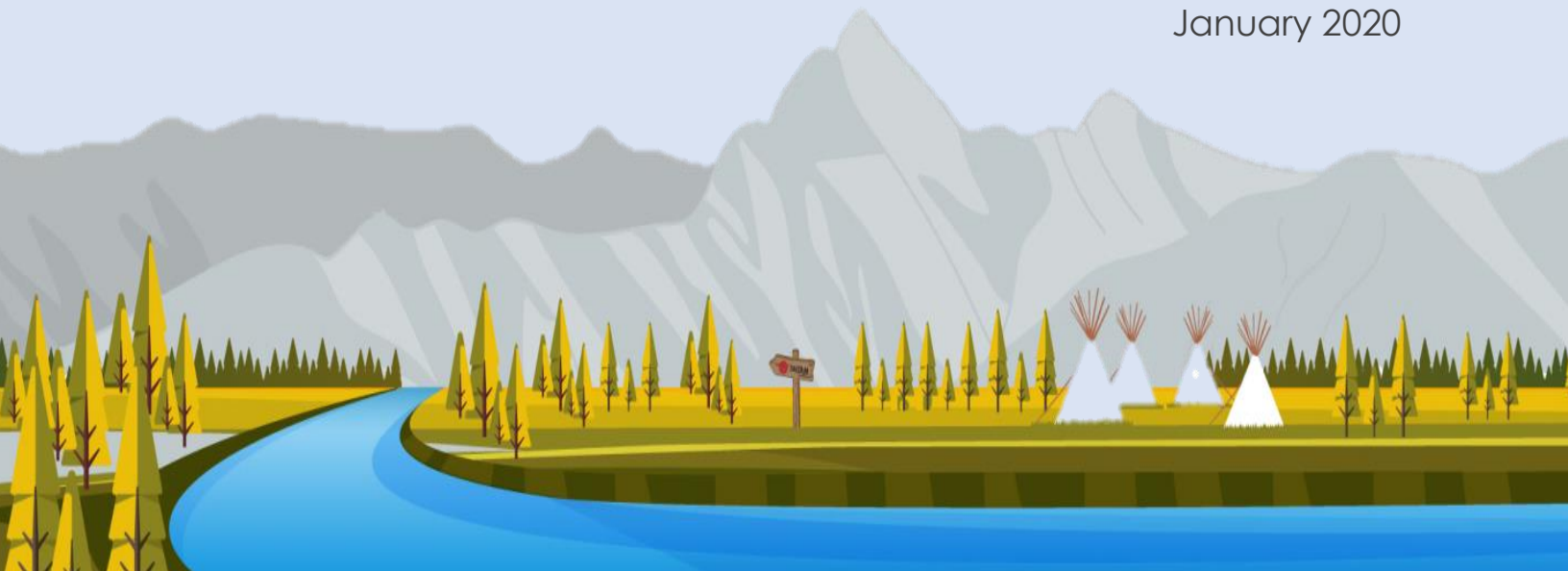
?AQ'AM

Environmental Management & Protection Plan

Part 3: Policies & Procedures

January 2020



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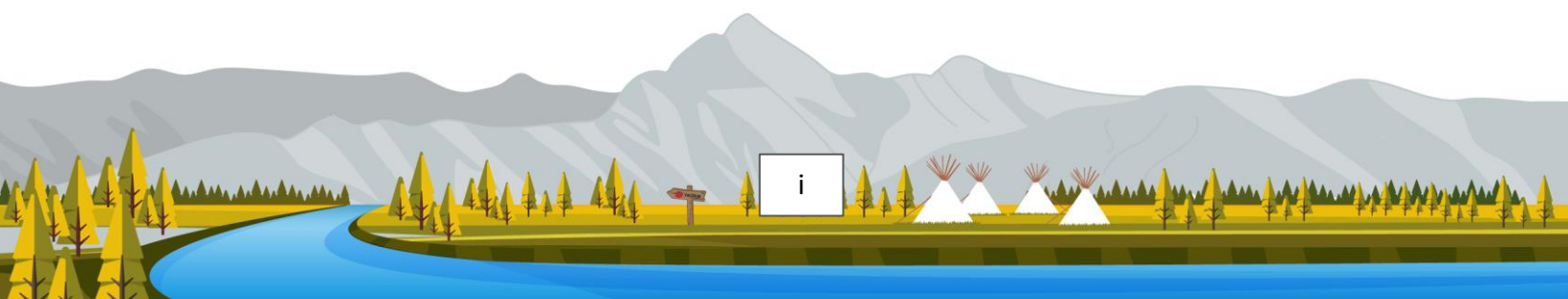
1.0	January 21, 2020	Chief and Council	First version, drafted 2018-2019



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Introduction

"We are the ***Ktunaxa*** people of ***ʔaq̓am***, the People of the Dense Forest. Our Creation Story documents that as ***Ktunaxa***, we are the keepers of ***ka ʔamaknaƚa ɛ ka wuʔunaƚa*** — our land and waters."

The following document provides the ***ʔaq̓am*** Lands Department with an overview of the environmental policies and environmental operating procedures that are to be followed on ***ʔaq̓am*** lands. This document is meant to serve as a tool when reviewing applications for use, negotiating agreements, and performing environmental reviews; it is meant to inform and guide activities on ***ʔaq̓am*** lands that have the potential to negatively impact the environment and/or the health of our people. This document was created as part of the **Environmental Management & Protection Plan**, which serves as a foundational part of ***ʔaq̓am's*** overarching Environmental Protection Regime.

For the purpose of this document:

- **Developer** is defined as any individual, business, organization or agency (including ***ʔaq̓am*** community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.
- ***ʔaq̓am* lands** refer to ***Kamaquwuʔki*** (St. Mary's 1), ***ʔaq̓am*** (Kootenay 1), ***kanḵak*** (Isidore's Ranch 4), ***qaƚsan mayuk*** (Cassimayooks 5), and ***ḵaƚqakakmaʔnam*** (Bummers Flat 6).

Organization

The document begins with an overview of ***ʔaq̓am's*** Environmental Policies and then provides a series of Environmental Operating Procedures (EOPs), based on best management practices, to guide specific activities on ***ʔaq̓am*** lands. Some EOPs also have specific processes associated with them, included as flow charts, where possible, for ease. Hyperlinks to reference materials are also provided for ease.

Environmental Policies

The environmental policies in Table 3-1 are to be applied to all ***ʔaq̓am*** lands to support compliance with best management practices and legislation relevant to environmental management.

Table 3-1. *ʔaq̓am* environmental policies

Policy #	Policy
General Land Development	
EP 1	Until such time that ***ʔaq̓am*** enacts an environmental assessment law, all activities occurring on ***ʔaq̓am*** lands involving physical work and/or land disturbance must abide by the Interim Environmental Assessment Policy (Policy 8) of ***ʔaq̓am's*** Land Management Manual, which outlines ***ʔaq̓am's*** Interim Environmental Assessment Process.
EP 2	Activities occurring on ***ʔaq̓am*** lands involving physical work and/or land disturbance and that have the potential to adversely impact environmental and/or human health (e.g., construction) may require monitoring based on the recommendation of the Lands Director and discretion of Council, as outlined in the Interim Environmental Assessment Policy (Policy 8) of ***ʔaq̓am's*** Land Management Manual.
EP 3	It is the responsibility of any developer on ***ʔaq̓am*** lands to consider and address, and where necessary mitigate, any adverse environmental effects from their proposed project, including impacts to surface and ground water, increased flood risk, and habitat destruction.
Groundwater Protection	
EP 4	All residents on ***ʔaq̓am*** lands are expected to follow the best management practices for household well function and maintenance, as outlined in **EOP 2**.
EP 5	It is the responsibility of each landowner on ***ʔaq̓am*** lands to complete inspections of any wells on their property and to address any maintenance requirements, as per **EOP 2** and in accordance with the *BC Groundwater Protection Regulation*.
EP 6	It is the responsibility of each landowner on ***ʔaq̓am*** lands to construct any additional wells and associated infrastructure in accordance with **EOP 2** and the *BC Groundwater Protection Regulation*.

Cultural Resources Protection	
EP 7	At minimum, an Archaeological Overview Assessment is required prior to any physical work and/or land disturbance activities on ***ʔaq̓am*** lands, in accordance with Application for Use Process and the Interim Environmental Assessment Policy (Policy 8) of ***ʔaq̓am's*** Land Management Manual.
EP 8	All activities occurring on ***ʔaq̓am*** lands involving physical work and/or land disturbance and that have the potential to adversely impact cultural resources, including traditional use areas, may require archaeological monitoring at the discretion of Council, in accordance with Interim Environmental Assessment Policy (Policy 8) of ***ʔaq̓am's*** Land Management Manual.
EP 9	Any archaeological finds during physical work and/or land disturbance on ***ʔaq̓am*** lands must be dealt with in accordance with **EOP 11**.
Recreational Use	
EP 10	All recreational vehicle activities on **ʔaq̓am** lands must comply with **EOP 4**, ***ʔaq̓am's*** *Trespass & Access Law*, and the Community Land Use Plan to support the protection of cultural resources and the ecological integrity of ***ʔaq̓am*** lands for future generations, and to prevent the spread of invasive plants.
Sewage Management	
EP 11	It is the responsibility of each landowner on ***ʔaq̓am*** lands to install and maintain septic systems in accordance with the **EOP 3**, inclusive of obtaining a Permit from the First Nation Health Authority and the standards contained in the Provincial Sewerage System Standard Practice Manual.
Solid & Household Hazardous Waste Management	
EP 12	Littering and illegal dumping on ***ʔaq̓am*** lands is prohibited and is considered an offence under and ***ʔaq̓am's*** *Trespass & Access Law*.
Surface Water & Fisheries Protection	
EP 13	Any land disturbance or physical activities on ***ʔaq̓am*** lands must not cause serious harm to fish and/or their habitat, in accordance with the *Fisheries Act* and the *Species at Risk Act*.
EP 14	It is the responsibility of any developer on ***ʔaq̓am*** lands to practice due diligence and develop and implement an Erosion and Sediment Control Plan for any land disturbance activities that have the potential to impact surface water quality and fish and/or fish habitat, in accordance with **EOP 1**.
EP 15	Any land disturbance activities within 30 m of a water feature (pond, lake, river, creek, stream or any watercourse, even if only seasonal) as measured from the high watermark, or within 30 m of a ditch or wetland that is connected to a water feature, require an assessment by a Qualified Environmental Professional to determine the appropriate riparian setback in accordance with principles of the *BC Riparian Areas Regulation*, unless otherwise determined and approved by Council.
EP 16	***ʔaq̓am*** will strive to work with the City of Cranbrook, the City of Kimberley, the Regional District of East Kootenay, and Teck to facilitate the sharing of water quality data and to discuss management strategies.

Vegetation Management	
EP 17	All herbicide applications on ***ʔaq̓am*** lands must be undertaken in accordance with **EOP 8** and the requirements of the federal *Migratory Birds Convention Act* and the BC *Integrated Pest Management Act*.
EP 18	All activities on ***ʔaq̓am*** lands must strive to reduce the spread of the invasive species, including noxious weeds, in accordance with **EOP 8**.
EP 19	***ʔaq̓am*** will continue ongoing habitat restoration and explore opportunities to further collaborate with agencies for additional restoration and/or enhancement of natural areas on ***ʔaq̓am*** lands.
Wildlife Protection	
EP 20	All land use planning and land disturbance activities on ***ʔaq̓am*** lands must incorporate considerations for wildlife habitat protection, and where feasible identify opportunities for restoration and enhancement, in accordance with **EOP 1**.
EP 21	Any land disturbance or physical activities on ***ʔaq̓am*** lands must not adversely impact Species at Risk and/or their habitat, in accordance with **EOP 1** and the federal *Species at Risk Act*.
EP 22	***ʔaq̓am*** will strive to work with the City of Cranbrook, the City of Kimberley, the Regional District of East Kootenay, and stewardship groups to identify opportunities to collaborate on wildlife habitat management, restoration and enhancement initiatives.
Fuel Handling, Storage & Disposal	
EP 23	All handling, storage and disposal of fuel on ***ʔaq̓am*** lands must be undertaken in accordance with **EOP 5** and the BC Fuel Guidelines.
EP 24	***ʔaq̓am*** and any businesses operating on ***ʔaq̓am*** lands are required to provide and maintain spill kits at strategic locations where appropriate, in accordance with **EOP 6** and the BC Fuel Guidelines.
Soil & Fill Management	
EP 25	Soil or fill material brought onto ***ʔaq̓am*** lands must be free of contamination, in accordance with **EOP 10** and the British Columbia First Nations' Fill Management Guide.

EOP 1: Land Development

Purpose

This document provides information on required land development and management procedures to be employed during any physical work and/or land disturbance activities on ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to avoid and/or mitigate the potential for negative environmental impacts as a result of land development. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to land development;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Develop and submit to the Lands Department a thorough Project Description in the Application for Use 5-1-1 Form; and
- Report any incidents and unregistered land development activities that have the potential to negatively impact the environment to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

Key Contact

ʔaq̓am Lands Department
7470 Mission Road
Cranbrook, BC V1C 7E5
250-426-5717

Definitions

ʔaq̓am* lands:** refer to all 5 Reserves set out in the Individual Agreement between Canada and ***ʔaq̓am, which include Kootenay 1, St. Mary's 1, Isidore's Ranch 4, Cassimayooks 5, Bummers Flat 6.

Cultural Resource: an object, site or location of a traditional or cultural practice that has past and ongoing importance and that is of significance to ***ʔaq̓am***.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Land development: Refers to the alteration of land or land disturbance and includes the building of new infrastructure and modifications or renovations to existing infrastructure.

Species at Risk: An endangered, or threatened species or a species of special concern as identified in the federal *Species at Risk Act* or the BC *Wildlife Act*.

Surface water: Refers to water found in rivers, creeks, streams, lakes, ponds, and ditches on and adjacent to ***ʔaq̓am*** lands.

Best Management Practices & Processes to be Followed

EOP Process 1a. Environmental Review and **EOP Process 1b. Environmental Assessment Process** (1 of 2) must be followed prior to any physical works and/or land disturbance activities on ***ʔaq̓am*** lands. Best management practices that must be employed prior to and during all land development activities on ***ʔaq̓am*** lands include, but are not limited to:

BMP 1.1 Planning & Site Selection for Land Development

- Consult with the ***ʔaq̓am*** Lands Department and reference the Community Land Use Plan and ***Ka Knił̓witiyaʔła*** - *Strategic Plan*, and more generally Policy 1 of ***ʔaq̓am's*** Land Management Manual.
- Conduct a bio-inventory of fisheries, birds, wildlife and vegetation resources at the proposed site prior to commencement of any development activities to identify species present, sensitive habitat, potential impacts and associated protection and mitigation measures, in accordance with Policy 8 of ***ʔaq̓am's*** Land Management Manual.
- Conduct an inventory of surface waters and natural drainage patterns at the site prior to development to inform development plans, as well as erosion and sediment control plans, and associated protection and mitigation measures.
- Where there is potential for species at risk to occur, a Qualified Environmental Professional should be consulted prior to works being initiated, in accordance with the federal *Species at Risk Act* and Policy 8 of ***ʔaq̓am's*** Land Management Manual.
- Design and plan activities so that loss or disturbance to surface water and habitat (e.g., aquatic and terrestrial) is minimized and sensitive habitats (e.g., spawning) are avoided, in accordance with the BC *Riparian Areas Regulation.*
- Develop a response plan for chemical or sediment releases, in accordance with the Fisheries and Oceans Canada: Measure to Protect Fish and Fish Habitat and EOP 6.
- Design projects to minimize loss or disturbance to riparian vegetation, in accordance with the *Riparian Areas Regulation.*
- Land developments should be built away from flood plains, in accordance with Policies 5.1.1.2 & 10.1.1.2 of the Community Land Use Plan.
- Avoid building structures on areas that are inherently unstable (e.g., floodplains, alluvial fans) and may result in erosion and scouring of a stream bed, in accordance with the Fisheries and Oceans Canada: Measure to Protect Fish and Fish Habitat.
- Avoid or reduce the number of stream crossings in the design, and ensure fish passage is maintained where avoidance is not possible, in accordance with the Fisheries and Oceans Canada: Measure to Protect Fish and Fish Habitat.
- Time any land disturbance activities with respect for regional reduced-risk fisheries timing windows, as determined by the BC Ministry of Environment, in accordance with the Kootenay Region Periods of Least Risk for Instream Works by Fish Species.

BMP 1.2 During Land Development

- For in-water (instream works):
  - All in-water work must occur during the appropriate timing windows in accordance with the Fisheries and Oceans Canada: Measure to Protect Fish and Fish Habitat and the BC Water Sustainability Regulation.
  - Minimize duration of in-water work, where required, in accordance with the Fisheries and Oceans Canada: Measure to Protect Fish and Fish Habitat.
  - See the BC Kootenay Boundary Water Sustainability Regulation for regional standards and best management practices.
- Limit the amount of impervious surfaces (e.g., pavement, cement) to reduce run-off.
- Employ best management practices in terms of erosion and sediment control – refer to BMP 1.3.
- Maintain riparian vegetation cover for bank stabilization and reduce erosion.
- Conduct environmental monitoring (when directed by Council) during construction activities.
- Vegetation should not be removed/cleared during nesting periods to ensure that activities will not result in the disturbance of bird nests, eggs, or young, in accordance with the *Migratory Birds Convention Act* and the BC *Wildlife Act*.
  - Nesting Period for the Northern Rockies (Boundaries of Bird Conservation Region (BCR) 10) is Mid-April through Mid-August, as per Environment Canada Nesting Periods.
- Use native species during re-vegetation following land disturbance activities, where applicable.
  - Reseed with ***ʔaq̓am's*** preferred seed mix formula from Interior Seed, as indicated in Table 3-2, where required.

Table 3-2. *ʔaq̓am's* preferred seed mix formula

Species	Percent by Weight	Percent by Species
Slender wheatgrass	35%	21%
Perennial ryegrass	25%	23%
Annual ryegrass	20%	16%
Rocky mountain fescue	10%	19%
Hard fescue	10%	21%

- All proposed land development activities must adhere to both Provincial and Federal Codes:
  - BC Building Code 2018
  - BC Fire Code 2018
  - BC Plumbing Code 2018
  - BC Electrical Code 2018
  - National Building Code of Canada 2019
  - Any other relevant Provincial, Federal or Relevant Permit

BMP 1.3 Erosion & Sediment Control

Best management practices for erosion and sediment control that must be employed during any land disturbance activities that have the potential to impact surface water quality and fish and/or fish habitat on or adjacent to ***ʔaq̓am*** lands include, but are not limited to:

- Identify sensitive habitat areas and natural waterbodies that may be impacted and develop mitigation measures and buffer zones.
- Develop an Erosion and Sediment Control Plan for all construction activities, in accordance with Fisheries and Oceans Canada: Measure to Protect Fish and Fish Habitat.
- Do not stockpile/store soils near surface waters.
- Minimize disturbed area and/or stage activities and stabilization/revegetation to limit exposed soil to the smallest area possible for the shortest time possible during construction.
- Store topsoil, where possible, for future site reclamation activities.
- Retain existing vegetation/ground cover where possible to limit the exposure of soils and use effective erosion prevention measures where this is not possible.
- Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.
- Manage sediment using silt fencing, fabric bags, geotextile etc.
- Monitor and assess for signs of erosion or sedimentation.

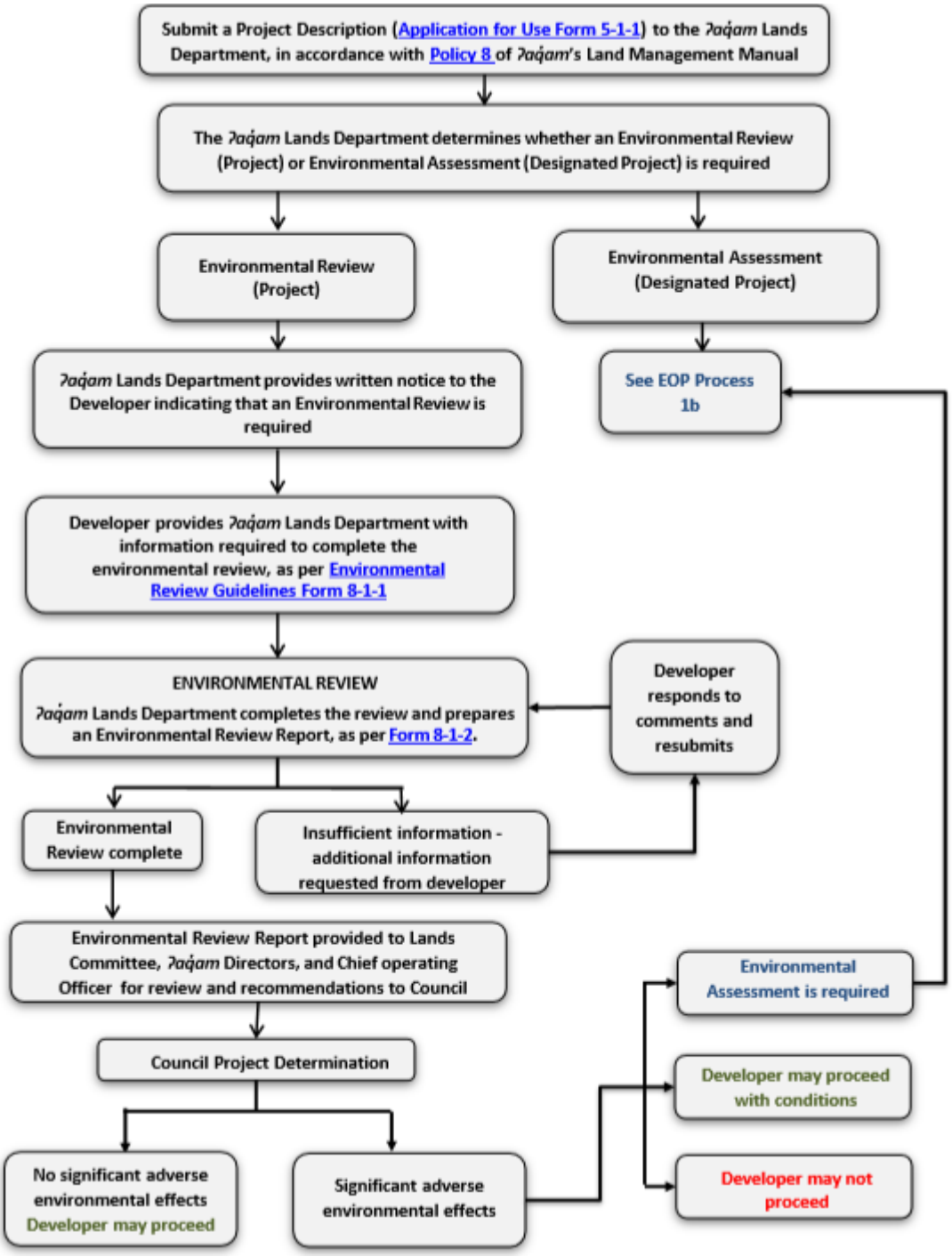
BMP 1.4 Solid Waste Management

- All land developers must have an appropriate and approved solid waste management plan in place during construction (and operation for non-residential developments) that includes details on how construction and demolition waste will be disposed.

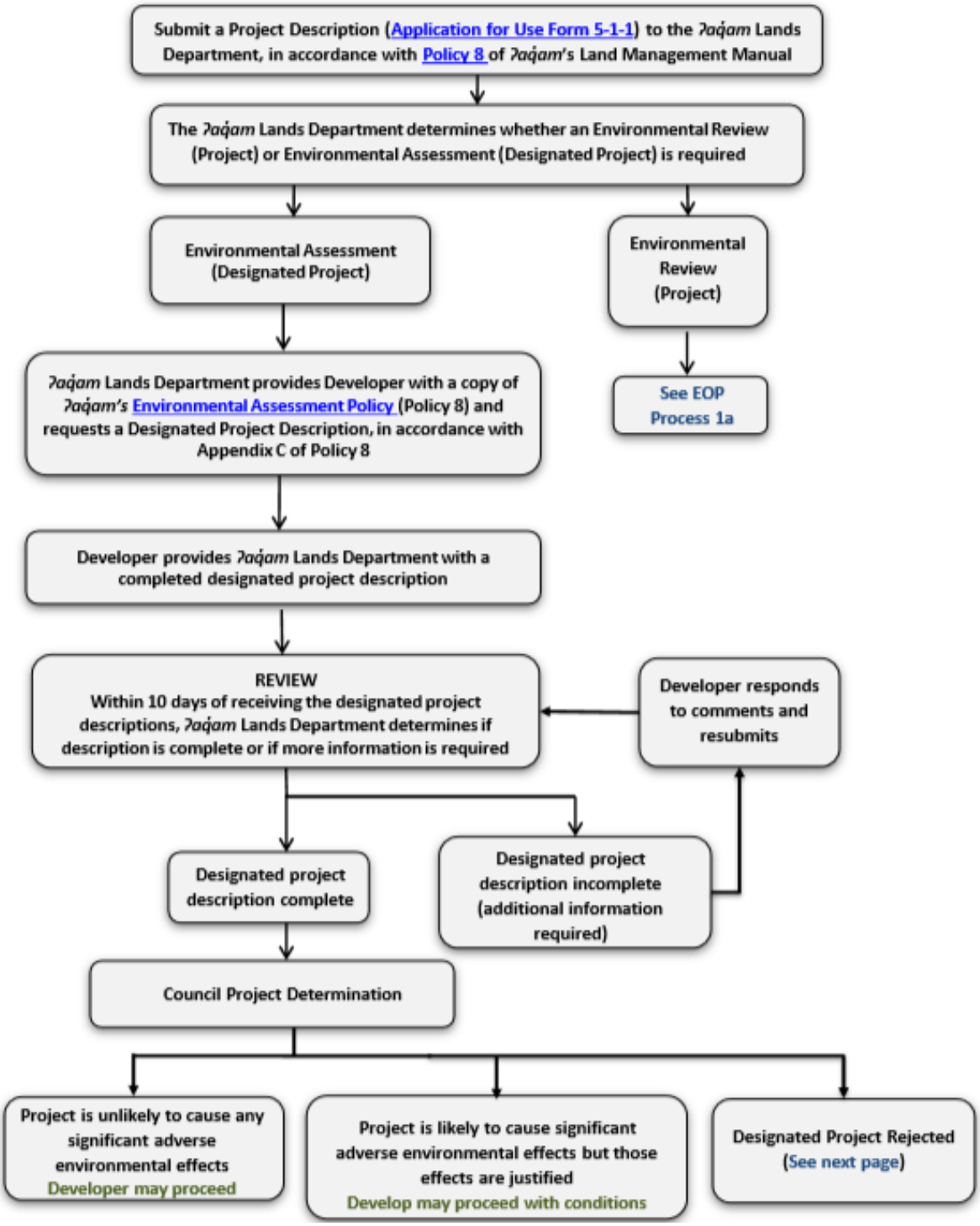
Additional Resources Toolbox

- Develop with Care 2014: Environmental Guidelines for Urban and Rural Development
- Interim Guidelines for Wetland Protection and Conservation in British Columbia
- BC Standards and Best Practices for Instream Works
- BC Approved Water Quality Guidelines: Aquatic Life, Wildlife & Agriculture
- Kootenay-Boundary *Water Sustainability Regulation* Notification Terms and Conditions

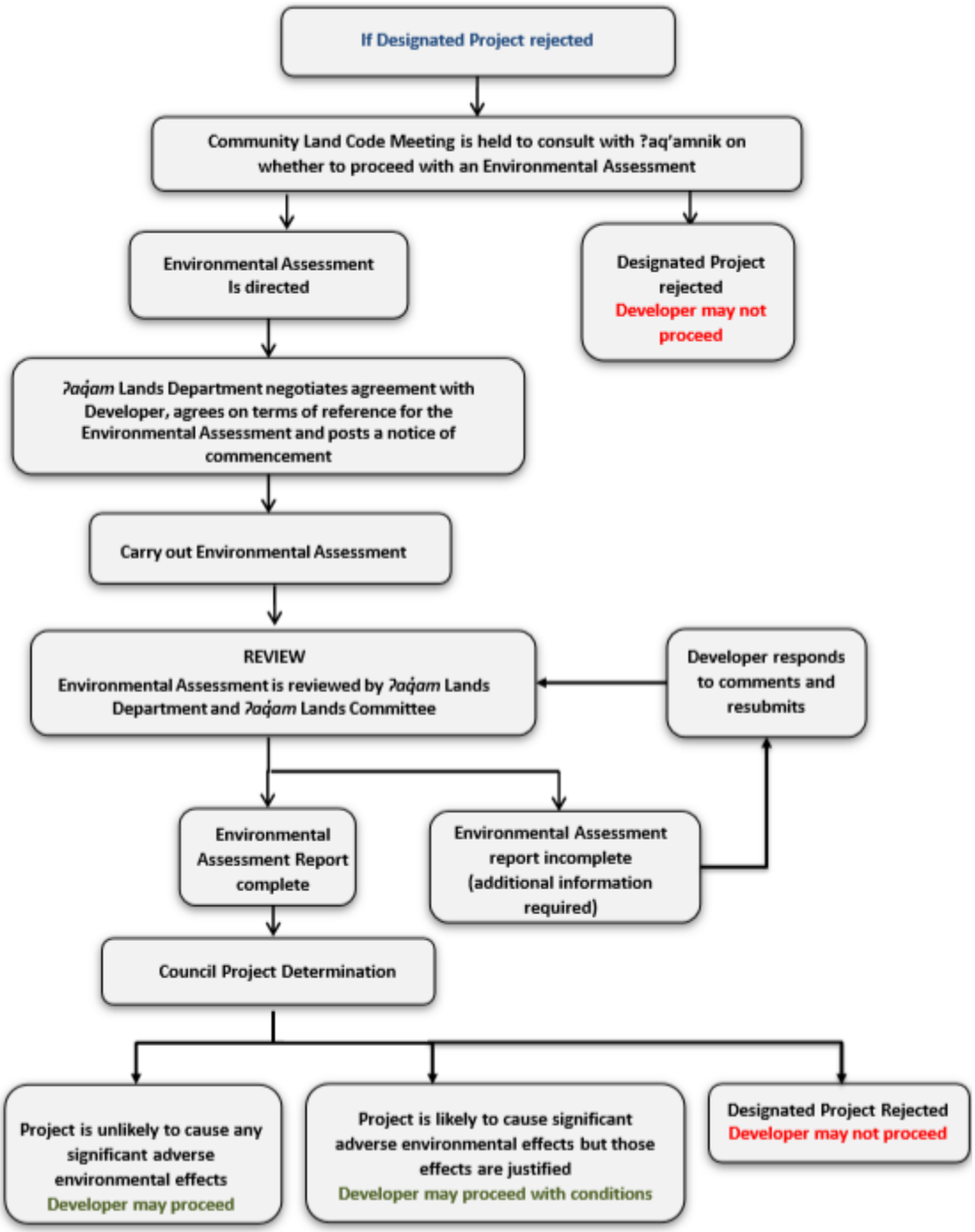
EOP Process 1a. Environmental Review Process



EOP Process 1b. Environmental Assessment Process (1 of 2)



EOP Process 1b. Environmental Assessment Process (2 of 2)



EOP 2: Well Installation, Inspection, & Maintenance

Purpose

This document provides information on well installation, inspection and maintenance measures required to protect groundwater on and adjacent to ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to responsibly manage activities related to well installation, inspection and maintenance that have the potential to impact groundwater on ***ʔaq̓am*** lands. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to well installation, inspection and maintenance;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any incidents and unregistered land development activities that have the potential to negatively impact groundwater to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

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Aquifer: An underground layer of rock, sediment, or soil that holds water and provides groundwater.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Groundwater: Water held underground in the soil or in pores and crevices in rock.

Best Management Practices & Processes to be Followed

Best management practices for well installation, inspection, and maintenance on ***ʔaq̓am*** lands include, but are not limited to:

BMP 2.1 Well Siting & Installation

- Appropriate setbacks (e.g., from septic systems, other wells, potential sources of contaminants, etc.) are used for well siting to safeguard the quality and quantity of the groundwater resources, in accordance with the *Health Hazards Regulation* and the BC *Groundwater Protection Regulation.*
  - Refer to Table 1 in the Groundwater Protection Regulation Handbook.
- Wells are constructed to meet the standards of the *BC Groundwater Protection Regulation*. These include but are not limited to the following:
  - The well must be constructed with a surface seal to prevent contaminants from the surface or shallow sub-surface entering the well.
  - The well must be constructed with a secure well cap to prevent direct and unintended entry of any water or undesirable substances into the well at the surface of the ground, including floodwater, ponded water, and contaminants.
  - The well must be constructed with well casing stick-up to help flood-proof the well.
  - The well head must be graded to keep surface water away from the wellhead.
  - A Well Identification Plate must be installed.
  - A controlled or stopped artesian flow mechanism should be installed to prevent wasting water.
  - The pump must be installed using a qualified installer.
  - Refer to Section 4 in the Groundwater Protection Regulation Handbook.
- A qualified contractor must be used for well drilling and installation.

BMP 2.2 Well Inspection & Maintenance

- Wells are operated and maintained to meet the standards of the *BC Groundwater Protection Regulation*. These include but are not limited to the following:
  - The wellhead or the surface seal must be in good condition and accessible.
  - The vermin-proof cap must be in good condition.
  - The well must be operated in a manner that prevents the intrusion of contaminants into the well, or into the aquifer from which the water is withdrawn (e.g., don't over-pump).
  - The well stick-up must be protected from physical damage.
  - The well must be free from any junk, garbage or other items – it is illegal to put any junk (e.g., pesticides, fertilizers, human or animal waste, refuse, or materials from construction or demolition) in an active or abandoned well.
  - Any known or probable sources of contamination (e.g., fertilizers, fuels, garbage, construction materials) must be kept at a minimum of 30 m from the wellhead.
  - Wells and pumps must be regularly inspected and maintained.
  - Well owners should keep records of well construction, alteration, identification, and any other well-related documentation.
  - Refer to Section 6 in the Groundwater Protection Regulation Handbook.

- Decommission any well not used for five years unless the well is actively maintained for use as a backup water supply.
    - Refer to Section 7 in the Groundwater Protection Regulation Handbook.

Additional Resources Toolbox

- BC Approved Water Quality Guidelines: Drinking Water Sources
- BC Well Protection Toolkit
- BC Small Water Systems Source Protection Plan Toolkit
- First Nations On-Reserve Source Water Protection Plan
- Groundwater Protection Regulation Handbook
- Well Owners Workshop Presentation

EOP 3: Sewage System Installation & Maintenance

Purpose

This document provides information on sewage planning, installation, and maintenance measures required to protect groundwater on and adjacent to ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to responsibly manage activities related to sewage planning, installation, and maintenance that have the potential to impact groundwater on ***ʔaq̓am*** lands. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to sewage installation and maintenance;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any incidents and unregistered land development activities that have the potential to negatively impact groundwater to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

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Aquifer: An underground layer of rock, sediment, or soil that holds water and provides groundwater.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Groundwater: Water held underground in the soil or in pores and crevices in rock.

Best Management Practices & Processes to be Followed

Best management practices for the overall function and maintenance of septic systems on ***ʔaq̓am*** lands include, but are not limited to:

BMP 3.1 Sewage Planning

- The First Nations Health Authority must be engaged to review and approve septic installation proposals.
  - Their permitting requirements reflect the standards of the Interior Health Authority.
- Preferably septic holding facilities should not be located within the floodplain area or within a horizontal distance of 30 metres from the high watermark of a watercourse (e.g., *Cranbrook Flood Mitigation Bylaw*).
- Daily Design Flow should use either the planned amount of number of bedrooms of a residence or the household occupancy – refer to Table 11-8 in Provincial Sewerage System Standard Practice Manual.
- The minimum required horizontal separation (i.e., starting at the edge of the infiltrative surface) distance to any domestic water supply well is 30 m, with an additional 30 m required if there is a high pumping rate from an unconfined aquifer, in accordance with the Provincial Sewerage System Standard Practice Manual and supported by the *Health Hazards Regulation.*
  - The minimum required horizontal separation distance to any permanent fresh water body (*i.e.,* measuring from the high water mark) is 30 m, and the distance is 15 m from any intermittent fresh water body.
- When planning a system on a site, the following regulations should be considered:
  - *Public Health Act.*
  - *Drinking Water Protection Act* – covers all water systems other than single-family dwellings.
  - *Riparian Area Regulation* – if the sewerage discharge site is within a specified distance from a stream or water body, a Qualified Environmental Professional should be hired to determine the riparian area.

BMP 3.2 Sewage Installation & Maintenance

- For pre-manufactured tanks, ensure that the tank is structurally sound and watertight, and that it meets CSA B66 standards.
- Before tank installation, ensure that any bedding layer below the tank is compacted, and follow the tanks manufacturer's standards – including the maximum depth of burial.
- Ensure the septic tank is emptied as required and properly recovered with soil.
- Maintenance schedule will depend on the type of systems or treatment type – refer to Table II-62 in the Provincial Sewerage System Standard Practice Manual.
  - It is good practice for maintenance visits and testing to follow the minimum initial frequency schedule for the first 12 to 14 months of operation.

  - Long-term maintenance frequency is typically every 5 years.
- Sewage surfacing on the land or discharging into a body of water or water supply should be reported immediately to the ***ʔaq̓am*** **Lands Department at 250 426 5717**.
  - Immediate emergency measures could include placing cover soil or building a temporary dispersal trench or bed to divert the flows.
  - ***ʔaq̓am*** Lands Department, in collaboration with the Operations Department, will contact the First Nation Health Authority to collaboratively address and reduce public health risks.
- Lack of use can increase risk of freezing due to lack of warm water discharge and reduced heat that would otherwise be generated in the tank from biological activity.
  - Freezing can cause backups, pump damage and other problems
- Any septic systems affected by a flood event should follow the First Nation Health Authority's Assessment of Septic Systems After the Flood.

Additional Resources Toolbox

- Best Management Practices for all Sewage Planning, Installation, and Maintenance are contained within the Provincial Sewerage System Standard Practice Manual
- First Nations Health Authority Environmental Public Health Services
- Interior Health Holding Tank Planning & Installation Guidelines

EOP 4: Recreational Vehicle Usage

Purpose

This document provides information to recreational vehicle users on required measures to protect wildlife, vegetation, and species at risk and their habitats on and adjacent to ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all recreational land users on ***ʔaq̓am*** lands to avoid and/or mitigate the potential for negative environmental impacts as a result of recreational vehicle use (e.g., ATV, dirt bike, etc.). Specifically, it is the responsibility of all residents and recreational land users to:

- Comply with relevant and up-to-date laws, regulations and policies related to recreational vehicle usage;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any incidents and unregistered land development activities that have the potential to negatively impact the environment to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

Key Contact

ʔaq̓am Lands Department
7470 Mission Road
Cranbrook, BC V1C 7E5
250-426-5717

Definitions

ʔaq̓am* lands:** refer to all 5 Reserves set out in the Individual Agreement between Canada and ***ʔaq̓am, which include Kootenay 1, St. Mary's 1, Isidore's Ranch 4, Cassimayooks 5, Bummers Flat 6.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Endangered Species: A wildlife species that is facing imminent extirpation or extinction.

Habitat (a) in respect of aquatic species: Spawning grounds and nursery, rearing, food supply, migration and any other area on which aquatic species depend directly or indirectly in order to carry out their life processes, or areas where aquatic formerly occurred and have the potential to be reintroduced; and **(b) in respect of other wildlife species**: The area or type of site where a wildlife species naturally occurs or depends on directly or indirectly in order to carry out its life processes or formerly occurred and has the potential to be reintroduced.

Species at Risk: An endangered, or threatened species or a species of special concern.

Species of Special Concern: A wildlife species that may become threatened or an endangered species because of a combination of biological characteristics and identified threats.

Threatened Species: A wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extinction.

Best Management Practices & Processes to be Followed

Best management practices related to recreational vehicle use include, but are not limited to:

BMP 4.1 General Recreational Vehicle Usage

- Quading and ATVs on reserve land is restricted to existing road surfaces, and excessively steep trails and extremely muddy trails should be avoided in accordance with Policy 4.2.1.1 of the Community Land Use Plan.
- Non-***ʔaq̓amnik*** members may not off road unless a permit has been obtained by Council, in accordance with S.8.(2)a of ***ʔaq̓am's*** *Trespass and Access Law*.
- Leave no trace: take out whatever you bring into a natural area (e.g., garbage, food), in accordance with ***ʔaq̓am's*** *Trespass and Access Law* and the BC *Environmental Management Act.*
- Do not drive vehicles through sensitive habitat (e.g., wetlands, grasslands) or fish-bearing streams.
- Obey land use designations and associated permitted and non-permitted activities in the Community Land Use Plan, especially cultural activity and use areas.
- Obey all posted signage on ***ʔaq̓am*** lands.
- Do not operate a recreational vehicle in a manner that would cause damage to a natural resource or property, in accordance with S.8c of ***ʔaq̓am's*** *Trespass and Access Law*.
- Properly handle, store and dispose of household hazardous substances and fuels – refer to EOP 5 and EOP 6.
- Properly inspects and clean vehicle after each use, so as to not spread invasive species – refer to EOP 8.
- Do not disturb or destroy any bird, occupied nests or eggs, as per the *Wildlife Act.*
  - If you encounter a nest, give it a wide berth so as not to disturb the adults or young, or damage the eggs – refer to BC Wetland Ways Ch. 8 Recreation.

Additional Resources Toolbox

- BC Guidelines for Off-Road Vehicle Use
- Best Management Practices for Recreational Activities on Grasslands in the Thompson and Okanagan Basins

EOP 5: Fuel Handling, Storage & Disposal

Purpose

This document provides information to all community members and developers on required fuel management procedures to be employed during any land development activities and operations on ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to responsibly manage fuel. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to hazardous waste and fuel management;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any incidents involving fuel management (*e.g.*, illegal dumping) to the ***ʔaq̓am*** Lands Department (and the Provincial Emergency Program for spills in amounts requiring external notification) immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

Key Contact

ʔaq̓am Lands Department
7470 Mission Road
Cranbrook, BC V1C 7E5
250-426-5717

Definitions

ʔaq̓am **lands:** refer to all 5 Reserves set out in the Individual Agreement between Canada and ***ʔaq̓am,*** which include Kootenay 1, St. Mary's 1, Isidore's Ranch 4, Cassimayooks 5, Bummers Flat 6.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Best Management Practices & Processes to be Followed

EOP Process 2. Fuel Tank Inspection Procedures must be followed by all residents and operators on ***ʔaq̓am*** lands.

Best management practices related to fuel handling, storage and disposal include, but are not limited to:

BMP 5.1 Fuel Practices for Large TDG Tanks (Greater than 454 L) or Tank Vehicles

Fuel Storage

- The federal *Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations* requires that the storage tank meet the applicable requirements set by the CCME Code of Practice.
  - The CCME Environmental Code of Practice for Aboveground and Underground Storage Tank systems containing Petroleum and Allied Petroleum Products established technical requirements for the design, installation, monitoring, maintenance, and removal of above-ground and underground fuels storage containers and all the piping and other equipment associated with the tanks under federal jurisdiction, including on First Nations lands.
- Tank design must be corrosion proof and either single or double walled steel or fibreglass.
- Weekly checks must be completed on tanks to ensure the product has not been lost – refer to EOP 6 for spill response procedures.
- Tank vehicles must be parked a minimum of 12 m from buildings, and be labeled with the product name and a "Flammable – Keep Fire and Flame Away" warning.
  - The fuel transport truck and fuel tanks need to be a minimum of 30 m from any wells, in accordance with the *Health Hazards Regulation.*
- Tanks should have separate fill and vent openings.
- One 20-BC fire extinguisher or two 10-BC fire extinguishers must be properly maintained, tagged, and kept with the tank.

Fuel Handling

- A dispenser sump must be in place to collect leaks and drips from fuelling nozzles.
- Overfill protection device is required to avoid overfilling of tanks.
- No smoking signs must be posted at all dispensing and fuel transfer sites.
- Hoses and nozzles must be maintained in good repair to prevent leaks.

Fuel Transport

- All vehicles transporting fuel must have an appropriate spill kit and the driver must be trained and knowledgeable in its use.
- Vehicles transporting fuels must meet requirements of the *Transport of Dangerous Goods Act* and BC Ministry of Transportation.
- If a combined fuel load is greater than 2,000 L (440 gallons) a shipping document must be filled out for the cargo, the driver must have proof of "Transport of Dangerous Goods (TDG)" certified training and the load must a TDG placard appropriate for the fuels being transported.

BMP 5.2 Fuel Practices for Fixed Aboveground Storage Tanks (Greater than 230 L)

Fuel Storage

- The federal *Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations* requires that the storage tank meet the applicable requirements set by the CCME Code of Practice.
  - The CCME Environmental Code of Practice for Aboveground and Underground Storage Tank systems containing Petroleum and Allied Petroleum Products established technical requirements for the design, installation, monitoring, maintenance, and removal of above-ground and underground fuels storage containers and all the piping and other equipment associated with the tanks under federal jurisdiction, including on First Nations lands.
- Tank design must be corrosion proof and either single or double walled steel or fibreglass.
- Secondary containment is required for above ground tanks to capture leaks or spills, and must be 110% capacity of the storage tank.
- Weekly checks must be completed on tanks to ensure the product has not been lost – refer to EOP 6 for spill response procedures.
- In accordance with the BC *Health Hazards Regulation,* the aboveground tanks need to be a minimum of 30 m from any wells.
- Tanks should have separate fill and vent openings.
- One 20-BC fire extinguisher or two 10-BC fire extinguishers must be properly maintained, tagged and kept with the tank.
- All above ground storage tanks must be installed on firm foundations designed to minimize uneven settling and corrosion, and to prevent the design stress of the tank from being exceeded.

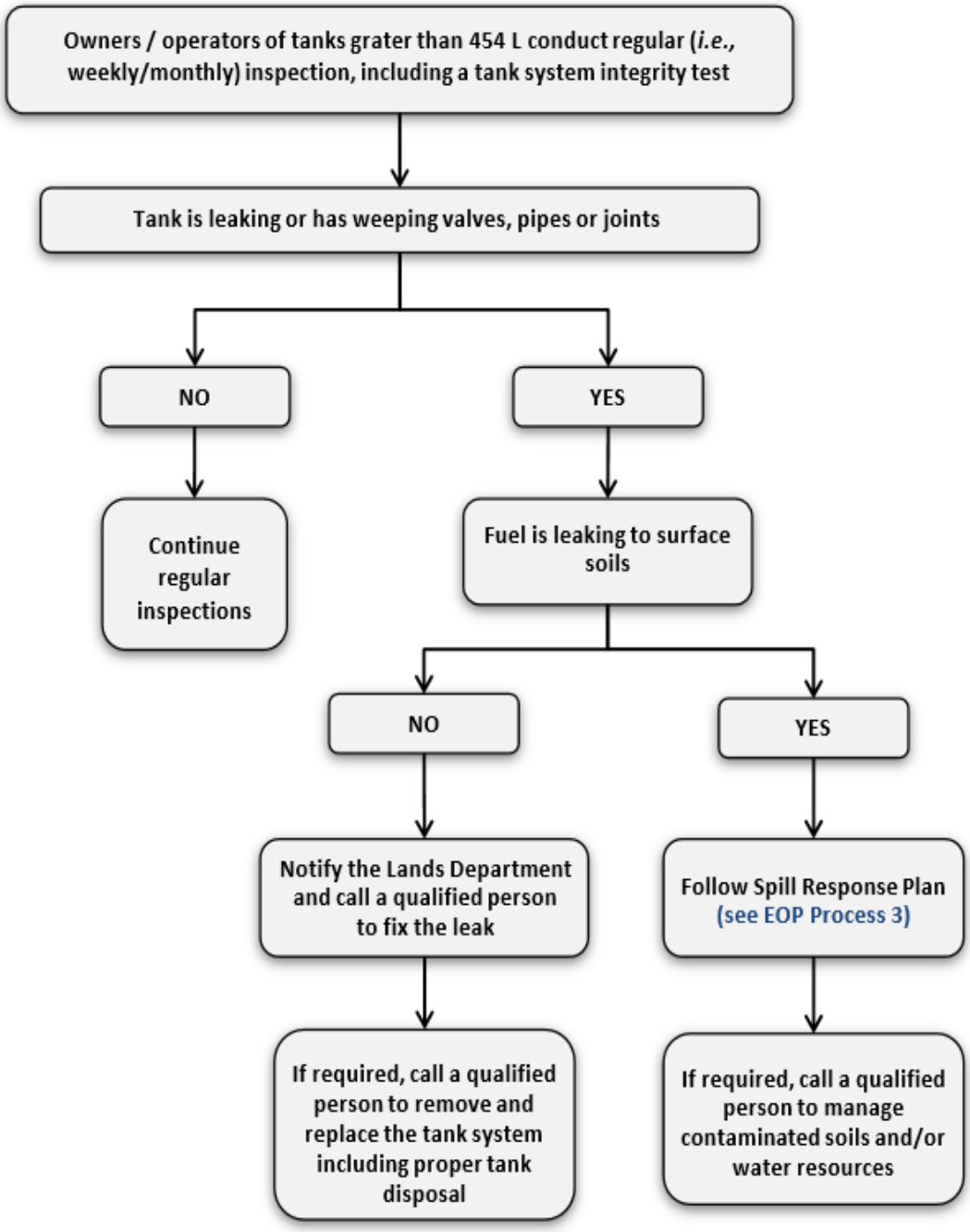
Fuel Handling

- A dispenser sump must be in place to collect leaks and drips from fuelling nozzles.
- Overfill protection device is required to avoid overfilling of tanks.
- No gravity-feed system should be used.
- No smoking signs must be posted at all dispensing and fuel transfer sites.
- Hoses and nozzles must be maintained in good repair to prevent leaks.

Additional Resources Toolkit

- Storage Tank Systems for Petroleum Products and Allied Petroleum Regulations
- Environmental Code of Practice for Aboveground and Underground Storage Tank systems containing Petroleum and Allied Petroleum Products
- BC Fuel Guidelines 2018
- BC Field Guide to Fuel Handling, Transportation & Storage

EOP Process 2. Fuel Tank Inspection Procedures



EOP 6: Spill Response

Purpose

This document provides information to all community members and developers on required spill response procedures to be employed during any land development activities and operations on ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to responsibly manage spills that occur on ***ʔaq̓am*** lands. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to spill response and fuel management;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any incidents involving the spill of fuels or other harmful substances to the ***ʔaq̓am*** Lands Department (and the Provincial Emergency Program for spills in amounts requiring external notification) immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

Key Contact

ʔaq̓am Lands Department
7470 Mission Road
Cranbrook, BC V1C 7E5
250-426-5717

Definitions

ʔaq̓am **lands:** refer to all 5 Reserves set out in the Individual Agreement between Canada and ***ʔaq̓am,*** which include Kootenay 1, St. Mary's 1, Isidore's Ranch 4, Cassimayooks 5, Bummers Flat 6.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Best Management Practices & Processes to be Followed

In the event of a fuel spill, **EOP Process 3. General Fuel Spill Response Procedures** must be followed by all residents and operators on ***ʔaq̓am*** lands.

Best management practices for spill response include, but are not limited to:

BMP 6.1 General Spill Response

- Develop a response plan for chemical or sediment releases.
  - Ensure that spill response plans for the business operating on ***ʔaq̓am*** lands are documented and stored appropriately and in line with ***ʔaq̓am's*** Emergency Response Plan as well as any fuel tank inspection reports or other reports associated with the gas station.
- Do not allow chemicals or other materials to enter watercourses.
- Personal protective gear must always be worn.
- Enclosed areas must be ventilated.
- At least two people should be involved in any cleanup procedure(s).
- The Provincial and Federal Emergency Program (PEP) should be contacted at **1-800-663-3456** for assistance
- Spills that are less than the reportable amount to PEP should be reported to the ***ʔaq̓am*** Lands Department **250 426 5717** – refer to Table 3-3 below.

Table 3-3. Terrestrial spills reportable to the Provincial Emergency Program

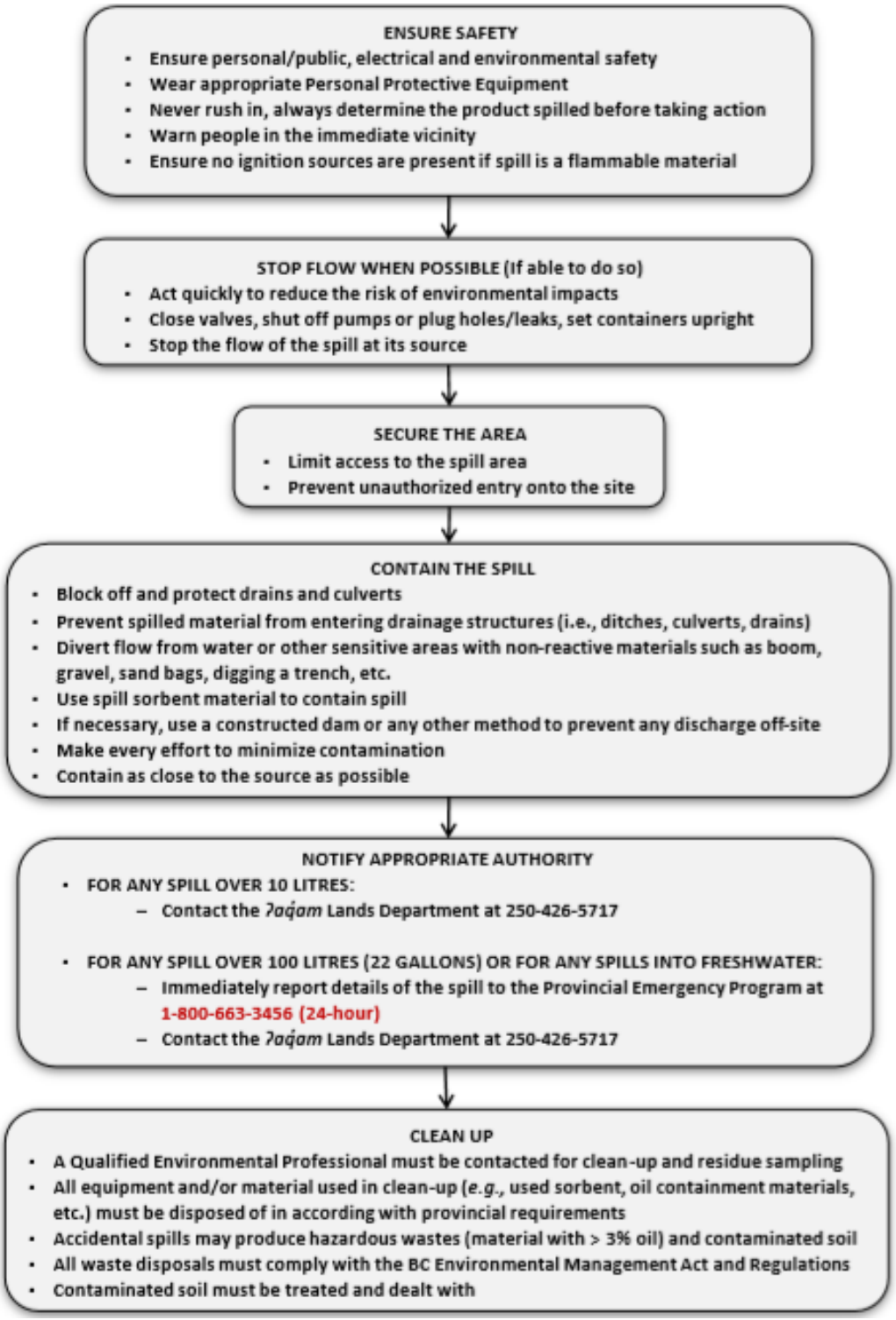
Substance	Amount
Antifreeze	10 L
Diesel Fuel	100 L
Gasoline	100 L
Hydraulic Oil	100 L
Lubricating Oils	100 L
Paints and Paint Thinners	100 L
Solvents	100 L
Pesticides	1 Kg
Explosives	Any amount
Other Polluting Substance(s)	200 Kg

- Dispose of cleanup materials at the appropriate facility or location.

Additional Resources Toolbox

- *BC EMA Spill Reporting Regulation*

EOP Process 3. General Fuel Spill Response Procedures



EOP 7: Tree Removal

Purpose

This document provides information on required measures to be followed prior to and during tree removal activities to protect wildlife, vegetation, and species at risk (SAR) on and adjacent to ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to responsibly manage tree removal activities that have the potential to impact wildlife, vegetation, and/or SAR resources on ***ʔaq̓am*** lands. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date federal, provincial and ***ʔaq̓am*** laws, regulations and policies related to the protection of wildlife, vegetation, and/or SAR resources;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Consult with the Lands Department if you have questions and/or concerns.
- Report any incidents that have the potential to negatively impact wildlife, vegetation, and/or SAR resources on or adjacent to ***ʔaq̓am*** lands to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

Key Contact

ʔaq̓am Lands Department
7470 Mission Road
Cranbrook, BC V1C 7E5
250-426-5717

Definitions

ʔaq̓am **lands:** refer to all 5 Reserves set out in the Individual Agreement between Canada and ***ʔaq̓am,*** which include Kootenay 1, St. Mary's 1, Isidore's Ranch 4, Cassimayooks 5, Bummers Flat 6.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Endangered Species: A wildlife species that is facing imminent extirpation or extinction.

Habitat (a) in respect of aquatic species: Spawning grounds and nursery, rearing, food supply, migration and any other area on which aquatic species depend directly or indirectly in order to carry out their life processes, or areas where aquatic formerly occurred and have the potential to be reintroduced; and **(b) in respect of other wildlife species**: The area or type of site where a wildlife species naturally occurs or

depends on directly or indirectly in order to carry out its life processes or formerly occurred and has the potential to be reintroduced.

Migratory Bird: A migratory bird referred to in the *Migratory Birds Convention Act* and includes the sperm, eggs, embryos, tissue cultures and parts of the bird.

Species at Risk: An endangered, or threatened species or a species of special concern.

Species of Special Concern: A wildlife species that may become threatened or an endangered species because of a combination of biological characteristics and identified threats.

Threatened Species: A wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extinction.

Best Management Practices & Processes to be Followed

Best management practices related to tree removal include, but are not limited to:

BMP 7.1 General Tree Removal

- Consider other options when contemplating the need to remove vegetation as it is often not the best choice for fish and wildlife habitat and species and surface water quality – refer to BC Ministry of Environment's Best Management Practices for Hazards Tree and Non-Hazard Tree Limbing, Topping or Removal.
- Since migratory birds, raptors, and small mammals may use shrubs or trees growing as individuals or in small clumps, an Environmental Professional should be engaged to determine if any wildlife are using the tree or surrounding shrubs before removal, in accordance with the Protocol for Wildlife Protection during Construction.
    - **If it is in use:** Do not remove during March through Mid-August (breeding time) or from Mid-October through to March (use for habitat shelter).
    - **If it is not in use:** Clearing should occur within a few days of inspection, however if during sensitive times of the year the clearing should occur the same day if possible
    - To assist in initial determination of wildlife use, refer to the BC Firewood or Wildlife Tree brochure.

EOP 8: Invasive Plant Species Management

Purpose

This document provides information on required measures to identify and control the spread of invasive plant species on and adjacent to ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to responsibly manage activities that have the potential to impact wildlife, vegetation, and/or SAR resources on ***ʔaq̓am*** lands, including the spread of invasive plant species. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to invasive plant management;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any sightings of known invasive species to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

Key Contact

ʔaq̓am Lands Department
7470 Mission Road
Cranbrook, BC V1C 7E5
250-426-5717

Definitions

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Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Invasive Species: an invasive species is a species that is not native to a specific location (an introduced species) whose introduction causes or is likely to cause harm to environmental, economic, and/or human health.

Noxious Weeds: a weed which is considered to be harmful to the environment or animals.

Best Management Practices & Processes to be Followed

ʔaq̓am is located in the Trench Sub 03 Invasive Plant Management Area (IPMA). The most up to date information on sub trench IPMA 03 and a Priority List for eradication can be found in the 2019 IPMA List provided by the East Kootenay Invasive Species Council.

The ideal approach for invasive species management is to identify the species, control its spread and eradicate through an integrated approach.

****Report any infestations to the *ʔaq̓am* Lands Department at 250 426 5717****

In addition to this Document, please consult with the ***ʔaq̓am*** Lands Department and use the following two resources to identify plants and specific management techniques, specific to the plant life cycle with respect to treatments.

- Southern Interior Weed Management Committee: Invasive Plants of the Southern Interior, BC (2016)
- Field Guide to Noxious Weeds and other Selected Invasive Plants of BC (9th Ed.)

Best management practices related to invasive plant species management include, but are not limited to:

BMP 8.1 Preventing New Infestations

Preventing the initial establishment and spread of invasive plants is the single most effective method of invasive plant control. Invasive plants will invade areas that provide suitable habitat for survival, which often include areas of soil disturbance such as road and recreational trails, right of way clearings, and timber harvesting.

To prevent spreading apply the following BMPs:

- Cleaning mowing equipment between sites to prevent transporting seeds and plant parts.
- Re-seed bare soil as soon as possible with native plants or seed mixture.
  - Reseed with ***ʔaq̓am's*** preferred seed mix formula from Interior Seed, as indicated in Table 3-2, where required.

Table 3-2. *ʔaq̓am's* preferred seed mix formula

Species	Percent by Weight	Percent by Species
Slender wheatgrass	35%	21%
Perennial ryegrass	25%	23%
Annual ryegrass	20%	16%
Rocky mountain fescue	10%	19%
Hard fescue	10%	21%

- Careful disposal of invasive species waste (bagged to the landfill).

- Ensure that the contractors working on roadsides or land development are aware of concerns and best management practices for invasive species – provide them with the BC Ministry of Transportation and Infrastructure Best Practices for Managing Invasive Plants on Roadsides.
- All motor vehicles and equipment needs to be kept clean.
  - Avoid parking, turning around, or staging equipment in invasive plant infested areas.
  - Wash motor vehicles and equipment once it is returned to the storage location.
  - Inspect and clean vehicles before entering a weed free area and before leaving an infested area.

BMP 8.2 Controlling

Where considered a suitable treatment, the following approaches may be:

- Hand Pulling of small and isolated infestations
- Regular mowing of roadsides, parks, vacant lots and other areas with invasive species or timing mowing appropriately – mowing before seeds are produced (i.e., before full bloom, see Invasive Plants of the Southern Interior BC handbook for information on the Plant Life Cycle and Manual Treatment options).
  - Combine mowing with hand puling when possible.
- Minimized unnecessary disturbance of roadside aggregates or soil and retain all vegetation where possible
- Establish an annual vegetal control schedule and do not brush or mow for 7 days after herbicide treatment
- Remove invasive species during development or when undertaking natural area restoration projects

BMP 8.3 Herbicide Use

Herbicide application on ʔaq̓am lands is managed very closely due to considerations for impacts on human health, ground and surface water contamination and incidental effects on important indigenous plant and wildlife species. In some areas, it is considered entirely unsuitable.

****The use of herbicides on community lands require the consent of Chief and Council****
This could be a request by ***ʔaq̓am*** staff or a provision written into a land instrument. Both instances would require Council approval and application consistent with applicable regulations – refer to the following sections.

Monitoring

- Monitor removal area for at least 2 years to ensure the practices were successfully implemented.
- It is generally 3 to 5 years of repeat treatments on a project area or site before an invasive species will be sufficiently reduced or eradicated.

- Refer to Step 7: Develop a Monitor Program in Seven Steps to Managing Your Weeds.

Herbicide Application

- Only use herbicides approved for use by Health Canada under the *Pest Control Products Act*.
- All herbicides must be used according to the safety guidelines specified on each pesticide label.
- The use of any restricted-use herbicide requires the operator to have completed a Pesticide Applicator course.
  - Some pesticides do not need a licence for use by a homeowner (see Schedule 5 of the *Integrated Pest Management Regulation*) but will still require one if offered as a service.
- Notification of herbicide use (e.g., signage, letter, etc.) must be provided to nearby residents prior to treating landscaped areas accessible to the public, in accordance with the *Integrated Pest Management Act*.
- Herbicide handling hardware and protective clothing items, cleanup materials, and first aid kit should be readily at hand – including an eye wash station.

Herbicide Storage

- Storage locations should be designated, clearly marked and secure.
- Herbicides should be stored above the flood plain and at least 30 m from any well or watercourse, in accordance with the BC *Health Hazards Regulation*.
- An Emergency Plan that outlines steps in the event of spill should be posted near where chemicals are stored – refer to EOP 6 for standard spill response procedures.
- An inventory of stored chemicals should be posted at storage location.
- Ensure the storage area has proper ventilation.
- Store all chemicals on all-metal or all-plastic shelves.
- Store large containers on wooden pallets.
- Do not store chemicals on the bottom shelf or the floor.
- Separate combustible chemicals from oxidizing chemical supplies.
- Never store expired or unwashed containers in an area not dedicated to herbicide storage.

Herbicide Disposal

- Never dispose herbicides into water or sewer systems.
- The Cranbrook Bottle Depot (1125 Industrial Road #3) and the Cranbrook Transfer Station accept a variety of pesticides, household solvents, gasoline and other flammable liquids.
  - There are some restrictions, so make sure to call ahead: (250) 417-0306 (Bottle Depot) or (250) 489-2768 (Transfer Station).

Additional Resources Toolbox

- Indigenous Community Toolkit for Managing Invasive Species
- BC Invasive Species Council Best Management Practices and Policies

- BC Invasive Species Council Invasive Factsheets for best management practices on specific species
- BC Invasive Species Council Publications including Best Practices Guides, Education Material, and Technical Reports
- Seven Steps to Managing Your Weeds: A Manual for Integrated Weed Management in BC.

EOP 9: Solid & Household Hazardous Waste Management

Purpose

This document provides information to all community members and developers on required solid and household hazardous waste management procedures to be employed during any land development activities and operations on ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to responsibly manage solid and household hazardous waste on ***ʔaq̓am*** lands. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to solid waste management;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any incidents involving solid waste (e.g., illegal dumping, open burning) to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

Key Contact

ʔaq̓am Lands Department
7470 Mission Road
Cranbrook, BC V1C 7E5
250-426-5717

Definitions

Bio-hazardous waste: Refers to any waste containing infectious materials or potentially infectious substances such as blood. Of special concern are sharp wastes such as needles, blades, glass pipettes, and other wastes that can cause injury during handling.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Household Hazardous waste: Any waste from your home that you consider to be dangerous or of which you are unsure. Household hazardous wastes may include products that are labelled flammable, corrosive, explosive or poison.

Solid waste: Refers to non-hazardous trash or garbage (including compostable and recyclable materials) that is produced by residential, commercial, institutional, demolition, land clearing, or construction sources.

Best Management Practices & Processes to be Followed

Best management practices related to solid and household hazardous waste management include, but are not limited to:

BMP 9.1 Household Hazardous Waste

- Confirm whether waste items are considered hazardous waste prior to disposal.
- Check out the online Waste Wizard and/or Recyclepedia if you are not sure if something is considered hazardous or how to properly dispose of something.
- Review the RDEK Central Recycling Guide or search Product Care for where household hazardous waste can be disposed of.
- Treat unknown (unlabeled) wastes as hazardous waste.

Unpermitted actions:

- Do not throw hazardous materials in the garbage.
- Do not pour hazardous materials down the drain or flush them down the toilet.
- Do not burn, bury or dump hazardous materials.

Managing household bio-hazardous wastes include:

- Waste produced that may be classified as bio-hazardous must be disposed of appropriately.
- Drop boxes or sharps containers should be installed in public washrooms to encourage safe disposal.
- Bio-hazardous materials unsuitable for disposal in the sharps containers should be taken to an approved disposal location.

BMP 9.2 Waste Diversion

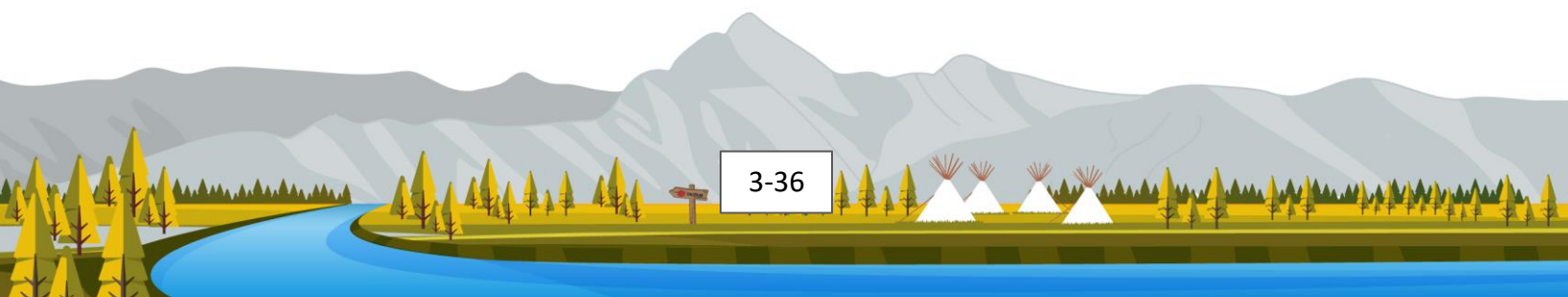
- Review the RDEK Central Recycling Guide and Cranbrook Transfer Station for up-to-date information with what is currently accepted.
- All recyclables should be clean and dry and separated into appropriate categories.
- Check out the online Waste Wizard and/or Recyclepedia if you are not sure if something can be recycled or should be placed in the general waste stream.
- Do not bury, burn, litter, or illegally dump materials anywhere on ***ʔaq̓am*** lands, in accordance with ***ʔaq̓am's*** *Trespass and Access Law*.

BMP 9.3 Burning

- If you are burning organic materials on reserve adhere to the BC *Wildfire Act* and *Open Fire Regulations*.
  - For a Category 3 Fire (larger than 2 meters high by 3 meters wide), please seek a Burn Permit from ***ʔaq̓am*** Lands Department and obtain a burn registration number at **1 888 797 1717.**

Additional Resources Toolbox

- RDEK Recycling Guide
- BC First Nations Solid Waste Program Overview



EOP 10: Land Filling

Purpose

This document provides information to all community members and developers on soil and fill management procedures to be employed during any land development or disturbance activities and operations on ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to responsibly manage soil and fill on ***ʔaq̓am*** lands. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to soil and fill management;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any incidents involving soil and fill (*e.g.*, evidence or suspicion of contaminated fill or soil, importing soil or fill without a permit) to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

Key Contact

ʔaq̓am Lands Department
7470 Mission Road
Cranbrook, BC V1C 7E5
250-426-5717

Definitions

ʔaq̓am **lands:** refer to all 5 Reserves set out in the Individual Agreement between Canada and ***ʔaq̓am,*** which include Kootenay 1, St. Mary's 1, Isidore's Ranch 4, Cassimayooks 5, Bummers Flat 6.

Deposit: Means the act of moving soil and other material and placing it upon a parcel or contiguous parcels of land on which such soil and other material did not exist or stand.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Fill: Refers to soil that has been removed from one area and deposited in another area, typically to fill depressions and holes to make an area suitable for development.

Soil: The mixture of organic matter, rock matter, minerals, as well as various organisms, in the upper layer of earth. Includes sand, clay, silt, sand, gravel, cobbles, boulder and peat.

Best Management Practices & Processes to be Followed

Best management practices related to land filling include, but are not limited to:

BMP 10.1 General Land filling and Soil

- Write provision into Land Instrument agreements that clearly identifies the contractor depositing the soil at the fill site will be responsible for the removal of any soil subsequently found to be contaminated or in violation of the above contract clause.
- Find out where the soil comes from to determine the potential for contamination and associated impacts.
- Fill must not be placed within 30 m of fish-bearing waters, in accordance with the *Fisheries Act.*
- Depending on where the soil is being place or used, the acceptable concentration of certain substances in soil can vary – refer to Schedule 3.1 of the *Contaminated Sites Regulation.*

During excavation work, contractors must notify the Lands Department if the following is observed:

- Unusual odour that may indicate the presence of contaminants (e.g., gas or oil).
- Stained soils which are darker and may have a "wet" appearance typically indicate the presence of a spill area.
  - Contaminated soils may also have a distinct oily feel.
  - Typically, staining (contamination) is accompanied by an odour.
- If staining, odour, buried debris, or hydrocarbon sheen is observed associated with infiltrating groundwater, the contractor must immediately stop work and advise of the suspected contamination.

Additional Resources Toolbox

- British Columbia First Nations' Fill Management Guide

EOP 11: Archaeological Chance Finds

Purpose

This document provides information to all community members and developers on required measures associated with archaeological chance finds in order to support the protection of cultural and heritage resources on and adjacent to ***ʔaq̓am*** lands.

Responsibility

It is the responsibility of all residents and land developers on ***ʔaq̓am*** lands to follow the appropriate practices in the case of an archaeological find. Specifically, it is the responsibility of all residents and developers to:

- Comply with relevant and up-to-date laws, regulations and policies related to cultural resource protection;
- Follow the guidelines and implement the best management practices set forth in this document; and
- Report any archaeological chance finds on ***ʔaq̓am*** lands to the ***ʔaq̓am*** Lands Department immediately.

DISCLAIMER: *The guidelines, practices and procedures presented in this document are meant to serve as useful guidance information only; they should not be considered exhaustive or comprehensive in a manner that would reduce all potential environmental risks. Due diligence on the part of both ʔaq̓am and developers is required.*

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Artifacts: objects that can be readily removed from the site of which they are a part; moveable objects (e.g., chipped stone flakes, knives, spears and arrowheads; tin cans; glass bottles and jars; basketry; personal gear; groundstone hand-mauls; bone pins; antler wedges; glass beads; looms; instruments; etc.).

Cultural Resource: an object, site or location of a traditional or cultural practice that has past and ongoing importance and this is of historical, cultural or archaeological significance to ***ʔaq̓am***.

Developer: Any individual, business, organization or agency (including ***ʔaq̓am***, community members and residents) that undertakes physical work and/or land disturbance activities (including building new or modifying existing infrastructure) on ***ʔaq̓am*** lands.

Best Management Practices & Processes to be Followed

Best management practices related to chance archaeological finds include, but are not limited to:

BMP 11.1 General Chance Find Procedures

- **EOP Process 4. Archaeological Chance Finds** must be followed in the event that cultural or heritage resources are encountered during any land development or disturbance activities.
- Onsite archaeologist ensures that appropriate setbacks around known archaeological and heritage sites are provided and maintained, which may be established in reference to the BC Government Archaeological Chance Find Procedure.
- All *applicable* construction activities are monitored by a Professional to identify any found/unearthed archaeological and heritage resources.

Additional Resources Toolbox

- Ktunaxa Nation Council Guidelines for Archaeological Assessment and Engagement in Ktunaxa Territory

EOP Process 4. Archaeological Chance Finds

In the event that archaeological, cultural, or heritage resources are encountered during site operations, the contractor shall immediately stop construction and notify the ***ʔaq̓am*** Lands Department.

In the event that any item of particular archaeological, heritage, historical, cultural or scientific interest is found on the site, as between the contractor or the party who discovered the item(s) and ***ʔaq̓am***, such item(s) shall be and remain the property of ***ʔaq̓am.*** The ***ʔaq̓am*** Lands Department will coordinate and work with the Ktunaxa Lands and Resources Agency (KLRA) for cataloguing and submission to the repository.

The following emergency guidelines apply to cultural, heritage and archaeological sites.

INITIAL RESPONSE BY THE CONTRACTOR

Step 1: The contractor shall immediately stop construction in the immediate vicinity of the cultural or archaeological site.

Step 2: The contractor shall contact the ***ʔaq̓am*** Lands Department for further guidance. The KLRA may be contacted by the ***ʔaq̓am*** Lands Department, if and as appropriate.

Step 3: The ***ʔaq̓am*** Lands Department and/or KLRA will advise the contractor on further action.

INITIAL ACTION

Depending on the nature of the situation, one of the following responses is likely:

- Based on a telephone description of the incident, it may be decided that there are no further concerns, allowing construction to continue as planned; or
- A field visit by a KLRA archaeologist may be required. In this case, the ***ʔaq̓am*** Lands Department will notify the KLRA. It is anticipated that suitable protocols for such situations will be established in consultation with all interested parties.

MANAGEMENT OPTIONS

For all management options, the KLRA will be consulted for input into developing appropriate procedure(s) and protocols at the earliest time possible. Potential options related to land development activities could include but are not limited to:

Option 1: Avoidance through partial or complete project redesign or relocation. This ensures minimal impact to the archaeological site or heritage/cultural site and is the preferred option from a cultural resource management perspective. It can also be the least expensive option from a construction perspective.

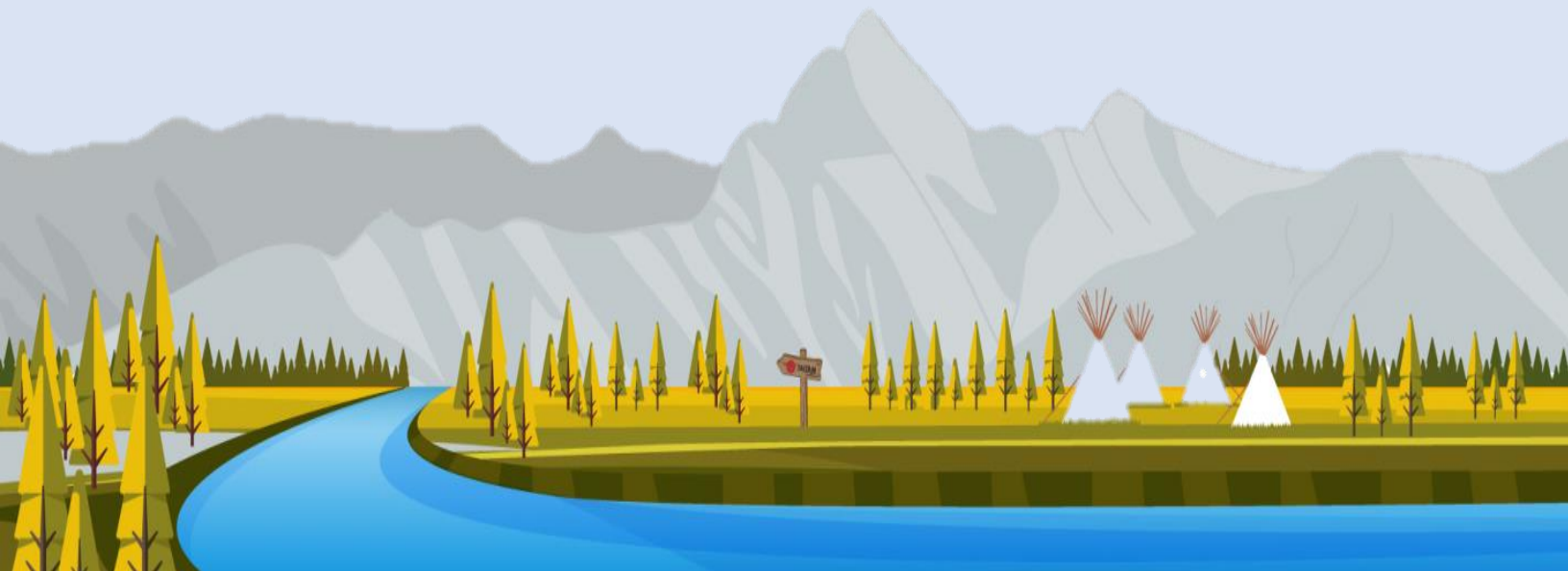
Option 2: Salvage or emergency excavation, if necessary. This "data recovery" option is site destructive and it can delay construction. Consequently, salvage or emergency excavation is generally not a preferred option.

Option 3: Apply site protection measures, including both temporary strategies and long-term solutions. Temporary strategies could include erecting fencing or barricades to protect the archaeological or

heritage site, while longer-term solutions could include capping the archaeology site with fill. Appropriate protection measures shall be identified on a site-specific basis.

Appendix A

Subtitle



Appendix B

Subtitle