



VILLAGE OF SILVERTON

AGENDA

REGULAR MEETING OF COUNCIL TO BE HELD

December 9, 2020

ONLINE – GoToMeeting (as posted)

7:00 PM

A. CALL TO ORDER

B. THE VILLAGE OF SILVERTON ACKNOWLEDGES THE INDIGENOUS PEOPLES ON WHOSE TRADITIONAL TERRITORIES WE STAND

C. ADDITION OF LATE ITEMS IF ANY

D. ADOPTION OF THE AGENDA

E. ADOPTION OF THE MINUTES

1. Minutes of Special Council Meeting for November 23, 2020

F. DELEGATIONS AND PETITIONS

None at this time.

G. UNFINISHED BUSINESS/BUSINESS ARISING

None at this time.

H. NEW BUSINESS

1. Council 2021 Meeting Schedule

Recommendation:

That Village of Silverton Council approves the following schedule of Regular Council meetings for 2021:

2021 Regular Council Meeting Schedule	
Wednesday January 13, 2021	Wednesday July 14, 2021
Wednesday February 10, 2021	Wednesday August 11, 2021
Wednesday March 10, 2021	Wednesday September 8, 2021
Wednesday April 14, 2021	Wednesday October 13, 2021
Wednesday May 12, 2021	Wednesday November 10, 2021
Wednesday June 9, 2021	Wednesday December 8, 2021

2. RDCK and Council Appointments 2021

Recommendation:

That Village of Silverton Council approves the following appoints as delegated during the December 9, 2020 meeting on item H 2.

3. Application for a Development Permit – File No. 02-2020, 821 Lake Ave., Lot A, Plan NEP574, DL 434.

Recommendation:

Pursuant to the Chief Administrative Officer's report, the Village of Silverton Council approves Development Permit Application No. 02-2020 as submitted.

4. Silverton By Election for Position of Mayor

I. CORRESPONDENCE FOR INFORMATION

None at this time.

J. COUNCIL REPORTS

1. Mayor - Vacant position

2. Councillor Leah Main

- RDCK Director for the Village of Silverton
- West Kootenay Boundary Regional Hospital Board
- Rosebery Parklands and Trails Commission
- Winlaw Regional and Nature Park Commission
- Slocan Valley Economic Development Commission
- FCM Board
- Health Committee – Slocan District Chamber of Commerce
- RDI Climate Adaptation project Team

3. Councillor Kerry Gordon

- Municipal Emergency Management
- Slocan District Chamber of Commerce, Alternate
- Composting Project Liaison, Alternate
- RDI Climate Adaptation project Team, Alternate

4. Councillor Tanya Gordon

- Ktunaxa Kinbasket Treaty Advisory Committee (TAC)
- Recreation Commission No. 6, Alternate
- Municipal Emergency Management, Alternate
- RDI Climate Adaptation project Team
- Rat Control Liaison

5. Acting Mayor Arlene Yofonoff

- Recreation Commission No. 6
- Slocan District Chamber of Commerce
- Cultural Planning Group
- Composting Project Liaison (Healthy Community Society of the North S.V.)
- RDI Climate Adaptation project Team, Alternate

K. ADMINISTRATION REPORTS

1. CAO Report

L. BYLAWS AND POLICY

1. Grant-In-Aid Policy A – 5 2021

Recommendation:

That the Village of Silverton Council adopt Policy No. A - 5 2021 as presented.

M. PUBLIC INPUT PERIOD/PRESS

Terms of reference as per the Procedure Bylaw include;

- The maximum time allotted is two (2) minutes.
- The Public Input is for items on the Council Agenda only.
- The Public Input Period provides an opportunity for public input only, without expectation of response from Council.

N. IN CAMERA MEETING: there will be an In-Camera Meeting at this time. This meeting will be closed to the public in accordance with Sections 90 – 1 (c) employee relations.

The Regular Meeting recessed at _____pm in order to conduct the Closed Meeting.

The Regular Meeting reconvened at _____pm

O. ITEMS BROUGHT FORWARD FROM IN CAMERA

P. ADJOURNMENT

MINUTES OF THE *SPECIAL COUNCIL MEETING* HELD ONLINE ON MONDAY NOVEMBER 23, 2020 AT 7PM

PRESENT: Acting Mayor A. Yofonoff, Councillors K. Gordon, T. Gordon, L. Main

ABSENT:

STAFF: H. Elliott, Chief Administrative Officer

A. CALL TO ORDER

113/2020 - Moved, seconded That Councillor L. Main be elected Chair for this meeting.

CARRIED

Chair, Councillor L. Main Called the Meeting to Order at 7:04 pm.

B. THE VILLAGE OF SILVERTON ACKNOWLEDGES THE INDIGENOUS PEOPLES ON WHOSE TRADITIONAL TERRITORIES WE STAND

C. ADDITION OF LATE ITEMS IF ANY

None at this time.

D. ADOPTION OF THE AGENDA

114/2020 - Moved, seconded that the Agenda be adopted as presented.

CARRIED

E. ADOPTION OF THE MINUTES

115/2020 – Moved, seconded That the Regular Council Meeting Minutes of October 14, 2020, and the Committee of the Whole Meeting Minutes of October 27, 2020, and the Special Meeting Minutes of October 27, 2020 be accepted as presented.

CARRIED

NOVEMBER 23, 2020 MINUTES OF THE SPECIAL COUNCIL MEETING

F. DELEGATIONS AND PETITIONS

None at this time.

G. UNFINISHED BUSINESS/BUSINESS ARISING

G1. RDCK COMMISSION APPOINTMENTS

116/2020 - Moved, seconded That the Village of Silverton Council appoint Eva Shandro to represent the Village of Silverton for Slocan Lake Recreation Commission No. 6 for the term January 1, 2021 to December 31, 2022.

That the Village of Silverton Council appoint Councillor Arlene Yofonoff to represent the Village of Silverton for Slocan Lake Recreation Commission No. 6 for the term January 1, 2021 to December 31, 2021.

That the Village of Silverton Council appoint Councillor Tanya Gordon as Alternate to represent the Village of Silverton for Slocan Lake Recreation Commission No. 6 for the term January 1, 2021 to December 31, 2021.

That the Village of Silverton Council appoint Hank Hastings to represent the Village of Silverton for Rosebery Three Forks Regional Parks Commission for the term January 1, 2021 to December 31, 2022.

CARRIED

G2. VILLAGE OF NEW DENVER RE: LETTER OF SUPPORT

117/2020 - Moved, seconded Pursuant to the report of the Chief Administrative Officer, Silverton Village Council supports the New Denver Wood Waste Disposal project and directs staff to write a Letter of Support on behalf of Silverton.

CARRIED

NOVEMBER 23, 2020 MINUTES OF THE SPECIAL COUNCIL MEETING

H. NEW BUSINESS

H1. SILVERTON COMMUNITY CLUB RE: MEMORIAL HALL UPGRADES

Staff were directed to move the request to the 2021 budget discussions.

H2. BOAT LAUNCH IMPROVEMENTS

118/2020 - Moved, seconded Pursuant to the Committee of the Whole Meeting on October 27, 2020, Silverton Village Council wishes to proceed with obtaining permit(s) to clean off the boat launch of debris (sand and gravel); AND

FURTHER that staff also investigate upgrades and expansions to the boat launch and boat area as discussed at the October 27, 2020 Committee of the Whole Meeting for 2021 budget discussions.

CARRIED

Staff were requested to look into an on-going permit for boat launch maintenance.

I. CORRESPONDENCE FOR INFORMATION

Received for information.

J. COUNCIL REPORTS

Received for information.

K. ADMINISTRATION REPORTS

Received for information.

NOVEMBER 23, 2020 MINUTES OF THE SPECIAL COUNCIL MEETING

L. BYLAWS AND POLICY

None at this time.

M. PUBLIC INPUT PERIOD/PRESS

Mr. Broughton asked questions regarding the Campground consultant and contract.

Press asked questions of Councillor T. Gordon's report to Council.

N. IN CAMERA MEETING:

The Regular Meeting recessed at 7:40 pm in order to conduct the Closed Meeting.

The Regular Meeting reconvened at 8:02 pm.

O. ITEMS BROUGHT FORWARD FROM IN CAMERA

The Village of Silverton Council received the letter from Jason Clarke resigning as the Mayor of Silverton.

The Village of Silverton Council received a letter of the retirement of janitorial staff and was thankful of their service.

P. ADJOURNMENT

119/2020 – Moved that Council adjourn at 8:03 pm.

CERTIFIED CORRECT:

Acting Mayor A. Yofonoff

Chief Administrative Officer



H2

VILLAGE OF SILVERTON
2021 Council Appointments

	Appointment	Alternate
RDCK Director		
Slocan District Chamber of Commerce		
Municipal Emergency Management		
Board of Variance	Vacant	Vacant
West Kootenay Boundary Regional Hospital Board (RDCK Director)	RDCK Director	
Slocan Valley Economic Development Commission (RDCK Director and one community member)	RDCK Director	Barbara Fuhrer
Recreation Commission No. 6 (RDCK Requires one Council appointment and one community member and alternate)	Councillor A. Yofonoff	Councillor T. Gordon Community member: Eva Shandro Alternate: Monique Wood
Rosebery Parklands and Trails Commission (RDCK Director and one community member)	RDCK Director	Hank Hastings
Winlaw Regional and Nature Park Commission (RDCK director)	RDCK Director	N/A
Slocan District CoC- Health Committee		N/A
Ktunaxa Kinbasket Treaty Advisory Committee (TAC)		
CBBC Liaison		

2021 ACTING MAYOR SCHEDULE

Councillor	JAN, FEB, MAR (2021)
Councillor	APRIL, MAY, JUNE (2021)
Councillor	JULY, AUG, SEPT (2021)
Councillor	OCT, NOV, DEC (2021)



VILLAGE OF SILVERTON

2020 Council Appointments

	Appointment	Alternate
RDCK Director	Councillor L. Main	Mayor J. Clarke
Slocan District Chamber of Commerce	Councillor A. Yofonoff	Councillor K. Gordon
Municipal Emergency Management	Councillor K. Gordon	Councillor T. Gordon
Board of Variance	Vacant	Vacant
West Kootenay Boundary Regional Hospital Board (Must be RDCK Director and RDCK Alternate for either appointment)	Councillor L. Main	Mayor J. Clarke
Slocan Valley Economic Development Commission (RDCK Director by virtue of office and one community member)	Councillor L. Main	Barbara Fuhrer
Recreation Commission No. 6 (RDCK Requires one Council appointment and one community member and alternate)	Councillor A. Yofonoff	Councillor T. Gordon Community member: Eva Shandro Alternate: Monique Wood
Rosebery Parklands and Trails Commission (RDCK Director by virtue of office and one community member)	Councillor L. Main	Hank Hastings
Winlaw Regional and Nature Park Commission (RDCK Director by virtue of office)	Councillor L. Main	N/A
Slocan District CoC- Health Committee	Councillor L. Main	N/A
Ktunaxa Kinbasket Treaty Advisory Committee (TAC)	Councillor T. Gordon	Councillor L. Main
Slocan Lake Arts Council Liaison	Mayor J. Clarke	Councillor A. Yofonoff

2020 ACTING MAYOR SCHEDULE

Councillor Leah Main	JAN, FEB, MAR (2020)
Councillor Tanya Gordon	APRIL, MAY, JUNE (2020)
Councillor Kerry Gordon	JULY, AUG, SEPT (2020)
Councillor Arlene Yofonoff	OCT, NOV, DEC (2020)



Administrative Report: Hillary Elliott, CAO

Village of Silverton Council

Regular Meeting of Silverton Village Council December 9, 2020

Executive Summary

The purpose of this report is to present information regarding the application for a Development Permit File No. 02 - 2020.

Background

Council has set out guidelines regarding construction within Silverton's development permit area as per the "Development Procedure Bylaw No. 242 - 1987" and is identified in "Zoning Bylaw No. 466 - 2011".

Anyone wishing to build within Silverton's Development Permit Area must apply to Council for their application to be reviewed and considered in an open meeting. All applicants must be granted authorization prior to construction.

As per the Village of Silverton Development Permit Area, a Development Permit (DP) application was completed by the property owner's Representative. The application has already provided information for a building permit, which contains the relevant information required for the DP application (attached). It is compliant with our OCP Bylaw No. 463 – 2010, Zoning Bylaw No. 466 – 2011, and all building requirements.

The proper permitting by other provincial and federal agencies will be completed as the retaining wall is within the foreshore.

The failure of the retaining wall is imminent, as the accompanying documentation demonstrates. Should the structure fail without a permit being granted, it would be deemed an emergency and no permitting or consideration for fish or wildlife would need be required as some of the contents in the wall would be considered an environmental hazard and the clean up would need to be immediate. If the permit is granted, all works must be done in the winter to minimize any negative environmental impacts.

Currently the retaining wall is on private and crown land. The proposed development places the retaining wall completely on private lands.

Financial Impact

The applicant has paid the \$100.00 for the permit application.

Discussion

Based on the information provided, it is in the best interest of the Village of Silverton and the environment to approve the DP as presented. Currently, the contents of the retaining wall are falling out of the wall (refer to pictures) and some of it is not a product that should be in the environment (refer to the pictures and the foam-like substance that is breaking-down into very small, granular particulates that are visible on the fingers).

Recommendation:

Pursuant to the report of the Chief Administrative Officer, the Village of Silverton Council approves the Development Permit Application No. 02 – 2020 as submitted for 821 Lake Ave., Lot A, Plan NEP574, DL 434.

Sincerely,

Hillary Elliott
CAO, Village of Silverton

(3) Present Zoning Residential R-1.

(4) Present Development Permit Area Designation in the Official Community Plan _____

Yes

(5) Description of the Existion Use/ Development _____

The property is currently used as a vacation residence and has two buildings. The property is a foreshore property. An old retaining wall and two old breast walls are located on the property.

(6) Full Description of the Proposed Development (use seperate sheet if necessary) _____

The replacement of both the retaining wall and the breast walls by two Reinforced Gravity Walls. Please see details in the Riparian Assessment report attached.

(7) Description of Features of the Proposed Development to Satisfy Development Permit Area Guidelines and Conditions set out in the Official Community Plan (copy of relevant section (s) of the Official Community Plan to be provided by the Municipal Clerk)..

1. New retaining wall will be located 1 to 2m inland (foreshore setback)

2. New retaining wall will imitate the shape of the foreshore line by having a round-nose shape.

3. Native shrubs will be planted within the riparian area.

4. Fish habitat within foreshore will be improve with new setback.

5. New retaining and breast walls will prevent foreshore erosion..

SCHEDULE A5 (iv)

(8) Proposed Variation and/or Supplimentation to Existing Regulation (if relevant) _____

N/A

Reasons in Support of Application

4. Comments in Support of the Application (use separate sheet if necessary) _____

The retaining wall and its entire backfill is presently at high risk of collapsing.

Assessment of the fill behind the wall revealed hazardous debris such as formaldehyde foam and creosoted-stain railroad ties.

Redwood Engineering confirmed that the wall is in critical condition and is at imminent risk of collapsing onto the foreshore and into the lake. If the wall was to collapse, there will be a significant risk to fish health and fish habitat.

Attachments

5. At the time of providing Application and Information Forms to the applicant, the Clerk shall indicate which of the following attachments are required or not required for this Application. The Clerk may require additional information.

(1) A dimensional Sketch Plan drawn to a scale of _____ to _____ showing the location of existing buildings, structures and uses.

REQUIRED: Yes No

(2) A dimensional Site Development Plan drawn to a scale of _____ to _____ showing the proposed use, buildings and structures, etc.

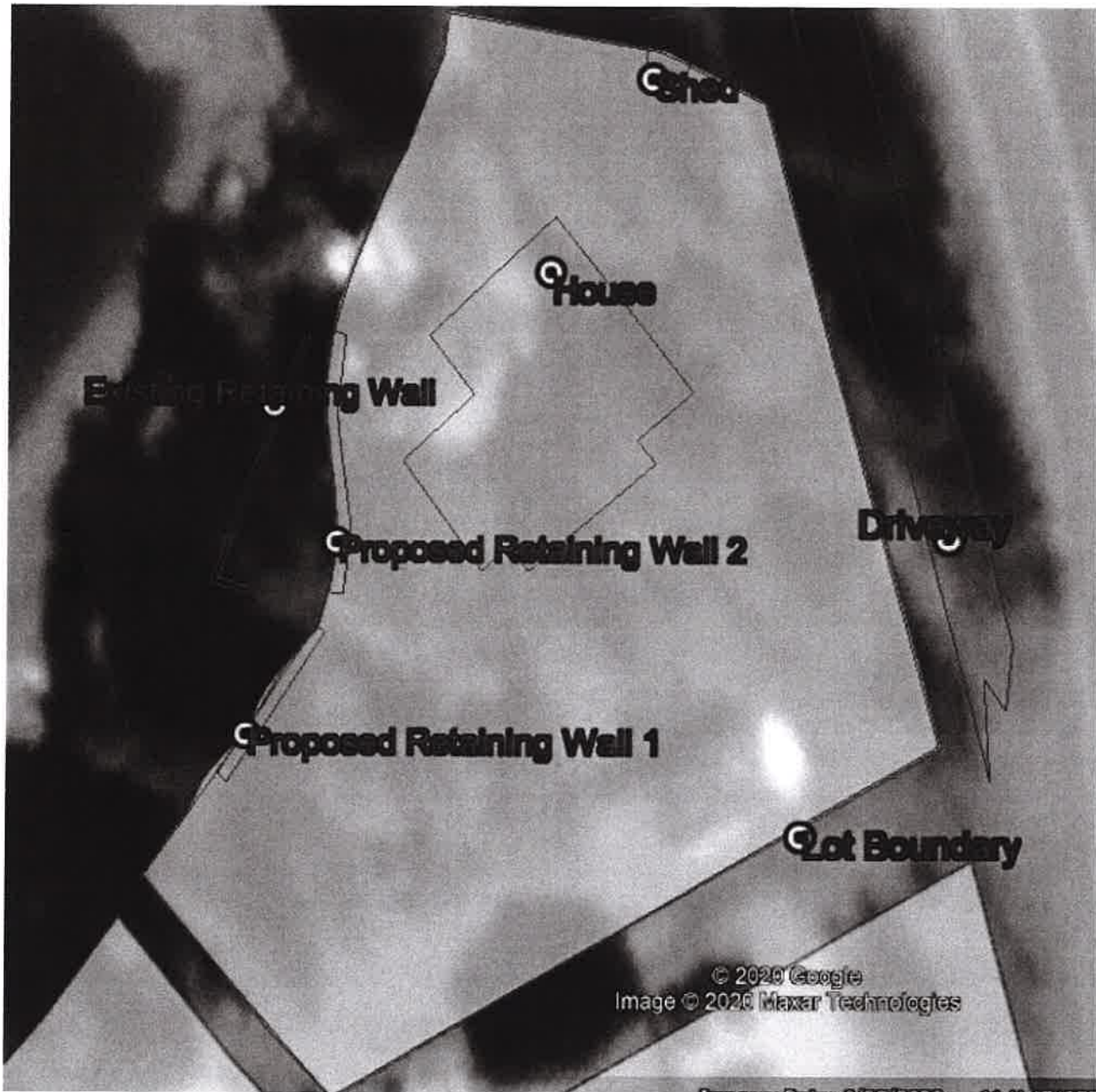
REQUIRED: Yes No

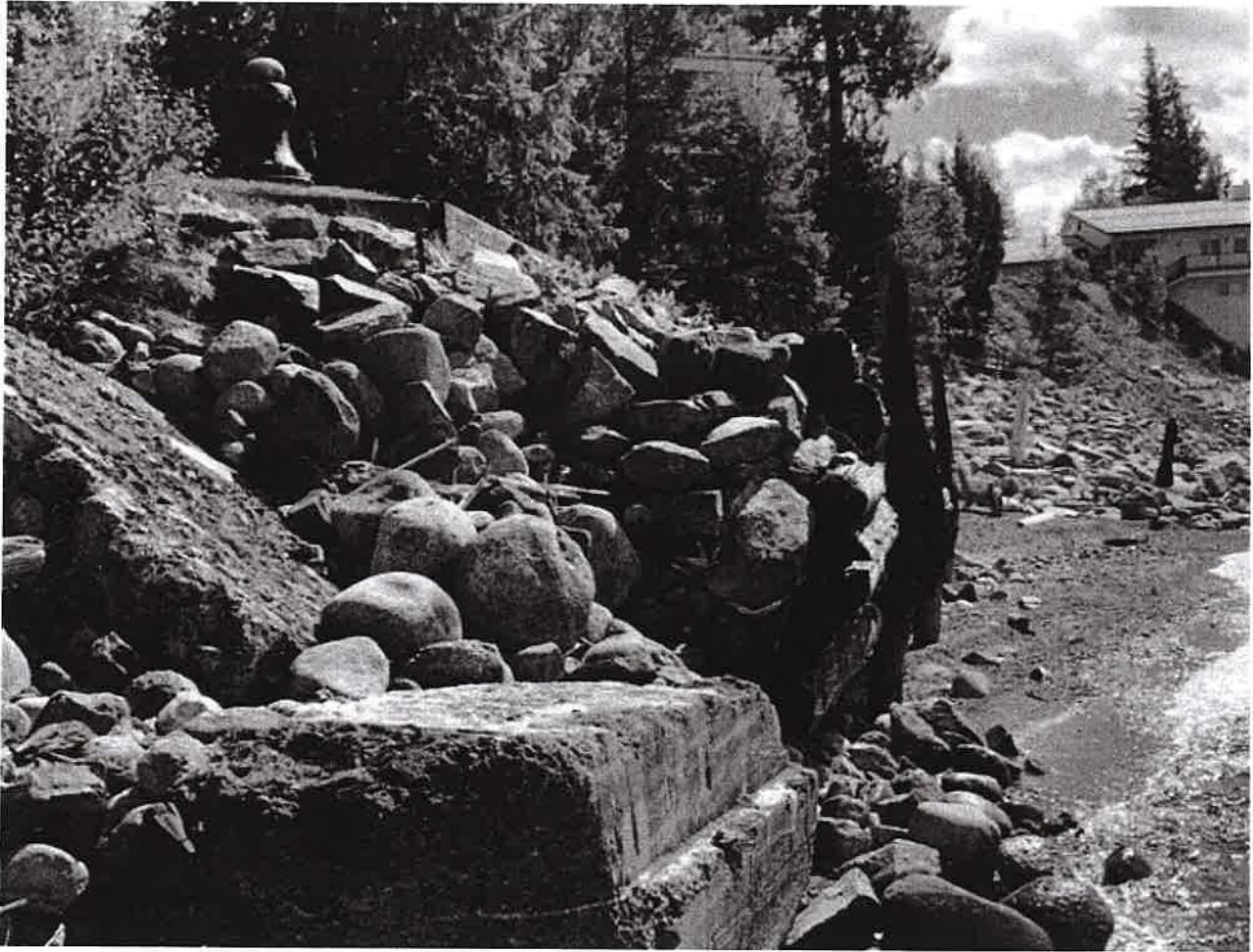
SCHEDULE A5 (v)

- (3) A dimensioned Site Development Plan drawn to a scale of _____ to _____ showing the proposed approach to servicing the site including water, sanitary sewer, drainage, road access, streets adjacent to subject property, on-street parking, etc.
- REQUIRED: Yes _____ No _____
- (4) A Contour Map (Plan) drawn to a scale of _____ to _____ with contour interval of _____, or the subject site.
- REQUIRED: Yes _____ No _____
- (5) A dimensioned landscaping and screening plan drawn to a scale of _____ to _____ showing proposed landscaping and screening features.
- REQUIRED: Yes No _____
- (6) A dimensioned architectural cross-section drawing at a scale of _____ to _____ showing the relationship of the proposed structures to the site, including slope of the land, other structures and development on adjacent properties.
- REQUIRED: Yes No _____
- (7) A conceptual elevation or perspective drawing of a typical structure or group of structures to illustrate building form and character of proposed development.
- REQUIRED: Yes _____ No _____
- (8) A dimensioned Sketch Plan drawn to a scale of _____ to _____ of the proposed subdivision, where subdivision is contemplated.
- REQUIRED: Yes _____ No _____
- (9) Technical information or reports and other information required to assist in the preparation of the Permit, listed below.

Specific Reports: Environmental Assessment,
DEI and M&E approvals as
required or proof of none required
from primary source.

General: _____







Riparian Assessment

Replacement of Two Retaining Walls

821 Lake Avenue, Silverton, British Columbia



Version 1.0
November 26th, 2020

Prepared for:
Chris and Louise McEwan
and their Company 1021678 BC Ltd.
365 Laurier Drive, Trail
BC, V1R 2N2

Prepared by:
Galena Environmental Ltd
8075 Upper Galena Farm Road, Silverton
BC, V0G 2B0



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APPENDICES

APPENDIX A Environmental Incident Report (EIR)
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1 BACKGROUND

Galena Environmental Ltd (Galena) was retained by Chris and Louise McEwan (“the Owners”) to carry out a Riparian Assessment on their property located in Silverton, British Columbia (“the Site”). The Owners intend to replace an old retaining wall and two breast walls.

A site meeting was held on August 12th, 2020, with the Owners, Chris and Louise McEwan, Don Norman, P.Eng., with Redwood Engineering Ltd, Michael Burnett, P.Eng. with SNT Geotechnical Ltd, and Luce Paquin, R.P. Bio. with Galena Environmental Ltd to identify the scope of the proposed project, the environmental concerns and to determine the most effective construction options.

A Riparian Assessment was conducted on October 20th, 2020 by Luce Paquin to evaluate existing site conditions, identify habitat values, assess potential environmental issues and bring recommendations for the construction phase of the Project. The present report adheres to the regulatory framework and Best Management Practices (BMPs) set out in the following documents:

- Develop with Care. Environmental Guidelines for Urban and Rural Land Development in British Columbia;
- Riparian Restoration Guidelines, BC Ministry of Environment;
- British Columbia Water Sustainability Act;
- Village of Silverton Official Community Plan, 2010;
- British Columbia Riparian Areas Regulation; and
- Guidelines and Best Management Practices (BMP), BC Ministry of Environment.

This report has been prepared for the Owners as a pre-condition for regulatory permitting and approvals.

2 PROJECT IDENTIFICATION

2.1 Project Location and Legal Description

The site is located within the village boundary of Silverton in southern British Columbia, on the east shore of Slocan Lake. The Village Land Use at the site is classified as Residential (R-1). Sole access is via Highway 6N and a public beach road. The Site location and legal description are described in Table 1. Figure 1 shows an overview map of the property.

Table 1: Site legal description and georeferenced information

Civic Address	Lot #	Division	District	PID	UTM	Elevation
821 Lake Avenue Silverton, BC	Lot A	District Lot 434	Kootenay District Plan 13471	010-848-029	Zone 11U 474370E 5533990N	540 m

The Site is bounded by Slocan Lake to the north and west; Silver Cove Strata, a residential development, to the south; and Highway 6N to the east.

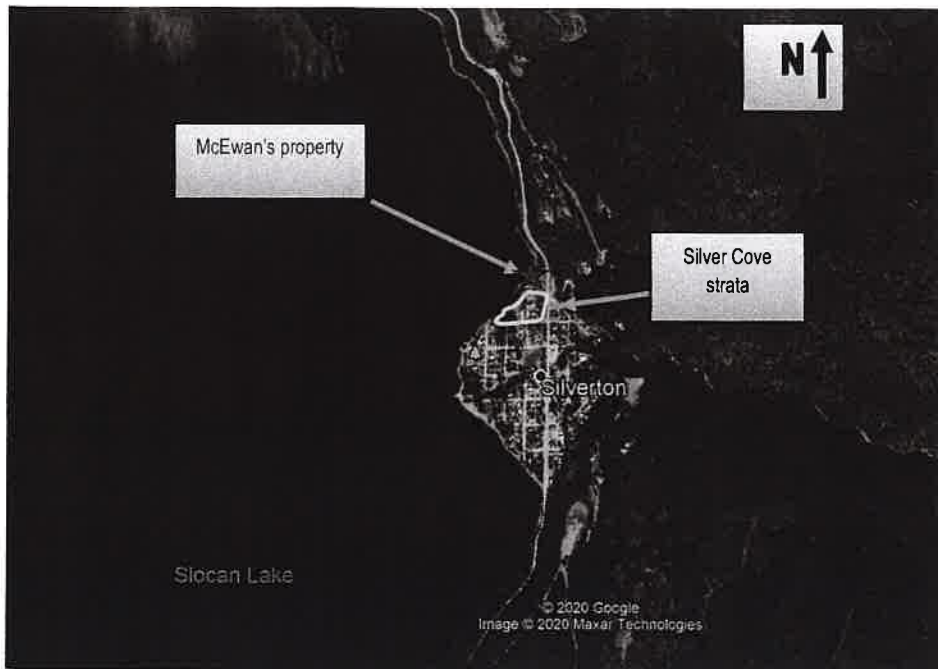


Figure 1: Village of Silverton and Site

2.2 Current Land Use, Utilities, Property Infrastructures

The property is currently used as a vacation residence and has two buildings on the property located on a flat bench upland from the foreshore. The house sits in the center of the property with a shed located north of the house (Figure 2). A driveway leads to Highway 6 (or Lake Avenue).

The water system is connected to the Silverton community water system and the sewage is a part of the Silver Cove Strata sewerage system. Both septic and water lines are buried underground behind the house, away from the project footprint.

2.3 Existing Property Conditions

The property was developed in the 1960s as a private dwelling by previous property owners. Over the years, the property has had several owners and house modifications and site improvements have been carried out. The flat bench on which the house sits has been leveled at mid-slope between the lake and the neighboring strata (Figure 2). A lawned terrace approximately 10m long sits on top of an old retaining wall.

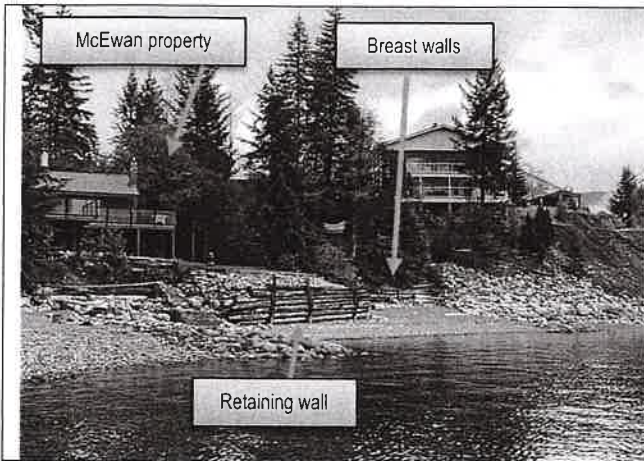


Photo 1: Retaining wall and breast walls (southwest view)



Photo 2: Property shoreline (northwest view from top of retaining wall)



Photo 3: Shed and house on property bench (east view)

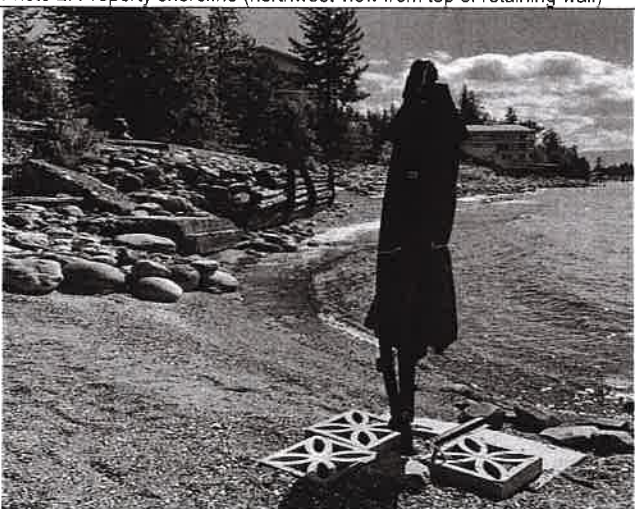


Photo 4: Beach view (southwest view)

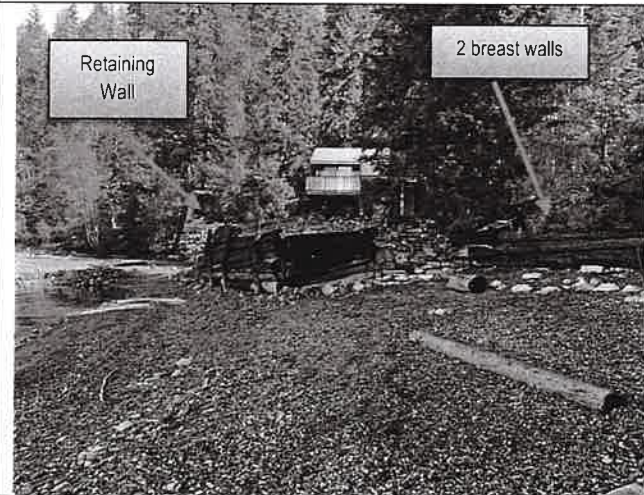


Photo 5: Retaining and breast walls (east view)



Photo 6: Rock stairway to access top of retaining wall (east view)



Photo 7: Rock stairway on the south slope behind house (south view)

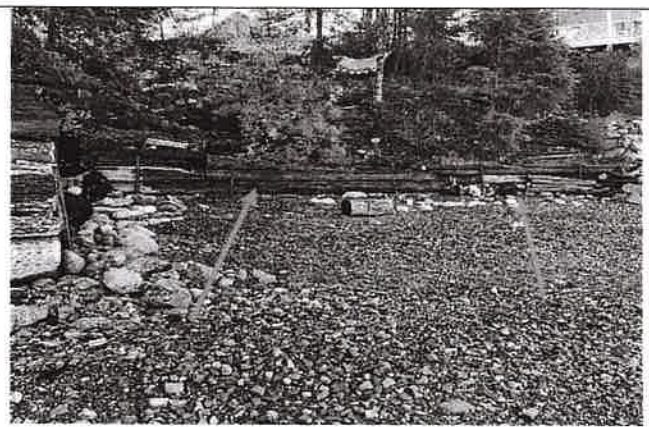


Photo 8: Breast walls at the base of south slope (south view)

Figure 2: Photographs representing the McEwan property

The retaining wall

The retaining wall is a soldier pile retaining wall built in the 1980s by previous landowners without any formal engineering designs. The wall is 10m long and approximately 2.4m in height. The wall is almost entirely located below the natural boundary and 7m from the lake water level. The ground surface behind the wall is sloped at 35% for 2.4m with rocks placed on the surface. At the top of this slope, is the level grass lawn. The main structure of the retaining wall consists of log lagging supported by log piles that appear to be restrained by underground cables. There are also a number of railroad ties in the wall structure with evidence of creosote. The fill behind the wall is a mixture of rocks, woody debris, and pieces of urea-formaldehyde insulation foam. The ties were used as the soldier logs attached with metal cables to support the logs retaining the fill. The creosote-stained railroad ties consist of the main structures holding the retaining wall.

The wall has deteriorated significantly over the years and is presently in a very unstable condition. Windstorms, frost and heavy snow have impacted it on all sides. Previous owners have clearly attempted to repair and reinforce the wall in a haphazard and ineffective manner. Redwood Engineering Ltd confirms that the wall is in critical condition and is at imminent risk of collapsing onto the foreshore and into the lake. Figures 3 and 4 below show the present structurally compromised state of the wall.



Photo 1: Retaining wall conditions in 2015 (east view)

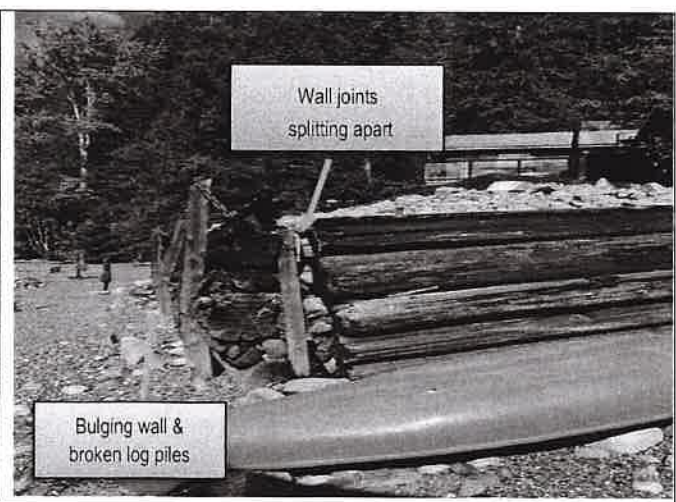


Photo 2: Retaining wall conditions in 2020 (east view).

Figure 3: Retaining wall conditions from 2015 to 2020



Photo 1: Urea-formaldehyde insulation within the fill of the wall



Photo 2: Residual powder from formaldehyde foam

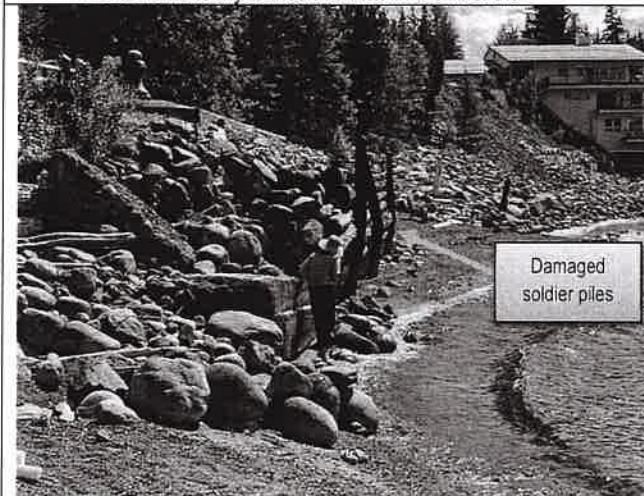


Photo 3: Bulging retaining wall with concrete debris (southwest view)



Photo 4: Close-up of bulging wall with foam and plastic debris (southwest corner)

Figure 4: Present state of retaining wall

The breast walls

Two old log soldier breast walls are located southwest of the retaining wall (Figure 5). The walls have an average height of 1m and are together 13m long and are located at 15m from the lake water level. Both walls were installed at the toe of the slope on the Owner's property to prevent wave impact from eroding the foot of the slope. The walls have significantly deteriorated and the logs are coming apart, severely compromising their original function. The area is known for its high waves and foreshore erosion and slope sloughing is common.

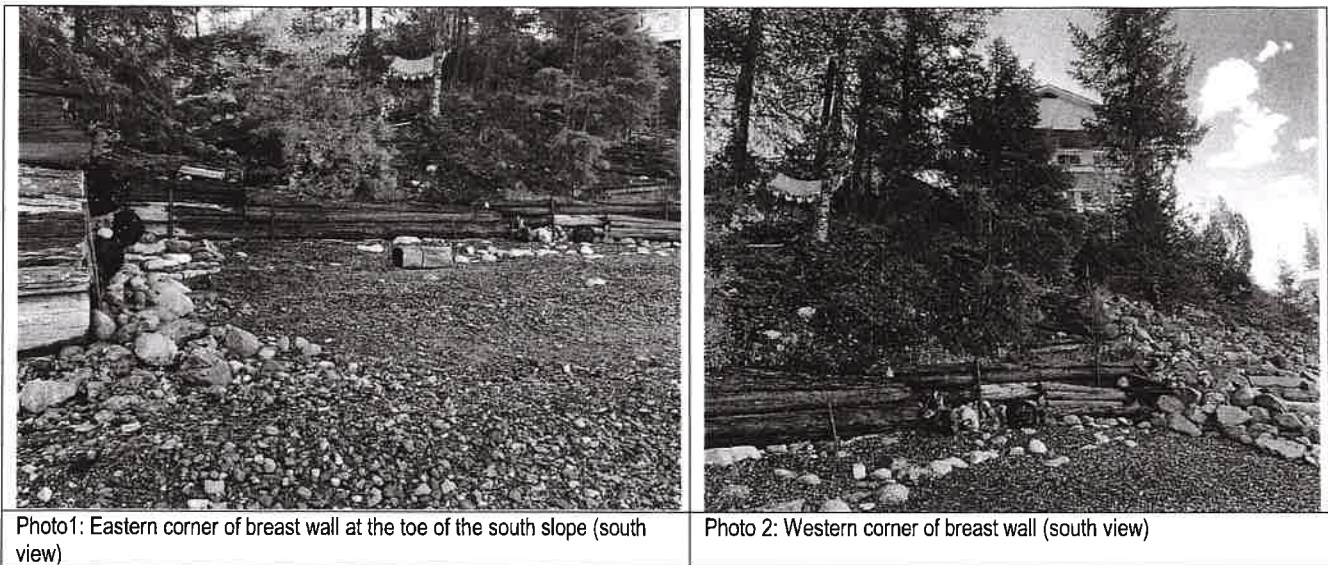


Figure 5: Breast walls on the southwest portion of the property

3 PROPOSED DEVELOPMENT

The proposed development consists in replacing the existing retaining wall and the two breast walls with Reinforced Concrete Gravity Walls. Both walls will have a leveling pad (footing) below the first row of concrete blocks (Figures 6 and 7). The site conditions will dictate the type of levelling pad: cast-in-place concrete or rock-filled. All the blocks on top of the pad will be pre-cast.

The new retaining wall

The retaining wall will be 17m in length and between 2.8 to 3.2m in height. The new retaining wall will be entirely located on the property boundary. This setback will increase the foreshore area and promote foreshore functions that maintain the health and productivity of aquatic ecosystems.

Of the several wall types available to the Owners by SNT Geotechnical Ltd, the Reinforced Gravity Wall was highly recommended by the engineering firm and was chosen as the most effective means of withstanding the intensity of the wave action on the foreshore and securely retaining the backfill. The embedded reinforcement layers in the wall will provide enduring resistance to all sources of erosion. The new wall will imitate the curve of foreshore line by having a round-nose shape. This type of wall is made with interlocking concrete blocks stacked upon one another. To facilitate the natural regeneration of the shore and to enhance the visual aesthetic of the shore, native shrubs will be planted on the top of the wall.

The new breast wall

The two breast walls will be rebuilt as a single wall, 14 m in length and 1.2m high. The wall will be located on the same footprint as the old walls, on the property boundary.

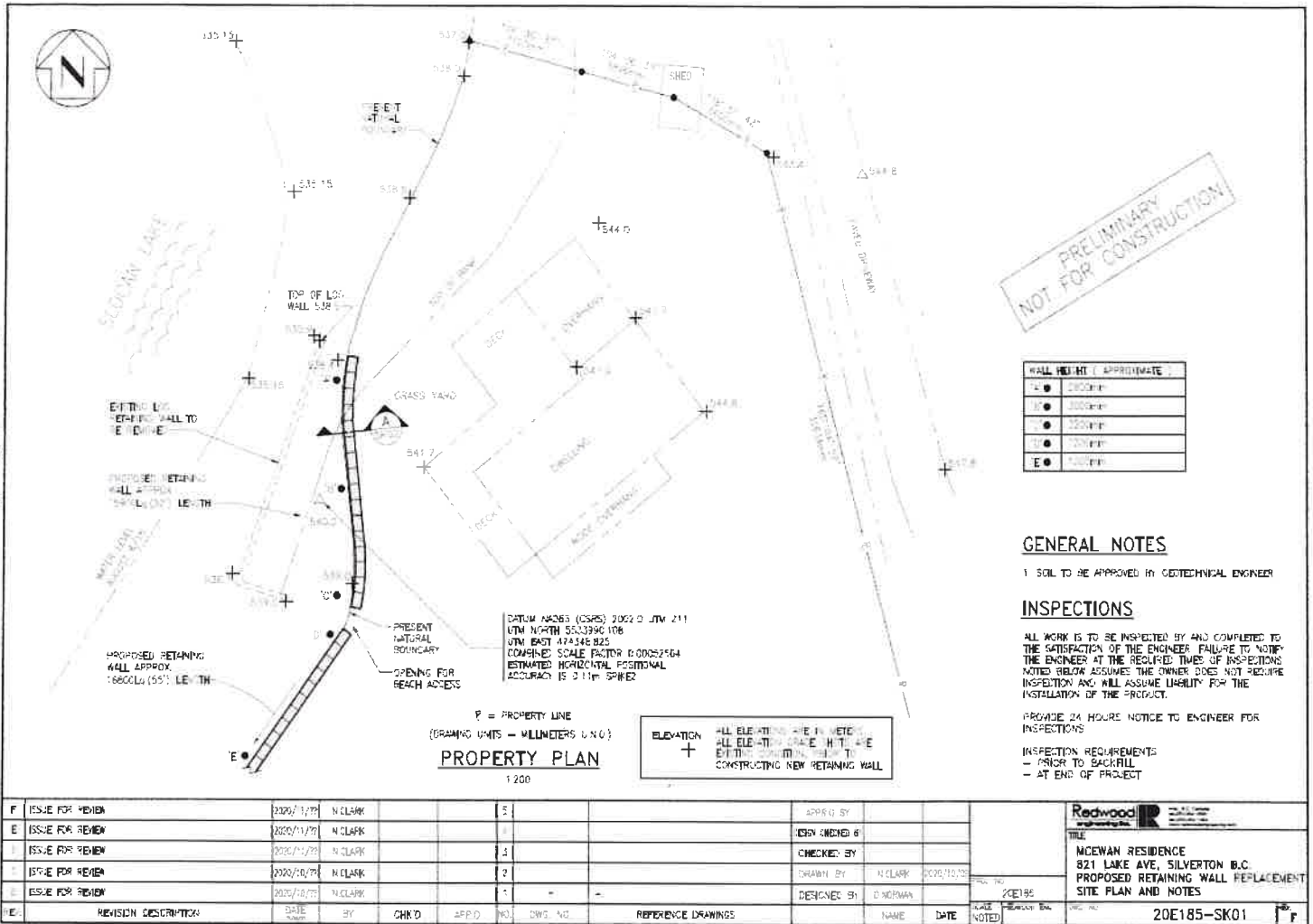


Figure 6: Property plan with proposed retaining wall and breast wall

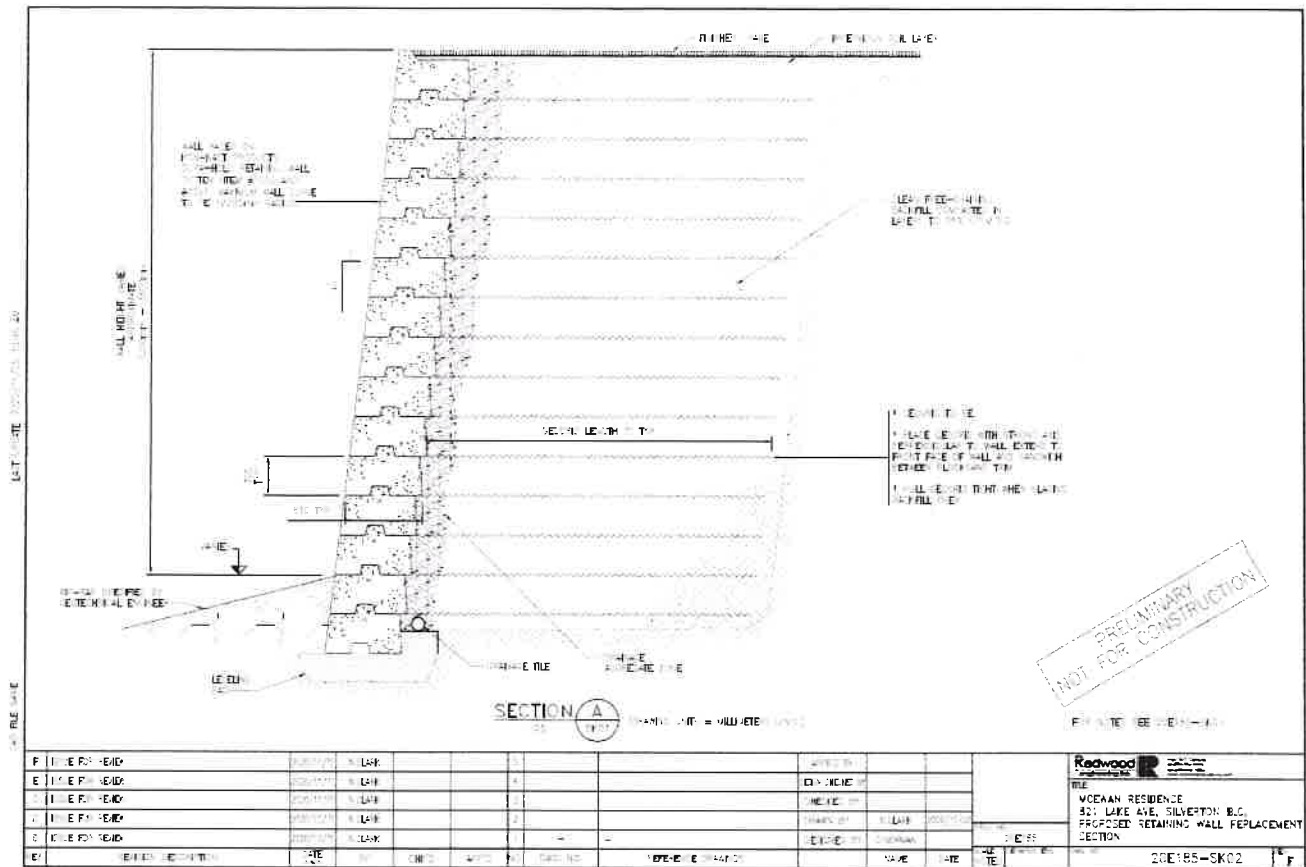


Figure 7: Draft cross-cut of proposed Reinforced Gravity Wall

3.1 Work Sequence and Scheduling

The project is slated to begin in winter 2021, during the period of low water level and to be completed prior to the spring freshets. The work sequence was planned to ensure that construction activities are unlikely to impact fish and fish habitat near the project location.

3.2 Environmental Concerns Surrounding the Present State of the Retaining Wall

The retaining wall is presently at a high risk of collapsing. In addition to the wooden structure itself, the backfill behind the wall would also collapse onto the foreshore. Assessment of the wall revealed hazardous debris such as formaldehyde foam and the creosoted railroad ties but it is unknown what the fill behind the logs is composed of.

Though the exact quantity of foam behind the retaining wall is unknown, it nevertheless presents a very real environmental risk either through leaching into the lake through rain and seepage or being directly transported into the lake when the wall collapses. In a lake, formaldehyde at high concentrations can have harmful effects on fish. The foam dust and residue which was found at the site can enter fish gills or adhere to aquatic invertebrates. Once it is in the water and being dispersed by currents and wave action, this dust and residue will be almost impossible to scoop out of the lake and dispose of.

The creosote on the railroad ties in the present wall is also a concern. Creosote is made from distilled coal tar and is composed of a variety of chemicals including polycyclic aromatic hydrocarbons (PAH). Generally, the chemicals in creosote break down in water. For some organisms, they are acutely toxic. They can cause cancer, malformations and genetic mutations in fish

and amphibians. Creosote can also sink in water and accumulate in aquatic sediment causing concerns for aquatic invertebrates.

If the wall were to collapse, there is a significant risk that the ties would be carried out into the lake and that the creosote could keep leaching out from wood for the life of the log, allowing chemicals to accumulate in sediments and bioaccumulate in organisms (Smith 2008). Creosote degrades slowly in the environment but leaches faster when immersed in water. Winds and water currents can transport the oily sheens and disperse them on the lake surface. Creosote sheens can stick to floating objects (boats, paddleboards, etc.) and travel long distances. One must also add that the clean-up from creosote sheens and the retrieving of the logs from the water can be a difficult and costly undertaking.

Patches of polyethylene tarps (plastic) can be seen in the wall, through the gaps between the horizontal logs. The tarps were probably used to retain small debris from escaping from the wall. The fabric of the tarp looks old and discolored. If the wall were to collapse, the plastic could end up in the lake. The degradation of the tarps will eventually be reduced to tiny pieces of plastic. It is known that these tiny particles of plastic can be ingested by various aquatic organisms or can be trapped on fish fins and gills or floating objects.

4 REGULATORY FRAMEWORK & RELEVANT STANDARDS

Within British Columbia, most foreshore areas below the natural boundary of a lake are considered to be provincial crown land and under provincial jurisdiction. Residential, commercial and industrial development activities above the high-water-mark of require authorization under the provincial Water Sustainability Act and tenure under the provincial Land Act. In certain areas of British Columbia, development within a riparian area falls under the new provincial Riparian Areas Protection Regulation (RAPR). Until now, the RAPR has only been adopted by large cities and regional districts with a high development demand. Small towns such as Silverton Village have not adopted the RAPR in their bylaws yet. In this case, the project Riparian Assessment will adhere to the Village of Silverton's environmental bylaws and will comply with regulatory guidelines and Best Management Practices. The Project will require regulatory permits/approvals from three different jurisdictions:

- Federal:
 - A Request for Review under Fisheries & Oceans Canada (DFO)
- Provincial:
 - An Approval under the *Water Sustainability Act – Section 11, Change In and About a Stream*
- Village of Silverton:
 - Authorization letter for the project;
 - Development Permit (Section 9/6 of the Municipal Act); and
 - Building Permit (if applicable).

This project will follow the general policies and the applicable bylaws/guidelines related to riparian protection below:

- Foreshore Guidelines, Corporation of the Village of Silverton, 1995;
- Silverton Village Official Community Plan, 2010;
- Village of Silverton, Building Bylaw No. 449-2007; and
- BC Environmental Protection and Sustainability, Environmental Management Act, Hazardous Waste BC

5 ROLES & RESPONSIBILITIES DURING CONSTRUCTION

5.1 Owners Roles and Responsibilities

It will be the responsibility of the Owners and his contractors to be familiar with the contents of the Best Management Practices described in this report and to comply with the permits, approvals and environmental requirements.

5.2 Galena Roles and Responsibilities

Environmental monitoring will be an integral component of this project. The environmental monitor (EM) must be a Qualified Environmental Practitioner (QEP) with appropriate experience. The role of the QEP is to ensure that construction activities do not adversely impact sensitive environmental resources.

The EM should be onsite on an as-required basis and specifically during construction works that may have the potential to create significant environmental impacts (i.e., concrete pour). The EM will ensure that all mitigative measures are adequately implemented, that they are working appropriately, and that impacts to nearby lake and the environment are kept to a minimum.

A pre-work meeting with all contractors involved with construction will be held onsite prior to the beginning of construction. This meeting will review the Best Management Practices and work plan to ensure that all parties involved understand the objectives of the plans. The objectives of these measures are to ensure the protection of fish and fish habitat and to ensure that the proposed works are carried out in an effective and timely manner.

The EM will have the authority to stop construction work if there is potential for harm to the environment. The EM will be responsible for monitoring and evaluating compliance of work practices and procedures and will also perform the following tasks throughout the duration of the construction of the Project:

- Liaise with the government agencies or the Village of Silverton, if needed;
- Provide environmental orientation instruction to crew personnel on an as-needed basis when the Project enters phases with increased environmental risks such as concrete work or during heavy rainy events;
- Monitor all waste management initiatives;
- Review and monitor emergency response supplies and equipment required to be onsite;
- Monitor site machinery for oil leaks prior to mobilization and follow-up repair prior to machinery entering work area;
- Be on call should an emergency arise requiring the Environmental Monitor's assistance;
- Maintain a detailed project record of all main phases of the construction, with photographs;
- Regular environmental inspection to be conducted to document work activities and ensure compliance with the Project requirements;
- Incident and Spill Forms will be completed when a non-compliant, reportable incident or spill is observed or reported by the construction crew and/or Galena; and
- A Closure Summary Report will be completed to document environmental monitoring and mitigation activities and outcomes.

6 EXISTING RESOURCES

6.1 Aquatic Resources

The property foreshore shows numerous signs of human disturbance such as a groomed beach, three groynes and concrete slabs and riprap where imported on the foreshore by previous landowners to prevent erosion. The foreshore substrate consists of a mixture of gravel, cobbles and some flat boulders (Figure 8). The foreshore offers some potential rearing habitat for fry and juvenile fish during low water periods. At high water levels a groyne in front of the house provides rearing habitat and cover habitat for juvenile and adult fish. No significant coarse woody debris was observed within the riparian area above the natural boundary.

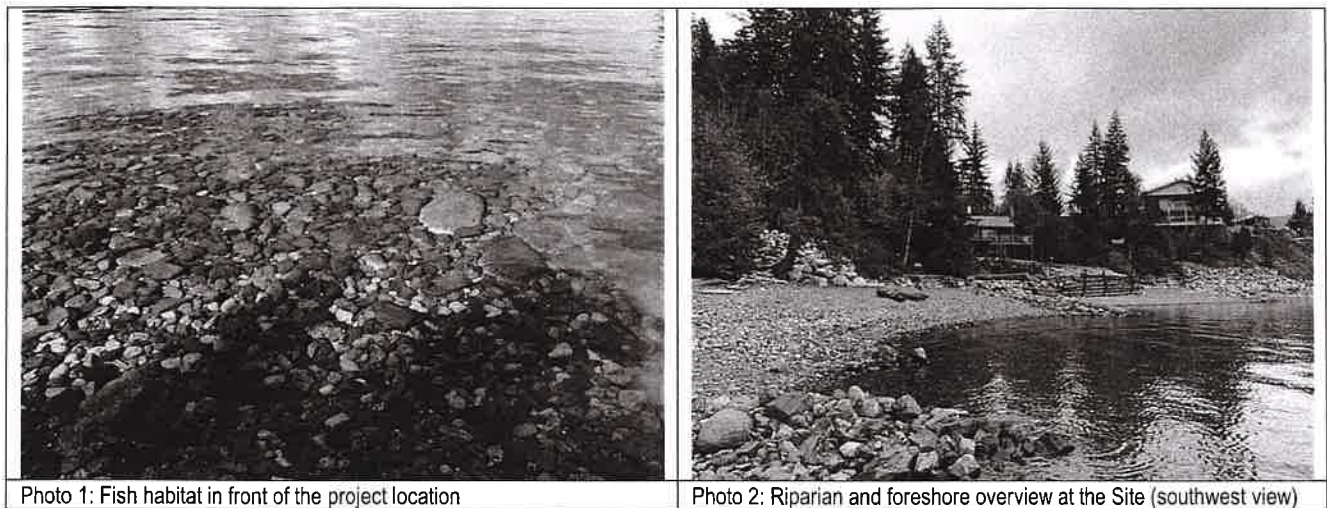


Figure 8: Fish habitat and foreshore overview at the project location

According to the Slovan Lake Foreshore Inventory and Mapping (FIM) Aquatic Habitat Index (Galena 2011), this section of the lake (Section 6) was rated with a Low Habitat Index indicating that this segment of shoreline is estimated to have a relatively unproductive habitat. Although portions of this foreshore offer potential for fish rearing and seasonal shelters, the segment ranked Low because of its previous shoreline modifications.

Slocan Lake supports a variety of fish species (Table 2), including several species of regional interest, such as rainbow trout (*Oncorhynchus mykiss*), kokanee (*O. nerka*), burbot (*Lota lota*), bull trout (*Salvelinus confluentus*), Westslope cutthroat trout (*O. clarki lewisi*) and the white sturgeon (*Acipenser transmontanus*).

Table 2: Fish species present in Slocan Lake

Common Name	Latin Name
Bull Trout	<i>Salvelinus confluentus</i>
Burbot	<i>Lota lota</i>
Cyprinids	Sp.
Dace spp.	<i>Rhinichthys spp</i>
Dolly Varden ¹	<i>Salvelinus malma</i>
Eastern Brook Trout	<i>Salvelinus fontinalis</i>
Kokanee	<i>Oncorhynchus nerka</i>
Lake Chub	<i>Couesius plumbeus</i>

Largescale Sucker	<i>Catostomus macrocheilus</i>
Mountain Whitefish	<i>Prosopium williamsoni</i>
Northern Pikeminnow	<i>Ptychocheilus oregonensis</i>
Peamouth Chub	<i>Mylocheilus caurinus</i>
Prickly Sculpin	<i>Cottus asper</i>
Rainbow Trout	<i>Oncorhynchus mykiss</i>
Redside Shiner	<i>Richardsonius balteatus</i>
Sculpin spp.	<i>Cottus spp.</i>
Slimy Sculpin	<i>Cottus cognatus</i>
Torrent Sculpin	<i>Cottus rhotheus</i>
Westslope Cutthroat Trout	<i>Oncorhynchus clarki lewis)</i>
White Sturgeon	<i>Acipenser transmontanus</i>

BC Government/HabitatWizard 2020

6.2 Terrestrial Vegetation

The vegetated riparian area is mainly located in front and behind the house and on the steep slope above the breast walls (Figure 8). The vegetated areas consists mainly of sparse mature Douglas-fir (*Pseudotsuga menziesii*) and a few paper birch (*Betula papyrifera*) trees with an understory of shrubs, moss, forbs, and lichens. Except for a lawn, the top of the retaining wall has no vegetation. A common lilac was noted at southwest corner of the lawn, on top of the retaining wall.

Several invasive plant species were observed during the site visits, mostly on the steep slope above the breast walls and behind the house. The amount of invasive species for the overall site is relatively small. Table 3 describes the vegetation composition and the invasive plant species observed at the project site.

Table 3: Plant species present at the site

Common Name	Latin Name	Common Name	Latin Name	Common Name	Latin Name
Trees		Herbaceous		Invasive plant	
Douglas-fir	<i>Pseudotsuga menziesii</i>	Brome fescue	<i>Vulpia bromoides</i>	Common chickweed	<i>Lactuca muralis</i>
Paper birch	<i>Betula papyrifera</i>	Yarrow	<i>Achillea millefolium</i>	Wall lettuce	<i>Hypericum perforatum</i>
Western redcedar	<i>Thuja plicata</i>	Fescue	<i>Festuca sp.</i>	Common St John's wort	<i>Verbascum Thapsus</i>
Shrubs		Lady fern	<i>Athyrium filix-femina</i>	Great mullein	<i>Centaurea stoebe</i>
Silver birch	<i>Betula pendula</i>	Moss and Lichen		Spotted knapweed	<i>Cirsium vulgare</i>
Western yew	<i>Taxus brevifolia</i>	Silvergreen bryum moss	<i>Bryum argenteum</i>	Bull thistle	<i>Stellaria media</i>
Douglas maple	<i>Acer glabrum</i>	Reindeer lichen	<i>Cladonia rangiferina</i>		
Common snowberry	<i>Symphoricarpos</i>				

6.3 Wildlife Habitat

6.3.1 Birds

A visual survey of the forest and riparian area surrounding the project development was conducted during the site visits. No raptor nests were observed or wildlife habitat features that indicate regular use by birds (i.e. roosts) in the mature trees or structures. Although the forest within the riparian area has a high potential for songbird nesting, the project will occur in late winter outside the bird breeding season.

6.3.2 Amphibians and Reptiles

The rocky outcrops on the upper south slope offers some habitat potential for reptiles. Some boulders and large woody debris on the upper riparian may also provide good habitat for reptiles, though none were observed during the site visits. Rocks and debris in the retaining wall may offer some potential habitat for snakes during summertime. But the retaining wall is exposed to cold weather and freezing conditions and has no potential to support snake overwintering environmental requirements.

6.3.3 Mammals

The riparian area surrounding the site has some browsing vegetation including shrubs and young saplings which could provide suitable habitat for mammals. Ungulates may occasionally use the area to access the water; however no signs of droppings or browsing were observed.

6.4 Species at Risk

A 10 km buffer polygon around the site was used to query BC Conservation Data Center records for the potential for species at risk to inhabit or use the area (CDC IMap tool). Based on the query results, two occurrences of species at risk are known within this 10km polygon; the white sturgeon (*Acipenser transmontanus*), from the Upper Columbia River population, and the pygmy slug (*Kootenaia burkei*).

The white sturgeon (element occurrence #36644) is listed endangered in British Columbia. The fish is rarely observed in Slocan Lake and prefers deepwater areas to shallow water zones such the one found at the site. The project will not affect the water quality and the fish habitat from the lake and therefore, it is unlikely to affect the species.

The pygmy slug (element occurrences #112721 and #120109) is listed Special Concern in British Columbia. The slug's key habitat requirements include high substrate moisture with abundant woody debris and leaf litter for shelter. Both occurrences were found in high altitude and in forested mountainous habitat. All construction activities will take place on a disturbed area denuded of the species preferred habitat requirements and the project site has no habitat requirements for this species.

None of these species are likely to occur on the property. The lack of documented species at risk identified in the data queries does not preclude the presence of a species at risk in a given area. Given the time of year, and the scope of this assessment it is impossible to rule out the presence of species at risk on and near the property.

7 ENVIRONMENTAL CONSIDERATIONS

7.1 Aquatic Impacts from Equipment

The project footprint is entirely within the foreshore of Slocan Lake. During construction, the lake will be at its lowest level and approximately 10 m away from where equipment will be working. Heavy equipment required for the project will be limited to a backhoe, a dump truck and a concrete truck (if required).

Equipment traffic may create rutting on the driveway. If rainy events occur during the construction period, rill erosion will promote surface drainage flowing down the driveway. Protective measures will be implemented to protect the lake and fish habitat from construction debris and sediment-laden waters entering the lake (Section 8.2).

7.2 Concrete Work

Concrete work will be required for the construction of the wall foundations. Due to the proximity of the lake, all precautions will be taken to prevent uncured concrete from entering the surrounding environment. Uncured concrete can leach into water and drastically change the pH, making conditions toxic for fish. All necessary mitigation measures associated with concrete work will be implemented prior to and during concrete pour (Section 8.5).

8 ENVIRONMENTAL PROTECTION & BEST MANAGEMENT PRACTICES (BMPs)

8.1 Earthworks

The principal concerns associated with earthwork for this project are sediment-laden runoff issuing from the work area and the disposal of any debris from the dismantling of the present walls. Excavation, backfilling and grading in the vicinity of the lake shall be done in a manner that minimizes erosion and sedimentation transport into the lake. All earthwork activities shall adhere to relevant regulatory requirements. Other specific measures to be undertaken to minimize potential effects on aquatic habitat and resources are as follows:

- Temporary exposed soils will be immediately covered with a polyethylene sheet to prevent erosion and soil transport into the lake during rainy events;
- Excess subsoil and /or spoil material will be removed from site as soon as possible and disposed of at an approved location;
- Excavation, backfilling and grading shall be done in a manner that minimizes potential for runoff (Section 8.4);
- Debris from the old wall shall be removed from site as soon as possible; and
- Retain, where possible, all native vegetation.

8.2 Equipment & Operation Movements

General equipment operations and movement mitigation measures will be incorporated into all activities, for the duration of construction of the Project. These will follow construction Best Management Practices (BMPs) as follows:

- All equipment used during construction shall follow the environmental protection procedures outlined in this document;
- All equipment shall be regularly maintained and inspected. If problems are identified the equipment shall be taken out of service and repaired to prevent release of hydrocarbons into the environment;
- At the time of construction, the lake water will have receded considerably and will be approximately 12 to 15m from the work zone. Equipment must maintain their operations within the first 6 m below the retaining wall;
- If required, the staging/storage area will be located in previously disturbed sites where possible;
- Heavy equipment will be parked on the public trail on the upper bench overnight;
- Equipment access to the site will be via the beach public trail parallel to the highway which leads to the lakeshore; and

- Heavy equipment will be equipped with a spill kit. In addition, a 20-gallon spill kit will be onsite during the entire project (see Section 8.7 for details).

8.3 Waste Management

Construction workers will be aware of and will adhere to the waste management practices onsite. All waste materials will be transported off-site by the construction contractor(s) for appropriate disposal. Anticipated waste may include plastic tarp, food waste, and debris from the retaining wall such as rocks, woody and concrete debris.

Food waste and domestic garbage from the construction site will be collected, stored and disposed of in a timely manner in order to reduce potential human/wildlife encounters.

In the event of a spill, contaminated soil/snow will be temporarily disposed of onsite in plastic bins equipped with a lid (see Section 8.7).

8.4 Erosion Prevention & Sediment Control

Sediment control measures will be installed around work areas where erodible ground is exposed and has the potential to leach into the lake and adversely impact water quality. Sediment control measures will be installed as prescribed by the Environmental Monitor prior to the start of work or as soon as possible when potential erosion control issues arise. General measures for sediment and erosion control, which may be employed as required during construction, are as follows:

- Temporary material stockpiles will be placed as far as is practical from drainage channels;
- Sediment control features will include silt fences, and straw bales;
- Sediment and erosion control features will be functional at all times and maintained and monitored regularly until a stable condition is achieved; and
- Inspection of sediment control structures will be conducted after any significant rainfall occurs and any damaged devices repaired immediately.

8.5 Concrete Work

As mentioned above, concrete pour will be required for the wall foundations. The following measures will apply for the entire duration of the pour:

- Uncured concrete products will not be deposited near drainage paths or on the foreshore;
- Concrete works will be completely isolated from any water. Under no circumstances shall fresh concrete come into contact with water before the concrete has cured;
- In the event of a concrete spill, the spilled material will be immediately removed from the foreshore and/or drainage paths and clean-up procedures will be implemented;
- Water that comes into contact with uncured or partially cured concrete will be contained and temporarily disposed of and will not be left on the foreshore;
- A CO2 bubbler should be onsite during the pour of the concrete;
- The rinsing of the chute may be carried out at the delivery site but care and caution shall be taken before any concrete is rinsed from a chute at the delivery site;
- If possible, a pump truck equipped with a long boom will be used to pump the concrete from a safe distance from the foreshore;

- The rinsing of the chute may be carried out at the delivery site but care and caution shall be taken before any concrete is rinsed from a chute;
- Concrete drippings may pass through sectional parts of the concrete chute. A tarp will therefore be installed under the chute to receive the drippings, which will be gathered and disposed of adequately when cured;
- Environmental monitoring will be conducted during the concrete pour; and
- In the event of a spill into water:
 - The spill material will be entirely removed from the water where possible and emergency mitigation and clean-up procedures will be implemented;
 - CO2 from the CO2 bubbler will be deployed in the water until pH resume to normal;
 - pH measurements will be conducted to ensure environmental compliance with CCME Canadian Water Quality Guidelines for the Protection of Aquatic Life. The specific criteria for concrete production are a pH level between 5.5 and 9 and TSS less than 30 mg/L. Release shall be in accordance with runoff control procedures; and
 - All spills will be immediately reported to DFO and Water Act.

8.6 Storage & Handling of Fuel & Hydrocarbon Products

A number of substances can be transported by sediments and runoff from construction sites. Excessive use of any chemicals, including acids, cleaning solvents, and soil additives shall not be permitted within the foreshore. Use of asphalt products, paints and curing compounds should be minimized. The following Best Management Practices associated with fuel and hydrocarbon products will apply:

- No large quantities of petroleum products, such as tidy tanks or refueling systems, should be allowed on the foreshore;
- Any chemicals and or petroleum products should be stored in a weather-resistant shelter with appropriate containment measures if possible;
- Store any waste fuel or used sorbent materials securely in a spill-proof container and discard at an approved facility when removed from site;
- Fuel containers will be kept on the public trail on the upper bench or, at the work area sitting in a spill tray;
- No large quantity of petroleum products, such as tidy tanks ore refueling systems, should be allowed at the project location; and
- Where possible, all mechanical emergency repair activities should be undertaken in a predefined area. The area is to be located away from the foreshore. In the event that repairs have to be undertaken in the close proximity of the lake, spillage and drainage of materials into the foreshore must be prevented.

8.7 Spill Prevention & Emergency Response BMPs

8.7.1 Spill Prevention

The purpose of a Spill Prevention and Response Plan is to provide a course of action that will enable a prompt and orderly response to spills and incidents that may occur during construction. To prevent and control spills or unplanned releases of hazardous substances Galena will:

- Use spill trays or sorbent pads for capturing drips when transferring liquids between containers;
- Ensure adequate and appropriate spill response materials and equipment are available for use relative to the scope of work and environmental sensitivities - i.e., spill kit containing aquatic booms for working near water;

- Fueling of equipment should be conducted 30m from the high-water-mark or at a pre-designated location;
- Equipment refueling will occur on the public trail on the upper bench or at the work area with a spill tray collecting drippings from the fuel;
- Equipment refueling will occur on a stable and flat ground;
- Containment trays will be used for stationary fuel storage remaining onsite; and
- Train all workers to understand and follow the 6 Basic Steps of Spill Response (below).

Any soil contaminated by small leaks of fuel, oil or grease from equipment (including hydraulic hose ruptures and loss of fluid) shall be disposed of as per policies and guidelines and at an approved contaminated soil disposal facility.

6 Basic Steps of Spill Response	
<ol style="list-style-type: none"> 1. Assess the risk: <ul style="list-style-type: none"> ✓ Warn others in the area ✓ Eliminate all sources of ignition 2. Call for assistance: <ul style="list-style-type: none"> ✓ Call anybody onsite for physical assistance ✓ Call the Environmental Monitor 3. Stop the flow: <ul style="list-style-type: none"> ✓ Close valves, shut off pumps, plug leak ✓ Place content of a leaking container into a secondary containment 4. Contain the spill: <ul style="list-style-type: none"> ✓ Block any escape points such as drainage ditches, sloppy beach ✓ Contain spill with sorbents, earth, sand or other non-combustible materials 5. Clean-up the spill: <ul style="list-style-type: none"> ✓ Collect all used sorbent material using clean non-sparking tools. ✓ Place all waste materials in labeled, sealed containers or plastic bags. ✓ Use appropriate waste contractor for disposal. 6. Report: <ul style="list-style-type: none"> ✓ Environmental Monitor must complete Incident Reporting ✓ Spills in a waterbody (lake, river, wetland) must be reported to the Regulatory Agencies. ✓ Determine the requirement for external reporting based on the nature and details of the release, as per the Provincial and Federal Legislation and Guidelines. 	

8.7.2 Spill communication and reporting

The person reporting the spill will provide a verbal report to the EM, who will initiate the verbal notification to the Regulatory Agencies if the volume spilled is equal to or greater than the minimum quantity outlined in the Spill Reporting Regulation (BC Ministry of Environment and Climate Change Strategy 2019). The EM will initiate the written documentation of the incident on an Environmental Incident Report (EIR).

The EIR must be completed by the EM as soon as possible after the spill has been controlled, preferably within 24 hours. An investigation into the cause and remediation of the spill will be completed, as required, depending on the severity of the incident.

All spills meeting or exceeding the thresholds in the table below must be reported externally to the Provincial and/or the Federal Agencies listed in tables 4 and 5. All spills to water will also be reportable to the government (externally reportable). Under these levels, all other spills will be documented in the Closure Report.

Table 4: External reportable level requirements

External reportable Level Requirements (L)
Antifreeze 5 L
Diesel Fuel 100 L
Gasoline 100 L
Greases 100 L
Hydraulic Oil 100 L
Lubricating Oils 100 L
Paints and Paint Thinners 100 L
Solvents 100 L

Table 5: Externally reportable spills and contacts

Regulatory Agency	Reporting Requirements	Contact Information
Provincial Emergency Program (PEP)	Spills that meet PEP thresholds	PEP 1-800-663-3456
Fisheries and Oceans Canada	Any spills into waters frequented by fish	1-800-268-6060
Fire, police and ambulance service	Emergency assistance	911

8.7.3 General Spill Containment and Clean-up Actions

Spill containment will depend on the physical and chemical properties of the substance:

- If solid, cover material with plastic;
- If liquid contain the spill using booms or other materials designed for this purpose;
- Clean up and recover material using protective gear. Material recovery may utilize pumps or sorbets as appropriate for type of spill; and
- Implement environmental monitoring of water quality, if applicable.

Plastic bags will be stored in the spill kit for temporary storage of soiled material. The bags will be placed in a pickup or a designated area for transport to an appropriate waste disposal facility. Contents of a spill kit must be replenished immediately following its use.

9 POST-CONSTRUCTION RECLAMATION

Site seeding and planting is recommended for the top of the retaining wall and the breast wall. The landowner shall employ reclamation efforts to meet foreshore regulatory guidelines. Tables 6 and 7 below describe the recommended native shrub species and native seed mixture. Reclamation activities may include but are not limited to:

The top of the retaining wall:

- To prevent the obstruction of the lake view from the top of the retaining wall, site planting will be limited to one row of shrubs (1-gallon pot size) at the limit of the lawn and the top of the wall;
- Plant at least 6 to 8 native shrubs at the limit of the lawn on top of the retaining wall. Use species listed in the table below which are known to occur in the local area and provide the necessary riparian function.
- It is also recommended to plant Virginia creepers (*Parthenocissus quinquefolia*) between the shrubs on top of the retaining wall. The plant is native to north America and is easy to grow. The vine-looking plant will creep down on the wall and will provide an esthetic and natural look and will also provide habitat for birds and insects.

The portion above the new breast wall:

- A minimum of 10 shrubs shall be chosen from the list below should be planted above the breast wall; and
- If needed, the area above the breast wall should be stabilized immediately to prevent erosion.

Table 6: Recommended native shrubs

Proposed Planting Location	Specie Name	Latin Name
Above breast wall	Willow	<i>Salix spp</i>
Above breast wall	Red elderberry	<i>Sambucus racemose</i>
Above breast wall	Water birch	<i>Betula occidentalis</i>
Above breast wall	Mountain alder	<i>Alnus incana</i>
Above breast wall	Red-osier dogwood	<i>Cornus stonolifera</i>
Top of retaining wall	Prickly wild rose	<i>Rosa acicularis</i>
Above breast wall		
Top of retaining wall	Mock-orange	<i>Philadelphus lewisii</i>
Above breast wall		
Top of retaining wall	Common snowberry	<i>Symphoricarpos albus</i>
Above breast wall		
Top of retaining wall	Sumac	Sumac spp.
Above breast wall	Chokeberry	<i>Prunus emarginata</i>

Shrubs can be found at Sagebush Nursery in Oliver and at Tipi Mountain Native Plants in Cranbrook.

A regional native grass mixture or native wildflower seeds should be used to revegetate the upper slope above the breast wall. A 10 m by 10 m area shall be seeded to improve the riparian habitat. Kootenay Forestland Mix (Table 7) is recommended as the grass seed mixture. Native wildflower seeds can be used instead of native grass. The certified seeds can be found at Interior Seeds and Fertilizer in Cranbrook. Native wildflower can be found at Kinseed Nursery. Both mixtures can be purchased locally. The seed mix may be applied with a fertilizer (26-16-8).

Table 7: Recommended native seed mixture

Kootenay Forestland Mix
Intermediate Wheatgrass 32%
Alfalfa ("Rambler") 20%
Perennial Ryegrass 15%
Annual Ryegrass 15%
Hard Fescue 10%
White Dutch Clover 5%
Canada Bluegrass 2%
Redtop 1%

General Best Management Practices for revegetation:

- Plant stock should be a minimum of 4" potted stock;
- Plant shrubs at 1.5m apart;
- Ensure the objective of the restoration is to naturalize the riparian area and not create a landscaped garden;
- Planting should not occur during periods of hot dry weather unless they are irrigated daily;
- The revegetation will be conducted in late spring-early summer and will be according to the Department of Fisheries and Oceans Canada (DFO) guidance for riparian revegetation will be followed (DFO 2009);
- If the landowners prefer other native shrubs than the ones in the list above, additional shrub species could be substituted under direction of a QEP;
- Plantings which do not survive should be replaced to ensure that long term establishment of the target quantity of native trees and shrubs is achieved;
- Shrubs should be a 1-gallon pot size; and
- Regularly irrigate new plantings during the plant establishment period, minimum of 3 years.

10 CONCLUSION

The Project has a relatively small footprint. The removal of the existing retaining wall and the construction of a new wall will pose no risk to water resources as the construction phases will be conducted in the winter or early spring, at low water levels, keeping the construction activities well away from the water. The new wall location will have a 2 m setback from its original location and will therefore improve the foreshore.

The construction of the proposed project will have negligible impacts on the surrounding environment providing that the mitigation strategies outlined in this report are followed. As the riparian zone is the most sensitive zone in the project area, encroachment will only occur within the previously disturbed areas at the site. The loss of riparian vegetation will be negligible.

The habitat located within the footprint of the project does not contain unique vegetation ecology and the area has not been found to contain unusually high or unique wildlife habitat. None of the species at risk listed for the area are likely to be adversely affected by this project because key habitat elements and life history requirements were not found.

11 REFERENCES

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APPENDICES

APPENDIX A **Environmental Incident Report (EIR)**

APPENDIX B **Equipment Inspection Form**



Administrative Report: Hillary Elliott, CAO

Village of Silvertown Council

Regular Meeting of Silvertown Village Council December 9, 2020

Executive Summary

The purpose of this report is to present information regarding the options and considerations for Council regarding conducting a By Election for the position of Mayor.

Background

The Election process has legislated requirements regarding dates and times for all aspects of the Election process, including notifying the public regarding the nomination process, the Nomination Period, Advanced Voting opportunities, and other legislated requirements.

This process begins once Council has appointed the Chief Elections Officer (CEO). Once the motion is passed, the countdown for the election must begin.

Voting day must then be scheduled within 80 days of the appointment of the CEO. Then the legislative process for the By Election begins. It is very similar to that of an Election process.

Financial Impact

The approximate preliminary draft budget based on the previous election and the addition of an option for all eligible voters to vote with a mail-in ballot is a total of \$6,000.

In 2018 the Village of Silvertown received payment from the School District for helping with their election that will not offset costs for the up-coming By Election.

Discussion

The CAO contacted the Ministry of Municipal Affairs as the first point of contact for research and gathering information regarding process and the complexities of the Christmas Holidays, COVID 19, and Council options.

Currently, there is only one date in December to advertise the Notice of Nominations in the Valley Voice and to prepare community to think about the election and if they wish to be a candidate. This Valley Voice issue has a deadline of December 11, and requests submissions be put in as early as possible as it is one of the largest issues of the year. The Holiday Season is a busy time for the community. Is this the best time to start the election process, with potential Christmas Holidays and the traditional Village Office closure?

In speaking with the province, they believe it is reasonable to appoint a CEO once all considerations regarding public notification during the holiday season, COVID 19 safety protocols have been developed with a chosen location or locations (traditionally the Village Office has been the Advanced Polling Station, however, it does not seem to be in the best

interests of the public to conduct any of the voting at the Village Office), consideration of mail-in ballots for all eligible voters, and any other considerations that Council feels necessary to plan for a safe, successful, and democratic election.

These considerations mentioned above can and should be considered before appointing a CEO, due to unforeseen challenges that can be addressed if the CEO is not appointed. However, once the appointment of CEO is made, the process must proceed within the time limits and time frames as set out by Elections BC. This is the information provided by the province, that also provided examples of challenges in other communities due to appointing a CEO before sufficient planning and preparations had been considered.

The CAO started to look into options for mail-in ballots due to COVID 19, just like the province did in the last election. Currently, a local government does not have the authority to conduct a mail-in ballot like that of the recent provincial elections. The legislation only allows for (taken from the Village's Election Bylaw):

5. Mail Ballot Voting:

- (a) As authorized under section 100 of the *Local Government Act*, voting and registration may be done by mail for those electors who meet the criteria in paragraph (b) for each election;
- (b) As provided in the *Local Government Act*, the only electors who may vote by mail ballot are:
 - (1) persons who have a disability, illness or injury that affects their ability to vote at another voting opportunities, and
 - (2) persons who expect to be absent from the municipality on general voting day and at the times of all advance voting opportunities
- (c) The following procedures for voting and registration must apply:
 - (1) Sufficient record will be kept by the Chief Election Officer so that the challenges of the elector's right to vote may be made in accordance with the intent of section 116 of the *Local Government Act*.
 - (2) A person exercising the right to vote by mail under the provisions of section 100 may be challenged in accordance with, and on the grounds specified in section 116 of the *Local Government Act*, until 4:30 p.m two (2) days before general voting day.
- (d) The time limits in relation to voting by mail ballot will be determined by the Chief Election Officer.

(e) As provided in the *Local Government Act*, a mail ballot must be received by the Chief Election Officer before the close of voting on general voting day to be counted for an election.

Time is required to work with the province to create a mail-in ballot option for eligible voters that goes beyond the current legislation. This is not possible to work through with the province if a CEO is already appointed, as there is not time to work together, especially with the Holiday Season.

Unlike the previous election, time is required to prepare before the appointment of the CEO is passed by Council, especially with COVID 19 and changes in mail-in ballots. The holiday season often has many office closures and staff holidays during that time that could prove challenging for acquiring information, answers, or the proper provincial order/tool for a change in mail-in ballots. As well as, the recent changes in the Ministries after the provincial election.

If Council wish to appoint a CEO outside of the Village staff, then staff would need time to find a qualified and willing candidate and would request guidance as to the process as this has not been past practice.

Staff will continue to plan and gather information to provide to Council for their decision-making process regarding a By Election for the position of Mayor.

Council may appoint a CEO at any meeting.

Council Options:

- 1. Appoint a CEO by passing a motion (sample below)
- 2. Request staff for more information and specify the information required for decision-making
- 3. Do nothing

Chief Election Officer Appointment

Recommendation:

Pursuant to Section 58 of the Local Government Act, Council of the Village of Silverton hereby appoints _____ as the Chief Election Officer for the Purpose of the 2021 Municipal By Election for the position of Mayor.

Deputy Chief Election Officer Appointment

Recommendation:

Pursuant to Section 58 of the Local Government Act, Council of the Village of Silverton hereby appoints _____ as the Deputy Chief Election Officer for the purpose of the 2021 Municipal By Election for the position of Mayor.

Hillary Elliott
CAO, Village of Silverton

Administrative Report: Hillary Elliott, CAO

Village of Silverton Council

Regular Meeting – December 9, 2020

This administrative report covers the period November 7, 2020 to December 3, 2020 as to the activities, functions, and meetings I have attended in my capacity as Chief Administrative Officer for the Village of Silverton.

This month the CAO continued to be very busy with calls and research with other agencies regarding COVID 19 and how the recent orders by the province continue to affect the Village and its operations. The second wave has been declared; however, the newest order was based on residential gatherings and has not yet affected further change to Village operations.

COVID 19 has been very disruptive to the Village and continues to be as we prepare for the fall months and coordinating more user groups into our facilities by request only for local groups that meet regularly and complete a COVID 19 plan in accordance to WorkSafe BC requirements. These plans are stored at the Village Office and must be posted at the facility and notably visible for the users to read and follow. Currently, we are not taking one-time rentals, performances or other traditional user groups due to the cost and time associated to each event and COVID 19 requirements. No kitchen use is allowed for the same reasons.

Staff have started researching, inquiring, and preliminary planning for a By Election in early 2021 for the position of Mayor.

Update: New Denver Wood Waste Disposal project application was denied.

Financial Operations/Capital Projects:

CBT has published the combined story about Silverton's Memorial Hall and the Harrop School House – historic buildings that continue to evolve and serve the needs of their communities – is now online. You can see the story on our Basin Stories site here: <https://stories.ourtrust.org/at-the-heart-of-communities/>. There is also a link to the story in their digital version of the CBT magazine – Our Trust 2020 - which can be viewed [here](#).

Staff have finalized the Memorial Hall upgrades grant from CBT and the south-facing parking lot paving has been completed, along with the paved area by the Village Office.

Staff have moved forward with the Water Main Replacement project to go under the creek, as per Council resolution at the Special Council meeting on November 27, 2020 and have ordered the new equipment for prevention of the water freezing in the reservoir and this will also improve water quality. Staff still need to order the solar panels and work on the electrical for this equipment, however, the project is also well on its way. Both projects are still in-progress.

Lakeside Campground project continues to move forward and Council will have both draft plans to consider, soon. The next team meeting is scheduled for tomorrow.

Functions:

With the addition of the Lakeside Campground work, the Gallery insurance claim, COVID 19, the recent provincial funding program intake deadline of October 29, the need for a By Election and other corporate affairs, the CAO work plan has been greatly disrupted. Therefore, no progress has been made regarding the OCP and Zoning Bylaw update, however, staff have been still trying to move the file forward and networking to do so. Due to the work with SIFCo and Village partners that will involve the Zoning Bylaw, the next timeline for preparing a draft for Council is April of 2021.

Projects:

Propeller Update

The propellor will remain in Silverton. Staff continue to work with the family on developing plans to display the propellor in a timely manner– this may not be completed until the spring due to concrete curing and weather.

Bylaw Officer Update

There have been preliminary discussions with the 3 Villages’ staff regarding a Bylaw Officer and Silverton staff will continue to work on this file as per Council resolution September 2020 - same status as last month.

RDI Climate Adaptation Project

Staff are continuing with monthly Zoom meetings with partners for peer learning and sharing to create sustainability of the initiatives connected with this project. We continue to work on this project and are developing the plan for the remainder of the project, and supports that could continue beyond the timeline and scope of the project (networking and resources). A couple of the main topics still are Natural Asset Management and Emergency Management.

Asset Management Phase 3 and Climate Adaptation Initiatives:

We were successful with our 2021 grant application and more partner communities have also received the good news. I will be working on this file next month as the project progresses and have a meeting later this month with the consultant. We continue to work with LandInfo Technologies for solutions. The CAO is scheduled to meet with LandInfo Tech this month, if time allows.

Fire Resiliency 2020 for Silverton, Slocan, and New Denver in Partnership with SIFCo

In 2020 there was a focus on Slocan, 2021 will have a focus on New Denver, and 2022 there will be a focus in Silverton in terms a specified, community-specific project(s). We will continue to complete the goals of 2020 that were delayed and interrupted by COVID 19, and will build on

that work in 2021 with private property assessments, financial reimbursements, municipally owned lands, as well as, public awareness and education.

Sidewalk Upgrade/Footbridge Upgrades

We have had some good news regarding the prep work and hope to go ahead with some of the prep before winter arrives. There are some significant challenges to prepping and repairing the sidewalks to be resurfaced on the west side of the highway, but staff are working hard to have them ready to resurface for 2021. The sidewalk revitalization project continues!

Public Works:

Have continued to meet and worked with several of our project partners to complete the Council initiatives for Fire Resiliency, ICABCCI, RDI Climate Adaptation, Asset Management, and contractors for completion of 2020 capital projects to compile all the different information and to meet with stakeholders. This also is on-going for the CAO and public works staff for 2020.

Staff have been busy with work on:

- Making the Village festive for the holiday season
- Sanding and snow removal as needed
- Responding to and working on the Gallery; on-going issues despite the contracting visiting several times in the last 30 days
- Starting preparations for the west side of the highway sidewalk for re-surfacing in 2021
- Compiling quotes and data for grant applications and capital project in 2021
- Water capital projects; both the water main under the creek and the insulation of reservoir
- Tree and stump removal
- Service locations/property pins

Staff continue to be very busy regarding COVID 19, how it affects the present Village operations and future measures to put in place to mitigate risks to operations for the “new normal”. This is on-going and continuing to change.

Meetings:

Lees + Associates and Councillor T. Gordon regarding the Lakeside Campground project.

Numerous corporate business meetings, phone calls and following up on active items for the Village.

Had correspondence with several community members/groups regarding concerns, requests, or questions and following up from correspondence to Mayor and Council.

Met with staff regularly.

CAO Training/Courses:

CAO has successfully passed the course through Capilano University: Local Government Services in BC.

CAO completed a Managing Risk for Local Government Parks (Trees and Vegetation) webinar through the Municipal Insurance Agency (MIA).

Hillary Elliott, CAO



Village of Silverton Policy Manual

Category: Administration	Policy Title: Grant-In-Aid
Policy Number: A - 5 2021	
Effective Date: January 1, 2021	Resolution No.: _____
Revision: Replaces A - 5 2020 Grant In Aid Policy and all previous years	

It is Council’s intent to financially assist non-profit organizations which render a service to the Village of Silverton.

In the majority of cases, it is anticipated that financial assistance will only be required to be given by the Village for a limited period of time, subject to annual review.

For Grants-in-Aid that Council wishes to allocate annually, Council has prepared the following list which is subject to an annual review prior to adopting the budget. The Organizations listed below will receive the amounts indicated.

Annually	Organization	Amount of Grant	Purpose
2021	Chamber of Commerce	\$24 per full year business license	
2021	Community Club	\$500	July 1 st celebration
2021	Other	\$500	Variable
2021	Royal Canadian Legion	\$50	Remembrance Day
2021	Slocan Lake Arts Council	\$5,000	Operations

1. APPLICATIONS FROM OTHER NON-PROFITS and Youth will be judged on the following criteria.

- (a) has been operating no less than 6 months in the Village of Silverton;
- (b) is based in the community;
- (c) has membership within the Village or surrounding Region;
- (d) has a majority of its members as voting members, and;
- (e) the organization is in good standing with its licensing authority.

TIMING

Requests for a Municipal grant must be submitted to the Chief Administrative Officer by the 15th day of September, in the year prior to the year the grant is requested. This will allow Council to determine budgeting requirements.

2. ADMINISTRATIVE PROCEDURES

- (a) the total of all grants authorized in any one year shall not exceed the approved budgetary provisions;
- (b) all requests for a grant shall indicate the amount requested, an explanation of how the grant funds will be utilized and, should the grant request exceed \$200.00, a current operating budget and financial statement of the prior year shall be submitted;
- (c) ratification of grants-in-aid shall receive at least two thirds approval of all members of Council;
- (d) all applicants for a grant shall be notified of the disposition of their requests.

3. EXAMPLES OF PROJECTS TO BE CONSIDERED FOR A GRANT

Organizations that will be considered for a grant must qualify under Sec. 182 of the Local Government Act (must not be a business) and shall comply with the following criteria.

- (a) be of a registered non-profit nature, or registered charitable organization or;
- (b) be a youth group, school or other non-business nature that;
- (c) is deemed by Council to be a benefit to the whole community;
- (d) provides a worthwhile service or facility to the Silverton community and does not duplicate or compete with existing services;
- (e) that can demonstrate fund handling competency;

4. CLASSIFICATION OF GRANTS

- (a) all grants-in-aid will be governed by the following guidelines:
 - (i) no consideration should be given to requests submitted by organizations receiving assistance from the United Way;
 - (ii) no consideration shall be given to requests submitted by a non-Silverton not-for-profit, or non-Silverton groups.



Village of Silverton
APPLICATION FOR GRANT-IN-AID

1. Date _____
2. Name of Group _____
3. Mailing address _____
4. Date Organization established in Silverton _____
Registration Number of Non-Profit or Registered Charity _____
5. President's Name, address, and phone number:

5. Secretaries Name, address, and phone number:

6. Attach a List of the Board of Directors.
7. Name, address, and phone number of the contact person:

8. Attach a statement of the Organization's Objective.
9. Attach an outline of the Services or Programs provided by the organization.
10. Explain the purpose to which the Grant Funds will be expended.

11. List of the Municipal Facilities to be used and the duration of use.

12. Budget: \$ _____ Grant amount requested \$ _____
13. Attach a statement as to how the community will benefit.
14. Attach a list of the other sources of potential income or services already solicited, amounts requested and amounts granted.
15. Specify the amount of personal funding being used; i.e. bottle drives, raffles
16. Attach a statement of revenue and expenses.
17. The amount required to accomplish your objective: \$ _____
18. Attach a statement outlining the community support for your objective.
19. Attach a certification that the information provided is accurate and complete, is endorsed by your organization, and that you agree to the following conditions:

20. CONDITIONS

- (a) In the event that the funds are not used for the project or programs as described in the application, or if there are misrepresentations in the application, the full amount of the financial assistance may be payable forthwith to the Village of Silverton;
- (b) If there are any changes in the funding of the project from that contemplated in the application, the Village of Silverton will be notified of such changes through the Treasurer's Department;
- (c) The Organization will make or continue to make attempts to secure funding from other sources;
- (d) The Organization will keep proper books of accounts of all receipts and expenditures relating to the project or program;
- (e) The Organization will make available for inspection by the Village or its auditors all records and books of accounts of the Organization upon request from the Village. An audited statement may be required;
- (f) If the Project or Program proposed in the application is not commenced, or it is not completed, and there remain municipal funds on hand, or is completed without requiring the full use of the grant, or where Council directs that the funds be returned, such funds will be returned to the Village through the Treasurer's Department;
- (g) The Project or Program may not be represented as a Municipal Project or Program, and the Organization does not have the authority to hold itself out as an agency of the Village in any way, the only relationship being that the Municipality has approved and granted financial assistance to the Organization.

ATTACH THE FOLLOWING TO YOUR SUBMISSION

- 1. If required, a Copy of your most recent financial statements
- 2. Copy of your detailed budget for the current year
- 3. Copy of your Organization's constitution and bylaws
- 4. Any other information which would assist in the evaluation of the request
- 5. Forward the package to the Village of Silverton at Box 14, Silverton, B.C. V0G 2B0, or drop it off at 421 Lake Ave.

- Approved or denied by Council Resolution # _____ on _____

Mayor

Chief Administrative Officer