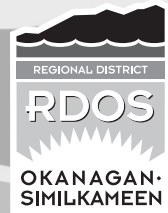


Area F - Spring 2010 Newsletter



West Bench, Red Wing, Sage Mesa, Husula Highlands, Westwood

KVR Trail – What’s Happening?

In the early 1900s, land was expropriated from the Penticton Indian Reserve for the KVR/CPR railroad. The line ceased being used as a railroad in the 1980s and, in 1985, the BC Supreme Court ordered that the land be returned to the Penticton Indian Band (PIB) under the terms of the expropriation agreement. Earlier this year, Indian and Northern Affairs Canada (INAC) notified the RDOS that the government is finally moving to transfer of ownership of the land from the CPR to the PIB.

The land in question is outlined on the map on the right. It is separate from the much larger McKenna McBride cut-off and is therefore not part of that 1982 settlement.

Many Area F residents are concerned about the implications of the KVR transfer. The rail bed abuts many properties in the West Bench and Sage Mesa. It has come to be used by residents and tourists as a recreational trail and is crossed by roads, bridges, and critical infrastructure such as water and gas lines.

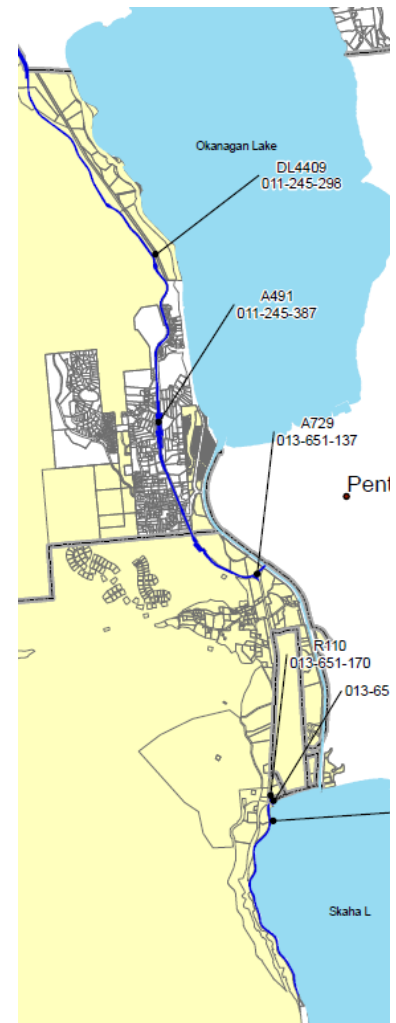
What is the RDOS doing?

The City of Penticton was briefed on the “Addition to Reserve” policy and specifics of this proposal in September of 2009. Unfortunately, the RDOS was somehow forgotten and we have had to scramble in recent weeks to gather information and understand our role in this process.

According to INAC, the central question of returning the land to the PIB was decided in the 1985 court decision and 1986 appeal. Moreover, the federal Addition to Reserve policy specifically denies local governments a veto on federal decisions on such matters. As such, it is increasingly clear that the RDOS can have very little influence on this process.

“This is between CPR and the band,” According to Okanagan-Coquihalla MP Stockwell Day. “Where the federal government will get involved is, once a deal is finalized between the CPR and the Band, then the federal government will act basically as the transfer agent...and make sure everything is done according to law.”

Fortunately, the federal policy referred to by Mr. Day addresses many of the concerns being voiced about the transfer. Specific provisions exist to protect existing utility corridors and right-of-ways. (...cont'd)



Questions?

Area F Director Michael Brydon
Phone: 250-809-2563
Email: mbrydon@rdos.bc.ca

RDOS Office
Phone: 250-492-0237
Email: info@rdos.bc.ca
Fax: 250-492-0063

Town Hall Meeting

Tuesday April 13, 2010
7:00 pm
West Bench Elementary School
Gymnasium

INAC has been very clear on this: No transfer occurs until rights are confirmed for core infrastructure, public roads, and access to private property. Rights-of-way for future infrastructure will be addressed through mechanisms already established in the Indian Act.

Chief Jonathan Kruger has made it clear in the local media that once the land has been returned to the reserve, the PIB will be open to discussions regarding access to the land for recreational purposes, utility line maintenance and transportation.

During the March 4, 2010 RDOS Board meeting, the Board resolved work with the PIB to to ensure public access to the land, develop an integrated and sustainable trail system, and work towards broader goals such as bylaw harmonization. In its response to INAC, the

RDOS also emphasizes the historical importance of the land to our community and specifically opposes any future use of the land that jeopardizes its potential as a linear park and part of the Trans Canada Trail.

For More Information

The history of the KVR lands is complex. Additional information on this issue is being posted to the Area F website as it becomes available. Please see <http://areaf.rdos.bc.ca> to read more or leave a comment.

We have also scheduled a Town Hall meeting for mid-April at the West Bench Elementary School. The purpose of the meeting is to address any questions you may have about the process as best we can.

Horse Update

It has been a light year for horses, at least on the West Bench. There are a couple of reasons for this. First, the Penticton Indian Band (PIB) removed upwards of 100 animals from the herd last fall. This was a necessary step because, according to our range consultant, the size of the herd exceeded the carrying capacity of the Band's range lands. Second, the RDOS and PIB have been working together to operate feeding stations on Band land above West Hill Aggregates since December. Our objective was to lure the horses away from residential areas and at least three distinct groups of horses frequented the sites. During the peak in February, they consumed four large hay bales per week. We have eliminated the hay drops with the arrival of warmer weather in order to encourage the horses to return to their natural grazing habits. Indeed, you may have noticed a sharp increase in the number of horse wandering the West Bench since mid-March. We expect the horses will return to the hills as spring arrives.

I was pleasantly surprised by the effectiveness of the feeding stations. However, we do not see this as a long term solution. We paid about \$5,000 for hay this year but a larger herd or a harsher winter would have pushed this cost much higher. In addition, a significant number of horses still roamed Husula, Sage Mesa and, most alarmingly, Red Wing via Highway 97.

In my view, a horse control fence on PIB land is the most complete solution to the problem. We are making arrangements to hold public consultation and a referendum on this issue later this year. Please see <http://areaf.rdos.bc.ca> for more information or to make a comment.

What is going on at Mariposa Park?

You may have noticed some significant work being done at Mariposa Park in recent days. Thanks to the combined effort of the Parks Commission and a generous offer from the Government of Canada in the form of a Recreation Infrastructure Grant for almost \$10,000, the Mariposa Tennis Courts are being repaired.

Additional landscape work is being completed along with a new walking path from the parking lot.

Please respect the workers space and keep away from the construction area until work has been completed.

Comments, questions and suggestions are always welcome. Please contact Mark Woods, Regional District Community Services Manager at 250-490-4132 or a Parks Commission member.