

2024 LNID Trustee Report

Our thanks go out to Pam Mann who has volunteered as treasurer for many years. Her hard work and support is very much valued and appreciated. We would also like to recognize the hard work and contributions of Noreen Minish who has served as Board Trustee for the past year. The Board would also like to recognize Coral Brown for her dedicated work as water monitor. As only part of her role Coral makes regular inspections of the waterway, records lake levels and makes reports to the Board. Her knowledge and guidance is invaluable.

Background:

There are only two Land Improvement Districts in BC, but we are included in Provincial regulations with Irrigation Districts (IDs) that provide water to 3 or more on one intake, such as a Community Well. As an Improvement District, the LNID is considered a local authority and is governed under the Ministry of Municipal Affairs & Housing (MoMAH). The LNID has specific regulations that must be followed and all Bylaws (operating taxes, meeting procedures) must be approved by the Ministry. We are a form of Government with direct access to taxation, but with a mandate for works/land improvement described as “drainage” in the 100 year old Water Act which still is our guide under the 2016 Water Sustainability Act.

We have had 11 meetings from June 1, 2023 to May 15, 2024.

Water, Pumping and Lake Levels:

Between May 4th and May 15th, 2023, a sudden influx of water totalling 2.97 vertical feet entered the lake, raising the lake level to 18.05 vertical feet. As a result, a pre-emptive request for pumping was made to Ray Reilly who at the time was the Senior Authorization Officer for the province. Permission to pump was received on May 19, 2023. An email notifying LNID members that permission was granted was sent May 20, 2023.

The board had initially felt a wait-and-see approach to pumping was the best but after a 1 and 1/8 inches of rain fell between May 18th and May 22nd and there was an increase in the lake level to 18.43 vertical feet (which is tree level and one foot away from the level at which water impacts built infrastructure), a decision was made to begin pumping on May 25, 2023. The pump was turned on, the Senior Authorization Officer was informed and an email notifying LNID members that pumping had started was sent on this date. Board members monitored various locations both above and downstream to ensure the pumping did not impact or cause flooding in other parts of the waterway. We also contacted AIM to confirm all the culverts downstream etc. had been inspected and had been cleared.

The board kept a daily log of water levels which was submitted weekly to the acting Senior Water Authorization Officer in compliance with guidelines. A second request was made July 10th to extend pumping permission past the two month period previously granted. At that date the vertical lake levels was at 17.76 feet and Nature Trust agreed to hold off opening the dam to release water into the lower lake.

At the August board meeting, trustees discussed concerns over decreasing the lake level to the 16.5 vertical feet that was the goal set in the past. Some residents and trustees had expressed concern over drought and how that might impact the lake in the

future and a few board members shared that concern. A decision was made to stop pumping at 17 vertical feet. The fire emergency in August, and RDOS' request to preserve water to support the fire suppression efforts, prompted the board to suspend pumping until late September. When pumping resumed, the goal remained the same - to try to reduce the vertical lake level to 17 feet before the lake froze to prepare for spring freshet. This calculation was made based on our historical averages for freshets at this lake and guidance we received about how much storage capacity we should maintain. We received two additional extensions - one in September and one in November. Pumping continued until December 13th. At that time, ice was just starting to form on the north end of the lake.

The Board gets emails from several residents expressing opposing views on pumping whenever a decision is made. More weight is not given to one viewpoint over another as the Board takes everyone's views into consideration and gives equal weight to each opinion. Our goal is to try and prevent property damage, if possible, and the advice and guidance of the Water Authorization Officer is the determining factor in making the decision.

Some Changes in 2023:

Freedom of Information

In order to comply with provincial regulations, the LNID Board has established a Freedom of Information Policy in June 2023, added a Freedom of Information site on the District Website, created a Freedom of Information Request Form available to the public, and passed a Miscellaneous Fees Bylaw that would allow for a charge for requests and for searches exceeding three

hours. Consultation was made with the OIPC (Office of Information and Privacy Commissioner for B.C.) and a lawyer to help ensure we were doing our best to comply with government regulations.

Since the last AGM, the Board has complied with many requests for documents or information that falls under the category of routinely available information. There have been two formal FOI requests and a request to access the Tax Assessment Roll. The Board has complied with these requests to the best of its ability and no fees were charged.

Tax Assessment Notices

As mentioned at the 2023 AGM, the board was informed in the spring of 2023 that all local authorities are required to send out tax assessment notices once the tax level has been set and approved. This came about as a result of an ombudsman complaint by a former resident.

These assessment notices are similar in nature to those sent out in January by BC Assessment, but for our purposes we need only identify PID #s, civic addresses, legal names of owners and tax classification group. Our first annual notices were sent out in November 2023 and residents were given the opportunity to submit corrections. The LNID held our first Court of Revision on January 8, 2024. It was a learning process for everyone involved and we are confident that when we send these out again it will be a more streamlined process. We appreciate everyone's input and support.

The Board set out to begin the process of formalizing policies in order to increase transparency. To date, the Board has passed policies on how to handle correspondence, video recordings of meetings, external links on the district website and respectful engagement. An explanation was sent out to residents.

As the Board begins to follow the guidelines set up under the these policies, we realize revisions may be needed. The Board will work on revising these policy and will share these revisions with residents.

A new revision of the Correspondence Policy has already been written. The Board feels it is important to work to get this policy right for a few reasons - the most important one is that we want to be able to showcase and discuss resident input at Board meetings. Another reason is that the Board has been somewhat overwhelmed with resident emails over the past year or so - we have received an approximate total of 140 resident emails which include requests for information, clarification and input since the last AGM, a majority of which have come from a single resident. This is in addition to emails from Ministry officials and other non-landowner requests. Dealing with correspondence at meetings will decrease the workload of the Board members between meetings and negate any need that the Board sees for any paid help.

Use of a Standing Committee

At the October 12th meeting, the board voted to move the business of supporting the Wetland Restoration project and exploration of how that affects our eventual capital project to a committee. This was discussed at the 2023 AGM and some residents who were present put their names forward to join the committee.

As of the AGM, the committee has been in a holding pattern while waiting to hear whether BCWF and Nature Trust were able to receive funding for the Wetland Project. They have had no meetings. In April 2024, funding was attained for the first stage - identification of at risk species on the site.

This means the committee will begin to become more active in the planning and design stages over the coming year. and will start to move forward. Residents will be notified as more information is available.

Financial Matters:

The board of trustees is responsible for ensuring there is sufficient revenue to finance the costs of operating, administering and maintaining the public services for which the improvement district is responsible.A board of trustees must make adequate provision in its budget to renew infrastructure when it is required and to raise sufficient funds for that purpose. The board of trustees must establish a reserve fund(s) and those monies must be used only for the specific purpose for which the fund was established. (Improvement District Trustee's Handbook)

2024 Budget

For the projected 2024 budget and tax assessment, the board will not be recommending a tax increase. The **operating budget** is included with this email and some items to note will include the increase in projected legal fees, the increase in administrative costs, the amount set aside for the archives, the omission of funds for water testing, the addition of bookkeeping expenses and insurance.

- The actual cost of legal fees in 2023 was close to \$4300. Lawyers are unfortunately expensive and the amount in the projected budget reflects this.
- The increase in administrative costs reflects the amount needed to offset the operating expenses that trustees have paid for out of pocket and not sought compensation for. These do not include travel expenses and items such as the

use of their computers, paper or ink but do include the cost of the annual Zoom subscription, software licenses, photocopying and mailing expenses for the trustee election, and website expenses. The trustees have been instructed by the Ministry of Municipal Affairs that they are not to cover these expenses through their honorariums.

- The \$2000 amount set aside for the salaries of those working on archives was suggested from the floor at the 2023 AGM. To date, those working on the project have donated their salary back to the LNID. Some of that money was used to pay for scanning documents and an external hard drive.
- The addition of bookkeeping expenses reflects the fact that our treasurer has stepped down and we have not had anyone volunteer to take Pam's place. The trustees are not permitted to handle financial matters. Our secretary does not feel confident that his efforts will stand up to scrutiny, especially considering the criticism Pam took despite her qualifications as a Certified Public Accountant.
- Insurance coverage of up to \$2,000,000 has been repeatedly recommended by both the Ministry of Municipal Affairs and the lawyer. The Improvement District Handbook has a section recommending it. The Board is in the process of getting quotes and **will not** proceed without discussion and consultation with residents at the AGM and by email. The \$5000 line item is at present an estimate on our part.

Over the years, the different Boards have designated funds towards a reserve fund, but have not specified a specific capital project. The board is working towards a **capital budget**. It is going to take some time to put together and will not affect the operating tax for 2025. We have consulted with the Ministry and have been advised that our best option is to offer different

pathways towards completing a capital project and get feedback from residents as to the best pathway forward. There are a lot of different factors to try to put together - **we are not withholding information but rather waiting to hear from a number of sources**. A lot of what we are hearing is still speculation and rather than release numbers and then have to retract them, we have decided to hold off and try to get together something more meaningful. The Ministry is aware of this plan.

Financial Statements

Last year, our secretary Bill Kresowaty made an error in the AGM Minutes and indicated that the Board had the Financial Statements audited rather than compiled. This was a misunderstanding on his part and resulted in some concerns raised.

As the Board pointed out in its email last spring, compiled Financial Statements are considerably less expensive than audited ones (as of last year \$2500 vs @\$15000) and are accepted as reasonable alternatives for small Improvement Districts with small budgets by the Ministry of Municipal Affairs. The Board offered residents an opportunity to object to this practice and there was none offered. We will ask residents to approve this option by vote at the AGM.

Wetland Restoration Project:

The Project Itself

The purpose of the Wetland Restoration Project is to restore and enhance the degraded wetland that makes up the drainage area of lot 280. This project was initiated by Dave Hetherington, one of our trustees, but is now being managed by Nature Trust, BC Wildlife Federation and Penticton Indian Band. LNID is not contributing money to the project, but has agreed to donate in

kind - to provide volunteers to help with work on site. This is one of the purposes of the Standing Committee - to recruit and coordinate any volunteers interested in participating in the project.

The benefits for LNID and other residents in the area are many. According to the BC Provincial Government: *Wetlands are helping minimize or even remediate environmental problems. As part of nature's filtration system wetlands absorb and filter sediments, pollutants, and excess nutrients; recharge groundwater; maintain stream flows; control runoff; store flood waters; reduce erosion; stabilize shorelines; and help regulate atmospheric gases and climate cycles. In short, wetlands absorb water quickly and release it slowly with an improvement in quality.*

When healthy wetlands are plentiful and effectively connected and stewarded, they store water for a myriad of values, including moderating the effect of drought, making the landscape more resilient to wildfire, and aiding in wildland suppression. [Ducks Unlimited Canada](#)

How it Might Impact LNID

A restored wetland could increase the number of possible solutions to the water management challenges the LNID faces. The Board does not intend to go ahead with any project without due diligence. The first step should be the creation of a water management plan by a hydrologist that takes into consideration how climate change has affected weather patterns since the Botham Report (which was done in the early 1970s), new challenges around drought and flooding, and how the existence of a restored wetland will impact how we approach our water management problem. An engineering plan would likely also be needed. Consultation with provincial water officers and a lawyer with regards to liability are other steps. **And of course, the most**

important step is consultation with residents in order to get some consensus on how to move forward.

Other:

Archives

At the last AGM, landowners designated \$2000 towards organizing the archives. Work is ongoing and the documents have been collected from various locations, organized and some have been digitized and put on the website. It was hoped that work would be completed by the 2024 AGM, but to date is still a work in progress. No additional funds have been allocated towards the archives and we hope to have the project completed by the 2025 AGM or sooner.

LNID Website

The LNID website is our primary source of communication, containing information including the budget, LNID board meeting minutes, upcoming events, water reports, Twin Lake history and more. We have added significant archival information in the past year including the past AGM Minutes. The archival work is ongoing. The URL is www.twinlake.ca

Please feel free to email us at lnidcttee@gmail.com.

Respectfully Submitted by the May 2023 – May 2024 Board of the Lower Nipit (Twin Lake) Land Improvement District. Trustees: Glenda Stewart-Smith, Dave Hetherington, Noreen Minish. Secretary: Bill Kresowaty