

## **Riparian Areas Regulation Public Hearing Sept 8<sup>th</sup>**

**The Denman Island Local Trust Committee is getting close to adopting new regulations to protect inland fish habitat, and is inviting the public to provide comment at a public hearing Sept 8, 10:30 am, at the Activity Centre Lounge.**

The bylaw amendments under discussion will change the mapping and some of the requirements for Denman Island's Streams, Lakes and Wetlands Development Permit Area. Full information, including a text of the draft bylaw and map, can be found on the Denman page of the Islands Trust website and will be posted at the public hearing.

The purpose of a public hearing is to allow the Local Trust Committee to hear information and opinions from the public; it is not a forum for back-and-forth discussions or debate. Once the public hearing is over, the Local Trust Committee is prohibited by legislation from hearing further information or commentary on the proposed bylaws.

### **What are the proposed changes?**

Denman Island has had a Streams, Lakes and Wetland Development Permit Area since May 2009. If your property is in this area, you need to apply for a permit before undertaking any development. The goal is to ensure that these ecologically valuable wetland areas are not harmed.

In 2004, the Province of BC passed legislation requiring all local governments to implement and enforce a new Riparian Areas Regulation (RAR) in order to protect fish habitat. "Riparian" refers to areas bordering on streams, lakes and wetlands.

The proposed amendment has refined the mapping to show two different development permit areas: those that are "RAR-applicable", and those that are not. The RAR-applicable areas have been identified by expert mapping as potentially supporting fish. For those areas, the permit regime follows the provincial RAR requirements (see next section).

For the non-RAR-applicable areas, the permit process will be simpler, reverting back to how it was before the Province. Although these areas don't support fish habitat, they provide other ecological functions such as water filtration and storage, wildlife corridors, and breeding habitat for insects, amphibians, fish and invertebrates.

### **How will the new regulations affect property owners?**

Anyone wanting to carry out most kinds of development activity within 30 metres of a watercourse is required by the provincial RAR to hire a Qualified Environmental Professional (QEP) to assess what activity can be carried out and where it can happen, and determine if any mitigation or enhancement measures are necessary. This assessment will be specific to the site

and the proposed activity. The Islands Trust will consider issuing a Development Permit based on the assessment.

Development Permit Areas (DPAs) are different than setbacks: setbacks tell us where we can't undertake any development while DPAs are designed to accommodate development by ensuring it is designed in harmony with nature (or, for other types of DPAs, with other values such as community character).

RAR applies to the following activities:

- Construction of buildings and structures;
- Subdivision;
- Creation of non-structural impervious or semi-impervious surfaces (ie parking lots, patios);
- Removal, alteration, disruption or destruction of vegetation;
- Disturbance of soils;
- Development of some recreational facilities (eg parks, trails, golf courses);
- Dwellings in ALR land.

...and NOT to these activities:

- Existing permanent structures and roads;
- Gardening and landscaping of pre-existing landscaped areas;
- Reconstruction or repair of permanent structures;
- Farming activities;
- Institutional developments (ie public trails);
- Emergency actions;
- Removal of hazard trees
- Ecological restoration or enhancement projects authorized by a public body.

### **Why is RAR important?**

Riparian areas are key fish habitat, and also provide refuge and migration routes for river otters, mink, muskrat, the endangered water shrew, a host of waterbirds, frogs, salamanders, snakes and more. Land mammals such as deer depend on them for water and as wildlife corridors. For us humans, they have multiple practical functions as well as aesthetic and spiritual values.

Each element in a riparian area supports the other elements. The trees and shrubs provide shade, keeping the water cool enough to support life, and they also hold the bank in place. Logs, branches and leaves falling into the water provide food and hiding places. Soil and vegetation act as filters, preventing excess nutrients, sediments and toxic material from reaching the water.

Riparian ecosystems are extremely sensitive to even modest disturbances. Without the protective qualities of the riparian corridor, watercourses quickly become degraded and unable to support aquatic life. This is why we regulate development in riparian areas.