

April 04, 2025

Blaine Louis and Monica Louis
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Re: Impact Assessment Act Environmental Review
Okanagan Indian Band
Proposed Gas Station and Convenience Store
Head of the Lake IR1, Lot 449, Block 5 Plan 11
Southeast corner of the intersection of Westside Road and Battle Place Road
50.286468, -119.415778

Blaine Louis and Monica Louis are seeking a commercial Headlease in support of a gas station and convenience store, which will be located on Okanagan Indian Band IR1, Lot 449.

As a requirement for issuing Leases, Indigenous Services Canada (ISC) requires that projects undergo an Environmental Review as per the ISC Environmental Review Process to address all significant environmental concerns with regards to the project prior to the issuance of the Lease for development activities. The project has been reviewed and a determination made under the Impact Assessment Act (2019). ISC has determined that a Lease for a commercial gas station and convenience store use is unlikely to result in significant adverse environmental effects provided it is carried out in compliance with the Mitigation Measures table on pages 4-6, and the Terms and Conditions on pages 2-3.

The current land use of the subject property is single family residential and agriculture. The proposed development includes the construction and operation of a gas station and convenience store, with servicing provided by well for potable water, and septic for wastewater. An Environmental Assessment report has been completed and submitted, with accompanying field work. The desktop assessment results and field assessment observations determined that the project area is considered to have a low conservation ranking value, and no environmental sensitive areas or features besides the remaining healthy, native ponderosa pine trees. The EA provides a list of temporary impacts and mitigation measures recommended to reduce these impacts.

The project was posted to the Canadian Impact Assessment Registry (#88477) April 10, 2024 for a public review and comment period, no comments were received.



Documents Reviewed

Report: Environmental Assessment Report, Lots 47 & 48 Block 5 Okanagan Indian Reserve No. 1; prepared by Okanagan EHS Services Ltd.; dated September 13, 2022. (This report appears to be a combined Phase 1 Environmental Site Assessment and an Environmental Impact Assessment)

Plan of Survey: Lot 449, Block 5, Okanagan IR No.1; signed March 12, 2023.

Letter: Battle Place and Westside Road – Lot 48, Block 5 Okanagan Indian Reserve No.1, Development Assessment – Sewage Disposal; prepared by Protech Consulting; dated June 06, 2023.

Letter: Proposed Public Facility Development – Lot 48 Westside Road and Battle Place – Water and Onsite Sewerage System; prepared by First Nations Health Authority; dated June 26, 2023.

Drawing: Composite Utility Plan; Drawing 23038-101; prepared by Protech Consulting; dated October 22, 2024.

Report: Archaeological Overview Assessment and Preliminary Field Reconnaissance for Louis Property – Lot 449 Okanagan IR1; prepared by Ursus Heritage Consulting Ltd.; dated January 2025.

Terms and Conditions

- The supply of sufficient potable water shall be the responsibility of the Lessee.
- The appropriate treatment and disposal of wastewater shall be the responsibility of the Lessee.
- The Lessee is responsible for testing the water source, whether the existing well or the installation of a new well, to determine water quality and quantity and any treatment required for the water to meet potable water standards. The Lessee is responsible for regularly monitoring and treating the water to potable standards. Potable water quantity must be sufficient to meet expected daily flow requirements of the development.
- Any potable water well used to service the development must be shown on a Site Plan in relation to the development, and must meet setback distances recommended by the First Nation Health Authority.
- Should a new potable water well be proposed, a test pit/monitoring well should be used to determine if a location exists on site which can supply sufficient potable water.
- A Site Plan which is signed and sealed by a professional engineer must be submitted to FNHA and ISC prior to commencement of construction.
- Design, installation, maintenance of the sewerage system must be from Authorized Person. The certified Authorized Person must file and submit all applications to FNHA. All recommendations of the FNHA must be incorporated into the plan.
- An appropriate stormwater collection and treatment design must be incorporated into the plan prior to the commencement of construction which will ensure oils, lubricants, and

petroleum products do not enter groundwater or leave the immediate site through surface water.

- Federal fuel storage tank regulations must be met: <https://www.canada.ca/en/environment-climate-change/services/pollutants/storage-tanks-petroleum-allied-products/regulations.html>
- The Lessee is liable for any contaminates found to be brought onto site due to fill activity and is responsible for any necessary remediation costs and associated damages (environment or otherwise) as a result of importing contaminated fill for surface or subsurface improvements.



Mitigation Measures Table

Environmental component	Construction and operation mitigation measures
General	Incorporate appropriate and current Best Management Practices (BMPs) for construction and operation of the project.
1.0 Soil	<p>Erosion and sediment controls (ESCs) must be in place prior to the initiation of construction activities.</p> <p>ESCs must be inspected daily during the construction phase, and weekly if the site is inactive but soils remain disturbed.</p> <p>ESCs must be maintained, repaired, replaced, or otherwise adapted immediately to ensure optimal functioning of ESC measures. No suspended sediment shall be allowed to leave the site.</p> <p>All areas of disturbed soils must be revegetated (with native species where possible) and/or stabilized upon completion of construction to ensure no migration of sediment off site.</p> <p>Any excavated soils suspected of potential contaminants (i.e. odours, staining, etc.) must be sampled by a Qualified Environmental Professional (QEP) and tested according to federal requirements to characterize any contamination and determine appropriate disposal locations and methods. Any materials determined to exceed CCME standards and guidelines must be disposed of at approved facilities. The need for confirmatory samples and risk management or remediation will be at the discretion of the ISC Environmental Specialist.</p> <p>The proponent shall document and keep records of the movement, disposal, and/or selling of all imported and exported soil materials. Records must be kept available and provided to ISC upon request and at the end of project construction.</p> <p>Any fill material (including topsoil or aggregate) imported to the property must be certified clean. Contaminated fill material must not be used on site.</p>
2.0 Surface Water	<p>Erosion and sediment controls (ESCs) must be in place prior to the initiation of construction activities.</p> <p>ESCs must be inspected daily during the construction phase, and weekly if the site is inactive but soils remain disturbed.</p> <p>ESCs must be maintained, repaired, replaced, or otherwise adapted immediately to ensure optimal functioning of ESC measures. No suspended sediment shall be allowed to leave the site.</p> <p>An appropriate stormwater collection and treatment design must be incorporated into the plan to ensure oils, lubricants, and petroleum products do not leave the site.</p>
3.0 Groundwater	<p>Any groundwater pumping to facilitate construction will require that a groundwater management plan be developed by a QEP and implemented.</p> <p>An appropriate stormwater collection and treatment design must be incorporated into the plan to ensure oils, lubricants, and petroleum products do not enter groundwater.</p>
4.0 Vegetation	Minimize removal of natural vegetation to the greatest extent possible.



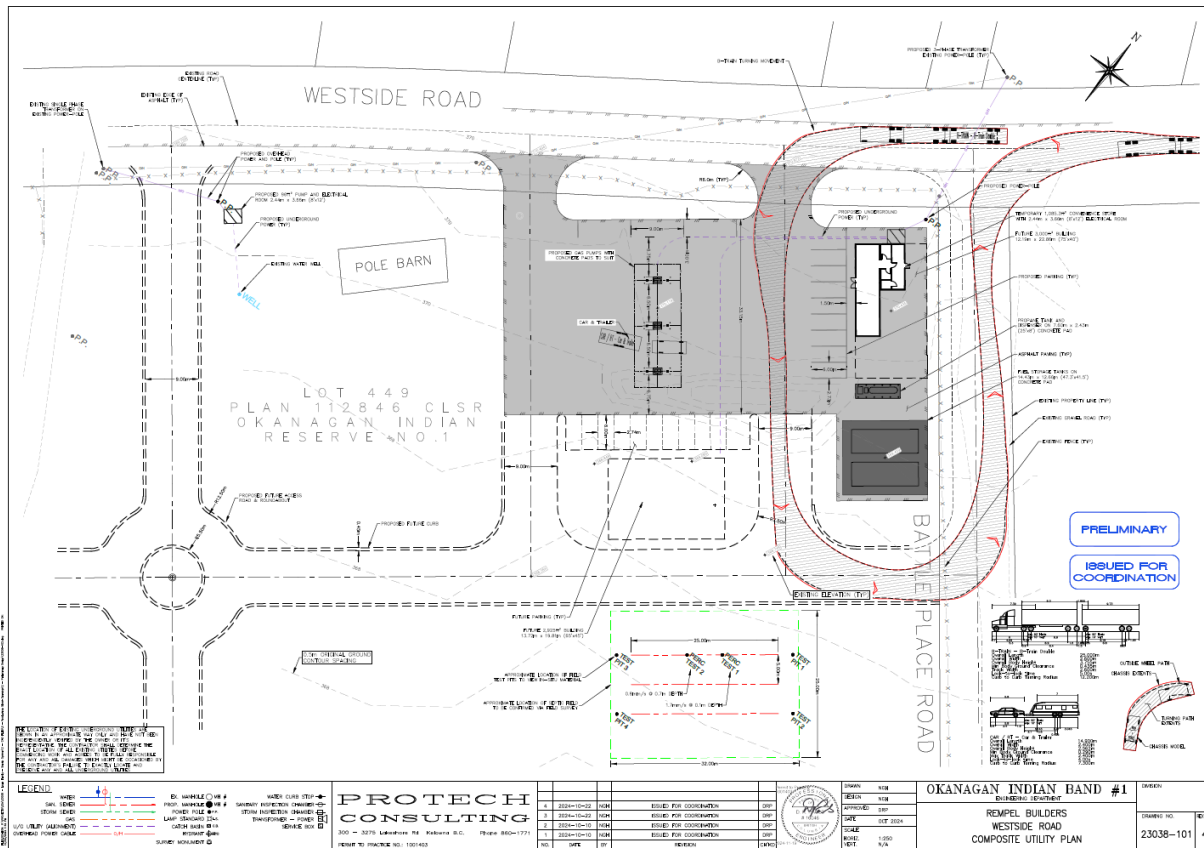
<p>4.1 Vegetation – Species and Communities at Risk</p>	<p>A QEP must be notified should any suspected Species at Risk (SAR) vegetation be discovered on site, and Environment Canada - Canadian Wildlife Service contacted to determine appropriate steps to be taken.</p> <p>The proponent must provide to ISC any Species at Risk Act permits, or other similar approvals that may be required by Environment Canada - Canadian Wildlife Service.</p>
<p>4.2 Vegetation – Invasive Species</p>	<p>Excavation, loading, and transportation of soils contaminated with invasive species must be undertaken using measures to avoid their spread.</p> <p>All areas of exposed soils shall be stabilized upon completion of construction through appropriate methods to reduce the spread of invasive species.</p>
<p>5.0 Wildlife – General Wildlife and Habitat</p>	<p>Minimize removal of natural vegetation to the greatest extent possible.</p> <p>Proper use of Best Management mitigation measures with respect to wildlife and vegetation management, soil management, surface water and groundwater will help ensure no offsite effects to wildlife and wildlife habitat.</p>
<p>5.1 Wildlife – Migratory Birds</p>	<p>Vegetation clearing shall not take place within the Bird Nesting Season that extends from April 01 to August 15.</p> <p>Any nests observed on site will be reported immediately to a QEP.</p> <p>For more information on nesting periods please visit: https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods/nesting-periods.html</p>
<p>5.2 Wildlife – Fish & Fish Habitat</p>	<p>Proper use of Best Management mitigation measures with respect to wildlife and vegetation management, soil management, surface water and groundwater will help ensure no offsite effects to fish or fish habitat.</p>
<p>5.3 Wildlife – Species at Risk (SAR)</p>	<p>A QEP must be notified should any suspected SAR wildlife be discovered on site, and the Canadian Wildlife Service and ISC contacted to determine appropriate steps to be taken.</p> <p>The proponent must provide to ISC any Species at Risk Act permits, permissions, advice, or other similar approvals that may be required by the Canadian Wildlife Service should any Species at Risk and/or their habitat be discovered on site.</p> <p>For further information on your responsibilities under the Species at Risk Act please visit: https://www.canada.ca/en/environment-climate-change/services/species-risk-education-centre/your-responsibility/your-responsability-guide.html</p>
<p>6.0 Spills or Release of Deleterious Substances</p>	<p>Spill containment and management kits shall be available on site at all times during construction. The provincial spill hotline shall be posted.</p> <p>All chemicals stored on site must be labeled and securely stored to prevent spills. Any spills must be cleaned up as soon as it is safe to do so and materials disposed of appropriately.</p> <p>Installation of fuel storage tanks must meet all applicable codes and regulations including the National Fire Protection Code as well as the Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations (SOR/2008-197) under the Canadian Environmental Protection Act (CEPA).</p> <p>Fuel tank installation shall include:</p> <ul style="list-style-type: none"> — Double wall fuel storage tank. — Low drip nozzle systems and automatic fill shut off. — Leak detection and monitoring system including alarms and shut-offs that are maintained and functioning as designed. — Grounding systems to prevent electrostatic sparking. — Integrated leak monitoring and supporting system with alarms and shut-offs.



	<p>— Installation of a physical barrier around the tank to prevent inadvertent tank and vehicle collisions.</p> <p>The Lessee shall ensure that the owner/operator will have in place an Emergency response plan which includes the components identified in the Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations (SOR/2008-197) (CEPA).</p> <p>The Lessee shall be responsible for any and all costs for spill containment, sampling, testing, and remediation that may be required by ISC due to spill or release of deleterious substance.</p>
7.0 Waste Management	Waste management must include collection and disposal of garbage and general waste, construction wastes, sanitary wastes, equipment-related wastes, and any hazardous wastes in an effective, timely, and appropriate manner. Wastes shall be collected and contained using appropriate methods to ensure they will not be hazardous to wildlife. Chemicals and MSDS materials must be placed in locked containment overnight and any time the site is not active.
8.0 Safety	It is the responsibility of the Lessee to ensure that the contractors have a proper health and safety plan in place during construction and operation of the project.
9.0 Air Quality	Minimize machinery and equipment idling and turn off machinery and equipment when not in use. Weather considerations must be taken into account for construction activities (poor air quality days, wind, etc.) to ensure dust is properly managed and workers are not unduly exposed to improper air quality.
10.0 Noise	The contractor shall abide by regional and municipal noise bylaws.
11.0 Archaeology	All workers must be made aware of chance find archaeological procedures. Any archaeological or heritage materials discovered must be reported immediately to the Okanagan Indian Band, and remain the property of Okanagan Indian Band.



Project Map/Drawing



ISC Determination

ISC has analyzed the project and its potential environmental effects and recommends that:

- taking into account the proposed mitigation measures, the project is not likely to cause significant adverse environmental effects
- taking into account the proposed mitigation measures AND the above recommendations, the project is not likely to cause significant adverse environmental effects.
- the project is likely to cause significant adverse environmental effects.
- the project should undergo a detailed environmental review, in light of the information supplied.

Please let me know if you have any questions regarding this review.

Thank you,

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