herb

From: Tepper, Herb FLNR:EX
Sent: September-07-18 5:53 PM
To: McKechnie, Nicole FLNR:EX
Cc: Krebs, John A FLNR:EX; Walburger, Kenric FLNR:EX; Knapik, Mike B FLNR:EX
Subject: Re: Re: Proposed marina development on Lake Windermere - Land File 4405612

Nicole,

It is also my professional opinion that the current Group Moorage application in Baltac Bay does not

have shortcomings with respect to aquatic habitat. Thank you.

Herb

From: McKechnie, Nicole FLNR:EX

Sent: September-07-18 3:47 PM

To: Tepper, Herb FLNR:EX

Cc: Krebs, John A FLNR:EX; Walburger, Kenric FLNR:EX

Subject: Re: Proposed marina development on Lake Windermere - Land File 4405612

Hi Herb,

This *Land Act* application (and related *Water Sustainability Act* Sec 11 application) have become contentious, causing much public concern, and has led to our office receiving letters from lawyers hired by concerned citizens. There is potential that this application may lead to an Early Warning Note or FOI, so I have asked Ken for assistance in getting your much needed review and comments from a fisheries/habitat perspective. A *Land Act* decision is based on whether an application is determined to be the highest and best use of Crown land. In this case, the input from an aquatic habitat specialist is needed to help determine if a Group Moorage on Baltac Bay is the highest and best use.

In 2016, this same *Land Act* application was disallowed, one of the reasons being habitat concerns raised by Peter Holmes. Peter's comments and requirements formed part of the 2016 Reasons for Decision, as did the fact the applicant did not meet the Windermere Lake Shoreline Management Guidelines for Fish and Wildlife Habitats for being in an "Orange Zone". This current 2018 application is a re-application and the applicants think they have addressed the reasons their 2016 application was disallowed. I require Peter's 2016 reasons to be compared to this 2018 application to see if the concerns have been met. It is my opinion that they have not, but I cannot make that determination and need your input. Please see the attached previous emails that I have sent to you and to the applicant, for your reference.

If it is as simple as, it is also your professional opinion that the current Group Moorage application in Baltac Bay has shortcomings with respect to aquatic habitat, then I ask that you please provide, in writing, that information to me, to help inform the land use decision. As I've mentioned, I could meet with you to provide more information next week, if you need it. If possible, I would appreciate your comments by September 19th.

Regards,

Nicole

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

From: Tepper, Herb FLNR:EX

Sent: Thursday, September 6, 2018 8:53 PM

To: McKechnie, Nicole FLNR:EX

Subject: Re: Proposed marina development on Lake Windermere

Nicole,

Sorry, no time next week. This file is a low priority for me. Thank you

Herb

From: McKechnie, Nicole FLNR:EX

Sent: September-06-18 4:28 PM