



**GABRIOLA ISLAND
LOCAL TRUST COMMITTEE
AGENDA**

**REGULAR BUSINESS MEETING
OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE**
held at 10:15 AM on Thursday, May 16, 2013 at the Women's Institute,
476 South Road, Gabriola Island, BC

LATE ITEMS, ADDITIONS

**AMENDMENTS/ADDITIONS
TO ITEMS:**

- 4. BUSINESS ARISING FROM MINUTES**
 - 4.2 Request for Eelgrass Mapping Funding
 - 4.2.1 Memorandum dated May 9, 2013 regarding Additional Information to the April 11, 2013 Memorandum – *attached*
- 12. TOWN HALL SESSION**
 - Submission from Eric Veal regarding Gabriola Island being Genetically Modified Organism “GMO” free zone
- 14. LOCAL TRUST COMMITTEE PROJECTS**
 - 14.1 Official Community Plan/Land Use Bylaw Review
 - 14.1.4 Gabriola Island Development Permit Area (Riparian Areas) – Referral Responses to Bylaws Nos. 265, 266, 267 and 268
 - Staff Report dated May 16, 2013 – *attached*

Memorandum

700 North Road Gabriola Island, BC V0R 1X3

Telephone 250. 247-2063 FAX: 250. 247-7514

Toll Free via Enquiry BC in Vancouver 604-660-2421.

Elsewhere in BC 1.800.663.7867

northinfo@islandstrust.bc.ca itfmail@islandstrust.bc.ca

www.islandstrust.bc.ca www.islandstrustfund.bc.ca



Date May 14, 2013 File Number 5020-20 (Gabriola Eelgrass Mapping)

To Gabriola Island Local Trust Committee
For meeting of May 16, 2013

From Courtney Simpson, Local Planning Services
Christine Rikley, Islands Trust Fund

Re Gabriola Island Local Trust Area Eelgrass Mapping - Funding

Purpose:

A first memorandum on this topic requesting the Local Trust Committee (LTC) allocate \$4,000 from their 2013-2014 budget to eelgrass mapping was received at their April 18, 2013 meeting. The eelgrass mapping is part of a collaborative initiative of the Islands Trust, Islands Trust Fund and the Seagrass Conservation Working Group. A decision on this request was deferred until a more detailed budget for the LTC's top priority Official Community Plan / Land Use Bylaw Review project could be provided by staff. The LTC also requested more information about how this mapping was funded in the previous fiscal year. The purpose of this memorandum is to provide the additional information about the eelgrass mapping project.

The amount of \$4,000 requested of the Gabriola LTC budget is a larger amount than is requested of other LTC's. This is based on the Gabriola and associated islands shorelines having the longest anticipated shoreline length and therefore higher cost, and that the Gabriola project budget is larger than the other LTC's with eelgrass mapping planned. However, as it is understood that the Gabriola LTC must balance their other project work when considering this request, were an amount less than \$4,000 allocated for eelgrass mapping, the Islands Trust Fund would continue looking for other funding and the project may still be able to go ahead.

Background:

In 2012, the Islands Trust Fund and Seagrass Conservation Working Group, mapped eelgrass in the following areas:

- North and South Pender;
- Thetis and associated islands (except Valdes);
- Gambier;
- Lasqueti; and,
- Mayne.

The total budget for the 2012 mapping was \$16,730 from the following sources:

Budget Area	Amount
Islands Trust Fund	\$12,330
LPS Scientific and Technical Budget	\$3,500
Thetis LTC program budget (for associated islands)	\$900
Total:	\$16,730

The Thetis associated islands area was added to the scope of mapping after a request from planning staff as it was relevant to an OCP/LUB project for that area. Mayne Island was mapped by the Mayne Island Conservancy Society and a very small amount of the budget was dedicated to converting the Mayne Island data to the Islands Trust standard form.

For the 2013 / 2014 fiscal year the following areas are planned for eelgrass mapping and where an LTC has a relevant project budget they are being asked to contribute to the mapping.

Project Costs	Anticipated kms	Amount
Bowen Island	7.87	\$3,209.33
Denman Island	40.45	\$16,502.38
Gabriola and associated islands	43.83	\$17,883.86
Galiano and associated islands	22.23	\$9,477.02
Gambier associated islands	22.54	\$9,195.91
Hornby Island	20.60	\$8,403.98
Valdes Island	7.78	\$3,173.83
Total:		\$67,846.18

Project Funding (secured to date)	Amount
Islands Trust	\$22,000.00
Islands Trust Fund	\$8,000.00
SeaChange Marine Conservation Society (funding acquired)	\$10,767.00
CRD Grant in Aid (dedicated to Galiano mapping)	\$1,500.00
Total:	\$42,267.00

Funding and LTC Budget Requests	Amount Requested	Notes
Denman LTC	\$1,000.00	LTC project funding available: \$3,000
Hornby LTC	\$1,000.00	LTC project funding available \$5,000
Comox Valley RD Grant in Aid	\$5,000.00	Submitted. Would be dedicated to Denman/Hornby
Gabriola LTC	\$4,000.00	LTC project funding available: \$21,000
RDN Grant in Aid	\$5,000.00	Declined. Not eligible
Galiano LTC	\$1,000.00	\$12,000
Gambier LTC	\$2,000.00	LTC project funding available: \$10,000
Metro Vancouver	\$1,000.00	Would be dedicated to Bowen, Bowyer and Passage islands

pc Christine Rikley, Islands Trust Fund

**REGULAR BUSINESS MEETING
OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE**
held at 10:15 AM on Thursday, May 16, 2013 at the Women's Institute,
476 South Road, Gabriola Island, BC

Submission by Eric Veale during Town Hall



association of vancouver island
and coastal communities

April 12-14, 2013 Sooke, BC

2013 RESOLUTIONS

R10 GENETICALLY ENGINEERED (GE) PLANTS & ANIMALS Metchosin

WHEREAS some Genetically Engineered (GE) crops, through pollination, can disperse their pollen and genes

indiscriminately and potentially contaminate non-GE crops, resulting in lawsuits, loss of organic certification, and marketability;

AND WHEREAS there is particular concern with the transfer of DNA between species and the potential unintended consequences, especially with animal species;

AND WHEREAS Vancouver Island and associated coastal communities are isolated from other agricultural areas

in British Columbia, which can provide practical approaches to avoiding contamination by GE organisms and

these locations suggest that there is an opportunity for local farmers to provide organic production, to help maintain long-term sustainability, to foster a living seed bank, and to be a refuge from genetically engineered

contamination:

THEREFORE BE IT RESOLVED that AVICC ask the British Columbia government to legislate the prohibition of

importing, exporting and growing plants and seeds containing genetically engineered DNA, and raising GE animals, on Vancouver Island and in associated coastal communities and in the marine waters nearby, and to

declare, through legislation, that the area encompassed by AVICC is a GE Free area in respect to all plant and

animal species.

We the undersigned believe the following Advocacy statement in the OCP will be a critical step in the building of Food Security on Gabriola Island. We urge the Islands trust to give strong consideration to designating Gabriola Island as a "GMO Free Zone)

=====

Moved: That the LTC place as an Advocacy statement in the OCP

Resolved to work toward becoming a GMO free Zone

This would include the recommendation that no GMO fruit or Nut Trees, Shrubbery, GM Vegetables, GM commodity crops and any and all field tests for medical and any experimental GM crops be grown in the Gabriola Local Trust Area

Name (printed)

Address (printed)

Postal code

Signature

This petition was submitted to the Gabriola Local Trust Committee at the May 16, 2013 Local Trust Committee Meeting by Eric Veale and contained approximately 400 signatures.

Gabriola Island a "GMO Free Zone"

STAFF REPORT

Date: May 15, 2013 **File No.:** GB-OCP-2012.1 (Gabriola DPAs & DAI)
GB-OCP-2012.2 (Mudge DAI)
GB-OCP-2012.3 (Decourcy DAI)

To: Gabriola Island Local Trust Committee
For the meeting of May 16, 2013

From: Courtney Simpson, Regional Planning Manager

Re: **Draft Development Permit Area 3 – Riparian Areas & Development
Approval Information Designations – Results of Referrals**

PURPOSE:

The purpose of this report is to present results of agency and First Nations referrals for bylaws 265, 266, 267 and 268 and recommend the Local Trust Committee (LTC) direct staff to schedule a public hearing. The report will also address the Community Information Meeting (CIM) that staff is preparing as per earlier direction from the LTC, and the Development Approval Information (DAI) Bylaw.

BACKGROUND:

Earlier staff reports on this project should be referred to for a complete background. The February, 2013 report summarizes the results of public consultation, purpose of the bylaws, and recommendations regarding the statutory referral process.

RESULTS OF CIRCULATION:

Bylaws 265, 266, 267 and 268 were referred to the following agencies and First Nations as directed by resolution of the Local Trust Committee at their February 21, 2013 meeting and by Resolution without Meeting.

On the list below, a check mark indicates a response has been received regarding bylaws 265 and 266. No responses expressed any concerns with the bylaws. Notably, the Ministry of Forests, Lands and Natural Resources Operations – Ecosystems Branch now has no concerns with the bylaw after extensive discussion with staff regarding their concerns about earlier drafts; amendments that have been made to the bylaw now satisfy this agency.

Regional Agencies:

- ✓ Regional District of Nanaimo
- School District #68 (Nanaimo-Ladysmith)

Provincial Agencies:

- Provincial Ministry of Community, Sport and Cultural Development
- ✓ Provincial Ministry of Forests, Lands and Natural Resource Operations – Ecosystems Branch
- ✓ Agricultural Land Commission

Federal Agencies:

- Fisheries and Oceans Canada

First Nations:

- Cowichan Tribes
- ✓ Halalt First Nation
- H'ul'qumi'num Treaty Group
- Stz'uminus First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Penelakut Tribe
- Snaw'Naw'As Nation
- Te'Mexw Treaty Association
- Semiahmoo First Nation
- Snuneymuxw First Nation

Other:

- ✓ Islands Trust Fund

For Bylaws 267 and 268, responses were only received from: Halalt First Nation and Islands Trust Fund.

STAFF COMMENTS:

Referral Responses:

Earlier concerns of the Ministry for Forests, Lands and Natural Resources Operations have been addressed in the current versions of bylaws 265 and 266, and there are no outstanding concerns or opposition from other agencies or First Nations.

The response from Halalt First Nation is attached for your information as it provides an expression that although they have no concerns with the proposed bylaws, they are concerned about proposed action to develop the lands around the waterways of Gabriola, in relation to the likelihood that archaeological sites also exist in these areas. Development Permit Area 3 does not encourage development in these areas but instead requires a higher level of scrutiny on development. Halalt is not requesting a response or asking for a meeting to discuss this further; the letter is provided to the LTC for information.

For referrals to other First Nations staff followed up with each First Nation to confirm they received the referrals, and a number of First Nations have indicated they forwarded them to the appropriate staff. No First Nation has requested an extension to the deadline however responses from agencies and First Nations can be received by the LTC up to the close of the public hearing.

Community Information Meeting:

As previously directed by the LTC, staff is preparing a CIM regarding the proposed Development Permit Area 3 – Riparian Areas. The CIM is to include a representative from the Ministry of Forests, Lands and Natural Resources Operations (MFLNRO), and Madrone Environmental Services Ltd who conducted the stream mapping. This CIM was to be in May, however due to lack of availability of MFLNRO staff, we are now hoping to schedule in late June. The LTC has also directed that the public hearing be schedule for a few weeks after the CIM.

Development Approval Information Bylaw:

At the November 1, 2012 meeting, the LTC directed staff to prepare a Development Approval Information Bylaw and to give notice to Trust Council that it intends to forward the bylaw for Trust Council's consideration for the purpose of allowing the Gabriola Island Local Trust Committee to obtain information on the anticipated impacts of development permit, temporary use permit and zoning amendment applications.

As advised in a report at the January 17, 2013 meeting, the DAI Bylaw should not be forwarded to Trust Council before the bylaws 256-268 are adopted; if any amendments are made to these bylaws, an amendment to the DAI may be required. The LTC had directed to forward the bylaw to Trust Council for their June meeting, but staff is now targeting the September Trust Council for consideration of the DAI Bylaw.

The draft DAI bylaw has not yet been received by the LTC as staff is waiting until bylaws 256-268 had advanced through the referral period to see if the further amendments are made. Any amendments to these bylaws may result in amendments to the DAI Bylaw. Staff will present the DAI Bylaw at the June LTC Meeting.

RECOMMENDATIONS:

Staff recommends that the Gabriola Island Local Trust Committee directs staff to schedule a public hearing for the following bylaws:

- Bylaw 265 cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2012";
- Bylaw 266, cited as "Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2012";
- Bylaw 267, cited as "Mudge Island Official Community Plan Bylaw 227, 2007, Amendment No. 1, 2012";
- Bylaw 268, cited as "Decourcy Island Official Community Plan Bylaw 16, 1981, Amendment No. 1, 2012"

Prepared and Submitted by:

Courtney Simpson

May 15, 2013

RPP, MCIP, Regional Planning Manager

Date

Attachments:

1. Letter from Halalt First Nation dated March 19, 2013



HALALT
A Coast Salish First Nation

7973 Chemainus Road - Chemainus BC V0R 1K5

Phone: (250) 246-4736 Fax: (250) 246-2330

March 19, 2013

Via email: csimpson@islandstrust.bc.ca

Regional Planning Manager
Islands Trust – Northern Office
700 North Road
Gabriola Island, BC V0R 1X3

Dear Courtney Simpson,

RE: Referral for Proposed Bylaws No. 265 and 266 2013 in the Gabriola Trust Area, Islands Trust – Gabriola Island Planning Area – Gabriola Island

I write today on behalf of Halalt First Nation in response to your referral email dated March 15, 2013.

Thank you for informing us of your contemplated decision. At present, Halalt does not take issue with this particular decision as having significant adverse effects upon our Aboriginal Rights and Title.

After careful review, we note that this decision is likely to have some level of adverse effect upon Halalt's shared Hul'qum'num Aboriginal Rights and Title. Your pending decision is in relation to proposed bylaw changes on Gabriola, which is situated within Halalt's Hul'qum'num shared traditional marine territory and possible medicinal plant harvesting sites. The Islands Trust addition of the new 'Development Permit Area 3 – Riparian Areas' in implementation of the provincial *Riparian Areas Regulation* may impact the aforementioned. As you are likely aware, government decision making continues to erode Halalt First Nation's ability to exercise our Aboriginal Rights and Title. Even those government decisions that enable seemingly innocuous and minor developments can contribute to a 'death of a thousand cuts'. Therefore, we reserve the right to challenge or seek accommodation in relation to your proposed action to develop the lands around the waterways of Gabriola as archaeological sites are also present on the lands governed by the proposed bylaw changes in future, in the context of the cumulative effects of government decision making upon our Aboriginal Rights and Title.

Finally, Halalt First Nation wishes to encourage you to fulfil your duty to consult with and accommodate other First Nations who may be impacted by this decision.

Sincerely,

J. E. Smith

Jack E. Smith, Project Manager *for*
Chief James R. Thomas, Halalt First Nation

Affiliated with: The Naut'sa mawt Tribal Council, The Coast Salish Nation, and The Assembly of First Nations
"When in the Westholme area stop in and visit. Our business office is at 7973 Old Chemainus Rd."