



Islands Trust Conservancy Board Regular Meeting Agenda

Date: Tuesday, January 21, 2025
Time: 10:00 am
Location: Electronic Meeting, and a physical location to view the livestream of the meeting:
Islands Trust Victoria Office
#200 - 1627 Fort Street
Victoria, BC V8R 1H8

Pages

1. CALL TO ORDER
2. TERRITORIAL ACKNOWLEDGEMENT
3. INTRODUCTION OF NEW ISLANDS TRUST CHIEF ADMINISTRATIVE OFFICER
4. ELECTIONS
 - 4.1 Election of Chair
 - 4.2 Election of Vice-Chair
5. APPROVAL OF AGENDA
 - 5.1 Introduction of New Items
 - 5.2 Approval of Agenda

6. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

November 19, 2024 ITC In Camera Meeting

- The Islands Trust Conservancy Board approved Part II of the Sallas’ invasive plant management plan for Burnt Snag (ES65741), Dragonfly Pond (ES065747), Kingfisher Pond (ES065749), and Woodpecker Pond (ES65743) covenant areas, and issued a temporary waiver of covenant terms 3.2(d) and 3.2(k) subject to terms and conditions, consistent with the approved Forest Restoration Strategy of the Sidney Island Ecosystem Restoration Plan.
- The Islands Trust Conservancy Board approved spending up to \$2,000 from existing budgets towards the cost of an Ecological Gifts Program appraisal for a Natural Area Protection Tax Exemption Program (NAPTEP) covenant on Gabriola Island.
- The Islands Trust Conservancy approved the decisions to:
 - obtain a hazmat analysis for the Ruby Alton Nature Reserve House;
 - engage a demolition contractor to provide an estimate of demolition of the house and all structures.

7. ADOPTION OF MINUTES

7.1 Draft ITC Board Regular Meeting Minutes from November 19, 2024 6 - 17

8. FOLLOW UP ACTION LIST 18 - 23

9. BUSINESS

9.1 Items for Approval

9.1.1 Letter of Support for Raincoast Conservation Foundation's application to Intact Insurance's Climate Resilience Grant - Request for Decision 24 - 31

THAT the Islands Trust Conservancy Board approve the letter of support for Raincoast Conservation Foundation’s application to Intact Insurance’s Climate Resilience Grant and direct staff to provide it on behalf of the Islands Trust Conservancy Board.

9.1.2 Owl’s Call NAPTEP Covenant, Salt Spring Island, Monitoring Report 2024 – Request for Decision 32 - 44

THAT the Islands Trust Conservancy Board accept the third-party 2024 monitoring report for Owl’s Call NAPTEP Covenant, Salt Spring Island and direct staff to add a summary of this report to the 2024 Islands Trust Conservancy NAPTEP Covenant Monitoring Report as an addendum.

9.1.3 Galiano Conservancy Association – Vanilla Leaf Nature Reserve Project - Request for Decision 45 - 49

THAT the Islands Trust Conservancy Board approve the request by the Galiano Conservancy Association to include Vanilla Leaf Land Nature Reserve, Galiano Island, in Galiano Conservancy Association’s application for a Section 11 Change Approval under the Water Sustainability Act. Any work to be done in Vanilla Leaf Land Nature Reserve will be subject to further information and approval by the Islands Trust Conservancy Board if and when the application is approved.

9.1.4 Development Permit Referral, Bowen Island Municipality: DP-2024-0196, 1273 Hikers Trail Road - Request for Decision

50 - 170

THAT the Islands Trust Conservancy Board direct staff to draft a letter to the Bowen Island Municipality regarding Referral BO-DP-2024-0196 indicating that, based on the information provided and proposed recommended measures to avoid and/or minimize potential impacts, the Board has the following comments to add to ensure the project will not negatively impact the David Otter Nature Reserve (DONR):

- The south boundary of the applicant property which abuts DONR, is considered a ‘rear lot line’, which requires a setback of 7.5 m, no infrastructure should be built within this setback
- The applicant needs to arrange an analysis, conducted by an agreed upon qualified arborist, to determine if any trees currently on DONR may cause a danger to the new infrastructure and what work needs to be done to make them safe.
- The applicant needs to ensure that no trails or infrastructure lead onto DONR, or are so close to the boundary that they might encourage people to trespass onto DONR. The applicant will install boundary signage and possibly barriers.
- The applicant must ensure protections are put in place to protect Northern red-legged frog (*Rana aurora*) during construction. They are known to be present in DONR and are very likely to be on the applicant’s property as well.
- DONR is part of the federal Ecological Gift Program and BIM holds covenants on DONR protecting it further (Covenants BA146488, BA146494, and BA146495). The importance of protecting DONR should be of primary consideration in assessing this application.

9.1.5 Rezoning Application Referral, Bowen Island Municipality: 561/564 Collins Road – Request for Decision

171 - 264

(1) THAT the Islands Trust Conservancy Board directs staff to respond to the Bowen Island Municipal Council referral regarding bylaw 671 and 672, indicating:

- a. The southern parcel of this property is adjacent to a conservation covenant held by Islands Trust Conservancy. Any residential development on this lot risks direct and indirect intentional and unintentional impacts on the surrounding protected areas, potentially reducing their ecological integrity and biodiversity. However, the ITC Board does not have any specific concerns with this rezoning and subdivision application, and finds that ITC interests are unaffected by bylaw 671 and bylaw 672;
- b. ITC Board commends BIM's 50% protection goal for rezoning applications, and emphasizes that ecological conditions and biodiversity values should be prioritized when determining protected area locations and boundaries. The ITC Board encourages BIM to pursue park land dedication to better protect valuable habitat, particularly for the southern portion of the property where there is a potential to expand or buffer Crippen Regional Park.

- c. BIM should consider the impact of creating a new trail through an undeveloped area on biodiversity and habitat integrity and if a trail is approved protection measures should be required to limit impact.
- d. Should BIM and the landholder decide to pursue conservation covenants as the habitat protection mechanism, with ITC as the covenant holder, ITC offers the following comments:
 - i. The landholder could submit a Conservation Proposal to the ITC Board for consideration, as per the ITC policies and requirements outlined on the ITC webpage.
 - ii. ITC prioritizes areas for protection based on the Regional Conservation Plan, analysis of regional conservation and biodiversity values, and considering staff and organizational capacity at the time of application.
 - iii. Generally, the ITC Board does not accept proposals for protected areas less than 2 hectares in size, although exceptions may be made if the property contains significant habitat for species at risk or a significant number of species at risk, if the property adds an area to an existing adjacent or nearby protected area, is an islet or small island, or contains an ecosystem that is not represented in existing protected areas in that local trust area.
 - iv. The ITC's priority with covenants is the protection of ecological values and in general ITC is not interested in taking on covenanted land that includes public trails.

(2) THAT the Islands Trust Conservancy Board directs staff to continue preliminary discussions with BIM planning staff and this landholder, to ensure a clear understanding of ITC's processes and requirements relating to conservation proposals and conservation covenants, and of the planning processes and requirements relating to rezoning and subdivision, to determine whether this rezoning application process will lead to a conservation proposal of interest to ITC.

9.1.6	2025/26 ITC Budget Request – Trust Council Resolution – Request for Decision	265 - 270
	<p>THAT the Islands Trust Conservancy Board provide an updated 2025/26 budget request to the Financial Planning Committee and Trust Council that addresses the changes and comments made by the Board November 19, 2024 (resolutions ITC-2024-064 and ITC-2024-065).</p>	
9.2	Items for Discussion/Direction	
9.2.1	Invitation to Join the Centre for Land Conservation's Land Trust Certification Pilot Program – Briefing	271 - 280
9.2.2	2025 Annual Work Plan – Briefing	281 - 288
9.2.3	North Pender Island Bylaw 235 Referral - Briefing	289 - 309
9.3	Correspondence	

9.3.1	ITC Board Letter to Trust Council regarding Consultation on Provincial Review Request and the Role of the Conservancy, dated 2024-11-25	310 - 311
9.4	Updates for Information	
9.4.1	Public Acquisitions Report	312 - 313
9.4.2	Public Covenants Report	314 - 321
9.4.3	Budget Report	322 - 323
9.4.4	2024 Work Plan Update	324 - 338
9.4.5	Emergency Danger Tree Removal, Ruby Alton NR, Salt Spring Island - Briefing	339 - 339
9.4.6	Executive Committee Update	
9.4.7	Financial Planning Committee Update	
9.4.8	Trust Council Update	
9.4.9	Governance Committee Update	

10. PUBLIC COMMENTS AND DELGATIONS

11. NEW BUSINESS

12. NEXT MEETING

The next meeting will take place on March 18, 2025 at 10:00 a.m.

13. CLOSED MEETING

13.1 Motion to Close the Meeting

THAT the meeting be closed to the public in accordance with the Community Charter, Part 4 Division 3, section: 90 (1) (d) the security of the property of the Islands Trust Conservancy Board; (e) the acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure could reasonably be expected to harm the interests of the Islands Trust Conservancy board; (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (k) negotiations and related discussions respecting the proposed provision of a service that are at their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the Islands Trust Conservancy if they were held in public; and that staff remain in the meeting.

14. ADJOURNMENT



Islands Trust Conservancy Board

Minutes of a Regular Meeting

Date: Tuesday, November 19, 2024
Location: Electronic Meeting and Physical Location
Islands Trust Victoria Office
200 - 1627 Fort Street, Victoria, BC

Members Present: Risa Smith, Chair
Lisa Gauvreau, Vice Chair
Charles Kahn, Trustee (left the meeting at 11:30 a.m.)
Susan Yates, Trustee
Tanner Timothy, Trustee
Tobi Elliott, Trustee

Staff Present: Carolyn Stewart, Acting ITC Manager
Corlynn Strachan, Administrative Assistant/Recorder
Jemma Green, Covenant Management and Outreach Specialist
Kathryn Martell, Ecosystem Protection Specialist
Micaela Yawney, Communications Specialist
Mike Richards, Strategic Fund Development Specialist
Nuala Murphy, Property Management Specialist

Staff Regrets: Erica Wheeler, Species at Risk Program Coordinator

Members of the Public Present: No members of the public were in attendance

1. CALL TO ORDER

The meeting was called to order at 10:03 a.m. Chair Smith acknowledged the meeting was being conducted in the traditional territory of the Coast Salish peoples and provide a territorial acknowledgement.

2. APPROVAL OF AGENDA

2.1 Review of Agenda and Introduction of New Items

There were no additions to the agenda.

2.2 Approval of Agenda

By general consent the agenda was approved as presented.

3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

Chair Smith reported on the following item from the ITC Board October 1, 2024 closed meeting:

The Islands Trust Conservancy Board granted the request of Sallas Forest Strata, Sidney Island, by issuing a temporary waiver of terms 3.2 (b), 3.2 (j), and 3.2 (k) of covenants ES065747 (Dragonfly Pond), ES65743 (Woodpecker Pond), and ES065749 (Kingfisher Pond) for the purposes of using an excavator to extract invasive *Crataegus monogyna* (hawthorn) trees and dispose of the biomass on site by burning, subject to the following terms, as amended:

1. Every effort is made to minimize the area of soil impacted by excavator;
2. No other motorized vehicles are permitted in the covenant areas;
3. Preference is given to disposal of hawthorn in brush piles as close to treatment sites as possible and large enough to reduce the risk of regenerating cuttings;
4. The number of burn piles is minimized;
5. Burn pile locations must be pre-selected in consultation with Islands Trust Conservancy staff to avoid impacts to native plants, wildlife, and habitat structures;
6. The work must occur during the months of September–February to minimize impacts on natural values, and must be completed by the end of February 2026;
7. The coordinates of excavated trees, brush piles, and burn piles are documented and provided to the Islands Trust Conservancy Board; and
8. Every effort is made to work with Parks Canada to have experts in heritage management attend during the excavations.

4. ADOPTION OF MINUTES

4.1 Draft Islands Trust Conservancy Board Meeting Minutes of October 1, 2024

ITC-2024-054

It was **MOVED** and **SECONDED**,

that the Islands Trust Conservancy Board regular meeting minutes of October 1, 2024 be adopted as presented.

CARRIED

5. FOLLOW UP ACTION LIST

Received for information.

6. BUSINESS

6.1 Items for Approval

6.1.1 Proposed ITC Board Meeting Schedule from January 2025 until March 31, 2026 - Request for Decision

Manager Stewart requested Board members clarify the Board's intention for the Islands Trust Conservancy liaison meetings with the Executive Committee, in terms of length of meeting and joining regular Executive Committee meetings for two of the proposed meetings.

Discussion ensued around the format used in 2024 and the board agreed that ITC Board members would attend two regularly scheduled Executive Committee meetings for one hour and the ITC Board would host the Executive Committee for an in-person, 2-hour liaison meeting in July.

ITC-2024-055

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board adopt the proposed meeting dates from January 2025 until March 31, 2026 as presented.

CARRIED

ITC-2024-056

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board direct staff to schedule the 2025-26 Islands Trust Conservancy Board meeting dates of January 21, May 27, October 7, and November 18, 2025, and January 20, 2026 as electronic meetings, and list the Victoria office board room as the public meeting location.

CARRIED

ITC-2024-057

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board direct staff to schedule three in-person meeting on March 18 and July 22, 2025, and March 17, 2026.

CARRIED

6.1.2 Islands Trust Conservancy Natural Area Protection Tax Exemption Program (NAPTEP) Covenant Monitoring Report 2024 – Request for Decision

Covenant Management and Outreach Specialist Green presented the request for decision and provided the following highlights:

- All 26 NAPTEP covenants that we monitored were found to be in compliance.
- Four long-standing trespass cases are yet to be resolved.
- Most covenants are in need of some stewardship attention.
- Trespass and stewardship needs are going to be prioritized and addressed as budget and staff capacity permit.

Discussion ensued on:

- off-leash dogs in the McRae Covenant and placing an article in the local Gabriola newspaper regarding off-leash dogs in covenants
- ITC capacity for monitoring covenants
- the need for additional funding to develop the NAPTEP program
- sending surveys to NAPTEP covenant holders
- promoting the NAPTEP program to Trust Council and show how important these covenants are - to get more support
- engaging effectively with First Nations on covenant restoration
- halting acquisitions and covenants versus other creative monitoring options

- Owl's Call, Salt Spring Island, was the only covenant out of 27 not monitored as monitoring is contracted out by the owner.

ITC-2024-058

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board accept the Islands Trust Conservancy Natural Area Protection Tax Exemption Program (NAPTEP) Covenant Monitoring Report 2024 and direct staff to address compliance and ecological concerns as identified in the report.

CARRIED

6.1.3 Five Year Plan/First Nations Engagement Update – Request for Decision

Manager Stewart suggested that the Conservancy Board submit a letter to the Minister of Municipal Affairs explaining the need for an extended timeframe and commented that when Director Frater hires the new Policy Advisor, we see if there's any chance of using some of that person's time to assist with this project.

Discussion ensued on:

- Clarifying if the Trust Area Services auxiliary position will support Island Trust Conservancy with the Five Year Plan.
- The timeline for First Nations engagement letters and follow up with the upcoming replacement of the ITC Manager in January 2025.

ITC-2024-059

It was MOVED and SECONDED,

that the Islands Trust Conservancy (ITC) Board direct staff to prepare and submit a letter from the ITC Board to the Minister of Municipal Affairs that:

- reiterates the ITC's desire to undertake meaningful First Nations engagement
- explains the ITC's staff capacity challenges
- provides the Board's proposed ITC Plan engagement outline (November 2024), and
- seeks the Minister's support for the updated timeframe for development and submission of the next ITC Plan.

CARRIED

ITC-2024-060

It was MOVED and SECONDED,

that the ITC Board requests that Director Frater consider if a portion of the new Trust Area Services Policy Advisor position, supported by Trust Council in September 2024, can be targeted to assist ITC staff with the Five Year Plan/First Nations Engagement project or if ITC can seek similar funding for an ITC Policy Advisor position for this and other policy requirements.

CARRIED

6.1.4 Martin NAPTEP Covenant Application, Salt Spring Island - Request for Decision

Ecosystem Protection Specialist Martell presented the request for decision noting the covenant is a smaller size than the usual, however, she feels that it meets the criteria for an exemption to that policy, particularly because of the opportunity to be engaged in a covenant with the restoration component and an ecocultural connection.

Discussion ensued on support of the application.

ITC-2024-061

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board approve the conservation proposal submitted by Tara Martin, to place a NAPTEP covenant on approximately 1 ha of Salt Spring Island, PID: 000-363-740, Lot A, Section 39, South Salt Spring Island, Cowichan District, Plan 35768, subject to review of First Nations responses and to Ministerial approval, to protect woodlands and herbaceous habitats, maturing dry Douglas-fir forest, and connectivity with adjacent protected areas.

CARRIED

6.1.5 Soil Moisture Research at Link Island Nature Reserve, Gabriola Trust Area - Request for Decision

Property Management Specialist Murphy advised that the Swiss family would like to install soil moisture and temperature data loggers at four representative monitoring locations to allow information to be collected on the regional annual cycle of winter's wet season and summer dry season.

Discussion ensued on support for this request and the importance of monitoring climate change.

ITC-2024-062

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board approve soil moisture research at Link Island Nature Reserve by the Swift family subject to First Nations consultation and the covenant holders approval.

CARRIED

6.1.6 Islands Trust Conservancy Nature Reserve Monitoring Report 2024 - Request for Decision

Property Management Specialist Murphy presented the request for decision, noted there was an error in the resolution on the report, and requested the resolution wording be changed from "and direct staff to address compliance and ecological concerns as identified in the report" to "and direct staff to address the recommendations as identified in the report." The original wording referenced "compliance" which is not relevant for nature reserves.

ITC-2024-063

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board accept the “Islands Trust Conservancy Nature Reserve Monitoring Report 2024” and direct staff to address the recommendations as identified in the report.

CARRIED

Chair Smith commented that on page 89 of the report, under Ruby Alton Nature Reserve, Salt Spring Island, the last two sentences state “there are many house maintenance issues that should be dealt with in the next year funds allow. A revised management plan for this nature reserve is required” and advised that a revised management plan for this nature reserve is currently in preparation and actions related to the reserve should be identified in the final approved management plan.

6.1.7 2025/26 Budget Request - Request for Decision (addendum item)

Manager Stewart advised the ITC budget request that went to the Financial Planning Committee in July had an error that was recently found. The Environment and Climate Change Canada (ECCC) contribution toward salaries and benefits showed as \$110,000, however, it should have been \$102,418. Hence, the Board needs to increase the budget request for Islands Trust Conservancy salaries and benefits by \$7,582, to correct the error.

Discussion ensued on the budget line for First Nations engagement which shows \$20,000 for the current fiscal year but no budget amount for next year. Manager Stewart clarified the 2024/25 amount is intended as capacity funding that would be provided at the front end of the engagement process as a one-time contribution covering the whole project. First Nations can use it over the time period as they want.

ITC-2024-064

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board request an increase of \$7,582 to its proposed 2025/26 Salaries and Benefits budget (Islands Trust Contribution) due to an error in its early submission relative to the amount available from the Environment and Climate Change Canada Contribution Agreement for Salaries and Benefits in 2025/26.

CARRIED

Trustee Elliott advised, as a representative of the Financial Planning Committee and Executive, the budget will need to be reduced, and commented there was an alternative resolution that the ITC Board could have requested staff to look for other reductions and provide a briefing.

Discussion ensued on:

- whether or not the Board wants staff to look for budget reductions
- removing the increases of \$3,000 for ITC Board training and conferences
- prioritizing having a Trust Area Services Policy Advisor for one year to forward First Nations engagement

ITC-2024-065

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board indicates to Trust Council and Financial Planning Committee that it considers the Trust Area Services business case for an Auxiliary Policy Advisor for 2025-2026 is critical to support ongoing intergovernmental and policy work, and

that ITC requests that a portion of an Auxiliary Policy Advisor position be dedicated to support the Conservancy's engagement with First Nations on the Conservancy's mandate and a renewed five-year plan, and,

that in light of increasing budget requests from the Conservancy, the Board indicates that its request for an increase to Board training (\$3,000) to support education on Indigenous Conserved and Protected Areas, could be de-prioritized for this fiscal.

CARRIED

6.2 Items for Discussion/Direction

6.2.1 35th Anniversary of ITC Communications & Engagement Strategy – Briefing

Islands Trust Conservancy Communications Specialist Yawney presented the briefing.

Board members commented this is a clear, well-rounded, and creative engagement strategy and thanked ITC Communications Specialist Yawney for her work on this.

6.2.2 Gambier Island Local Trust Committee Request regarding Use of Squamish Language on ITC Nature Reserve Signage on Gambier Island – Briefing

Property Management Specialist Murphy presented the briefing.

Discussion ensued on responding to the Local Trust Committee now and adding this to the work plan to be done next fiscal.

6.2.3 Annual Holiday Campaign Update

Strategic Fund Development Specialist Richards advised the annual Holiday appeal this year will launch in time for Giving Tuesday on December 3rd. This will be an electronic campaign to previous donors. With next year's 35th anniversary celebration, it is more likely we can garner gifts for our Acquisition funds and the Opportunity funds, therefore, this appeal will focus on this Covenant Management and Defence fund.

6.3 Correspondence

6.3.1 N. Maddocks - Weather Modification Manipulation Not Climate Change Email, dated 20204-09-22

Received for information.

6.3.2 Trust Council Letter to Minister Kang - Request for Provincial Review of Islands Trust, dated 2024-10-16

Discussion ensued on:

- Ravi Kahlon has been appointed Minister of Housing and Municipal Affairs, therefore Minister Kang will not be receiving this letter.
- The letter implicates the Conservancy, however, the Conservancy was not included in this request, and the importance of consultation on such an important initiative.
- The Bowen Island Municipality was also not included in the request, and Mayor Leonard is addressing Trust Council in December. There is a letter regarding this from Bowen Island Municipality to Executive Committee (EC) on the November 20th EC meeting agenda.

Chair Smith commented she would compose a response letter and provide it to Board members for input, and that she could address Trust Council (TC) at the point on the TC agenda where the Conservancy is scheduled.

ITC-2024-066

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board request Chair Smith write a letter on behalf of the Islands Trust Conservancy to Trust Council regarding the request for a Provincial review and would appreciate consultation.

CARRIED

6.3.3 S. Brands Emails to Executive Committee, dated 2024-10-25 and 2024-11-05

Received for information. Chair Smith advised she is drafting a response.

6.4 Updates for Information

6.4.1 Public Acquisitions Report

Received for information.

6.4.2 Public Covenants Report

Received for information.

6.4.3 Budget Report

Received for information.

6.4.4 ITC Briefing to Financial Planning Committee

Received for information.

6.4.5 ITC Quarterly Report to Trust Council - 3rd Quarter Update 2024-2025

Received for information.

6.4.6 Salt Spring Island LTC Planning Referral Notice: PLDVP20240185 and Staff Response

Manager Stewart advised this was another planning referral received recently with a short turn-around time to provide comments. Staff provided comments within the timeframe and it is provided for the Board's information. Recognizing the often short turn around time, Manager Stewart said she would like direction on if the Board continues to want to receive every referral or if the board wants to delegate commenting on non-controversial referrals to staff.

Discussion ensued on:

- A recent referral on Salt Spring that relates to crown land and a Trustee from Salt Spring who was wondering if the Conservancy had seen the referral.
- That the Board is not ready to defer responsibility of referrals to staff, and Board members want to see all referrals.
- Referrals could be sent to Board members with a draft response through email to determine if Board members want to address the referral as a Resolution without Meeting (RWM) without discussion, or have a special meeting when discussion is required.

Direction to staff was that the Board wants to continue to review all referrals. Staff will establish a process using regularly scheduled meetings, RWMs and/or Special Meetings.

6.4.7 Executive Committee Update

Trustee Elliott reported on the following:

- Executive Committee meets November 20th with a heavy agenda, including preparation for Trust Council's December meeting.
- The new Islands Trust Chief Administrative Officer, Rueben Bronee, will attend and address Trust Council in December.
- The Policy Statement amendment project is proceeding through Committee of the Whole discussions and the process is slow. It will go out into communities for engagement in the future and should also be referred to Islands Trust Conservancy before it is finalized.

6.4.8 Financial Planning Committee Update

Trustee Yates reported that no changes to the proposed Island Trust Conservancy budget were requested by Financial Planning Committee.

6.4.9 Trust Council Update

See Executive Committee update.

6.4.10 Governance Committee Update

Trustee Gauvreau reported on the following discussion from the Nov 5th Governance Committee meeting:

- A trustee remuneration policy review is being undertaken to ensure that Islands Trust is following best practices. The Committee is reviewing the Trust Council policy and the UBCM Council and Board Remuneration Guide. The committee will forward recommendations to Trust Council with a goal to update that policy.
- Following up on a recommendation of the 2022 Governance Review, the Committee reviewed and approved a business case relating to the creation of a full-time Corporate Secretary to better support operations at Trust Council. The business case has been forwarded it to Financial Planning Committee for inclusion into the 2025-26 budget.
- The Committee reviewed and approved a business case relating to the need for regular review and updating of policies to align with best practices.
- The Committee meeting schedule for 2025/26 was set. All meetings will be continue to be held electronically.
- The Committee supported a suggestion of creating a governance manual to help streamline and organize policies in a user-friendly way.
- The next meeting is January 29th.

6.4.11 Salish Sea Conservation Forum, Galiano Island, October 18, 2024

Chair Smith reported she attended the forum on behalf of the Galiano Conservancy and noted that Trustee Elliot, three ITC staff, and Kate Emmings also attended. Chair Smith asked staff to note any highlights for the Board.

Staff Green reported that she was extremely grateful that the Galliano Conservancy coordinated and hosted the event. The forum was organized as a series of eight workshops and they did a really good job with the concurrent sessions. She attended workshops on forest restoration, integrated landscapes, deer management, voluntary conservation and stewardship on private lands, and reconciliation. They were all interesting and she was able to take away key points to apply to covenant management. There were opportunities for discussion between organizations and co-covenant holders. She commented it was a really successful event and looks forward to future forums.

Staff Martell reported the forum was excellent and it was excellent to be able to attend in person. It was helpful for Islands Trust Conservancy to be able involved with the local conservancy to strengthen our connections. She noted that in the reconciliation talk someone pointed out that the core needs of Indigenous Peoples were not being addressed well enough. This was a really valuable moment reminding the group that we need to always remember that we are still operating within colonial structures and we need to be more mindful and change them. We also need to explicitly acknowledge more frequently how harmful those practices have been and are.

Trustee Smith commented the connections were unbelievable, there have been lots of follow-ups since then, and she hopes someone will do it again because these connections are very important. Trustee Smith also commented there was a very emotional moment during the reconciliation session and that the question of whether land trusts, as inherently colonial structures, are compatible with reconciliation or not. Trustee Smith noted many people are very interested in this idea and advised if any Board members wants to have a conversation about that, to let her know.

Trustee Elliott also reported on the forum and suggested there is potential to have speaker Dr. Tara Martin do a webinar on forest ecosystems, through the Islands Trust Conservancy.

6.4.12 Reconciliation and Organization Change Report

Trustee Yates reported on a webinar she attended in January 2023, sponsored by the Conservation through Reconciliation Partnership and Sustainability Network, and hosted by Chloe Dragon Smith from the Dene Nation in Northwest Territories. She felt it was a very good webinar. Trustee Yates advised she will forward her notes to Board members by email.

7. PUBLIC COMMENTS AND DELGATIONS - None

8. NEW BUSINESS

8.1 ITC Board Chair Update

Chair Smith provided a reminder that there will be an election for Chair and Vice Chair in January 2025, and advised she will be stepping down as Chair. She noted that she wanted to provide notice to other members so they could consider whether they would like to be the Chair for 2025. Chair Smith will remain on the board, however, has too many other commitments to continue with the extra work required of a Chair.

9. NEXT MEETING

The next meeting will be held electronically on January 21, 2025 at 10:00 a.m.

10. CLOSED MEETING

10.1 Motion to Close the Meeting

ITC-2024-067

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the Community Charter, Part 4 Division 3, section: 90 (1) (d) the security of the property of the Islands Trust Conservancy board; (e) the acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure could reasonably be expected to harm the interests of the Islands Trust Conservancy board; (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (k) negotiations and related discussions

respecting the proposed provision of a service that are at their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the Islands Trust Conservancy if they were held in public; and that staff be invited to remain in the meeting.

CARRIED

11. ADJOURNMENT

By general consent the meeting adjourned at 12:50 p.m.

Risa Smith, Chair

Certified Correct:

Corlynn Strachan, Administrative Assistant/Recorder

Minutes are not official until adopted at a subsequent meeting.



Follow Up Action Report

Trust Conservancy Board

25-May-2021

Progress	Activity	Responsibility	Dates	Status
20%	1 Staff to move forward with the Crystal Mountain Society proposal to register a Statutory Right of Way across Lot A on the upper ridge, in favour of Islands Trust Conservancy, to provide legal access to the eastern part of Lot A via the legal easement across neighbouring Lots B and C.	Kathryn Martell	Target: 31-Dec-2025	In Progress

23-Jan-2024

Progress	Activity	Responsibility	Dates	Status
66%	1 Staff to proceed with the development of a Risk Management Policy for all nature reserves, which includes warning users of the risk of danger trees.	Carolyn Stewart Nuala Murphy	Target: 31-Mar-2025	In Progress

28-May-2024

Progress	Activity	Responsibility	Dates	Status
40%	1 Staff to continue work on Risk Assessment Policy through a phased approach as follows: Phase 1: Public safety approach as a priority which would include the role of signage as well as tree removal and live tree management with reference to the BC Occupier Liabilities Act. Phase 2: Identification of properties that would benefit from a core policy of conservation and an environmental management approach.	Carolyn Stewart	Target: 31-Mar-2025	In Progress



Follow Up Action Report

Trust Conservancy Board

23-Jul-2024

Progress	Activity	Responsibility	Dates	Status
25%	1 Staff to provide a briefing to the Islands Trust Conservancy Board on disposition of land to Indigenous governing bodies.	Carolyn Stewart Clare Frater	Target: 31-Dec-2024	In Progress



Follow Up Action Report

Trust Conservancy Board

01-Oct-2024

Progress	Activity	Responsibility	Dates	Status
100%	1 The ITC Board Chair to sign the Yarrow Koontz Covenant, and staff to register the covenant through the Natural Area Protection Tax Exemption Program (NAPTEP).	Corlynn Strachan Kathryn Martell Risa Smith	Target: 19-Nov-2024	Completed
100%	2 The ITC Board Chair to sign the Skye Larmour NAPTEP Covenant, Salt Spring Island and staff to register the covenant through the Natural Area Protection Tax Exemption Program (NAPTEP), subject to minor edits as discussed by staff.	Corlynn Strachan Kathryn Martell Risa Smith	Target: 19-Nov-2024	Completed
0%	3 Staff to review policies related to the acquisition of lands and covenants, to review topics including firewood, priority of mortgages, minimum size, and landholder support, this fiscal term.	Kathryn Martell	Target: 31-Mar-2025	In Progress
100%	4 Staff to request meetings with the Executive Committee three times per year for focused discussion on topics of mutual interest, with the option of maintaining the joint liaison meeting in July, if needed.	Carolyn Stewart Corlynn Strachan	Target: 19-Nov-2024	Completed
90%	5 Chair Smith to draft a response to Stewart Brands regarding protective covenants, and provide the draft to the Ecosystem Protection Specialist for review.	Kathryn Martell Risa Smith	Target: 28-Feb-2025	In Progress
100%	6 The ITC Board rose and reported that at the July 23, 2024 in-camera meeting, the ITC Board directed staff to prioritize the Ruby Alton Management Plan over the Risk Management Policy development.	Carolyn Stewart	Target: 31-Mar-2025	Completed



Follow Up Action Report

Trust Conservancy Board

19-Nov-2024

Progress	Activity	Responsibility	Dates	Status
100%	1 Staff to schedule the 2025-26 Islands Trust Conservancy Board meeting dates of January 21, May 27, October 7, and November 18, 2025, and January 20, 2026 as electronic meetings, and list the Victoria office board room as the public meeting location.	Corlynn Strachan	Target: 31-Dec-2024	Completed
100%	2 Staff to schedule three in-person meeting on March 18 and July 22, 2025, and March 17, 2026.	Corlynn Strachan	Target: 31-Dec-2024	Completed
30%	3 Staff to address compliance and ecological concerns as identified in the Islands Trust Conservancy Natural Area Protection Tax Exemption Program (NAPTEP) Covenant Monitoring Report 2024.	Jemma Green	Target: 31-Mar-2025	In Progress
50%	4 Staff to prepare and submit a letter from the ITC Board to the Minister of Municipal Affairs that: <ul style="list-style-type: none"> · reiterates the ITC's desire to undertake meaningful First Nations engagement · explains the ITC's staff capacity challenges · provides the Board's proposed ITC Plan engagement outline (November 2024), and · seeks the Minister's support for the updated timeframe for development and submission of the next ITC Plan. 	Carolyn Stewart	Target: 31-Jan-2025	In Progress
0%	5 Director Frater to consider if a portion of the new Trust Area Services Policy Advisor position, supported by Trust Council in September 2024, can be targeted to assist ITC staff with the Five Year Plan/First Nations Engagement project or if ITC can seek similar funding for an ITC Policy Advisor position for this and other policy requirements.	Carolyn Stewart Clare Frater	Target: 21-Jan-2025	In Progress



Follow Up Action Report

Trust Conservancy Board

19-Nov-2024

Progress	Activity	Responsibility	Dates	Status
15%	6 Staff to move forward with the conservation proposal submitted by Tara Martin, to place a NAPTEP covenant on approximately 1 ha of Salt Spring Island, PID: 000-363-740, Lot A, Section 39, South Salt Spring Island, Cowichan District, Plan 35768, subject to review of First Nations responses and to Ministerial approval, to protect woodlands and herbaceous habitats, maturing dry Douglas-fir forest, and connectivity with adjacent protected areas.	Kathryn Martell	Target: 31-Oct-2025	In Progress
100%	7 Staff to notify the Swift family that the Islands Trust Conservancy Board approved soil moisture research at Link Island Nature Reserve by the Swift family subject to First Nations consultation and the covenant holders approval.	Nuala Murphy	Target: 21-Jan-2025	Completed
80%	8 Staff to address the recommendations as identified in the Islands Trust Conservancy Nature Reserve Monitoring Report 2024.	Nuala Murphy	Target: 31-Mar-2025	In Progress
90%	9 Staff to move forward with the following resolution: that the Islands Trust Conservancy Board request an increase of \$7,582 to its proposed 2025/26 Salaries and Benefits budget (Islands Trust Contribution) due to an error in its early submission relative to the amount available from the Environment and Climate Change Canada Contribution Agreement for Salaries and Benefits in 2025/26.	Carolyn Stewart	Target: 21-Jan-2025	In Progress



Follow Up Action Report

Trust Conservancy Board

19-Nov-2024

Progress	Activity	Responsibility	Dates	Status
90%	<p>10 Staff to proceed with the following resolutions:</p> <p>that the Islands Trust Conservancy Board indicates to Trust Council and Financial Planning Committee that it considers the Trust Area Services business case for an Auxiliary Policy Advisor for 2025-2026 is critical to support ongoing intergovernmental and policy work, and that ITC requests that a portion of an Auxiliary Policy Advisor position be dedicated to support the Conservancy's engagement with First Nations on the Conservancy's mandate and a renewed five-year plan, and,</p> <p>that in light of increasing budget requests from the Conservancy, the Board indicates that its request for an increase to Board training (\$3,000) to support education on Indigenous Conserved and Protected Areas, could be de-prioritized for this fiscal.</p>	<p>Carolyn Stewart</p> <p>Clare Frater</p>	<p>Target: 31-Mar-2025</p>	<p>In Progress</p>
100%	<p>11 Staff to respond to the Gambier Island Local Trust Committee Request regarding use of Squamish Language on ITC Nature Reserve Signage on Gambier Island and add this to the work plan to be done next fiscal.</p>	<p>Carolyn Stewart</p> <p>Nuala Murphy</p>	<p>Target: 21-Jan-2025</p>	<p>Completed</p>
100%	<p>12 Chair Smith to write a letter on behalf of the Islands Trust Conservancy to Trust Council regarding the request for a Provincial review and would appreciate consultation.</p> <p>Chair Smith to address the letter at December 2024 Trust Council.</p>	<p>Carolyn Stewart</p> <p>Risa Smith</p>	<p>Target: 29-Nov-2024</p>	<p>Completed</p>



REQUEST FOR DECISION

To: Islands Trust Conservancy Board
For the Meeting of: January 21, 2025

From: Staff
Date Prepared: January 10, 2025

SUBJECT: Letter of Support for Raincoast Conservation Foundation's application to Intact Insurance's Climate Resilience Grant

RECOMMENDATION(S): That the Islands Trust Conservancy Board approve the letter of support for Raincoast Conservation Foundation's application to Intact Insurance's Climate Resilience Grant and direct staff to provide it on behalf of the Islands Trust Conservancy Board.

1 PURPOSE:

To provide a proposed letter of support to Raincoast Conservation Foundation relating to its application for funding from Intact Insurance's Climate Resilience Grant.

2 BACKGROUND:

Chair Smith received an email request from Raincoast Conservation Foundation seeking a letter of support from the Islands Trust Conservancy for an application being made to Intact Insurance. The grant funding supports projects seeking to reduce risk of flood or fire and increase regional climate resilience.

The project being proposed by Raincoast Conservation Foundation will be a continuation of work done by Raincoast and Transition Salt Spring over the past few years seeking to harness restorative action at the landscape scale to increase ecological integrity and reduce fire risk in the Salish Sea Region. In particular, a series of webinars will be developed and hosted on fire risk reduction. Raincoast hopes this work will benefit multiple communities in the Island Trust Area.

Chair Smith has provided a recommended letter of support for the Board's consideration.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL:

Staff will prepare the letter on ITC Letterhead for the Chair's signature and send it to Raincoast Conservation Foundation by email.

FINANCIAL:

None

POLICY:

None

IMPLEMENTATION/COMMUNICATIONS:

None

FIRST NATIONS:

None

CLIMATE CHANGE:

This project has potential to assist in public awareness relating to climate change challenges and how they can make a difference in reducing wildfire risks in rural communities.

4 RELEVANT POLICY(S):

The letter of support is in line with ITC Policy 3.3.3 Relationship with External Groups

5 ATTACHMENT(S):

Attachment 1: Proposed Letter of Support

Attachment 2: Intact Insurance MCRG DRAFT Application

RESPONSE OPTIONS

Recommendation(s): That the Islands Trust Conservancy Board approve the letter of support for Raincoast Conservation Foundation’s application to Intact Insurance’s Climate Resilience Grant and direct staff to provide it on behalf of the Islands Trust Conservancy Board.

Alternative 1: That the Islands Trust Conservancy Board approve the letter of support for Raincoast Conservation Foundation’s application to Intact Insurance’s Climate Resilience Grant, with the following modifications: *(insert Board changes here)*.

Alternative 2: That the Islands Trust Conservancy Board not provide a letter of support for Raincoast Conservation Foundation’s application to Intact Insurance’s Climate Resilience Grant.

Prepared By: Carolyn Stewart, A/Manager, ITC



January 21, 2025

Raincoast Conservation Foundation
P.O. Box 2429
Sidney, British Columbia
V8L 3Y3

RE: Letter of support for Raincoast Conservation Foundation's application to Intact Insurance's Climate Resiliency Grant

To whom it may concern,

I am writing on behalf of the Islands Trust Conservancy in support of the project proposed to Intact Insurance's Climate Resiliency Grant by Raincoast Conservation Foundation (Raincoast).

The Islands Trust Conservancy (ITC) is the land protection arm of the Islands Trust. We work together with allies including landholders, local conservancies, environmental organizations, First Nations, governments, charitable foundations, and private donors to protect the unique ecology and environment of the Islands Trust Area in British Columbia (Gulf Islands and Islands in Howe Sound). We believe that the project proposed by Raincoast, called the "Climate Resilience and Equity Across Ecosystems" (CREATE) project, will help to preserve and protect the special places within our area of focus.

The CREATE project seeks to reduce the risk of catastrophic wildfire in island forests through increased community capacity. This project focuses on communities within the globally unique ecological communities of the Salish Sea region, known as the Coastal Douglas-fir Biogeoclimatic Zone (CDF), and surrounding ecosystems of coastal British Columbia, where the majority of land is under private ownership. Knowledge gaps and lack of resources often limit opportunities to proactively address emerging climate realities. This project builds on Raincoast's ongoing efforts ([as recorded in a report published in 2023](#)), to assemble a community of practice focused on building the awareness, knowledge, and skills required to better respond to climate change, specifically catastrophic wildfire.

Because the ITC oversees 115 properties, totaling over 1,385 hectares, we have an interest in improved ecological resilience and reduced fire risk. The Islands Trust Conservancy is part of the community of practice and anticipates attending related events, sharing knowledge and

potentially considering how tested restoration techniques to reduce local fire risk can be used by the Conservancy.

Please consider supporting this work to advance adaptive capacity in the Islands Trust Area.

Sincerely,

Chair, Islands Trust Conservancy

Intact Insurance Municipal Climate Resiliency Grant

ABOUT THE MUNICIPAL CLIMATE RESILIENCY GRANT: The 2024 Municipal Climate Resilience Grants Program is Intact’s climate adaptation granting program to build climate-resilient communities, with a focus on municipalities. Municipalities play a critical role in protecting communities from the impacts of climate change. We are investing \$2 million over 2 years, across Canada in communities to fund practical and effective solutions to protect people from floods or wildfires. Each project will be allocated a maximum of \$200,000.

Tell us about your organization’s mission and describe the services your organization provides (250 words max – at 250).

Raincoast Conservation Foundation (Raincoast) is a team of conservationists and scientists dedicated to safeguarding the lands, waters, and wildlife of coastal British Columbia (BC). Our vision for coastal BC is to protect the habitats and resources of umbrella species while creating safeguards for all species, ecosystems, people, and ecological processes that exist at different scales across the landscape. We operate a research lab at the University of Victoria, a Conservation Genetics Lab, and run a 68-foot Transport Canada certified research/sailing vessel, *Achiever*. Central to our efforts are long-standing relationships with Indigenous communities.

Raincoast’s climate change work focuses on conducting rigorous scientific research informed by Indigenous knowledge and community priorities. We apply this work on the ground by 1) creating opportunities for communities to engage with and implement our findings to make local, place-based change and 2) advocating for systemic mobilization by decision- and policy-makers.

Raincoast’s Forest Conservation Program (FCP) includes ecological research, community science, public outreach, and a land trust. The FCP’s goal is to identify measures that will protect Coastal Douglas fir (CDF) ecosystems in BC and promote resilience at a time of increasing development on and around the Southern Gulf Islands, which contain over 25% of CDF habitats.

Raincoast’s FCP in partnership with the Climate Adaptation Research Lab (CARL) at Transition Salt Spring (TSS), have been advancing landscape-scale wildfire management efforts in coastal BC through collaborative workshops. These efforts focus on integrating

Indigenous knowledge and western science to enhance climate resilience and restore ecological balance in fire-prone areas.

Project or initiative name: CREATE (Climate Resilience and Equity Across The Ecosystem)

Project summary (100 words max – at 100 words).

CREATE is a training program that seeks to build capacity and equitable climate change resilience within the governance of the Salish Sea Region. This will be executed through a series of structured activities tailored to the unique community needs and local ecological conditions of the region. This project takes a landscape-level scope for climate change adaptation and assembles a community of practice of land and rights holders, universities, not-for-profit organizations, and others. There is a regional consensus that we must fill gaps in knowledge and capacity to address climate change impacts, like wildfire risk, while using equitable and ecologically-informed approaches.

Is this project best described as

- Wildfire Resiliency Project
- Flood Resiliency Project

Describe the problem or challenge this project will address (250 words max – at 226 words).

Local governments in the Salish Sea Region are over capacity and under-resourced to serve the human and non-human communities of the region where populations are small, siloed, largely rural, and land is mostly under private ownership. There is imminent need for innovative yet feasible approaches to landscape-scale fire management that prioritize 1) the promotion of ecological health and 2) support of local economies. Operationalizing such approaches would necessitate a transition from the fire suppression activities widely practiced across Canada since settler arrival toward more ecologically-informed active management strategies at local and regional levels. Examples include watershed protection and integration of Indigenous knowledge with Western science into fire management decisions.

The Salish Sea Region, and more broadly the south coast of BC, lack the capacity and training programs that exist or are emerging for other regions of the province.

Locally-specific information and education about wildfire dynamics and both human and forest health impacts are needed both for the public and Salish Sea regional governments to understand the close-to-home realities around wildfire and wildfire risk. Salish Sea regional wildfire risk reduction is only possible by bringing together diverse knowledge and creating opportunities for collaboration between land managers, ecologists, fire managers, and Indigenous communities. Switching focus away from reacting as emergencies arise toward more long-term solutions that emphasize ecological sustainability is needed to overcome barriers to effective wildfire management.

What solution are you looking to implement through this project and how does it address risk (250 words max – at 250 words).

CREATE proposes two modes of training: 1) Basic Technical Assistance and 2) In-depth Technical Assistance.

Basic Technical Assistance will consist of one activity tailored to train Indigenous governments, local government elected officials, administrators, planners, and policy makers to systemically integrate equitable climate resilience strategies into relevant streams of government.

In-depth Technical Assistance will consist of four activities training local and Indigenous government operational staff to implement equitable climate resilience strategies. We will effectively ‘train the trainers’ within the region’s local governments to build capacity for direct climate adaptation action. Training regional planners and managers will build institutional memory and ensure continued knowledge growth and skill building.

An important aspect of this project will be the completion of a needs assessment to inform the design of an Indigenous-specific branch of capacity building training. Working collaboratively alongside Indigenous partners to build these learning opportunities will ensure all training under this umbrella is conducted in alignment with principles of Truth and Reconciliation.

Recognizing the need for on-site capacity to understand and manage climate risk within coastal communities, CREATE’s region-specific training will transform local governments from a reactive to proactive state. Training will draw from emerging climate science, tools, and technologies now being used to adapt to climate change and extreme weather events. It will culminate in an online, open-access, and region-specific climate adaptation resource hub, Climate Data Resource Web Portal, which will be continuously updated to support successful integration and implementation of equitable climate resilience strategies throughout the coastal ecosystems of southern BC.

Please indicate if you believe this project can be scaled to a community-wide initiative or replicated in another community.

Yes

No

Where will your initiative/project have an impact? Please select the province(s) in which your project will be based and have an impact.

British Columbia

Please provide details on where (e.g., municipality(ies), community(ies), region(s), etc.) your initiative will primarily take place.

The Capital Region District (CRD) including the Southern Gulf Islands and Saanich Peninsula, commonly referred to as the 'Salish Sea Region' by local residents and communities.



REQUEST FOR DECISION

To: Islands Trust Conservancy Board
For the Meeting of: January 21, 2025

From: Staff
Date Prepared: January 3, 2025

SUBJECT: Owl's Call NAPTEP Covenant, Salt Spring Island, Monitoring Report 2024

RECOMMENDATION(S): That the Islands Trust Conservancy Board accept the third-party 2024 monitoring report for Owl's Call NAPTEP Covenant, Salt Spring Island and direct staff to add a summary of this report to the 2024 *Islands Trust Conservancy NAPTEP Covenant Monitoring Report* as an addendum.

1 PURPOSE: To review the 2024 monitoring report for Owl's Call NAPTEP Covenant, which was prepared by a third party and not received in time to be included in the 2024 *Islands Trust Conservancy NAPTEP Covenant Monitoring Report* when it was presented to the ITC Board at its November 19, 2024 meeting. If accepted, a summary of the report will be included in the *Islands Trust Conservancy NAPTEP Covenant Monitoring Report 2024* as an addendum.

2 BACKGROUND: The Owl's Call NAPTEP Covenant is unique in that it was never amended when the NAPTEP Program was reviewed in 2007 and NAPTEP covenant landholders were no longer required to provide an annual written monitoring report on the state of their covenant. The landholder prefers to contract Registered Professional Biologist Kathleen Reimer to monitor the covenant each year.

The 2024 monitoring survey was completed on November 18 by Kathleen Reimer with two assistants. The report was submitted to ITC staff on December 30. No violations were reported. Notable observations include a windfall tree across the creek, for which there was no permanent damage done to the stream bed, and vegetation establishment on the floodplain deposits that were left by 2021 storm events. The monitors report that while some non-native species were observed, there was no sign of Scotch broom, which has been reduced from the large patch that existed when the covenant was registered thanks to management efforts by the covenant landholder.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: Monitoring reports helps set priorities for NAPTEP covenant management and landholder stewardship, and identify the actions needed to resolve violations.

FINANCIAL: The property management budget is allocated each year depending on available funds and the work that is most needed, balanced between all ITC protected areas. The monitor's report does not indicate a need for management action requiring financial support.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will notify the landholder that their annual report has been accepted by the ITC Board and will remind them of the covenant agreement’s requirements for the annual monitoring survey to be completed between April and June and the annual report submitted before August 1 of each year. No management actions are recommended in the monitor’s report.

FIRST NATIONS: Where the ITC undertakes any restoration work, it will check the archaeological sites database for archaeological sites prior to soil disturbance. The ITC will also request that landholders investigate archaeological sites prior to disturbing soil for restoration, trail building or other activities. More generally, the monitoring report can be used to help identify local or regional land stewardship issues of mutual interest when working with First Nations. Staff will follow the draft *Islands Trust Cultural Protocol for Chance Finds and Ancestral Remains* as required and will request that covenant landholders do the same when working in covenant areas.

CLIMATE CHANGE: Annual monitoring reports provide staff with the most current information on the state of the land, which helps to contextualize information about climate change, allows for site-specific predictions of changes to the land, and supports development of mitigation and adaptation strategies.

OTHER: None.

4 RELEVANT POLICY(S):

ITC 2.5 Natural Area Protection Tax Exemption Covenants
ITC 2.8 Covenant Enforcement Policy

5 ATTACHMENT(S): Owl’s Call NAPTEP Covenant Monitoring Report 2024

RESPONSE OPTIONS

Recommendation(s): That the Islands Trust Conservancy Board accept the third-party 2024 monitoring report for Owl’s Call NAPTEP Covenant, Salt Spring Island and direct staff to add a summary of this report to the 2024 *Islands Trust Conservancy NAPTEP Covenant Monitoring Report* as an addendum.

Alternatives: None recommended

Prepared By: Jemma Green, Covenant Management & Outreach Specialist

Reviewed By / Date: Carolyn Stewart, A/Manager, ITC January 10, 2024

ISLANDS TRUST CONSERVANCY BOARD SITE MONITORING FORM 2024

Name of Property	Owl's Call	Island	Salt Spring
Name of Monitor(s)	Kathleen Reimer RPBio. James Reimer,	Previous Monitor(s)	Kathleen Reimer James Reimer
Year/Month/Day	2024/11/18	Last date inspected	Nov, 29, 2023
Type of Protected Area	NAPTEP covenant	Weather	clear
Covenant area (ha)	3.31	Property area (ha)	6.63
Time started	130pm	Time finished	320 pm
Directions to site	From Fulford Terminal travel north on Fulford-Ganges Road for 8km. Turn left on Duke's Road and proceed 1km. to 299 Dukes Rd.		
List of persons present	Kathleen Reimer, James Reimer and SEP part time employee, Durham Peace		
Owner Name;	Elizabeth Nickson	Co-Covenant Holder Name	
Date Notified		Date Notified	
Warden Name		Management Group Name	
Date Notified		Date Notified	
Notes/Issues from previous visit(s)			

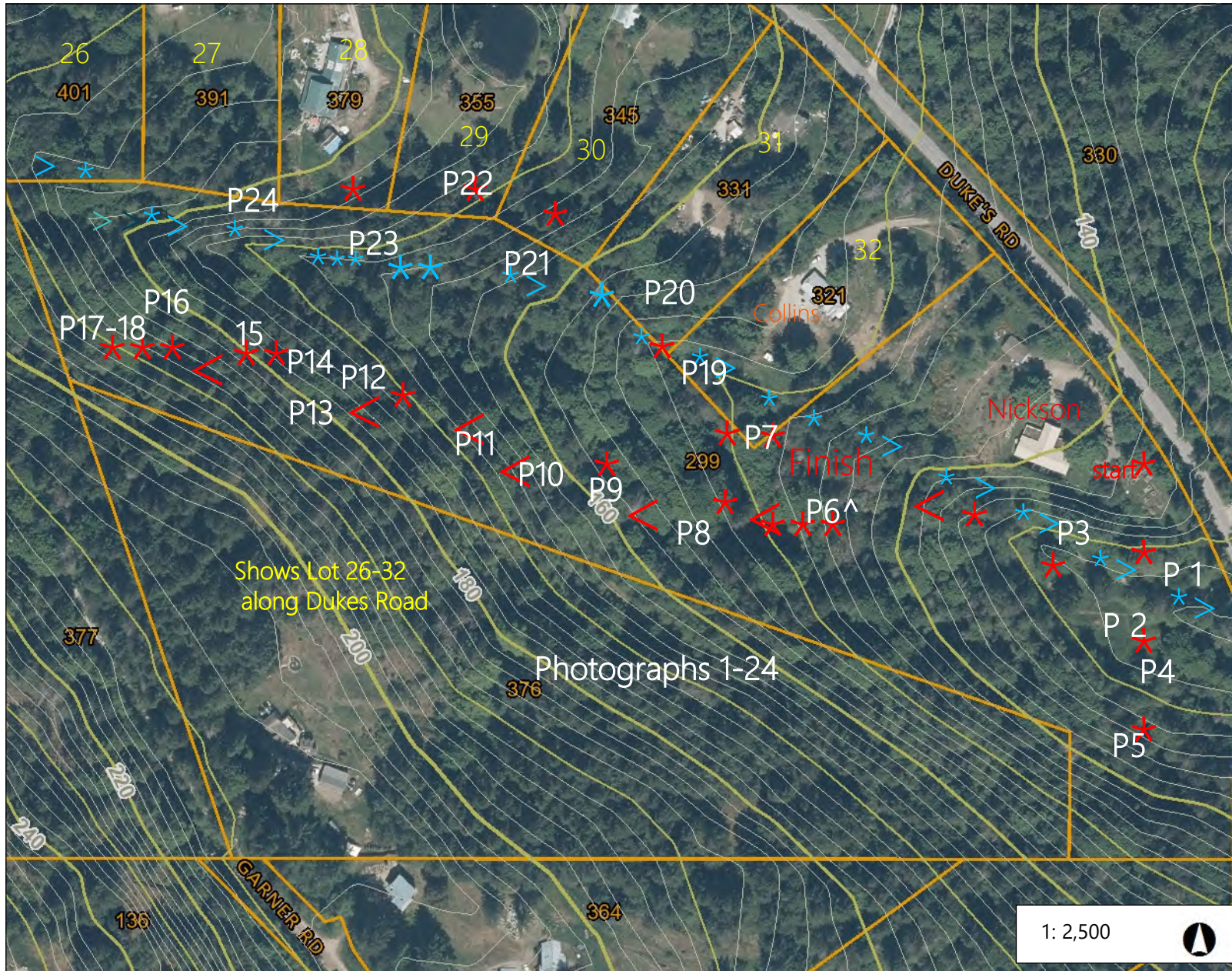
MONITORING INSPECTION QUESTIONS	Y	N	N/A	COMMENTS
Have there been any changes to access? Directions to the site?		x		
Soil, gravel or rock disturbance, dumping or removal?		x		
Tree cutting, trimming, removal, planted? Live or dead trees?	x			During the recent windstorm, a tree became uprooted and fell down the bank across the creek near the boundary of Lot 32 and Elizabeths property. There was no permanent damage done to the stream bed. We will monitor it over the winter.
Vegetation disturbed, destroyed, moved planted?		x		
Alteration or interference with hydrology, wetlands, body of water?		x		
Evidence of pollution or contamination? Land or water?		x		
Evidence that buildings, fixtures, structures, water works, ditches have been added or removed?		x		
Evidence that roads, paths, trails have been built? Describe location, type, use and		x		Existing trails have no negative impact

MONITORING INSPECTION QUESTIONS	Y	N	N/A	COMMENTS
probable age.				
Deterioration of existing trails?		x		
Is there litter, dumping, abandoned vehicles? Where/type/age?		x		
Is there evidence of trespass? Foot/vehicle/animal?		x		
Have any signs been put up on the land?		x		
Structures/signage on the land in need of repair? (e.g. signs, benches, bridges, fences, gates, parking areas, etc)		x		
Have there been activities on the land or on surrounding lands that may impact its environment?		x		
Did you observe any condition that might warrant closing access to protect public safety and/or habitat?				N/A
Did you encounter any people during your inspection? Number and activity?		X		
Did you encounter any wildlife? Number and type.		x		
Did you observe any rare, endangered, unusual flora and fauna?	x			The old growth trees have survived the drought and the wind storms
Did you observe any invasive plants? If so, describe location and estimate percentage.	x			There are a few plants that may be a non-native species. The broom is all gone
General comments on the site (including natural history observations).	x			Flood damage from previous years extreme flooding was being covered with new vegetation

Covenant Holder's Additional Comments	Landowner's Additional Comments

Monitor's Recommendations/Comments
This property has the most intact and natural Riparian Area in the Fulford Creek watershed. Monitoring it every year is a real pleasure.

*** PLEASE SHOW ROUTE TAKEN DURING INSPECTION ON ATTACHED MAP ***



Legend

- Shoreline 1.6m
- 1m
- Hundred
- Twenty
- Ten
- Five
- Metre

Bathymetry

- 2
- 5
- 10
- 20
- 30
- 50
- 100
- 200

Fulford Cr.

our route

Notes

127.0 0 63.5 127.0 Meters

NAD_1983_UTM_Zone_10N
© Capital Regional District

Important: This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of the map for any purpose. This map is not for navigation. The CRD will not be liable for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

Covenant Monitoring 2024 Photographs

<p>Photo 1. The pond near Dukes Road</p>	<p>Photo 2 the junction of the two creeks</p>
	
<p>Photo 3. Looking up Fulford Creek</p>	<p>Photo 4. Garner Road tributary</p>
	

Photo 5. Further up Garner Creek



Photo 6. On the trail to the top of the covenant



Photo 7. Big log jam caused by a tree on Collins property falling across the creek.



Photo 8. The little spring further up the trail.



Photo 9. The first covenant pin at the top of the hill # 1182/IPCov



Photo 10. IPCov, second pin



Photo 11. The fern valley



Photo12. Covenant marker near second growth tree



Photo 13. Lots of Fungi this year



Photo 14. Cov. Pin 1185 IPCov.



Photo 15. View of the covenant area from the west boundary



Photo 16. Looking down the bank at the top of the covenant



17. Survey marker along property boundary



18. The southwest corner of the covenant Boundary . Survey marker #1189



19. Back at the creek near lot 32



20. The tree house on Lot 31.



Photo 21. Boundary between lots 31/30



Photo 22. Lots 30/29



Photo 23. Along the boundary of lot 29



Photo 24. Cov. Pin near survey ribbons



Photo 25. The ant hills are still there



Photo 26.



Photo 27. Lot 28/29



Photo 28. Irregularly topped tree



Photo 29. Another huge tree inside the covenant



Photo 30. Back down at the creek below Lot 32



Photo 31. At Elizabeth's gate on the north side of the covenant





REQUEST FOR DECISION

To: ITC Board **For the Meeting of:** January 21, 2025
From: Staff **Date Prepared:** January 10, 2025

SUBJECT: Galiano Conservancy Association Water Sustainable Act Application including Vanilla Leaf Land Nature Reserve, Galiano Island

RECOMMENDATION:

That the Islands Trust Conservancy Board approve the request by the Galiano Conservancy Association to include Vanilla Leaf Land Nature Reserve, Galiano Island, in Galiano Conservancy Association's application for a Section 11 Change Approval under the Water Sustainability Act. Any work to be done in Vanilla Leaf Land Nature Reserve will be subject to further information and approval by the Islands Trust Conservancy Board if and when the application is approved.

- 1 PURPOSE:** To give permission to the Galiano Conservancy Association to include Vanilla Leaf Land Nature Reserve in their application for a Section 11 Change Approval under the Water Sustainability Act.
- 2 BACKGROUND:** The Galiano Conservancy Association (GCA) is submitting an application for a Section 11 Change Approval to allow them to complete work around waterbodies on their properties Quadra Hill (red boundary in Figure 1 and 2 below) and Great Beaver Swamp (pink boundary in Figure 1 and 2 below, where ITC is the covenant holder) and could potentially include work on Vanilla Leaf Land Nature Reserve (VLNR) (white boundary in Figure 1 and 2 below). Any work that will cause a change in or around a water course or waterbody must be formally approved by applying at FrontCounter BC for a Section 11 Change Approval under the Water Sustainable Act. The work must meet the requirements of the Water Sustainability Regulation, and comply with any conditions set out by a habitat officer in response to the application.

GCA plans to:

- Create additional wetland and breeding habitat upstream on Quadra Hill to support species that make their home in the Great Beaver Swamp.
- Improve water storage capacity upstream of the Great Beaver Swamp, reducing downstream flood risk and increasing groundwater recharge.
- Reduce upstream erosion from creek flow issuing down logging road, and reduced runoff from logging roads in general.

There is a portion of an old logging road on VLNR that floods each winter due to beaver activity blocking a culvert (see photos 1 and 2 below). The flooding is likely to get worse over time as more of the road base erodes. This road has been flagged as a potential "emergency access route" in the 2011 Galiano OCP and GCA is in conversation with emergency services right now about it and they are working on opening up a different emergency egress route that is in much better repair. There is also an alternative route on the Quadra Hill property that GCA is preserving (see heavy yellow dotted line in Figure 1 and 2 below).

The Galiano Mid-Island Protected Areas Network trail (see the orange trail in Figure 2) goes along a

portion of this road where it is flooding. GCA acquired the Quadra Hill property in recent years and there is more opportunity to reroute the trail into an area less prone to erosion. There is the potential of deactivating the old logging road and constructing a boardwalk over the narrow section of road base that could be left behind.

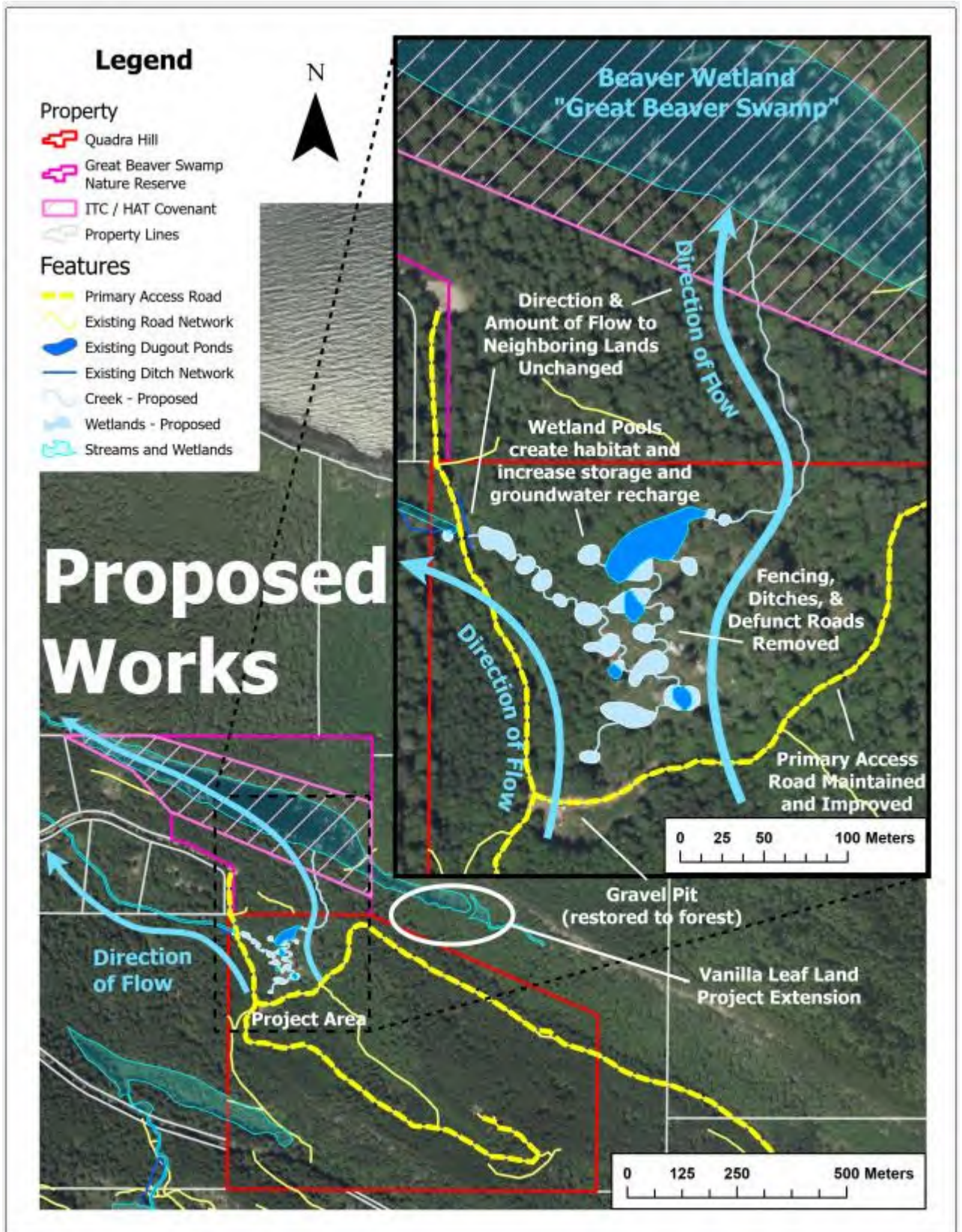


Figure 1: Proposed Work on Quadra Hill and Great Beaver Swamp

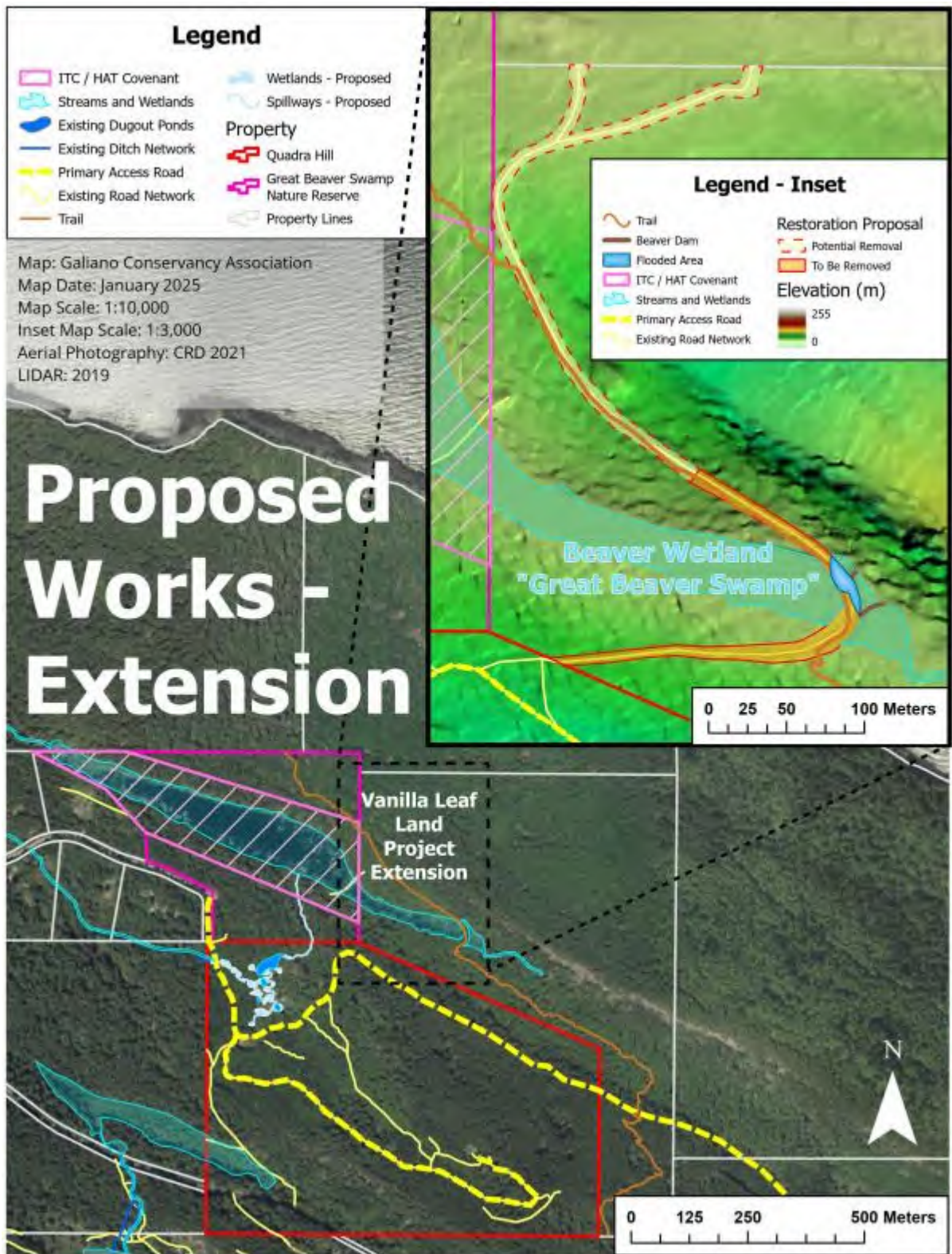


Figure 2. Proposed works including VLNR .



Photos 1 and 2: Flooding of the road through VLNR covered in water, January 7, 2025 due to beavers plugging the culvert located where the tool is being used to unplug.

A full restoration plan will be brought to the ITC Board after there is approval of GCA's application under the Water Sustainability Act. Giving approval to submit an application does not obligate ITC to undertake any work on VLNR, it just enables GCA to complete the first step of getting approval for this work.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: Staff time will be required to communicate the decision to the Galiano Conservancy Association (GCA) so they can add VLNR to their application.

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will provide the ITC Board response to GCA and continue communication as their work plans unfold.

FIRST NATIONS: ITC has not completed any First Nations engagement at this time.

CLIMATE CHANGE: Healthy wetlands are biodiversity hotspots that can greatly contribute to building climate resilience and are efficient in sequestering carbon.

OTHER: None

4 RELEVANT POLICY(S):

[ITC Policy 3.2.3, Acquisition and Management of Land](#)

5 ATTACHMENT(S): None

RESPONSE OPTIONS

Recommendation:

That the Islands Trust Conservancy Board approve the request by Galiano Conservancy Association to include Vanilla Leaf Land Nature Reserve, Galiano Island, in Galiano Conservancy Association's application for a Section 11 Change Approval under the Water Sustainability Act. Any work to be done in Vanilla Leaf Land Nature Reserve will be subject to further information and approval by the Islands Trust Conservancy Board if and when the application is approved.

Alternative:

That the Islands Trust Conservancy Board direct staff to tell the Galiano Conservancy Association that they do not approve having Vanilla Leaf Land Nature Reserve included in their application to complete wetland restoration work for the following reasons: *[insert reasons]*

Prepared By: Nuala Murphy, Property Management Specialist

Reviewed By/Date: Carolyn Stewart, A/Manager, Islands Trust Conservancy, January 13, 2025



REQUEST FOR DECISION

To: ITC Board **For the Meeting of:** January 21, 2025

From: Staff **Date Prepared:** January 2, 2025

SUBJECT: Development Permit Referral BO-DP-2024-0196, Bowen Island

RECOMMENDATION:

That the Islands Trust Conservancy Board direct staff to draft a letter to the Bowen Island Municipality regarding Referral BO-DP-2024-0196 indicating that, based on the information provided and proposed recommended measures to avoid and/or minimize potential impacts, the Board has the following comments to add to ensure the project will not negatively impact the David Otter Nature Reserve (DONR):

- The south boundary of the applicant property which abuts DONR, is considered a 'rear lot line', which requires a setback of 7.5 m, no infrastructure should be built within this setback
 - The applicant needs to arrange an analysis, conducted by an agreed upon qualified arborist, to determine if any trees currently on DONR may cause a danger to the new infrastructure and what work needs to be done to make them safe.
 - The applicant needs to ensure that no trails or infrastructure lead onto DONR, or are so close to the boundary that they might encourage people to trespass onto DONR. The applicant will install boundary signage and possibly barriers.
 - The applicant must ensure protections are put in place to protect Northern red-legged frog (*Rana aurora*) during construction. They are known to be present in DONR and are very likely to be on the applicant's property as well.
 - DONR is part of the federal Ecological Gift Program and BIM holds covenants on DONR protecting it further (Covenants BA146488, BA146494, and BA146495). The importance of protecting DONR should be of primary consideration in assessing this application.
-

- 1 PURPOSE:** To provide a response to the referral of an application for a Development Permit (DP) in the Watershed, Aquifer, and Stream Protection Development Permit Area (WASP) to develop a Bed and Breakfast operation directly adjacent to the David Otter Nature Reserve, Bowen Island.
- 2 BACKGROUND:** The Bowen Island Municipality (BIM) has received an application for a Development Permit (BO-DP-2024-0196) to allow the development of a bed and breakfast operation in the Watershed, Aquifer, and Stream Protection Development Permit Area (WASP) at 1273 Hikers Trail Road, Bowen Island. It is located in the Settlement Residential zone of the Land Use Bylaw, which allows for residential use and limited home occupation activities including bed and breakfast. The proposed development is on the property directly adjacent to the ITC owned [David Otter Nature Reserve](#) (DONR) (see Figure 1). DONR is the lot south of 1273. Please see Attachment 1 for the complete referral letter from BIM and the list of proposed buildings and additions including the site plan (see Figure 2).



Figure 1. Zoning map with 1273 Hikers Trail Road circled in red, directly north of DONR.

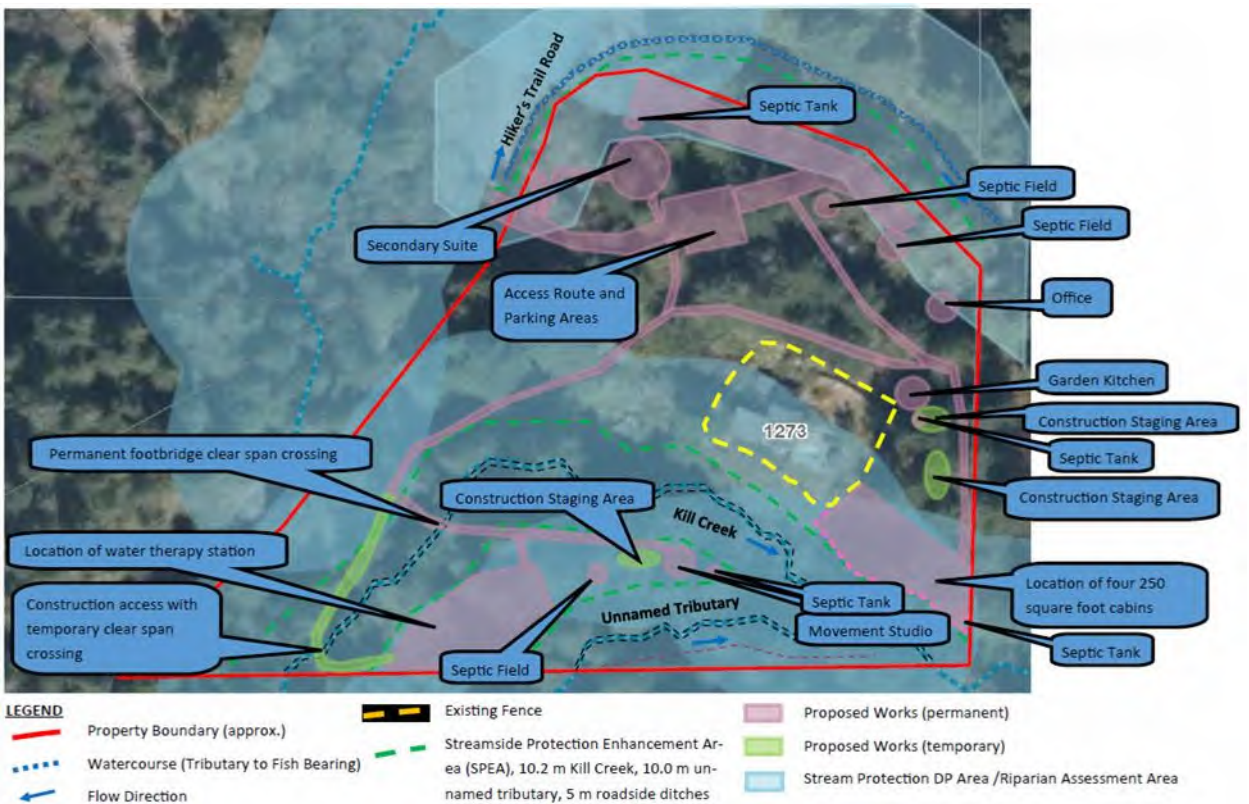


Figure 2: Proposed site plan

An Environmental Assessment has been completed by a Registered Professional Biologist (Attachment 2). It includes field surveys which determined that there is a moderate to high potential of 1 sensitive plant species and 25 sensitive animal species to occur within the property, and an environmental management plan (EMP) to detail the recommended measures to avoid and/or minimize potential impacts to these species of management concern as well as the natural environment during the construction phase of the project. Kill Creek and an unnamed tributary (which both flow into DONR) are mapped on both Schedule B-3 (Fish and Riparian Protection

Areas) and Schedule B-4, of the Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 301, 2011, the southern portion of the property is within a WASP Development Permit Area. Kill Creek and the unnamed tributary are identified as “tributary to fish bearing”. In addition, the roadside ditches on the west side of Hikers Trail Road and the south side of Mount Gardner Road are tributary to Bolton Creek. The Riparian Areas Protection Regulation (RAPR) Assessment conducted determined that the Stream Protection Enhancement Area (SPEA) for Kill Creek is 10.2 m; the SPEA for the unnamed tributary is 10 m; and, the SPEA for both of the roadside ditches is 5 m.

There has been some initial discussion between the applicants, BIM planners and ITC staff. The following has been noted by ITC staff:

- DONR is closed to the public, treed and managed for conservation with no maintained trails that make it necessary to evaluate danger trees.
- The south boundary of the property which abuts DONR, is considered a ‘rear lot line’, which requires a setback of 7.5 m.
- The location designated as the ‘water therapy station’ is very close the property boundary with DONR and that care must be taken to ensure that nothing is built within the setback of 7.5 m. Final design and placement of the buildings has not been finalized yet.
- Will any proposed infrastructure result in trees having to be evaluated as a danger? A qualified arborist may need to be brought in to determine what trees may be a danger to the new infrastructure, to be discussed further with the biologist who completed the environmental assessment.
- It is difficult to determine where the trails will be and how close the guests of the B&B will come to the DONR boundary. Since DONR is closed to the public there should be no trails or infrastructure that leads onto DONR or are so close to the boundary that they encourage people to trespass onto DONR. Signage and barriers may be required.
- Northern red-legged frog (*Rana aurora*) have been found on DONR and should be considered as present and protections for it put in place on the applicants property as the stream networks are connected.
- DONR is part of the federal Ecological Gift Program and BIM holds covenants on DONR protecting it further (Covenants BA146488, BA146494, and BA146495). The importance of protecting DONR should be of primary consideration in assessing this application.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: Staff time will be required to communicate the decision to the Bowen Island Municipality (BIM).

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will provide the ITC Board response to the BIM and continue communication with the applicants/neighbours about their plans, who are also volunteer stewards of DONR.

FIRST NATIONS: BIM is responsible for First Nations engagement as part of their planning process.

CLIMATE CHANGE: DONR contains two blue-listed ecological communities and its proximity to Crippen Regional Park and additional mature forest communities contained within the Crown lands to the south and west of the reserve make it a potentially important corridor and buffer for these adjacent areas. The increasing frequency and intensity of winter storms due to climate change can have adverse effects on DONR, such as large-scale windthrow events. There has been

more blowdown events in recent years. Climate change may also affect the moisture levels in the two streams that flow through DONR and hot, dry conditions can lead to an increase in wildfires. It is unknown if the changes in the neighbouring property from this application proposal will impact DONR as the climate changes.

OTHER: None

4 RELEVANT POLICY(S):

[ITC Policy 3.1, Islands Trust Conservancy and Local Planning Services Coordination](#)

This Policy does not include BIM.

5 ATTACHMENT(S):

- 1) Referral of Development Permit Application BO-DP-2024-0196
 - 2) Environmental Assessment Report
-

RESPONSE OPTIONS

Recommendation:

That the Islands Trust Conservancy Board direct staff to draft a letter to the Bowen Island Municipality regarding Referral BO-DP-2024-0196 indicating that, based on the information provided and proposed recommended measures to avoid and/or minimize potential impacts, the Board has the following comments to add to ensure the project will not negatively impact the David Otter Nature Reserve (DONR):

- The south boundary of the applicant property which abuts DONR, is considered a 'rear lot line', which requires a setback of 7.5 m, no infrastructure should be built within this setback
- The applicant needs to arrange an analysis, conducted by an agreed upon qualified arborist, to determine if any trees currently on DONR may cause a danger to the new infrastructure and what work needs to be done to make them safe.
- The applicant needs to ensure that no trails or infrastructure lead onto DONR, or are so close to the boundary that they might encourage people to trespass onto DONR. The applicant will install boundary signage and possibly barriers.
- The applicant must ensure protections are put in place to protect Northern red-legged frog (*Rana aurora*) during construction. They are known to be present in DONR and are very likely to be on the applicant's property as well.
- DONR is part of the federal Ecological Gift Program and BIM holds covenants on DONR protecting it further (Covenants BA146488, BA146494, and BA146495). The importance of protecting DONR should be of primary consideration in assessing this application.

Alternative:

That the Islands Trust Conservancy Board direct staff to draft a letter to the Bowen Island Municipality regarding BO-DP-2024-0196 indicating that the Board recommends that the Development Permit be declined for the following reasons: *[insert reasons]*

Prepared By: Nuala Murphy, Property Management Specialist

Reviewed By/Date: Carolyn Stewart, A/Manager, Islands Trust Conservancy, January 11, 2025

October 10, 2024

Bowen Island Municipality
981 Artisan Lane
Bowen Island, BC
V0N 1G2

Re: DP-2024-0196

Patricia Salib and Boris Nikic

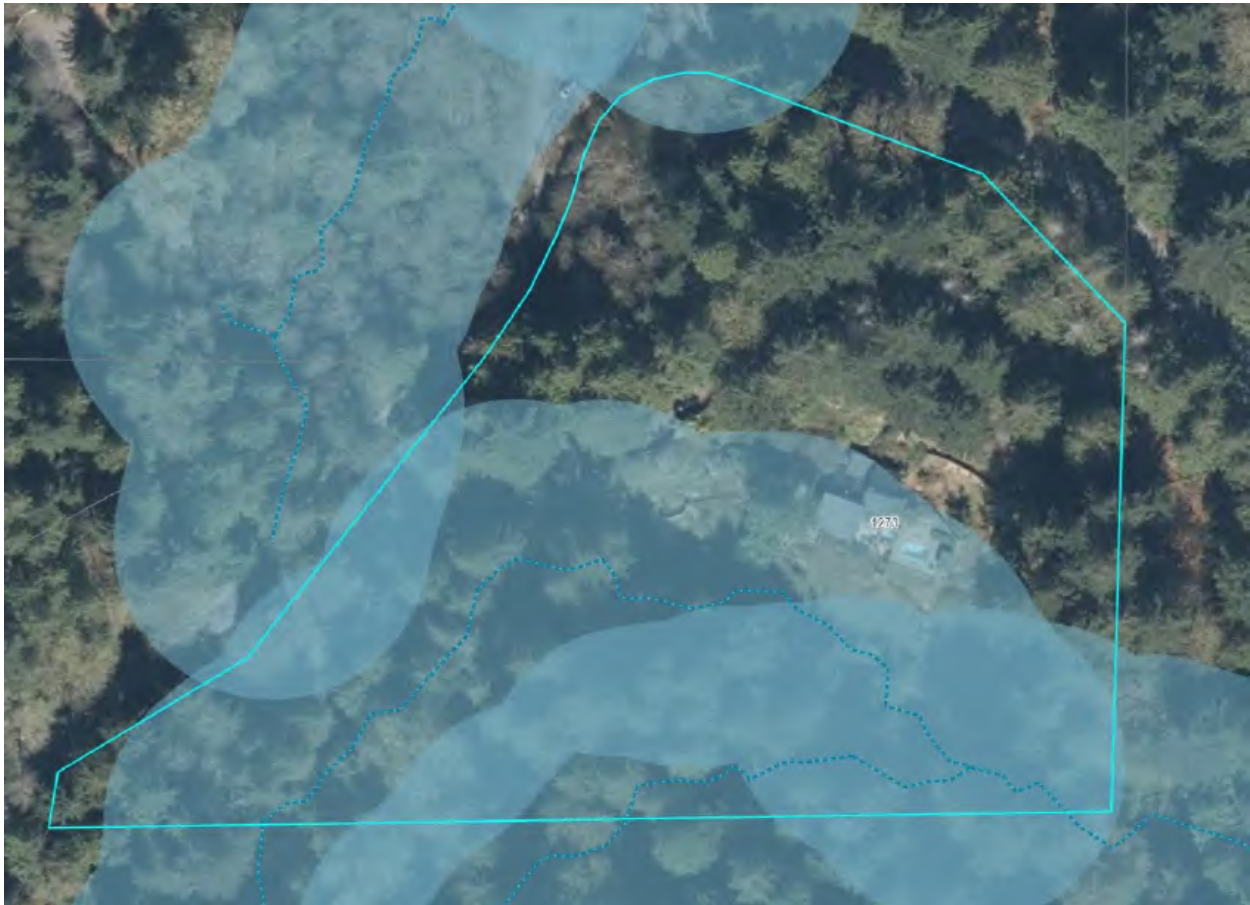
1273 Hikers Trail Road

LOT A DISTRICT LOTS 6014 AND 6015 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP27043

PID: 026-873-818

Bowen Island Municipality has received an application for a Development Permit (DP) in the Watershed, Aquifer, and Stream Protection Development Permit Area. The property is 1.8 ha (4.45 acres) and is located in the Settlement Residential (SR2(c)) of the Land Use Bylaw, which allows for residential use and limited home occupation activities including bed and breakfast.

Orthophoto of Site:

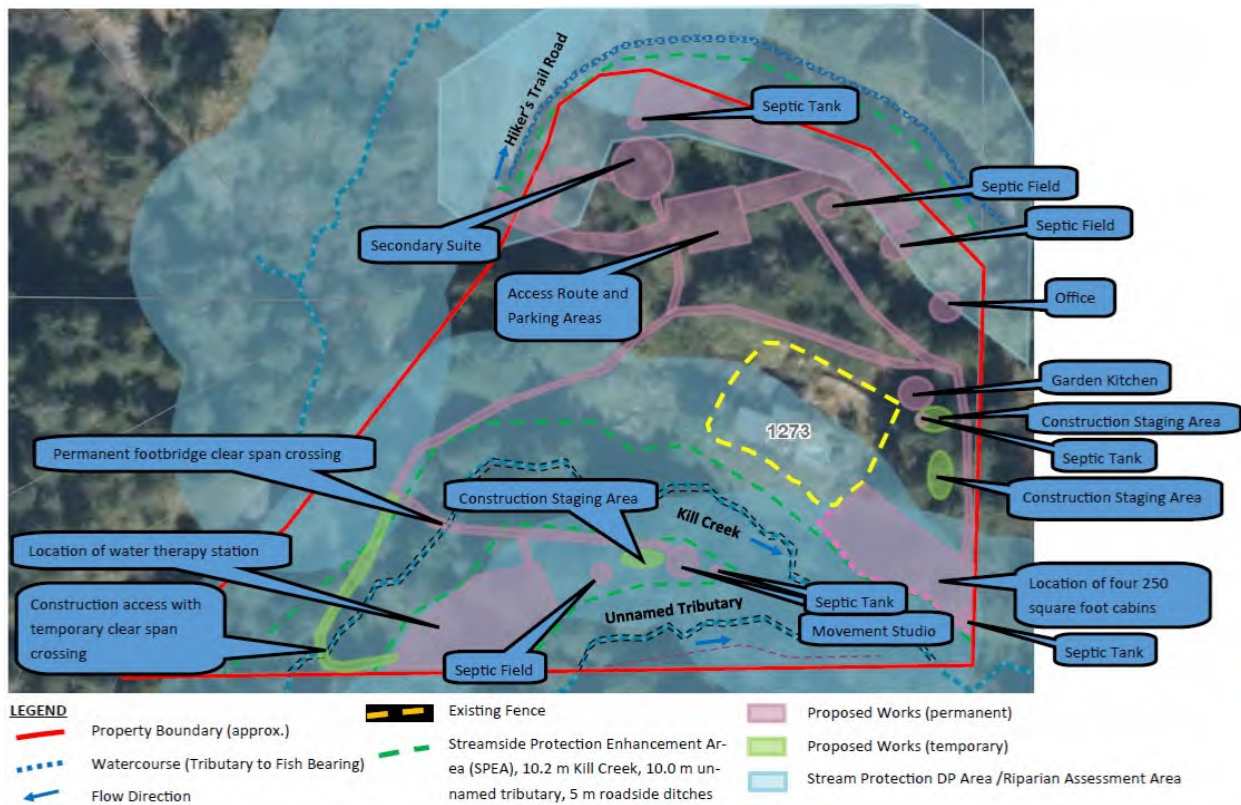


Zoning Map:

Site is circled in red.



Site Plan:



Application

The applicant has applied for a Development Permit to develop a bed and breakfast operation on the property at 1273 Hikers Trail Road, which is within the Watershed, Aquifer and Streamside Protection Development Permit Area (WASP). There is an existing residence with several sheds and a swimming pool and the property. The proposed new additions to the property are as follows:

- Clearing and grading for site preparation
- Construction of four cabins (approx. 23.25 sq m each)
- Construction of a movement studio (92 sq m)
- Construction of a garden kitchen breakfast area (not to exceed 55 sq m)
- Construction of a secondary detached suite (120 sq m)
- Construction of a structure for water therapy station (30 sq m)
- Construction of a detached office (10 sq m)
- Installation of new septic systems for the water therapy station, detached secondary suite, garden kitchen breakfast area, as well as the cabins
- Stormwater detention pits associated with each structure
- Rainwater retention system for water system
- Regrading and the placement of gravel to reactivate an existing access road
- The installation of overhead power for the proposed water therapy station from the existing utility poles
- Trenching for water from the existing source to the water therapy station

- Trenching for water from the existing source to the secondary suite, cabins, and garden kitchen
- Access routes to the secondary detached suite
- Parking areas
- Temporary access routes for construction of the proposed development including a temporary clear span crossing of Kill Creek
- Permanent pedestrian access trails including a permanent clear span crossing of Kill Creek

An environmental review has outlined an Environmental Management Plan (EMP) with recommendations on wildlife and aquatic resources, sediment and erosion control, equipment storage and maintenance, waste disposal, accidental hydrocarbon-based fluid spills, concrete use, and clear span bridge installation, to ensure that the proposed development is completed in a manner that protects water quality and habitat. Provided that the EMP is implemented, the development is not expected to significantly impact any of the identified sensitive species or habitat. I have included a copy of the environmental report for your review.

The biologist determined that the roadside ditches on the south side of Hikers Trail Road and the west side of Mount Gardner Road are tributary to Bolton Creek, which is a fish bearing stream. A RAPR assessment of those ditches was conducted.

All construction and proposed facilities are outside the SPEA of Kill Creek and the unnamed tributary except for two crossings – one will be a temporary construction access route to the proposed water therapy station and movement studio, the other will be a permanent pedestrian clear span bridge downstream of the temporary construction access to provide pedestrian access to the water therapy station and movement studio.

I would appreciate your preliminary review of this application. Please advise by October 24, 2024 if you have any comments, concerns, or requirements for this application. I can be contacted at 604-947-4255 ext. 233 or by email at dbakken@bimbc.ca.

Thank you,

Drew Bakken

Island Community Planner

ENVIRONMENTAL ASSESSMENT

1273 HIKERS TRAIL ROAD, NEXWLÉLEXWM (BOWEN ISLAND), BC

Submitted to:

Patricia Salib and Boris Nikic
1273 Hikers Trail Road
Nexwlélexwm (Bowen Island), BC
V0N 1G2

Prepared by:

Maddison Consultants, Ltd.
1265 Adams Road
Nexwlélexwm (Bowen Island), B.C.
V0N 1G2
(604) 838-2321

Maddison Consultants Project No. M297



September 20, 2024

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APPENDICES

- A: SENSITIVE SPECIES
- B: DATA SHEET
- C: DETAILED RIPARIAN AREAS PROTECTION REGULATION ASSESSMENT
- D: SITE PHOTOGRAPHS
- E: RESUME
- F: PLANT AND ANIMAL SPECIES OBSERVED ON SITE
- G: REPORTABLE LEVELS FOR CERTAIN SUBSTANCES
- H: REGULATORY SETTING

INTRODUCTION

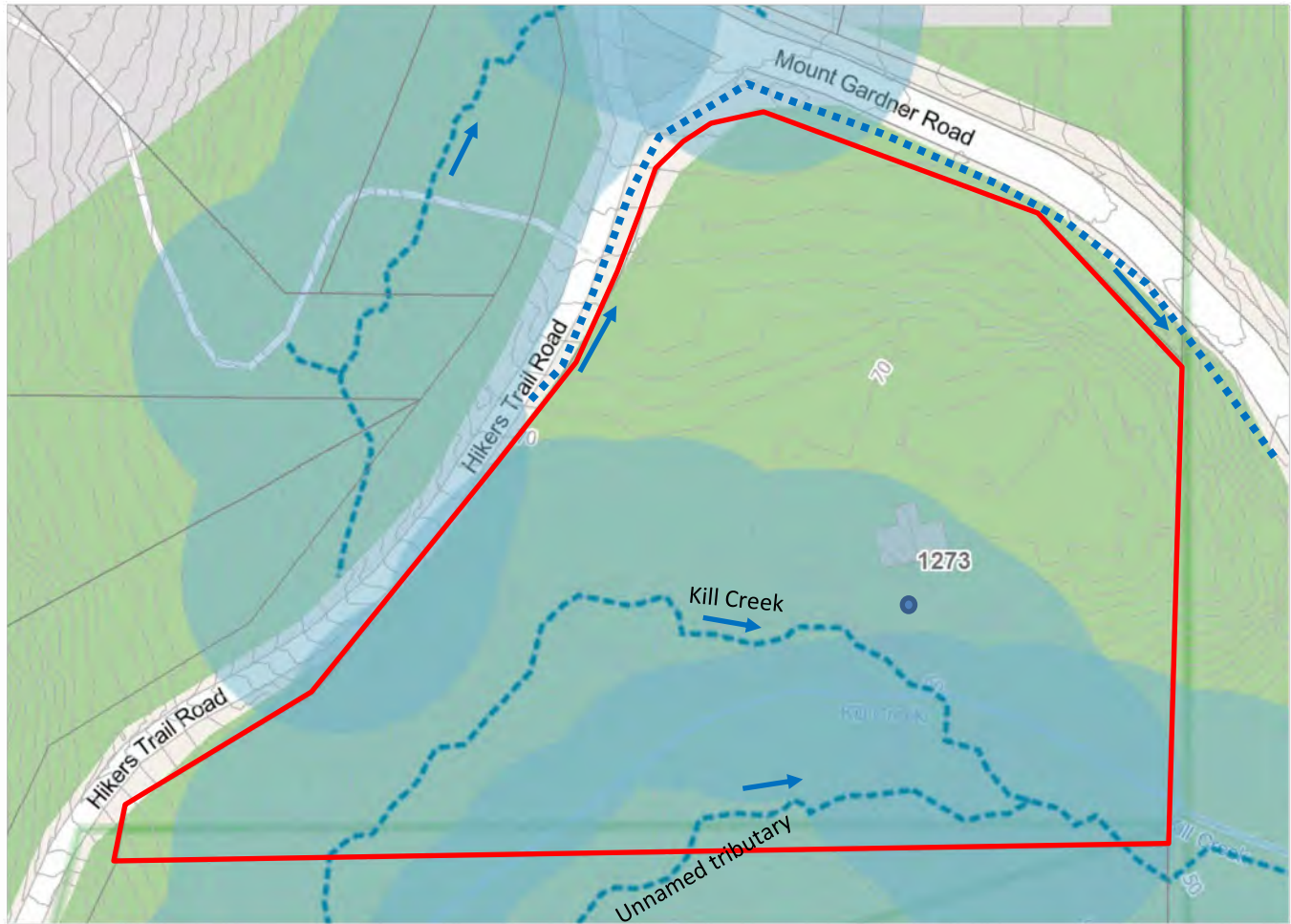
Maddison Consultants Ltd. (Maddison Consultants) was retained by Patricia Salib and Boris Nikic (Property Owners) to conduct an environmental assessment for the proposed development at 1273 Hikers Trail Road, Nexwlélexwm (Bowen Island), British Columbia (BC). More specifically, the property location is described as lot A District Lots 6014 and 6015 Group 1 New Westminster District Plan BCP 27043; parcel ID 026-873-818. The location of the property is depicted on Figure 1.

The proposed development, as shown on Figure 2, will include:







- clearing and grading for site preparation;
- construction of four cabins (approximately 23.25 square metres (m²) each);
- construction of a movement studio (not to exceed 92 m²);
- construction of a garden kitchen breakfast area (not to exceed 55 m²);
- construction of a secondary detached suite (not to exceed 120 m²);
- construction of a structure for water therapy station (not to exceed 30 m²);
- construction of a detached office (not to exceed 10 m²);
- installation of new septic systems for the water therapy station, detached secondary suite, garden kitchen breakfast area, as well as the cabins;
- stormwater detention pits associated with each structure;
- rainwater retention system for water system;
- regrading and the placement of gravel to reactivate an existing access road;
- the installation of overhead power for the proposed water therapy station from the existing utility poles;
- trenching for water from the existing source to the water therapy station;
- trenching for water from the existing source to the secondary suite, cabins, and garden kitchen;
- access routes to the secondary detached suite;
- parking areas;
- temporary access routes for construction of the proposed development including a temporary clear span crossing of Kill Creek; and,
- permanent pedestrian access trails including a permanent clear span crossing of Kill Creek.

While polygons have been identified for the proposed cabin location and the water therapy station, the limits of construction is not anticipated to encompass the entire polygon; rather, the structures will be field fit within the polygon to avoid significant trees and retain the character of the area. All temporary ground disturbance will occur within the identified area for the cabins and water therapy station.

This report details the biological reconnaissance survey that was completed on the property, the findings, and identifies the sensitive biological resources identified on, or within close proximity to the property. Also included in this report are the recommended measures to offset potential impacts to the sensitive biological resources.

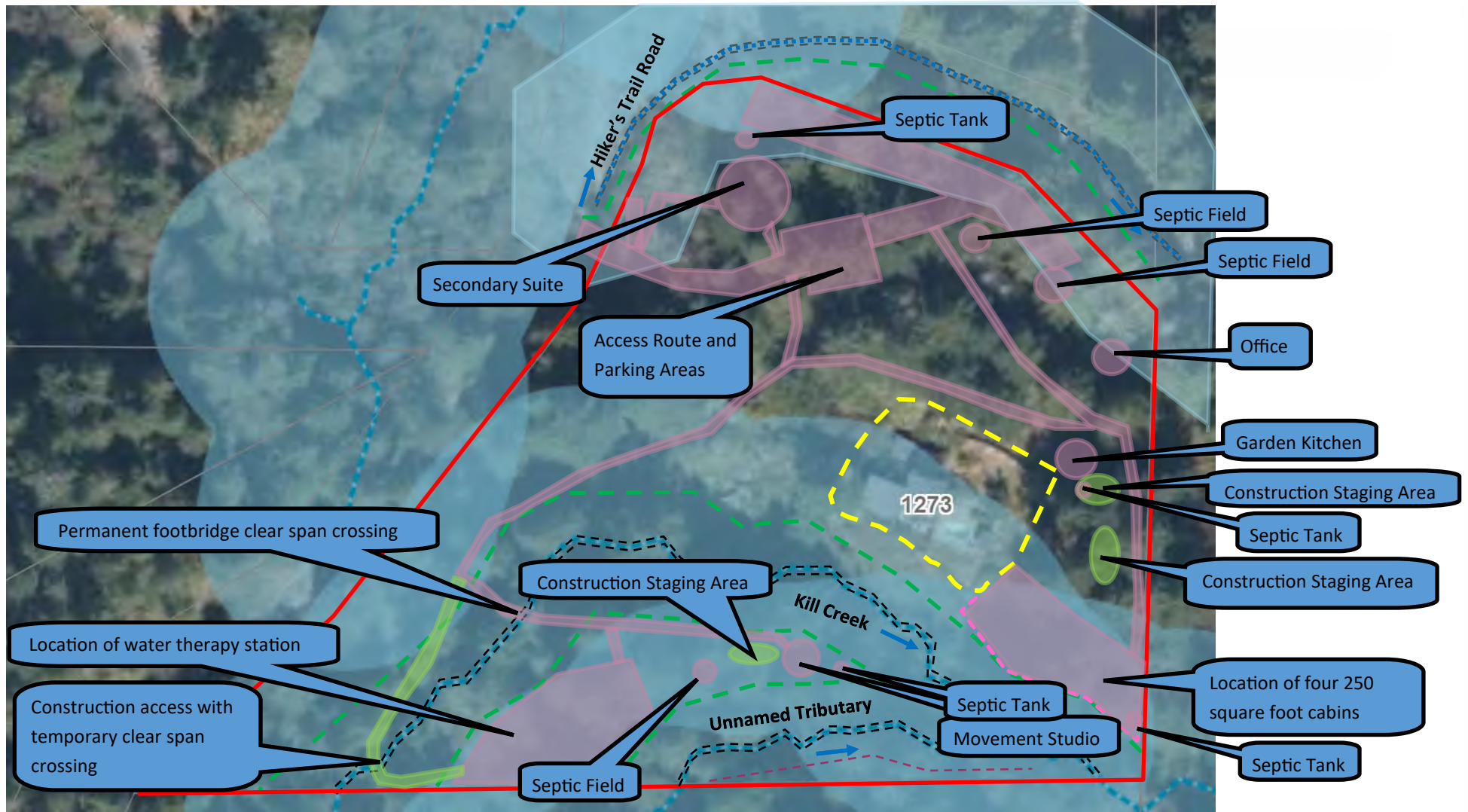


LEGEND

-  Watercourse (Fish Bearing)
-  Watercourse (Tributary to Fish Bearing)
-  Flow Direction
-  Stream Buffer
-  Existing Well
-  Property Boundary (approx.)

Notes:

- Background imagery from BowMap, 2023
- Existing wells (based on Provincial database and Schedule B-4 of the Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010)
- Property boundaries are approximate
- Not to scale



LEGEND	
	Property Boundary (approx.)
	Watercourse (Tributary to Fish Bearing)
	Flow Direction
	Existing Fence
	Streamside Protection Enhancement Area (SPEA), 10.2 m Kill Creek, 10.0 m unnamed tributary, 5 m roadside ditches
	Proposed Works (permanent)
	Proposed Works (temporary)
	Stream Protection DP Area /Riparian Assessment Area

- Notes:**
- Background imagery from BowMap, 2024
 - Property boundaries are approximate
 - Not to scale
 - Revision date: 10 September 2024

**1273 Hiker's Trail Road
Nexwlélexwm
(Bowen Island), BC
Proposed Works**

**Project No.
M297**

**Figure 2
Rev 03 62**



PROPERTY LOCATION AND DESCRIPTION

The property is located on unceded Skwxwú7mesh Úxwumixw territory. It is approximately 1.80 hectares (ha), and is surrounded by Hikers Trail Road to the west, Crippen Regional Park to the east, Mount Gardner Road to the north, and David Otter Nature Reserve to the south.

The southern portion of the property is bisected by Kill Creek. The topography of the northern portion of the property has a northern aspect, and the topography in the southern portion of the property has a southeastern aspect. Elevations within the property range from 50 metres (m) to 90 m above sea level. Existing development on the property includes a house, septic system, fencing, graded gravel access road, skid trails, a swimming pool, two wells, utility poles, sheds, asphalt basketball pad with associated hoop post, and a wooden deck with viewing platform.

METHODS

Literature Review and Records Search

A literature review was conducted to identify the presence, or potential occurrence, of species at risk (e.g., plant and animal species) in the vicinity of, and/or within the property. The resources used to compile the list, along with a table depicting the identified sensitive species, are included in Appendix A.

Field Surveys

Micaele Florendo, R.P. Bio., of Maddison Consultants and Pam Cleary (field technician) conducted a biological reconnaissance survey of the property on November 1, 2023 to characterize the biological resources in the property. The survey was conducted on foot from 9:05 a.m. until 12:25 p.m. Weather conditions were overcast, with an average air temperature of approximately 11 degrees Celsius (°C). The purpose of the survey was to determine the potential presence and/or absence of listed wildlife species identified with the Conservation Data Centre (CDC) and/or listed on Schedule 1 of the *Species at Risk Act* (SARA), as well as map potential pileated woodpecker (*Dryocopus pileatus*) nesting cavities. Furthermore, the survey also determined if there were any unmapped drainages in the property. The completed data sheets from the field survey are included in Appendix B.

As part of the biological reconnaissance survey, a detailed RAPR assessment of Kill Creek and the unnamed tributary was conducted by Micaele Florendo and Pam Cleary. During the course of the biological reconnaissance, it was determined that the roadside ditches on the south side of Hikers Trail Road and the west side of Mount Gardner Road are tributary to Bolton Creek, a "fish bearing stream". A detailed RAPR assessment of these roadside ditches was conducted from 1:00 p.m. to 2:00 p.m. on November 22, 2023. Weather conditions were overcast during the detailed RAPR assessment of the roadside ditches. The detailed RAPR assessment is included in Appendix C.

In addition to these on site assessments, Maddison Consultants attended on site planning meetings on December 27, 2023; February 16, 2024; April 5, 2024; May 10, 2024; and July 26, 2024. Furthermore, Maddison Consultants marked the Stream Protection and Enhancement Area (SPEA) of Kill Creek, the unnamed tributary and the roadside ditches on February 21, 2024. The SPEA was measured using a Nikon Forestry Pro II Laser Rangefinder

and marked using pinflags to be surveyed by a licensed land surveyor (Bennett Land Surveyors). This was completed in order to provide a visual location of the SPEA on site for development planning purposes.

Photographs taken at various locations throughout the survey area to document existing conditions are attached in Appendix D. A resume for Micaele Florendo is attached in Appendix E.

Rocks, cobble, and woody debris throughout the property were overturned in an attempt to detect amphibians, reptiles, slugs, and snails. All wildlife and plant species observed directly or otherwise, were noted. Vascular plants were identified in the field according to Pojar and Mackinnon (1994); and, voucher specimens were collected for identification according to eFlora (1998 - 2002). Animal species observed within the property were identified according to Sibley (2003), and National Geographic (1987). A list of the observed plant and animal species is attached as Appendix F.

EXISTING ENVIRONMENTAL SETTING

The property area is located within the Coastal Western Hemlock biogeoclimatic zone (CWH), dry maritime subzone. This zone occurs predominantly west of the coastal mountains along the entire coast of BC, and at low to middle elevations from sea level to 900 m on windward slopes in the south and mid-coast (1050 m on leeward slopes), and up to 300 m in elevation along the north coast, (Ministry of Forests, 1991).

This zone is, on average, the rainiest biogeoclimatic zone in BC with a cool mesothermal climate consistent with cool summers and mild winters (Ministry of Forests, 1991). The mean annual temperature is about 8°C and ranges from 5.2 to 10.5°C among the Coastal Western Hemlock subzones (Ministry of Forests, 1991). Mean annual precipitation for the dry maritime subzone 2349 millimetres (mm) and the dry maritime subzone mean annual temperature is 9.8°C (Ministry of Forests 1991).

Western hemlock (*Tsuga heterophylla*) is usually the most common tree species in the forest cover. It regenerates freely under the canopy of mature stands on zonal sites and elsewhere if sufficient acid raw hummus or decaying wood has accumulated on the forest floor (Ministry of Forests, 1991). Red alder (*Alnus rubra*), a pioneer species, is widespread on logged-over or otherwise disturbed sites (Ministry of Forests, 1991).

Characteristic floristic features of zonal ecosystems in the CWH are (a) the prominence of western hemlock (b) the sparse herb layer (c) the predominance of several moss species, especially step moss (*Hylocomium splendens*) and lanky moss (*Rhytidiadelphus loreus*).

Drier maritime forests typically have a substantial component of Douglas-fir (*Pseudotsuga menziesii*) along with western hemlock and western redcedar. Salal (*Gaultheria shallon*), dull Oregon-grape (*Mahonia nervosa*), and red huckleberry (*Vaccinium parvifolium*), typify the poorly to moderately developed shrub layer (Ministry of Forests, 1991).

Characteristic soil processes include accumulation of acid organic matter on the forest floor (Mor formation), leaching, eluviations, illuviation, and gleying (Ministry of Forests, 1991). Therefore, mors are the prevailing humus forms. Many soils derived from the acidic parent materials, such as granodiorites are low in clay minerals and poor in nutrients (Ministry of Forests, 1991).

Vegetation

The habitat within the property is predominantly mature mixed forest with areas of disturbance including: landscaping, gardens, and graded access roads, along with existing development.

Vegetation within the property is dominated by western redcedar and sword fern (*Polystichum munitum*). Other species include English holly (*Ilex aquifolium*), Himalayan blackberry (*Rubus armeniacus*), salmonberry (*Rubus spectabilis*), western hemlock, deer fern (*Blechnum spicant*), wall lettuce (*Lactuca muralis*), red huckleberry, bracken fern (*Pteridium aquilinum*), salal, Douglas fir (*Pseudotsuga menziesii*), common foxglove (*Digitalis purpurea*), juniper haircap moss (*Polytrichum juniperinum*), red stemmed feathermoss (*Pleurozium schreberi*), smoke tree (*Cotinus coggygria*), English ivy (*Hedera helix*), lenten rose (*Helleborus orientalis*), orpine (*Hylotelephium telephium*), and bigrooted geranium (*Geranium macrorrhizum*).

Wildlife

No amphibians or reptile species were detected within the property during the field surveys or on site meetings. Amphibian species that are likely to occur within, and adjacent to the property include northern red-legged frog (*Rana aurora*), Pacific tree frog (*Pseudacris regilla*), rough-skinned newt (*Taricha granulosa*), and ensatina salamander (*Ensatina eschscholtzii*). The western terrestrial garter snake (*Thamnophis elegans*), the common garter snake (*Thamnophis sirtalis*), and the northwestern garter snake (*Thamnophis ordinoides*) are reptile species that are likely to occur on, and adjacent to, the property.

Bird species observed during the survey include a common raven (*Corvus corax*) and a song sparrow (*Melospiza melodia*). It is expected that many more species of birds will occur on and around the property during the breeding and migratory seasons. No snags or trees with woodpecker cavities were detected during the survey. In addition, no great blue heron (*Ardea herodias*) nests were observed on the property and no great blue heron nests have been previously documented within the vicinity of the property (Bowmap, 2023).

One mammal species, black tailed deer (*Odocoileus hemionus columbianus*), was observed on the property. Other mammal species that have the potential to occur include the eastern grey squirrel (*Sciurus carolinensis*), several species of shrews and mice, striped skunk (*Mephitis mephitis*), Norway rat (*Rattus norvegicus*), river otter (*Lontra canadensis*), American mink (*Neovison vison*), Douglas squirrel (*Tamiasciurus douglasii*), and northern flying squirrel (*Glaucomys sabrinus*).

Aquatic Resources

The southern portion of the property is bisected by Kill Creek (WSC 905-074000-76000-41049), which flows west, downstream into Killarney Lake. Killarney Lake is inhabited by coastal cutthroat trout (*Oncorhynchus clarkii clarkii*), rainbow trout (*O. mykiss*), northern pikeminnow (*Ptychocheilus oregonensis*), brook trout (*Salvelinus fontinalis*), stickleback (*Gasterosteus* sp.), prickly sculpin (*Cottus asper*), and threespine stickleback (*Gasterosteus aculeatus*); it has been stocked with rainbow trout (Habitat Wizard, 2023). The dam at the outlet of Killarney Lake is not accessible for pacific salmonids.

Kill Creek is characterized by a cascade-pool morphology with a mean bankfull width of 3.4 m, and a 6 percent (%) gradient. Water was observed within the creek at the time of the survey and all of the on-site meetings. A graded dirt skid trail crosses the creek channel on

the western portion of the property providing vehicle access directly to the bed and bank of Kill Creek. Where the graded dirt skid trail crosses Kill Creek, on the downstream side of the skid trail, a log dam supports the skid trail bed. Cover for fish is provided by woody debris, cobble substrate, some gravel bars, and overhanging vegetation dominated by western redcedar and sword fern, with some bracken fern, bigleaf maple (*Acer macrophylla*), red huckleberry, maidenhair fern (*Adiantum aleuticum*), and salmonberry (*Rubus spectabilis*). Fish presence within Kill Creek is undocumented; unconfirmed and undocumented sightings of cutthroat trout have been made in Kill Creek (Nuala Murphy, Property Management Specialist David Otter Nature Reserve, Islands Trust Conservancy, personal communication, June 16, 2023). Apart from the 900 millimetre (mm) corrugated metal culvert beneath Mount Gardner Road being perched approximately 0.40 m above the bedrock and cobble channel with no plunge pool at the outlet, there are no significant barriers to fish passage from Killarney Lake.

The unnamed tributary to Kill Creek is characterized by a step-pool morphology with a mean bankfull width of 2.18 m, and a 40 percent (%) gradient. Water was present within the channel at the time of the survey. Cover for fish is provided by woody debris, cobble substrate, and overhanging vegetation dominated by western redcedar and sword fern, with some bigleaf maple, deer fern (*Blechnum spicant*), and salmonberry (*Rubus spectabilis*).

Both Hikers Trail Road and Mount Gardner Road ditches are tributary to Bolton Creek, which is mapped as a fishbearing stream from Killarney Lake to Mount Gardner Road. Hikers Trail roadside ditch is characterized by step-pool morphology with a mean bankfull width of 1.05 m and an 11% gradient. Mount Gardner roadside ditch is characterized by a cascade-pool morphology with a mean bankfull width of 1.17 m and a 7% gradient. Water was not present in either roadside ditch channels at the time of the RAPR detailed assessment; no significant natural headwaters were observed during the detailed assessment. Limited cover for fish in each of the roadside drainages is provided by the overhanging vegetation including western redcedar, salmonberry, western hemlock, sword fern, bracken fern, and horsetails (*Equisetum arvense*). Both roadside ditches are maintained by the Bowen Island Municipality as part of the stormwater infrastructure.

Identified Wildlife Species

The field survey conducted for this assessment determined that there is a moderate to high potential for 1 sensitive plant species and 25 sensitive animal species to occur within, or in the vicinity of the property. The sensitive plant species with a moderate to high potential to occur in the vicinity of the property is Washington springbeauty (*Claytonia washingtonia*). The sensitive animal species with a moderate to high potential to occur in the vicinity of the property include:

- Rocky Mountain fingernail clam (*Spaerium patella*),
- western thorn (*Carychium occidentalis*),
- threaded vertigo (*Vertigo rowellii*),
- evening field slug (*Deroceras hesperium*),
- Oregon forestsnail (*Allogona townsendiana*),
- yellow-legged meadowhawk (*Sympetrum vicinum*),
- dun skipper (*Euphyes vestris*),
- common woodnymph (*Cercyonis pegala incana*),
- Clodius parnassian (*Parnassius clodius claudianus*),
- coastal cutthroat trout,
- western toad (*Anaxyrus boreas*),
- northern red-legged frog (*Rana aurora*),

- wandering salamander (*Aneides vagrans*),
- great blue heron (*Ardea herodias herodias*),
- northern goshawk (*Accipiter gentiles ssp. laingi*),
- band-tailed pigeon (*Columba fasciata*),
- common nighthawk (*Chordeiles minor*),
- western screech-owl (*Megascops kennicottii kennicottii*),
- olive-sided flycatcher (*Contopus copperi*),
- evening grosbeak (*Coccothraustes vespertinus*),
- hoary bat (*Lasiurus cinereus*),
- little brown myotis (*Myotis lucifugus*),
- Yuma myotis (*Myotis yumanensis*),
- Townsend's big-eared bat (*Corynorhinus townsendii*), and,
- Keen's myotis (*Myotis keenii*).

ENVIRONMENTAL MANAGEMENT PLAN

The following environmental management plan (EMP) details the recommended measures to avoid and/or minimize potential impacts to the above-mentioned species of management concern as well as the natural environment during the future construction phase of the project.

Wildlife and Aquatic Resources

- Vegetation and ground clearing activities should occur outside the nesting season of migratory birds (March 15 – August 31).
- If construction will require the removal of trees, then a survey should be conducted by a qualified biologist¹ to determine if nest cavities potentially utilized by pileated woodpeckers are present within the trees to be removed. If they are used by pileated woodpeckers, the nest tree is protected until three years after the nest has been abandoned. If there are no pileated woodpecker nest cavities, trees must be removed outside the nesting season (March 15 – August 31).
- Any tree removal should occur outside the maternity and nursery season for bats (April 1 – September 30) (Personal Communications: M. Kellner, Provincial Coordinator of BC Community Bat Program, March 8, 2022; D. Degenais, Regional Coordinator BC Community Bat Program, March 22, 2019 and March 8, 2022; V. Craig, EcoLogic Research, April 2, 2019).
- Should amphibians, reptiles, and/or mammals be observed within the immediate vicinity during construction activities, all activities will be stopped until the animal has relocated itself outside of the immediate area of construction.
- Prior to the clearing of the building site, a Qualified Environmental Professional (QEP) should mark the Stream Protection Enhancement Area (SPEA) of Kill Creek, the unnamed tributary, and the roadside ditches on the property in the vicinity of the

¹ A biologist shall be considered qualified if they are a Registered Professional Biologist in good standing with the College of Applied Biology, and have a minimum of five years' experience conducting nest surveys in BC.

proposed construction activities to reduce the potential for encroachment into the SPEA.

- All construction activities, except for the two crossings of Kill Creek, shall occur outside the SPEA of the identified drainages.
- Rubber mats shall be placed during construction to protect shallow tree roots along the existing access roads.

Sediment and Erosion Control

The following measures shall be implemented to minimize the effects of rainfall and runoff during construction:

- Limit the footprint of construction of the structures and associated infrastructure to retain vegetation and minimize the area of disturbed soils, where possible.
- Minimize the length of time disturbed soils are left exposed.
- All exposed soils shall be covered prior to significant rainfall with jute netting, burlap, tarp or straw to control sediment and minimize erosion. A significant rainfall event is considered to be anything greater than 25 mm over a 24-hour period as forecasted by Environment Canada.
- Ground disturbance activities shall be timed so that they avoid significant rainfall events.
- Avoid ground disturbance when soils are saturated.
- Construct and maintain structures to detain runoff. Runoff is not permitted to enter Kill Creek, the unnamed tributary, or the roadside ditches.
- Any stockpiled soils shall be encircled with a sediment fence and tarped.
- Upon reactivation of the proposed access road from the existing driveway access to the proposed cabin location, the roadbed shall be surfaced with gravel as a permanent cover.
- Native seed mix should be broadcasted in accordance with manufacturer's guidelines, on top of the soil. Ideally, seeding should occur on the same day that the soil surface has been prepared, either early fall or spring. If species other than the following are proposed, the seed mix should be reviewed by the QEP prior to dispersal:
 - <https://www.twinsistersnursery.com/component/eshop/twin-sisters-roadside-grass-blend?Itemid=0> which contains Canada wild rye (*Calamagrostis canadensis*), slender wheatgrass (*Elymus trachycaulis*), rocky mountain fescue (*Festuca saximontana*), and purple prairie clover (*Dalea purpurea*);
 - <https://northwestmeadowscapes.com/collections/native-grasses>: include Roemer's fescue (*Festuca idahoensis* ssp. *romeri*), tufted hairgrass (*Deschampsia cespitosa*), meadow barley (*Hordeum brachyantherum*), and/or blue wild rye (*Elymus glaucus*);

- <http://qualityseed.squarespace.com/wild-flower-grass-seed/> A mix of Canadian goldenrod (*Solidago canadensis*), bunchberry (*Cornus canadensis*) and yarrow (*Achillea millefolium*).
- www.naturesgardenseed.com include: fireweed (*Chamaenerion angustifolium*), oceanspray (*Holodiscus discolor*), bunchberry, salal, and/or large-leaved lupine (*Lupinus polyphyllus*)
- An organic mulch, such as straw, hydraulic mulch (either wood fibre (not western redcedar), or high performance hydraulic mulch), or compost, shall be applied overtop of the seed mix.
- Installation of sediment fences along the SPEA setback at two locations as identified in the RAPR site plan should be as per manufacturer's guidelines: one location is downslope of the proposed cabin location, the other is around the proposed movement studio. To ensure proper installation, the QEP will monitor the installation. All silt fences shall be inspected on a daily basis prior to the start of work, and deficiencies will be corrected. Should the silt fence become damaged or otherwise ineffective while a barrier is still necessary, the fence shall be repaired and/or replaced promptly.

Equipment, Storage and Maintenance

- No equipment shall access the property beyond the delineated limits of construction or the existing access road.
- Equipment and machinery must be clean and in good operating condition (e.g., power washed and free of leaks or excess oil and grease). Equipment with leaks will not be permitted onsite until repaired.
- Servicing of equipment is to be done within containment areas (i.e., bermed or otherwise isolated), or at an appropriate works yard operated by the contractor or his supplier.
- Grease and oil required for machinery maintenance will be properly applied. Excess as well as all containers, lids, and contaminated cloths and applicators will be cleaned up and disposed of in an environmentally appropriate manner.
- Small drips will be collected including the surrounding soil, and placed into 5-gallon buckets with lids for disposal at an approved facility.
- Refueling of all machinery will occur a minimum of 30 m away from Kill Creek, the unnamed tributary, and the roadside ditches. Tanks utilized for refueling will be equipped with automatic back-pressure shut-off valves, and nozzles will be kept locked at all times, except during refueling. Spigots should be metal to prevent them being accidentally or intentionally damaged. A crew member will remain in attendance at all times while refueling is being carried out.

Waste Disposal

- Chemicals used to keep pools and hot tubs disinfected are toxic to fish, amphibians and other aquatic organisms that live in these waterbodies. Toxic pool chemicals include chlorine, bromine, salt, copper-based algacides and nonylphenols (used in

many cleaning agents and personal hygiene items) (District of Squamish, 2022). Chlorine, which is used as a disinfectant in swimming pools, is known to be highly toxic to aquatic life even at low concentrations (Tikkanen, M.W. *et al.*). Therefore, during the maintenance of the proposed water therapy pools, chlorinated water shall be prevented from releasing into Kill Creek and the unnamed tributary. The District of Squamish provides the following guidelines to responsibly drain a swimming pool:

- REDUCE chlorine and other chemical levels by holding water in pool/hot tub for up to two weeks to allow dissipation, or purchase a dechlorination kit. Residual chlorine levels should meet provincial water quality targets as outlined by the Ministry of Environment (Singleton, 1989; Ministry of Environment and Climate Change Strategy, 2021),
- NOTIFY the District of discharge location and date with an email to environment@squamish.ca. In this case, notification should be sent to the Bowen Island Municipality planning department at planning@bimbc.ca.
- Drain water to a FLAT and DRY AREA.
- Discharge at a LOW FLOW RATE to avoid pooling, erosion and potential runoff from the property.
- DO NOT proceed if draining could result in runoff from your property, or within 30 metres of a watercourse or the ocean (ditch, stream, storm sewer, or riparian area).
- STOP draining if rainfall causes increased pooling and/or drainage off the property.
- If the above process is not feasible, water can be removed by a professional, such as a vacuum truck service provider.
- All waste materials must be stored outside of the SPEA of Kill Creek, the unnamed tributary, and the roadside ditches until appropriate disposal.
- Construction wastes (*i.e.*, concrete, asphalt, lumber, shrink wrapping, welding rods, empty product containers, etc.) will be recycled where possible or disposed of in an environmentally acceptable manner (*i.e.*, permitted landfill). Construction debris and other garbage will not be deposited in waterbodies or storm drains, or discarded to the general environs, but rather contained and then removed for disposal at an appropriate facility.

Accidental Hydrocarbon-based Fluid Spills

The use of any machinery during construction has the potential to spill hydrocarbon-based fluids (*i.e.*, fuels and lubricants); therefore, refueling and maintenance of all machinery will occur a minimum of 30 m away from Kill Creek, the unnamed tributary, and the roadside ditches. In addition,

- Fully stocked spill kits will be required on site and will be equipped with adequate spill cleanup equipment (*i.e.*, absorbents and booms) in the event that a spill should occur.

- If a spill occurs above the provincial reportable levels included in Appendix G, or there is the risk of one occurring, it must be reported immediately to Emergency Management British Columbia (EMBC) by calling 1-800-663-3456. EMBC will notify the necessary municipal, provincial and federal agencies. Spill reporting includes the release of chlorinated water to the environment.

Concrete Use

The utilization of concrete and/or concrete-based construction materials could result in the delivery of concrete waste and/or concrete wash water to the receiving environment (e.g., watercourses and/or the ground leaching). The following measures should be followed to minimize the potential delivery of concrete and/or concrete wash water to the receiving environment:

- Containers or trucks carrying cement or fresh concrete shall be equipped with return wash buckets, so that the wash water is returned to the drum of the truck; and, the truck then returns to its base of operations where such water or excess concrete is treated.
- Concrete wastes, including wastewater from cleaning or cutting cured concrete will be vacuumed up and removed from site for disposal.
- All cement contaminated wastewater from cleaning or mixing is to be considered toxic and must be prevented from entering any watercourse.

Clear Span Bridge Installation

Placement of clear span bridges, and removal of the temporary construction access clear span bridge, over Kill Creek will require the submission of a *Water Sustainability Act* Notification to FrontCounter BC a minimum of 45 days prior to the commencement of construction. In addition, any work in the vicinity of the watercourses and their associated riparian habitat should be designed to avoid direct and indirect impacts. In addition to the measures identified in the above Environmental Management Plan, the following measures will be implemented to protect fish and fish habitat and avoid a HADD.

- The clear span bridges should be designed and installed by Qualified Professionals.
- A QEP will be on site to monitor all instream work.
- Monitor the creek for signs of sedimentation, during all phases of instream and bank construction and restoration, and to corrective action where needed.
- Stabilize all excavated material away from top of bank and above the ordinary high water mark to prevent sediment from re-entering the creek and surrounding waterbodies.
- All equipment and materials used for bridge placement will be situated away from and operated from outside the creeks.
- Limit the area of work and access to creek banks and riparian areas.

- The construction area and access routes must be marked onsite prior to starting work and vegetation removal must be limited to only the areas required for construction.
- Install the vehicle crossing in a manner that protect the banks from erosion and maintain the flows in the waterway.
- The clear span bridges will be assembled outside of the SPEA and then placed during the low-risk work window for fish (August 1 to October 31) to reduce the risk of isolation failure, and limited sedimentation effects caused by rainfall. Schedule construction to minimize the amount and extent of instream work required. Similarly, the temporary clear span bridge shall be removed as one section during the low-risk work window for fish (August 1 to October 31) and disassembled outside of the SPEA.
- During construction of the approach to the temporary construction access bridge on the south side of the bridge, native vegetation should be salvaged and put aside to restore the temporary access route during decommissioning.
- To reduce the duration that the temporary construction access bridge and the permanent footpath bridge coexist, the permanent clearspan footbridge is to be installed upon completion of the water therapy station, movement studio and associated infrastructure. Subsequently, the temporary construction access will be decommissioned and restored outside the existing graded dirt access road.
- After installation, all bridge maintenance must adhere to the low-risk work window for fish (August 1 to October 31) to prevent disruption of fish and wildlife habitat. Maintenance activities should be completed by hand, where possible. If machinery is required, it should be operated from the previously disturbed areas, such as approach trails and roadways.
- Any emergency works shall be conducted by an appropriately qualified professional following the General Best Management Practices and Standard Project Considerations (Government of British Columbia and Fisheries and Oceans Canada). Emergency works are either works requiring immediate attention during a flood event or as designated under the *Provincial Emergency Program* or are works requiring attention prior to the next flood event.

REGULATORY REQUIREMENTS

The *Bowen Island Municipal Official Community Plan Bylaw No. 282, 2010* summarizes the municipal regulatory requirements for development on Bowen Island. It designates the Municipal Watershed, Aquifer, and Stream Protection (WASP) Development Permit Area, which applies to all mapped and unmapped streams, waterbodies, and community watersheds on the island.

As Kill Creek and an unnamed tributary are mapped on both Schedule B-3 (Fish and Riparian Protection Areas) and Schedule B-4, of the *Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 301, 2011*, the southern portion of the property is within a WASP Development Permit Area. Kill Creek and the unnamed tributary are identified as "tributary to fish bearing". In addition, the roadside ditches on the west side of

Hikers Trail Road and the south side of Mount Gardner Road are tributary to Bolton Creek, which is mapped on schedule B-3 as a “fish bearing” stream. Although these roadside ditches are not mapped on schedules B-3 or B-4, both the municipal bylaws and the *Riparian Areas Protection Regulation (RAPR)* apply to all mapped, and unmapped, watercourses. Therefore, any proposed development within the WASP Development Permit Area will be subject to both the *Bowen Island Municipality Land Use Bylaw No. 57, 2002* as well as the RAPR. The detailed RAPR Assessment conducted determined that the Stream Protection Enhancement Area (SPEA) for Kill Creek is 10.2 m; the SPEA for the unnamed tributary is 10 m; and, the SPEA for both of the roadside ditches is 5 m.

Furthermore, the proposed works may be subject to Federal and Provincial government Acts and Regulations which include, but are not limited to the: *Fisheries Act, Migratory Birds Convention Act, Canadian Impact Assessment Act, Species at Risk Act (SARA), BC Environmental Assessment Act, Environmental Management Act, Water Sustainability Act, Wildlife Act, Weed Control Act, and BC Heritage Conservation Act*. A summary of the legislation and how they may relate to the proposed project is included in Appendix H.

ENVIRONMENTAL MONITORING ADVISOR

Environmental Monitoring shall be conducted during the implementation of the avoidance and minimization measures by the QEP who will be retained by the Property Owner. Before any work commences, a pre-work or tailgate meeting will be held with all personnel including the Environmental Monitoring Advisor (QEP), to review the on-site operating procedures and regulatory requirements (if any), to determine if all necessary erosion and sediment control supplies are available on site, and to discuss the spill response procedures. Site visits will be conducted to evaluate compliance and other applicable environmental protection guidelines. The timing of the site visits will depend upon when the proposed construction works are to occur.

An Environmental Monitoring Advisor will be on site during all instream works to monitor construction and water quality to ensure the integrity of the aquatic environment is maintained.

The Environmental Monitoring Advisor will assess whether works are completed in accordance with the conditions outlined in this report.

- Avoidance and mitigation measures will be upgraded and/or replaced as needed should they not be functioning as intended.
- The Environmental Monitoring Advisor may recommend that the Primary Contractor pause works in the event of potential non-compliance, or until such time that a corrective course of action is decided upon.
- The Environmental Monitoring Advisor will communicate directly with the property owner and contractor in terms of environmental protection implementation, as well as provide a verbal summary prior to leaving site.
- In the event of a non-compliance, the property owner and contractor will be notified and advised as to the corrective procedures to be implemented and/or additional materials/measures needed.

- The Environmental Monitoring Advisor will keep field notes and logs of site visits/inspections and will document site conditions/compliance for site-specific conditions and activities. The Environmental Monitoring Advisor will keep a photographic record of activities and site conditions as work progresses. These records will form the basis of the formal monitoring reports as well as provide records for quality management control.
- Upon completion of each site visit, monitoring report(s) will be submitted to the property owner or their representative.

CONCLUSION

The field surveys conducted for this environment assessment determined that there is a moderate to high potential of 1 sensitive plant species and 25 sensitive animal species to occur within the property. With the implementation of the Environmental Management Plan (EMP), the proposed project is not expected to significantly impact any of these identified species.

To reduce overall potential impacts on the environment, the temporary access routes for construction will generally coincide with the permanent access routes. In addition, trenching for utilities and water will be installed within the proposed permanent footpaths. While the temporary access routes will be of sufficient width to allow for construction equipment, after construction these routes will be restored and revegetated so that they will be narrowed for the permanent pedestrian footpath access routes to provide footpaths for access to various points on the property.

Maddison Consultants recommends that a geotechnical engineer be retained to review the proposed cabin location prior to installation to ensure construction of the cabins does not destabilize the slope at this location.

The detailed RAPR assessment conducted determined that the SPEA for Kill Creek is 10.2 m, 10 m for the unnamed tributary, and 5 m for the roadside ditches. With the implementation of the EMP, the proposed project is not expected to significantly impact the features, functions, and conditions of the riparian area associated with Kill Creek, the unnamed tributary, and the roadside ditches.

All of the construction and proposed facilities are outside the Stream Protection Enhancement Area (SPEA) of Kill Creek and the unnamed tributary except for two crossings. One crossing will be a temporary construction access route to the proposed water therapy station and movement studio, the other crossing will be a permanent pedestrian clear span bridge downstream of the temporary construction access to provide pedestrian access to the water therapy station and movement studio.

The placement of a clear span bridges over Kill Creek is subject to the *Water Sustainability Act*. Any work in the vicinity of Kill Creek, the unnamed tributary, and their associated riparian habitat should be designed to avoid impacts, either directly or indirectly, as described by the Requirements and Best Management Practices for Making Changes In and About A Stream in British Columbia (Government of British Columbia, 2021).

The temporary construction access will utilize an existing graded dirt access road alignment that currently crosses Kill Creek to access the David Otter Nature Reserve; the existing

graded dirt road currently provides vehicle access directly through Kill Creek. A temporary clear span bridge will be placed so that construction equipment will cross Kill Creek perpendicularly outside the bed and bank of the stream channel. However, given property boundary limitations at this location on the south side of Kill Creek, the temporary construction access route will have to be located within the SPEA of Kill Creek for approximately 25 m until it coincides with either the construction footprint of the water therapy station, or the alignment of the permanent footpath access. This portion of the temporary access route will be field fit to avoid tree removal, the shrubs and ferns will be salvaged during clearing and replanted to restore the temporary construction access route upon completion of construction.

If the recommended avoidance and minimization measures outlined in this assessment for the installation of the clear span bridges of Kill Creek cannot be implemented, then the proposed construction may need to be reviewed by the Ministry of Forests.

With the recommended protection measures outlined in this assessment, the proposed development is expected to comply with the fish and fish habitat protection provisions outlined in the *Fisheries Act*. Therefore, a request for review by Fisheries and Oceans Canada (DFO) will not be required to carry out the proposed development.

If the recommendations for the proposed construction are implemented as described by the qualified professional, Micaele Florendo of Maddison Consultants Ltd., and the avoidance and minimization measures outlined in this report are implemented correctly, then the proposed development is not expected to result in any significant environmental impacts.

CORPORATE AUTHORIZATION

This report, entitled "Environmental Assessment for 1273 Hikers Trail Road, Nexwlélexwm (Bowen Island), British Columbia" has been prepared by Maddison Consultants, Ltd. (Maddison Consultants) for the exclusive use of Patricia Salib and Boris Nikic (Property Owners), using generally accepted scientific and technical practices, environmental legislation, guidelines, regulations and standards in effect at the time of report's preparation.

The material contained in this report reflects Maddison Consultants' best judgment in light of the information available at the time the environmental consulting services and report preparation (Services) were conducted. This Environmental Assessment is valid for five years after the date of the field survey.

The reported information provides a representation of the general environmental conditions in the areas assessed (Study Area). The data presented were collected at specific locations and findings outlined in this report cannot and should not be extrapolated to other areas outside of the Study Area, or other sites that were not specifically investigated.

The assessment classifications provided in this report are intended for the sole use of the landowners for the Specific Services referenced herein, and for no other purpose whatsoever. Any other reliance on this report by the landowners, or a third party, is not authorized and Maddison Consultants does not accept any responsibility for any such use or reliance.

Services provided by Maddison Consultants have been conducted during this Assessment in a manner consistent with the level of skill exercised by members of the profession currently practicing under similar conditions, and in the jurisdiction in which the services are provided. No other warranty or guarantee, expressed or implied, is made concerning the study results, or any other portion of the report.

Maddison Consultants Ltd.

Micaele Florendo

Micaele Florendo, P.Biol., R.P.Bio.
Principal Biologist



Note: The original signed and wet sealed copy is retained on file at the office of Maddison Consultants Ltd.

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APPENDIX A

SENSITIVE SPECIES TABLE

For the purpose of this assessment species at risk are identified in the context of both the provincial and national ranking systems. The provincial ranking system applies to species that have been assessed by the British Columbia (BC) Conservation Data Centre (CDC). The national ranking system applies to species that have been assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), and in some instances, Schedule 1 of the *Species at Risk Act* (SARA). Although SARA provides lists of species in Schedules 1, 2 and 3, Schedule 1 is the only Schedule of listed species that are afforded protection under SARA. The Schedules in SARA are based on COSEWIC's assessments of the species.

The Federal and Provincial lists that were reviewed by Maddison Consultants include the following:

- Government of B.C. 2023. BC Species and Ecosystems Explorer. Available: <http://a100.gov.bc.ca/pub/eswp/> (Accessed October 31, 2023).
- Government of B.C. 2023. Conservation Data Centre. Available: <http://maps.gov.bc.ca/ess/hm/cdc/> (Accessed October 31, 2023).
- Government of B.C. 2023. HabitatWizard. Available at: <https://maps.gov.bc.ca/ess/hm/habwiz/> (Accessed October 31, 2023).
- Government of Canada. 2023. Species at Risk Public Registry. Available at: <https://species-registry.canada.ca/index-en.html#/species?sortBy=commonNameSort&sortDirection=asc&pageSize=10> (Accessed October 31, 2023).

Inclusion in the analysis for this property is based on the following criteria: (1) direct observation of the species on the property during one of the biological surveys conducted for this report; (2) sighting by other qualified or reputable observers; (3) elemental occurrence reported by the CDC; or (4) property contains appropriate habitat and is within the known range of a given species. Therefore, several plant and animal species that were identified in the initial literature review were subsequently excluded from further consideration because the property either lacks suitable habitat conditions to support these species or the property is located well beyond their normal range.

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
NON-VASCULAR PLANTS				
Roell's brotherella moss <i>Brotherella roellii</i>	Grows in cool, humid mixed deciduous and conifer, second-growth forests, on stream terraces, swampy floodplains, and occasionally in ravines with creeks. Many of the current locations occur within city parks. The primary substratums include: alder, big leaf maple, dogwood trees, rotten logs and stumps. Roell's Brotherella moss is known from only 26 current and 4 historical records; isolated locations within the Lower Mainland, in the Fraser River and Howe Sound area.		CDC: blue COSEWIC: EN SARA: EN	Low - Moderate.
Flaking tarpaper <i>Collema flaccidum</i>	Mossy rocks and trees in open coastal localities. Circumpolar, south to California.	Year round	CDC: red COSEWIC: - SARA: -	Low.
quilted stippleback <i>Dermatocarpon intestoniforme</i>	Infrequent over base-rich rock in open, usually rather exposed sites throughout. World Distribution: circumpolar.	Year round	CDC: blue COSEWIC: - SARA: -	Low.
Banded cord moss <i>Entosthodon fascicularis</i>	Banded cord-moss grows on soil over rock, often amongst other mosses, plant litter, and bases of vascular plants, in open to semi-shaded habitats, usually in or adjacent to seasonally moist sites. Fourteen populations are found in nationally threatened Garry oak (<i>Quercus garryana</i>) and associated ecosystems. Of the remaining five populations, four are found in dry coastal Douglas-fir (<i>Pseudotsuga menziesii</i>) ecosystems on the coast, and one is in a dry pine/fir forest in the Kootenay region. Banded cord-moss is found in western North America and western Eurasia with a disjunct distribution. It is relatively rare in North America, found only in British Columbia, Washington, Idaho, Oregon, California, and Arizona. It is widespread in Europe. In Canada, banded cord-moss is mainly restricted to Vancouver Island and the adjacent Gulf Islands of British Columbia. A single collection has been made in the Kootenay area in the southeast part of the province.		CDC: blue COSEWIC: SC SARA: SC	Low.
vole felt <i>Erioderma solediatum</i>	Rare over trees and shrubs in somewhat sheltered open hypermaritime forests. Western N Am, N to BC, S to OR.	Year round	CDC: blue COSEWIC: - SARA: -	Low.

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
<p>Silvery hair moss <i>Fabronia pusilla</i></p>	<p>It is a tiny, creeping moss that grows in thin, flat mats over rock surfaces. It has been found in western North America, Mexico, Europe, and North Africa. In North America, it has been reported from southern British Columbia, Washington, Idaho, Oregon, Colorado, New Mexico, Arizona, and California. This species is restricted to southern British Columbia where it has been found at two locations: below McKee Peak at the west end of Sumas Mountain east of Abbotsford, and in the Arrow Lakes area in the southwestern part of the province, where it has probably been extirpated.</p>		<p>CDC: red COSEWIC: EN SARA: EN</p>	<p>Low.</p>
<p>Poor pocket moss <i>Fissidens pauperculus</i></p>	<p>The poor pocket moss is a tiny moss that forms loosely gregarious and usually tiny patches over compact soil, the main microhabitat for this species is on a shaded and seasonally wet silt outcrop. It is endemic to western North America, restricted to western portions of California, Oregon, Washington, and southwestern British Columbia. In Canada, the poor pocket moss is restricted to southwestern British Columbia, where it is known from only Lynn Canyon Park in the District of North Vancouver.</p>		<p>CDC: red COSEWIC: EN SARA: EN</p>	<p>Low.</p>
<p>seaside bone <i>Hypogymnia heterophylla</i></p>	<p>Grows on coastal conifers, especially shore pine (<i>Pinus contorta</i>) in open and exposed coastal localities within 1 kilometre of open ocean, from BC to northern California. In BC, found in low elevations of seaside ledges adjacent to lodgepole pine stands, in driest subzone of CWH zone.</p>		<p>CDC: yellow COSEWIC: NAR SARA: TH</p>	<p>Low.</p>

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
Cryptic paw <i>Nephroma occultum</i>	Cryptic paw is confined to moist forested regions at elevations below 1200 m. In BC, all populations occur where the mean annual temperature is between 4 and 10°C, with an annual mean temperature range of about 15–26°C in the Coastal Western Hemlock zone and the Interior Cedar–Hemlock zone of the British Columbia biogeoclimatic ecosystem classification system. Cryptic paw occurs on trees of all age classes in old-growth forests characterized by high humidity and stable environmental conditions. Old-growth forests provide protection from summer drought, one of the distributions constraints of this species. Cryptic paw most often grows on bark and wood of living branches, usually near the branch tips among the conifer needles, in mid to high canopy. On fallen branches, recent windthrow, near forest floor in areas of open canopy. It is less common or absent over large branches or on the trunks of trees. It is an acidophytic species that colonizes a broad range of trees. Cryptic paw is a North American endemic known from Alaska, Oregon, Washington, and British Columbia. In 2004, 6 populations had been documented from Alaska, 182 from Oregon, 8 from Washington, and 45 (43 extant, 2 extirpated) from British Columbia.		CDC: blue COSEWIC: TH SARA: SC	Low.
VASCULAR PLANTS				
DICOTYLEDONS				
Gymnosperm				
Blechnaceae				
giant chain fern <i>Woodwardia fimbriata</i>	Wet forests and seepy, coastal cliffs in the lowland zone. 0 to 2300 metres. Infrequent in SW BC (SE Vancouver Island, Lasqueti and Texada Islands); South to CA, disjunct to AZ and NV.	Year round	CDC: blue COSEWIC: - SARA: -	Low.
Dryopteridaceae				
Coastal wood fern <i>Dryopteris arguta</i>	Occurs in fairly specialized habitats of coastal wooded slopes, cliffs, and rocky outcrops (Jamison and Douglas 1998). Exposures are always southwest, southeast, or south, and slopes are usually moderately steep (Jamison and Douglas 1998). <i>D. arguta</i> habitats are often strongly associated with the red-listed Garry oak ecosystems of the Coastal Douglas-fir biogeoclimatic zone, which are very rare and fragmented in B.C.	Year round	CDC: blue COSEWIC: SC SARA: SC	Low.
Pinaceae				
whitebark pine <i>Pinus albicaulis</i>	Dry rocky places; upper red-fir forest to the timberline, especially subalpine forest. 1300 m to 3700 m. Sierra Nevada to BC, Alberta, and Wyoming.	July - August	CDC: blue COSEWIC: EN SARA: EN	Low.

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
Apiaceae				
purple sanicle <i>Sanicula bipinnatifida</i>	Mesic to dry meadows and woodlands in the lowland zone; around 30 m above sea level; rare on SE Vancouver Island; south to CA and MX	May - June	CDC: red COSEWIC: TH SARA: TH	Low.
Asteraceae				
white-top aster <i>Seericocarpus rigidus</i>	Open grasslands, gravelly glacial outwash soil, can occur on exposed bedrock. 100 – 200 metres elevation. Southwest B.C, Puget trough in Washington and Willamette Valley, Oregon.	July - August	CDC: blue COSEWIC: SC SARA: SC	Low.
tall woolly-heads <i>Psilocarphus elatior</i>	Vernally moist places. Less than 1000 metres in elevation. Vancouver Island south to California, east to Idaho.	May - June	CDC: red COSEWIC: EN SARA: EN	Low.
Boraginaceae				
fragrant popcornflower <i>Plagiobothrys figuratus</i> ssp. <i>figuratus</i>	Moist to mesic coastal bluffs in the lowland zone; rare on SE Vancouver Island and the Gulf Islands, known recently only from Whaling Station Bay (Hornby Island); S to OR.	May - July	CDC: red COSEWIC: EN SARA: EN	Low.
Crassulaceae				
erect pigmyweed <i>Crassula connata</i>	Wet to moist vernal pools on coastal bluffs in the lowland zone; rare on S Vancouver Island and the Gulf Islands; S to AZ, CA and MX, Chile.	February - May	CDC: blue COSEWIC: - SARA: -	Low.
Ericaceae				
Leafless wintergreen <i>Pyrola aphylla</i>	Mixed conifer forest with Quercus, Arbutus, or Pinus woodland; forested serpentine areas, in deep litter and duff on hillsides of decomposed granite or loose, coarse, sand. Southwestern BC to Baja California.	June - August	CDC: blue COSEWIC: - SARA: -	Low. Unconfirmed observations documented for Bowen Island in iNaturalist.
Fabaceae				
Seaside bird's foot lotus <i>Hosackia gracilis</i>	Moist open sites such as shores, meadows, roadside ditches in the lowland zone; rare on SE Vancouver Island and adjacent islands; S to C CA.	May - June	CDC: red COSEWIC: EN SARA: EN	Low.
Macrae's clover <i>Trifolium dichotomum</i>	Mesic to dry slate cliffs or talus, sandstone shale, and open, grassy sites in the lowland zone; rare on SE Vancouver Island and adjacent Gulf Islands; S to C CA	April - May	CDC: red COSEWIC: - SARA: -	Low.
poverty clover <i>Trifolium depauperatum</i> var. <i>depauperatum</i>	Vernally wet to moist grassy sites. Less than 900 metres elevation. Southeast Vancouver Island and adjacent Gulf Islands, south to California.	March - May	CDC: blue COSEWIC: - SARA: -	Low.
Limnanthaceae				
Macoun's meadow-foam <i>Limnanthes macounii</i>	Wet depressions, vernal pools and seepage sites. Occur from 0 – 200 metres elevation. Southern Vancouver Island and adjacent Gulf Islands; one disjunct population in California assumed to be an undescribed species.	March - April	CDC: red COSEWIC: TH SARA: TH	Low. Detected at Cape Roger Curtis.
Onagraceae				

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
contorted-pod evening-primrose <i>Camissonia contorta</i>	Open, sandy areas in the lowland zone, often disturbed. 0–2300 m. Rare on S Vancouver Island; S to CA, NV and ID.	May - June	CDC: red COSEWIC: EN SARA: EN	Low.
Papaveraceae				
White meconella <i>Meconella oregana</i>	Vernally moist rocky or grassy slopes on south-facing hillsides in the lowland zone free of woody vegetation due to shallow and droughty soils that are frequently subject to early-season seepage. SE Vancouver Island and the Gulf Islands; S to CA.	March - April	CDC: red COSEWIC: EN SARA: EN	Low.
Portulacaceae				
Washington springbeauty <i>Claytonia washingtonia</i>	Below 150 metres asl in streambanks, seeps, and other moist, shaded places. In the mountains of southern Alaska southward on both sides of the Cascade Mountains to southern California and east to Montana and Utah; also, Siberia.	March - September	CDC: blue COSEWIC: - SARA: -	Low - Moderate.
Scrophulariaceae				
Golden paintbrush <i>Castilleja levisecta</i>	Dry to mesic, grassy meadows in the lowland zone. South eastern tip of Vancouver Island south to Oregon.	April - June	CDC: red COSEWIC: EN SARA: EN	Low.
MONOCOTYLEDONS				
Cyperaceae				
Foothill sedge <i>Carex tumulicola</i>	Vernally moist meadows, mesic Garry oak stands, grassy meadows, or rock outcrops in lowland zone. Southern Vancouver Island to California.	May - June	CDC: yellow COSEWIC: EN SARA: EN	Low.
Liliaceae				
slimleaf onion <i>Allium amplexans</i>	Vernally moist rocky bluffs and meadows in lowland zone. Can occur in clay soils, including serpentine in either open or wooded places. Up to 1800 metres in elevation. From SE Vancouver Island, Gulf Islands and adjacent mainland (Powell River) south to California.	March - June	CDC: blue COSEWIC: - SARA: -	Low. Detected at Cape Roger Curtis; unconfirmed observations on Bowen Island documented in iNaturalist.

MOLLUSCS				
rocky mountain fingernailclam <i>Sphaerium patella</i>	Lakes, sloughs, rivers and streams. Southern BC to Idaho and northern California in the Pacific drainage.	Year round	CDC: red COSEWIC: - SARA: --	Moderate.
western thorn <i>Carychium occidentale</i>	Lives in leaf litter in rich, relatively undisturbed low-elevation forests that are usually dominated by bigleaf maple. Colonies are found sporadically in deep litter areas and nearly always in moist hollows, near seeps or along riparian areas. Northern Vancouver Island south to Mendocino County, California, east through northern Washington to Idaho. In BC, known only from the west side of the Coast and Cascade ranges, northern Vancouver Island south on Vancouver Island, Gulf Islands and on the mainland coast to the US border.	Year round	CDC: blue COSEWIC: - SARA: -	Moderate.
threaded vertigo <i>Vertigo rowellii</i>	Lives in moist leaf litter in rich sites in deciduous and mixed forests. Southwestern BC to Monterey County, California.	Year round	CDC: blue COSEWIC: SC SARA: SC	Moderate.
evening fieldslug <i>Deroceras hesperium</i>	Low-elevation, mixed forests. Comox, Vancouver Island south to Oregon; west of the Cascade Mountains.	Year round	CDC: red COSEWIC: DD SARA: -	Moderate.
dromedary jumping-slug <i>Hemphillia dromedarius</i>	Old-growth and older second-growth coniferous forests. Shelters under logs, rocks, and vegetation. Southern Vancouver Island to the Cascade Range and Olympic Peninsula, Washington; in BC, restricted to Vancouver Island.	Year round	CDC: red COSEWIC: TH SARA: TH	Low.
blue-grey tailedropper <i>Prophysaon coeruleum</i>	Moist, mature or old-growth coniferous forests with a deciduous component and downed wood. Southern Vancouver Island, BC, south to northern California and east to Idaho.	Year round	CDC: blue COSEWIC: TH SARA: TH	Low.
Oregon forestsnail <i>Allogona townsendiana</i>	Moist, lowland deciduous woods with dense undergrowth, often in patches of stinging nettle, sword fern and big leaf maple. Southwestern BC to northwestern Oregon. In BC, occurs along the Chilliwack and Fraser River valleys from Hope to Mission and Langley. Few records from southern Vancouver Island.	Year round; most active late spring to early summer	CDC: red COSEWIC: EN SARA: EN	Moderate.
broadwhorl tightcoil <i>Pristiloma johnsoni</i>	Found in leaf litter of old growth and older second growth deciduous, coniferous and mixed-wood forests to an elevation of over 1300 m in the subalpine. Vancouver Island, south along the coast and the Fraser Valley.	Year round	CDC: blue COSEWIC: - SARA: -	Low.

DRAGONFLIES AND DAMSELFLIES				
black petaltail <i>Tanypteryx hageni</i>	Water seeps with moss-covered rocks, spring-fed bogs, and seeps in old growth or riparian forests in the Coast Mountains where the larvae burrow in the mud. In Canada, this species is found in montane regions, specifically on British Columbia's mainland coast. Occur from mid to high elevations in the Cascade and southern Coast mountains and at sea level on the central coast. Known to breed in Cypress Provincial Park in West Vancouver (Kenner, 2000).	early July - early September	CDC: blue COSEWIC: - SARA: -	Low.
vivid dancer <i>Argia vivida</i>	This damselfly is found in southern British Columbia and Banff, Alberta. Through much of its Canadian range it is restricted to thermal springs, but in the hot valleys of the Okanagan and the Fraser it is also found in cooler, spring-fed creeks.		CDC: blue COSEWIC: SC SARA: SC	Low.
grappletail <i>Octogomphus specularis</i>	Wooded streams draining lakes, but may also be associated with cool, fast-moving streams that drain mountains lakes, as well as, pools along stream edges. Pacific coast forests from BC to Baja California. In BC, the lower Fraser valley along wooded streams draining lakes.	Early June - late September	CDC: blue COSEWIC: - SARA: -	Low.
yellow-legged meadowhawk <i>Sympetrum vicinum</i>	Ponds, slow streams, and lakes with dense emergent vegetation and is known to occur in Burns Bog, Delta. Small lakes and ponds in wooded areas with floating plants, such as waterlilies, but with little emergent vegetation. Lowlands of southern BC, north to approximately 50 degrees latitude, rare in the southern interior, as it has only been recorded from the southern Okanagan Valley and the Kootenay River marshes at Creston. This species is more common on the south coast of BC.	Early July - mid November	CDC: blue COSEWIC: - SARA: -	Moderate. Unconfirmed observation documented in iNaturalist for Bowen Island.
BUTTERFLIES AND MOTHS				
rocky mountain parnassian <i>Parnassius smintheus</i>	In BC, occur in thinly vegetated, dry, open areas that are generally south-facing slopes or short-grass alpine tundra. Larval foodplants are native stonecrop species. Western North America from southwestern Yukon Territory south to northern California, northeastern Nevada and northern New Mexico.	June - September	CDC: blue COSEWIC: - SARA: -	Low.
propertius duskywing <i>Erynnis propertius</i>	Oak and mixed oak woodlands. In BC, the foodplant is Garry oak (<i>Quercus garryana</i>). Found associated with oak species along the entire Pacific coast of North America from southern Vancouver Island to Baja California. In BC, collected only on the southeastern tip of Vancouver Island and the adjacent Gulf Islands where Garry oak is known to occur. Single disjunct occurrence on Sumas Mountain and three records from Lower Mainland localities considered strays.	Late April - July	CDC: red COSEWIC: - SARA: -	Low.

dun skipper <i>Euphyes vestris</i>	Open, moist areas that have its larval host plants, which are sedges (<i>Carex</i> sp.) and <i>Cyperus esculentus</i> ; also in disturbed areas such as road edges, railroad right-of-way's, powerline right-of-way's, and roadside ditches. May be found in fairly dry conditions where spring floods or permanent springs provide moist conditions for the larval foodplant. From BC southward along the Cascade, Sierra Nevada, and Coast Mountains to Central California. In BC, this species occurs on Vancouver Island from Courtenay south to Thetis Lake Park, but is absent from the Saanich Peninsula. It is known from one location in Powell River, one location in Pemberton, Mission and five localities in the Fraser Canyon associated with small, moist areas at permanent springs, including Hope, Boston Bar, Lytton, North Lytton and Lillooet.	late June – mid-August	CDC: blue COSEWIC: TH SARA: TH	Moderate.
indra swallowtail <i>Papilio indra</i>	Dry rocky slopes, as well as, hilltops. Feeds on the carrot family, especially <i>Lomatium</i> . When hill topping, this species occurs just below the tops of the hills and usually lands flat on the ground, not on vegetation.	June - July	CDC: red COSEWIC: - SARA: -	Low.
Johnson's hairstreak <i>Callophrys johnsoni</i>	Openings in coniferous forests and feeds on dwarf mistletoes on conifers. Central California to the southwestern portion of BC including: southeastern Vancouver Island and the lower Fraser valley east to Hope.	Late May – early July	CDC: red COSEWIC: - SARA: -	Low.
common wood-nymph, incana subspecies <i>Cercyonis pegala incana</i>	Grassy forest openings, clearcut's, roadsides, meadows and streambanks. Larval food source is grass, can feed on sedges. Adults feed on willow and poplar sap. Southern BC south to central California and Arizona and across the continent to the Atlantic. only occurs from Vancouver Island south to Willamette Valley, Oregon.	July - September	CDC: red COSEWIC: - SARA: -	Low – Moderate. Documented on Bowen Island in 1933.
Hoffman's checkerspot <i>Chlosyne hoffmanni</i>	Openings, such as meadows, associated with mountain coniferous forest from 1,250 to 1,900 meters in elevation and feeds on asters. Known only from the Cascade Mountains in Manning Provincial Park, but should occur east to Keremeos.	late June - late July	CDC: red COSEWIC: - SARA: -	Low.
Boisduval's blue, blackmorei subspecies <i>Icaricia icarioides blackmorei</i>	Larval food is <i>Lupinus latifolius</i> . This species is found from southern BC south to Baja California. This subspecies is located on Vancouver Island.	mid-May – mid-August	CDC: blue COSEWIC: - SARA: -	Low.
greenish blue, insulanus subspecies <i>Icaricia saepiolus insulanus</i>	Found in fields and along abandoned or infrequently used dirt roads. Larval foodplant is clover (<i>Trifolium</i> sp.). This species is found throughout BC, except in the immediate coastal regions, south to southern California and New Mexico, east to Nova Scotia. This subspecies occurs on Vancouver Island.	late May – early August	CDC: red COSEWIC: EN SARA: EN	Low.
monarch <i>Danaus plexippus</i>	Open fields, roadsides, canyons and suburban areas. Main source of food is milkweed (<i>Asclepias</i> sp.), which is only native to the dry areas of the southern interior of	March – November	CDC: red COSEWIC: EN	Low.

	BC. Therefore, migrants to the west coast cannot breed successfully. In tropical and subtropical areas of the world. Colonized New Zealand, Australia, and Canary Islands following the introduction of food plants to these areas. In BC, typically found in the interior, and infrequently in the lower Fraser valley, on Vancouver Island and the Rocky Mountain trench. Migrates in late summer and fall from BC to California to hibernate and overwinter along the central and southern California coast.		SARA: SC
Silver-spotted skipper <i>Epargyreus clarus californicus</i>	Larval foodplant are woody fabaceae. This subspecies applies to the individuals that were historically seen on Vancouver Island and the lower mainland.	Late May to early August	CDC: red COSEWIC: - SARA: - Low.
Clodius parnassiun <i>Parnassius clodius claudianus</i>	Riparian habitat along low elevation streams. Larval foodplant is Pacific bleeding heart. Southcoast of BC from sea level to subalpine.	Late May to early August	CDC: blue COSEWIC: - SARA: - Moderate.
common ringlet, insulana subspecies <i>Coenonympha californica insulana</i>	Occur in meadows and grasslands at all elevations that are damp enough to maintain green grass throughout the driest part of summer and do not flood excessively in winter. Occur from Northwest Territories, south to California, east to northeastern US and Newfoundland. This subspecies occurs on Vancouver Island and coastal mainland BC	May to October	CDC: red COSEWIC: - SARA: - Low.
FISH			
cutthroat trout, clarkii subspecies <i>Oncorhynchus clarkii clarkii</i>	Small, low gradient, coastal streams and estuarine habitats that are well shaded with water temperatures optimally below 18 degrees Celsius, spawns in streams on clean, small gravel substrates. After emerging, fry move into larger rivers (or lakes). Young feed mostly on aquatic and drift insects, microcrustaceans, and occasionally smaller fish. Adults eat insects, crustaceans, and other fish. Occurs in small coastal streams from the Eel River in Humboldt County, California northward to the Prince William Sound area of Alaska, including numerous islands with suitable habitat off the coast of BC and southern Alaska. However, this species does not typically occur farther inland than 150km.	Year round	CDC: blue COSEWIC: - SARA: - Moderate. Nuala Murphy, Property Management Specialist with the Islands Trust Conservancy indicated coastal cutthroat were found in Kill Creek on the David Otter Reserve. However, no formal documentation of this species within Kill Creek.

REPTILES				
<p>painted turtle, Pacific Coast population <i>Chrysemys picta</i></p>	<p>Lakes, ponds, slow moving streams with basking sites and aquatic vegetation. East of the Cascade Mountains in the Columbia drainage, eastern Washington, the north-central and northeastern portions of Oregon, interior southern BC, extreme northern Idaho and western Montana. Small scattered populations in the Puget Sound area.</p>	<p>Year round; breeding in late May</p>	<p>CDC: - COSEWIC: TH SARA: TH</p>	<p>Low.</p>
<p>sharp-tailed snake <i>Contia tenuis</i></p>	<p>Under rocks, decaying wood and debris in oak woodlands, also open pine forests, dense coniferous forests, brushy chaparral, and grassy savannas. Valley floors to mountainous terrain from just above sea level to 4000 ft elevation. Feed on slugs, snail eggs and earthworms. Occurs from northern California to southern Vancouver Island and some Gulf Islands.</p>	<p>late February – June; late September - October</p>	<p>CDC: red COSEWIC: EN SARA: EN</p>	<p>Low.</p>
<p>northern rubber boa <i>Charina bottae</i></p>	<p>Mixed-wood and deciduous forests, typically dominated by Bigleaf maple (<i>Acer macrophyllum</i>) and with dense herbaceous cover, such as stinging nettle (<i>Urtica dioica</i>) with coarse woody debris, copious amounts of leaf litter, and both living and senescent vegetation. Western Cascades, Puget Trough, and eastern lowlands of the Olympic Peninsula in the United States north into the southwestern region of British Columbia. In BC, most records are from the Fraser Valley in the Mission/Abbotsford/Chilliwack area and from the lower portion of the Chilliwack Valley, below 360 meters in elevation. Two outlying localities, in Langley and southern Vancouver Island.</p>	<p>Year round; adults best located in late spring</p>	<p>CDC: yellow COSEWIC: SC SARA: SC</p>	<p>Low.</p>
AMBHIBIANS				
<p>western toad <i>Anaxyrus boreas</i></p>	<p>Three different types of habitat: breeding habitat, terrestrial summer range, and winter hibernation sites. Breeds in a variety of aquatic habitats with sandy substrates, including the shallow margins of lakes to roadside ditches. Outside the breeding season, adults spend most of their time on land and can be found in forested areas, wet shrublands, avalanche slopes, and meadows. Adults consume a wide variety of invertebrates including worms, spiders, bees, beetles, ants and grasshoppers. Tadpoles are highly gregarious and eat algae, as well as organic matter in the water, but will scavenge on carrion. Although they are capable of excavating their own burrows in loose soils, they shelter in small mammal burrows, beneath logs, and within rock crevices. Rocky Mountains to the pacific coast, from sea level to approximately 3 600 meters. The eastern portion of its range includes western Alberta, and parts of the</p>	<p>Adults are active from January until October; hibernates in burrows below the frostline up to six months of the year</p>	<p>CDC: yellow COSEWIC: SC SARA: SC</p>	<p>Moderate.</p>

	western United States; and the southern extent is Baja California.			
northern red-legged frog <i>Rana aurora</i>	Streams, ponds, and marshes with slow-moving water and adjacent terrestrial environments; moist forest conditions far from open water characterized by mature vegetation, leaf litter, and large woody debris. Restricted to low elevations. Breeding in late winter/early spring in shallow water of permanent ponds or lakes, slow-moving streams, marshes, bogs, and swamps. During the summer, hatchlings typically occur within vegetation along streams, in moist sedge or brush, on shaded pond edges, and/or under logs or debris. Due to predation and competition with introduced bullfrogs (<i>Rana catesbeiana</i>), the red-legged frog does not occur where this species is present. Occurs along the west coast of North America from Baja California to Canada and reaches the northern extent of its range in extreme southwestern BC. In BC, it occurs on Vancouver Island, the Gulf Islands, the mainland adjacent to the Strait of Georgia, and through the Fraser valley to Hope.	March – October; hibernates from November until late February	CDC: blue COSEWIC: SC SARA: SC	High. Nuala Murphy, Property Management Specialist with the Islands Trust Conservancy indicated northern red-legged frogs were found in Kill Creek on the David Otter Reserve.
wandering salamander <i>Aneides vagrans</i>	An entirely terrestrial salamander inhabiting low-elevation coastal Douglas-fir and Western Hemlock forests of various ages; usually under rotting logs or loose bark and moss. This species depends upon cutaneous respiration and therefore is restricted to moist microhabitats. Wandering Salamander is found only on Vancouver Island, adjacent small islands and one location on the Sunshine Coast.	Year round	CDC: blue COSEWIC: SC SARA: SC	Moderate. Documented on Gambier Island (Michael Stamford, personal communication)
coastal giant salamander <i>Dicamptodon tenebrosus</i>	Dry, open woods to coastal rainforest at various elevations; many types of aquatic habitats, including mountain streams, large rivers, lakes and ponds in clear, cool, fast flowing and well-oxygenated streams with step pool morphology and sufficient hiding cover. The larvae of this species predominantly use pocket pools. This species is sensitive to competition and predation from introduced game fish. The aquatic larvae feed nocturnally on invertebrates, tadpoles, small fish, and occasionally each other. The metamorphosed adult forages in the forest, using the damp litter on the forest floor to survive: in moist forested areas with ample hiding cover and in close proximity to streams (within ten meters of the stream). Can move up to several hundred metres in wet nights and often move 1500 metres on successive nights. Adults consume land snails, slugs, beetles, shrews and other amphibians. Western coast of North America and from	Year round	CDC: blue COSEWIC: TH SARA: TH	Low.

	northwestern California to southwestern BC. In BC, this salamander occurs in just one drainage basin, the Chilliwack River valley; in small tributaries of the Fraser River near the Chilliwack River Valley. Their range in this vicinity appears to be continuous, extending from the west side of Vedder Mountain to the slopes east of Chilliwack Lake.		
BIRDS			
western grebe <i>Aechmophorus occidentalis</i>	Coastal, river backwater, and large slough areas. Breeds in western North America, very abundant to very common in southern coastal BC. On the coast, occurs in sheltered salt- and brackish water areas; small numbers are frequently found on slow-moving coastal rivers, large sloughs, lakes, and in the open ocean. Occurs throughout North America. Historically, breeding locations are in the interior of British Columbia; eggs are deposited in late May/early June.	Year round	CDC: red COSEWIC: SC SARA: SC Low. Unconfirmed observations documented on Bowen Island in iNaturalist; no habitat on site.
double-crested cormorant <i>Phalacrocorax auritus</i>	Marine environments, such as bays, inlets, harbors, lagoons, and estuaries; however, this species is commonly associated with freshwater environments on southern Vancouver Island and within the Fraser River lowlands. The double-crested cormorant breeds throughout southern BC. Nesting colonies are typically situated on bare areas of rocky islands. Most widespread cormorant in North America, only cormorant likely to be seen inland in most areas. Breeds throughout BC and from western Alaska, central Alberta, James Bay, and Newfoundland, south to Mexico and the Bahamas. Winters along the Pacific Coast, on the Atlantic coast from New England to Florida and along the Gulf Coast to Central America.	Year round	CDC: blue COSEWIC: NAR SARA: - Low. Unconfirmed observations documented in iNaturalist for Bowen Island; no habitat on site.
great blue heron, herodias subspecies <i>Ardea herodias herodias</i>	Salt, brackish, and freshwater environments including marshes, swamps, shores, and tidal flats. The diet of great blue herons is highly variable and adaptable and includes fish, frogs, salamanders, turtles, snakes, rodents, and birds. This species is very common in southern BC and is frequently observed. The Fraser River delta is the primary wintering area for the great blue heron in BC. Breeding colonies are typically associated with island or mainland sites adjacent to tidal mud flats and eelgrass meadows. Nesting colonies can be located adjacent to high-traffic areas, such as Stanley Park, Vancouver. The nest is in trees approximately 5 to 30 metres above the ground or water. Widely distributed along the coast including Vancouver Island and the	Year round	CDC: blue COSEWIC: SC SARA: SC Moderate.

	Queen Charlotte Island and throughout the interior south of the 52 latitudes.		
Canada goose, <i>occidentalis</i> subspecies <i>Branta canadensis occidentalis</i>	Breeds in freshwater marsh with tall shrub vegetative cover. Landscape level: herb graminoid and mixed tree/shrubs landcover classes. Nest site level: Interlevee basins were the most common site used for nesting, followed by levees. Low shrub cover or low height forb cover were important components of a nest site in high density nesting strata. Winters in farm fields and agricultural wetlands in Washington and Oregon.	Spring and summer; autumn migrant	CDC: red COSEWIC: - SARA: - Low.
northern goshawk, <i>laingi</i> subspecies <i>Accipiter gentiles ssp. laingi</i>	Hunt inside the forest or along edge. Occur in coniferous or mixed forests and are restricted to wooded areas, may occur in open woods. Feed on birds and small mammals. In the Fraser basin, occurs near wooded sloughs, hedgerows, and woodlands along river banks with tall shrubs, and over cattail marsh. Nests in trees in major crotch of trunk. Throughout North America; range appears to be expanding. Breeds in the temperate and boreal regions of the northern hemisphere. Some confusion in the literature regarding the range of the subspecies: the American Ornithologists Union restrict this subspecies to the Queen Charlotte Islands and Vancouver Island, while Jewett <i>et al.</i> (1953) consider all coastal birds south to Oregon to be the <i>laingi</i> subspecies.	Year round	CDC: red COSEWIC: TH SARA: TH Low – Moderate.
peregrine falcon, <i>pealei</i> subspecies <i>Falco peregrinus pealei</i>	Habitat requirements can be divided into three components, including the nest site, the nesting territory and the home range. The nest site is a scrape made on cliff ledges on steep cliffs, typically near wetlands. The nesting territory is the area defended around the nest, which is related to food availability. The home range is the non-defended area in which peregrines forage for food. This area can extend up to 27 kilometers from the nest. Peregrines often prefer open habitats such as wetlands, tundra, savanna, sea coasts, and open mountain meadows, but will hunt over open forest, can also occur near beaches, tidal flats, reefs, island, marshes, estuaries, lagoons, flooded farmland, airports, parks, golf courses, railway yards, and bridges. The main prey item for the peregrine falcon is birds; associated with habitats where there is an abundance of small-to-medium sized birds, including airports, bridges, and parks. Three subspecies of the peregrine falcon (<i>Falco peregrinus</i>) have distinct geographic distributions. The <i>pealei</i> subspecies, also known as Peale's peregrine, is found mostly along the northwest coast of the US, the	Year round	CDC: blue COSEWIC: SC SARA: SC Low.

	western coast of Canada, the Aleutians and the Bering Sea. This subspecies is not known to migrate.		
<p>peregrine falcon, <i>anatum</i> subspecies <i>Falco peregrinus anatum</i></p>	<p>Habitat requirements can be divided into three components, including the nest site, the nesting territory and the home range. The nest site is a scrape made on cliff ledges on steep cliffs, typically near wetlands. The nesting territory is the area defended around the nest, which is related to food availability. The home range is the non-defended area in which peregrines forage for food. This area can extend up to 27 kilometers from the nest. Peregrines often prefer open habitats such as wetlands, tundra, savanna, sea coasts, and open mountain meadows, but will hunt over open forest, can also occur near beaches, tidal flats, reefs, island, marshes, estuaries, lagoons, flooded farmland, airports, parks, golf courses, railway yards, and bridges. The main prey item for the peregrine falcon is birds; associated with habitats where there is an abundance of small-to-medium sized birds, including airports, bridges, and parks.</p> <p>Three subspecies of the peregrine falcon (<i>Falco peregrinus</i>) have distinct geographic distributions. The <i>anatum</i> subspecies, also known as the American peregrine, breeds south of the treeline in Alaska and Canada, throughout most of the United States of America, and from central to south Mexico.</p>	Year round	<p>CDC: red COSEWIC: NAR SARA: -</p> <p>Low.</p>
<p>marbled murrelet <i>Brachyramphus marmoratus</i></p>	<p>Coastal areas, mainly in salt water within 2 km of shore, including bays and sounds; not uncommon up to 5 km offshore; occasionally also on rivers and lakes usually within 20 km of ocean (but up to 75 km), especially during breeding season.</p> <p>Nests often are in mature/old growth coniferous forest near the coast: on large mossy horizontal branch, mistletoe infection, witches' broom, or other structure providing a platform high in mature conifer (e.g., Douglas-fir, mountain hemlock). Most nesting occurs in large stands of old growth. Nest sites generally have good overhead protection.</p> <p>Nesting or probable nesting has been recorded up to 56 km inland in California (USFWS 1994). On the British Columbia coast, nesting birds flew 12-102 kilometers (mean 39 kilometers) inland from foraging sites on the water.</p>	Year round; breeding from late March to late September	<p>CDC: blue COSEWIC: TH SARA: TH</p> <p>Low. Although unconfirmed observations documented in iNaturalist for Bowen Island, no suitable habitat on site.</p>

	In British Columbia, adult diet during the breeding season is mostly fishes.		
band-tailed pigeon <i>Patagioenas fasciata</i>	Variety of habitats ranging from open wooded areas including mixed coniferous/deciduous trees with edges, city yards, parks, wooded groves, open bushland, mineral springs, and intertidal flats. Breeds in coniferous trees and deciduous trees. Forage for ripening fruits and grains in wooded areas; frequent rail lines, grain storage areas, and residential properties where grain is transferred and/or stored. Broadly distributed from southern Alaska to Central and South America. In North America, it is distributed along the coastal areas from about southern Alaska into Baja California; interior region from Colorado, where they extend mostly along the continental divide into South America. While present year-round in some northern urban areas where it is attracted to feeders and holly orchards, the species is described as a partial migrant where most from the northern pacific coast breeding range migrate to south of the upper third of California (Sonoma-Nevada Counties) and most from the interior region migrate beyond the U. S. and Mexico border.	Year round	CDC: blue COSEWIC: SC SARA: SC High. Common inland on Bowen Island.
short-eared owl <i>Asio flammeus</i>	Open areas such as marshes, swamps, sloughs, estuaries, lakeshores, spits, marine foreshores, beaches, lagoons, grasslands, sedge-hardhack associates, rangelands, airports, golf courses, dykes, agricultural fields and grassy fields; active during daylight, especially in the evening. Breeds in open country with shore vegetation, including grasslands, rangelands, near-dry marshes, farmlands, low-arctic tundra, brushy fields, and forest clearings. Nests are shallow scrapes on dry ground, on a raised hummock or ridge, and sparsely lined. Foraging and roosting occurs in abandoned pastures, fields, hay meadows, grain stubble, airports, golf courses, young conifer plantations, and marshes. Primarily consume microtine rodents. Scattered occurrences in winter in northern Mexico and summer residents as far north as Alaska. In North America, it breeds from Alaska across the southern arctic Canada to northern Quebec and Newfoundland south locally to Central California, Utah, Kansas, Ohio, and New Jersey; also, South America and Eurasia, and Hawaii. The Fraser River delta is the main wintering area in BC. Here they roost in tall-grass areas along the lee side of dykes.	uncommon spring and autumn migrant throughout BC; year-round on the extreme southwest coast	CDC: blue COSEWIC: TH SARA: SC Low.

<p>western screech-owl, kennicottii subspecies <i>Megascops kennicottii kennicottii</i></p>	<p>Mixed deciduous/coniferous forests on the edges of clearings, wooded canyons <i>Otus flammeolus</i>, riparian thickets, deserts, orchards, at low elevations often associated with riparian areas. May roost in either coniferous or deciduous tree cavities, patches of thick vegetation, nest boxes, buildings, trees, vines, and crevices in cliffs. Nesting habitats of this owl include large, natural cavities (e.g., in trees), abandoned pileated woodpecker (<i>Dryocopus pileatus</i>) and northern flicker holes, as well as, cavities in poles, and old magpie (<i>Pica pica</i>) nests. May occur in wooded suburban areas and city parks, if they are disturbed minimally by humans and their associated activities.</p>	<p>CDC: blue COSEWIC: TH SARA: TH</p>	<p>Low - moderate. Uncommon inland on Bowen Island.</p>	
<p>Western screech-owl is nocturnal and becomes active at dusk feeding on small mammals, birds, reptiles, small fish, and insects, with large insects being primary source of food (Alsop, 2001). This species is sedentary in that it often stays in the same home range throughout the year. Western portion of the North American continent from southern Alaska to central Mexico (COSEWIC, 2002). It is generally common and widely distributed throughout its range. In BC, this subspecies is known along the coast, including Vancouver Island, but excluding the Queen Charlotte Islands, relatively common in the lower mainland.</p>		<p>Year round</p>		
<p>olive-sided flycatcher <i>Contopus cooperi</i></p>	<p>Abundant in early postfire landscapes that have burned at high severity. Breeds in coniferous woods across Canada, Alaska, and the northeastern and western United States, and other types of wooded areas in California. Migrate to Central America and the Andes region of South America.</p>	<p>CDC: yellow COSEWIC: SC SARA: TH</p>	<p>Moderate. Although uncommon inland on Bowen Island; unconfirmed observation documented in iNaturalist for Bowen Island.</p>	
<p>Open situations, less frequently in partly open habitats, frequently near water. Nests in barns or other buildings, under bridges, in caves or cliff crevices, usually on vertical surface close to ceiling. Commonly reuses old nests. Usually returns to same nesting area in successive years; yearlings often return to within 30 km or closer to natal site. Flies over open land and water and forages on a wide variety of flying insects; rarely eats berries. South-coastal and southeastern Alaska, across much of Canada south through much of U.S. to central Mexico; also eastern Buenos Aires province, Argentina, in early</p>		<p>Late April through August</p>	<p>CDC: yellow COSEWIC: SC SARA: TH</p>	<p>Low. Common inland and over freshwater on Bowen Island; may forage over Killarney Lake, known to nest at Endswell Farm.</p>

	1980s (Ridgely and Tudor 1989); across Eurasia to Mediterranean region, northern Africa, China, Japan.		
purple martin <i>Progne subis</i>	<p>Towns, farms, semi-open country near water such as estuaries and harbors and the BC subspecies (<i>P.S. arboricola</i>) occurs in mountain forest and saguaro desert in low elevations; also, in deciduous second growth near ponds, lakes, estuaries, mudflats, powerline rights-of-way and farmland are also used where insects are plentiful and snags are available for nest sites. Nests are in cavities in old trees, mostly in old woodpecker holes; sometimes this species nests in holes in buildings or in cliffs.</p> <p>Historically, this species was known to nest in Vancouver and the Lower Fraser Valley, as well as, eastern Vancouver Island from Sooke to Campbell River. Recently, they have been restricted to six sites on southeast Vancouver Island (Victoria Harbour, Esquimalt Harbour, Cowichan river Estuary, Nanaimo River Estuary, Newcastle Island, and Ladysmith Harbour) and one in Maplewood Flats in North Vancouver (Fraser <i>et al.</i>, 1997). All known nest sites in BC are near estuaries with extensive mudflats. A few records exist in the Peace River area within Boreal black and White Spruce Biogeoclimatic Zones, but no confirmed breeding has taken place in these zones. Other breeding areas include western Washington, western Oregon, northern California, northern Arizona, central Utah, eastern Idaho, central Alberta, central Saskatchewan, southern Manitoba, western and southern Ontario, southern Quebec, New Brunswick, Prince Edward Island (possibly), and central nova Scotia, south to southern Baja California and Isla Tiburon (off Sonora), in the Mexican Highlands to Michoacan, Guanajuato and San Luis Potosi, and to southern Texas, the Gulf Coast and southern Florida (except the Florida Keys) (Fraser <i>et al.</i>, 1997).</p>	<p>CDC: blue COSEWIC: - SARA: -</p>	Low.
		Mid-march - August	
black swift <i>Cypseloides niger</i>	<p>Often foraging at high altitude, black Swifts fly over open country and forests in mountainous areas and lowlands, pursuing aerial insects. Requires very specific nesting habitat. Nests at waterfalls or in sea caves. Common factors found at active nest sites include: water, high relief, inaccessible to humans or predators, darkness and unobstructed flyways. Like many other birds that specialize on a diet of flying insects, this species has experienced a large population decline over recent decades. The global breeding range of the subspecies that occurs in Canada shows a disjunct distribution: a</p>	<p>CDC: blue COSEWIC: EN SARA: EN</p>	Low. Unconfirmed observations documented in iNaturalist for Bowen Island; may forage in the air column over the property.
		Mid-march - August	

	northern range (from southeastern Alaska, northwestern British Columbia and southwestern Alberta, south through northwestern Montana, northern Idaho, and northern Washington), and scattered populations south of this (in Oregon, California, Utah, Colorado, northern New Mexico, southeastern Arizona)		
yellow-breasted chat <i>Icteria virens</i>	Secretive species occurs in dense, tangled, brushy patches and hedgerows in open, sunny areas. In BC, occupies the thickest available habitat, primarily riparian forests dominated by black cottonwood where there is an understory of willow, alder, maple, elderberry and other shrubs; such as Himalayan blackberry. Can occur in dry, overgrown pastures and in upland thickets along the margins of woods. Feed on insects, as well as fruit. Throughout much of the US and southern latitudes of Canada, migrate to tropics in winter. Recorded in Ucluelet and Carmannah Point on Western Vancouver Island, the Courtenay/Comox and Cowichan Bay areas of southeastern Vancouver Island, and much of the Lower Mainland to Pitt Meadows. On the coast, fewer than 25 records in the past 90 years. Breeds in the southern Okanagan Valley, between Osoyoos and Lavington, and in the southern part of the Similkameen Valley in Richter Pass.	Summer	CDC: red COSEWIC: EN SARA: EN Low.
common nighthawk <i>Chordeiles minor</i>	In British Columbia, Common Nighthawks can be found roosting and nesting in a variety of habitats including: beaches, farm fields, sagebrush and grassland habitat, open Ponderosa pine forests, rock outcrops, logged and slash-burned forest areas, coastal island meadows and urban areas. Ground substrates at nesting sites included gravel, sand, bare rock, wood chips, needles, leaves, and occasional living vegetation: lichen, dandelion and moss. Common Nighthawks are known from throughout the province, with the exception of west of the Coast Mountains north of Vancouver (where they are very rare) and the Queen Charlotte Islands (where they are accidental). They have been found breeding from sea level to elevations of 1250m.	Mid-march through August	CDC: yellow COSEWIC: SC SARA: TH High. Common inland and over freshwater on Bowen Island. Unconfirmed observation documented in iNaturalist for Bowen Island.
evening grosbeak <i>Coccothraustes vespertinus</i>	Evening Grosbeak breeding habitat generally includes open, mature mixed forests, where fir species and/or White Spruce are dominant, and Spruce Budworm is abundant. Outside the breeding season, the species seems to depend largely on seed crops from various trees such as firs and spruces in the boreal forest, but is also attracted to ornamental trees that produce seeds or fruit, and bird feeders stocked with sunflower seeds. Breeds in Canada, the US and Mexico.	Year round	CDC: yellow COSEWIC: SC SARA: SC Moderate. Unconfirmed observation documented in iNaturalist for Bowen Island.

MAMMALS			
<p>townsend's mole <i>Scapanus townsendii</i></p>	<p>In fields, meadows, and open woodlands throughout coastal areas of California, Oregon, Washington and extreme southwest British Columbia. In deep, loose, sandy, soil with low gravel content in agricultural areas and brushy valley bottoms. They require soils that are moist and well drained, with no water table for year-round tunneling and mound construction. They eat earthworms and insects, as well as, centipedes, slugs, spiders, and some vegetable matter. This species is generally solitary, and are territorial with moles that enter their home range. This species is restricted to approximately 20 square kilometers of land in the central Fraser Valley in the vicinity of Abbotsford, Clayburn and Huntingdon.</p>	<p>Year round</p>	<p>CDC: red COSEWIC: EN SARA: EN</p> <p>Low.</p>
<p>hoary bat <i>Lasiurus cinereus</i></p>	<p>The hoary bat is a nocturnal, tree-dwelling bat, and is one of the largest & most widespread bat species in North America. It inhabits open, grassy areas in coniferous and deciduous forests, and over lakes, and in areas impacted by humans. After sunset it is often found over wetlands, lakes and rivers. In the summer they roost mostly in trees with dense foliage with open flying areas below, though sometimes in rock crevices and squirrel nests. They mate in the fall; young are born late-May to early July. They migrate south to hibernate in the winter. Occur in BC's central and southern regions from May to September.</p>	<p>May to September in BC</p>	<p>CDC: blue COSEWIC: EN SARA: -</p> <p>Moderate. Detected on island.</p>
<p>little brown myotis <i>Myotis lucifugus</i></p>	<p>This most frequently encountered bat, inhabiting buildings, attics, roof crevices, loose tree bark, or under bridges; anywhere near water. They roost along, or in small groups or colonies up to 1000 bats. Roosts are found under a loose shingle, in an open attic or tree cavity. They mate in late fall or during hibernation; with young born in late June or early July. Females return to the same maternity colony site every year. Upon arrival of cooler weather in late August/September, most the little brown myotis begin their migration south for winter, although some bats will hibernate in caves and old mines in BC.</p>		<p>CDC: blue COSEWIC: EN SARA: EN</p> <p>Moderate. Detected on island.</p>
<p>yuma myotis <i>Myotis yumanensis</i></p>	<p>They inhabit areas associated with water in grasslands, shrub areas, riparian, desert scrub, moist woodlands, and forests. They forage on flying stages of aquatic insects. In April, they roost and form maternal colonies in buildings, trees, rock crevices, tunnels, under bridges, and under south-facing siding or shingles, always near water; males roost separately. Young are born late May</p>		<p>CDC: blue COSEWIC: - SARA: -</p> <p>Moderate. May be present on island; yet to be captured/observed visually.</p>

	to July; however, in BC during wet years, the Yuma myotis will skip reproducing. Mating occurs in the fall, and at the end of September they migrate south into the US. The Canadian distribution is limited to BC, in coastal forests, Ponderosa Pine/Douglas-fir forests and arid grasslands.			
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	Wide variety of habitats, its distribution strongly correlates with the availability of caves or cave-like roosts. Diet consists of small moths, lacewings, beetles, flies, and sawflies. Relatively sedentary and move only up to 10-65 km from the winter roost to the summer roost. Current range of this species is from Mexico into BC, along the western United States. In addition, there are a few isolated populations in the central and eastern United States.	Year round; nocturnal	CDC: blue COSEWIC: - SARA: -	Moderate.
Keen's long-eared myotis <i>Myotis keenii</i>	Low elevation, dense, coastal western hemlock mature forest habitats. Roosts in trees and brush, under loose bark, and in rock crevices. Hibernates in caves over winter. Food items include moths and other insects. In BC, occurs on coastal islands, coastal mainland, and the coast mountains, including Vancouver Island and the Queen Charlotte Islands.	Spring, summer, fall; hibernates in winter; nocturnal	CDC: blue COSEWIC: DD SARA: -	Moderate. May be present on island; yet to be captured/observed visually.
Northern long-eared myotis <i>Myotis septentrionalis</i>	This bat generally is associated with old-growth forests composed of trees 100 years old or older. It relies on intact forest habitat, with low edge-to-interior ratios. Foraging occurs within forests, along forest edges, over forest clearings, and occasionally over ponds. Hibernation occurs primarily in caves, mines, and tunnels, typically those with large passages and entrances, relatively constant and cool temperatures, high humidity, and no air currents. Hibernators frequently roost in crevices, drill holes, and similar sites, but roosting in the open is not uncommon. Night roosts used in summer between foraging bouts are in different habitats than day roosts. Caves, mines, and quarry tunnels are used as night roosts. Daytime observations typically are of individuals in crevices or hollows or under loose bark on trees and in a variety of small spaces associated with buildings and other structures. Most nursery colonies are in cavities or beneath loose bark in trees or snags in upland forests, with roost entrances generally below or within the tree canopy. This bat is widely but patchily distributed in the eastern and north-central United States and adjacent southern Canada, from eastern British Columbia and southern Yukon eastward across southern Canada to eastern Quebec, Prince Edward Island, and Newfoundland, and southward to southern Texas,	Spring, summer, fall; hibernates in winter; nocturnal	CDC: blue COSEWIC: EN SARA: EN	Low. May be present on island; yet to be captured/observed visually.

	Louisiana, Alabama, Georgia, and Florida, and westward in the United States generally to the eastern margin of the Great Plains region. The overall summer and winter ranges are essentially the same.		
southern red-backed vole <i>occidentalis</i> subspecies <i>Myodes gapperi occidentalis</i>	Cool moist forests with dense groundcover comprised of coarse woody debris (i.e., logs and rootwads). Relatively intolerant of habitat disturbance (when compared other voles). Primarily herbivorous; common food items include seeds, vegetation, fungi and insects (occasionally). Historically occurred in Pacific Spirit Regional Park in Vancouver and in areas north of the Fraser River estuary; however, the species has not been recorded for at least 40 years. Therefore, the species may be extirpated from British Columbia.	CDC: red COSEWIC: - SARA: -	Low.

Legend
CDC

- red candidates for legal designation as Threatened (TH) or Endangered (EN).
- blue considered to be vulnerable or sensitive to human activities or natural events, and could become candidates for the red-list.
- yellow indigenous and are not at risk in BC and include uncommon, declining, and increasing species.

SARA/COSEWIC

- XX Extinct a species that no longer exists
- ET Extirpated a species that no longer exists in the wild in Canada, but occurs elsewhere
- EN Endangered a species facing imminent extirpation or extinction
- TH Threatened a species likely to become endangered if limiting factors are not reversed
- SC Special Concern a species with characteristics that make it particularly sensitive to human activities or natural events
- NAR Not At Risk have not been given status because populations are not in any peril; and,
- DD Data Deficient a species for which there is insufficient scientific information to support status designation.
- Not addressed Not addressed by the COSEWIC or the SARA

APPENDIX B

DATA SHEETS

BIOLOGICAL EVALUATION DATA SHEET (Continued)



Sensitive Natural Communities Present?:

No Yes (describe)

Kill Creek + unnamed tributary

Federal/Provincial Listed Animal or Plant Species, or Species Proposed for Listing, Present?:

No Yes (list)

Other Special Interest Species Present?:

No Yes (list)

Designated Critical Habitat Present?

No Yes (describe habitat, location, source)

Will Proposed Action Involve Tree Removal?

No Yes (describe circumstances)

some saplings may be removed - will attempt to cite structures to reduce tree removal - large maple adj to proposed water therapy location should be assessed by certified arborist.

Will Proposed Action Involve Water Diversion?

No Yes (describe circumstances)

maybe - if water in Kill Creek @ time of culvert installation - temporary creek diversion will be required to isolate work area

Will Proposed Action Fragment or Impede Wildlife Movement?

No Yes (describe)

Bird nests observed in project vicinity?

No Yes (describe)

Photo log:



- 1 culvert location in Kill Creek,
- 2 proposed water therapy location,
- 3 existing utility pole,
- 4 existing dirt access to be retrograded,
- 5 cabin location,
- 6 70' house
- 7 other structures
- 8
- 9
- 10
- 11
- 12

edges roots

Secondary house etc in mixed mature forest

HILLCREEK

RIPARIAN AREAS PROTECTION REGULATION DETAILED ASSESSMENT DATA SHEET

Project Name: 1273 Hiker's Trail Road Project #: M297
 Location/Reach Break ID #: 1 Date: Nov 1, 2023
 Biologist: M. Florendo, P. Cleary Start Time: 9:05am End Time: 10:44am

Weather (cloud cover, est. wind speed/direction, precipitation): overcast 6°C

General Site Conditions (vegetation community, aspect): mature mixed forest, eastern aspect.

Adjacent Land Uses:
 North: Hiker's Trail Rd, Mt Gardner Rd
 South: Rural residential
 East: Mt. Gardner Rd
 West: DAVID T 522 Nature Reserve

SPVT: TREES (TR) SHRUB (SH) LOW COVER (LC)

WATERBODY TYPE: STREAM DITCH WETLAND LAKE

CHANNEL TYPE: RP CP SP

	Waypoint	UTM	10U	Channel Width (0.1m)	Gradient (%)	Photo
1	16	04731092	54710992	3.6		U/D
2	17	04731094	54711039	4.7	4%	U/D
3	18	04731099	54711063	3.35		U/D
4	19	04731114	54711041	3.75	7%	U/D
5	20 21	04731112	54711050	3.55	8%	U/D
6	22	04731116	54711037	2.2		U/D
7	23	04731119	54711056	4.6		U/D
8	24	04731119	54711059	4.5		U/D
9	25	04731128	54711072	3.5		U/D
10	26	04731148	54711068	3.5		U/D
11	27	04731161	54711057	3.75		U/D
Averages				3.40	6%	

ZOS

LWD	10.8	10
litter fall	10.2	10.2
shade	10.2	10.2 due South

Overhanging Vegetation: Sword fern (D) cedar (D) Salmonberry
deer fern, bracken fern Bl Maple, maidenhair fern
elder berry, huckleberry, holly, six glove lady-fern

Continuity of Riparian Corridor/Barriers to Fish: old logging road traverses
creek - barrier to fish D/S - log dam to support roadway, culvert
beneath Mt Gardner Rd pitched ~0.40m above channel w/
bedrock/cobble approach - no pool.

Structural Diversity/Canopy Cover/LWD Recruitment: LWD present across
overhanging banks, Cobble, bedrock, fines gravel bars present

Water Present: yes 7.7m 5cm

Bank Stability: ravine appears stable, no sign of
slippage.

Deviations from Methodology: Ø

RIPARIAN AREAS PROTECTION REGULATION DETAILED ASSESSMENT DATA SHEET

unmarked tributary

Project Name: 1293 Hikers Trail Rd Project #: M297
 Location/Reach Break ID #: 1 Date: Nov 1, 2023
 Biologist: M. Florento, P. Cleary Start Time: 10:44am End Time: 11:45am

Weather (cloud cover, est. wind speed/direction, precipitation): overcast 6°C

General Site Conditions (vegetation community, aspect): mature mixed forest, eastern aspect

Adjacent Land Uses:
 North: Hikers Trail Rd, Mt Gardner Rd
 South: Rural Residential
 East: Mt Gardner Rd
 West: David Atter Nature Reserve

SPVT: TREES (TR) SHRUB (SH) LOW COVER (LC)

WATERBODY TYPE: STREAM DITCH WETLAND LAKE

CHANNEL TYPE: RP CP SP

	Waypoint	UTM	UTM	Channel Width (0.1m)	Gradient (%)	Photo
1	28	0473814	5471029	1.7		U/D
2	29	0473796	5471021	3.1	44	U/D
3	30	0473790	5471020	2.2		U/D
4	31	0473785	5471019	1.7	52	U/D
5	32	0473776	5471019	2		U/D
6	33	0473772	5471004	3.4	23	U/D
7	34	0473769	5471002	1.8		U/D
8	35	0473747	5471000	2.8		U/D
9	36	0473747	5470989	2		U/D
10	37	0473738	5470982	2.4		U/D
11	38	0473725	5470974	1.6		U/D
Averages				2.18	40%	

ZOS

LWD	2.18	10
litter fall	6.53	10
shade	6.53	6.53 dunes

Overhanging Vegetation: Sword fern (D) w Redcedar canopy (D)
Carex sp: salmonberry, dwarf fern, Drackenfern, Blirncaple,

Continuity of Riparian Corridor/Barriers to Fish: _____

Structural Diversity/Canopy Cover/LWD Recruitment: LWD present Bedrock, white
+ some fines.

Water Present: yes.

Bank Stability: banks appear stable - no evidence of
erosion

Deviations from Methodology: Ø

RIPARIAN AREAS PROTECTION REGULATION DETAILED ASSESSMENT DATA SHEET

Mt Gardner Ditch

Project Name: 1273 Hikers Trail Road Project #: m297
 Location/Reach Break ID #: mt Gardner ditch Date: Nov 22, 2023
 Biologist: M Fiorendo, P Cleary Start Time: 12:5 pm End Time: 2:00 pm

Weather (cloud cover, est. wind speed/direction, precipitation): overcast

General Site Conditions (vegetation community, aspect): Roadside ditch.

Adjacent Land Uses:
 North: _____
 South: _____
 East: _____
 West: _____

SPVT: TREES (TR) SHRUB (SH) LOW COVER (LC)

WATERBODY TYPE: STREAM DITCH WETLAND LAKE

CHANNEL TYPE: RP CP SP

	Waypoint	UTM	10u	Channel Width (0.1m)	Gradient (%)	Photo
1	66	0473785	5471175	1.0		U/D
2	67	0473789	5471165	1.45	7%	U/D
3	68	0473797	5471161	1.0	8%	U/D
4	69	0473804	5471169	1.1	5%	U/D
5	70	0473809	5471165	1.2		U/D
6	71	0473815	5471155	1.7		U/D
7	72	0473816	5471165	1.0		U/D
8	73	0473820	5471152	1.0		U/D
9	74	0473828	5471157	1.0		U/D
10						
11						
Averages				1.17	7%	

ZOS

LWD	2.34	5
litter fall	2.34	5
shade	2.34	5

Overhanging Vegetation:

Cedar sword fern grasses Foxglove
Nuckleberry bracken fern daphnea

Continuity of Riparian Corridor/Barriers to Fish:

Connected to Bolton Creek - culverts beneath
driveways + Hikers Trail Rd; ephemeral - no large
pools.

Structural Diversity/Canopy Cover/LWD Recruitment:

NO LWD, maintained
for municipal infrastructure.

Water Present:

no

Bank Stability:

run off

well maintained ditch for stormwater

Deviations from Methodology:

ran out of ditch - measured @ 5m
until crest of hill.

RIPARIAN AREAS PROTECTION REGULATION DETAILED ASSESSMENT DATA SHEET

-Hikers Trail Road, ditch

Project Name: 1273 Hikers Trail Road	Project #: M297
Location/Reach Break ID #: 1	Date: NOV 22, 2023
Biologist: M. Florento + P. Casey	Start Time: 1:00pm End Time: 1:25pm

Weather (cloud cover, est. wind speed/direction, precipitation): overcast

General Site Conditions (vegetation community, aspect): Roadside ditch

Adjacent Land Uses:

North: _____

South: RR

East: _____

West: _____

SPVT: TREES (TR) SHRUB (SH) LOW COVER (LC)

WATERBODY TYPE: STREAM DITCH WETLAND LAKE

CHANNEL TYPE: RP CP SP

	Waypoint	UTM	IDU	Channel Width (0.1m)	Gradient (%)	Photo
1	060	0473772	5471180	1.3		U/D
2	61	0473763	5471153	1.8	3%	U/D
3	62	0473765	5471161	.60		U/D
4	63	0473751	5471149	.80		U/D
5	64	0473741	5471141	.8	15%	U/D D
6	65	0473728	5471141	.8	14%	U/D
7						
8						
9						
10						
11						
Averages				1.05	11%	

ZOS

LWD	2.10	5
litter fall	2.10	5
shade	2.10	5

Overhanging Vegetation: lolly cedar salmonberry alder hemlock
sword fern bracken fern horse tails grasses junco

Continuity of Riparian Corridor/Barriers to Fish:
connected to Bolton Creek / culverts / ephemeral /
no large pools

Structural Diversity/Canopy Cover/LWD Recruitment:
No LWD
maintained as muni infrastructure

Water Present: NO

Bank Stability: infrastructure municipality maintains
ditch for stormwater runoff.

Deviations from Methodology:
ran out of ditch at pt 6
due to uniform nature of structure more pts not needed

APPENDIX C

DETAILED RAPR ASSESSMENT

Riparian Areas Protection Regulation: Assessment Report

Date September 20, 2024

I. Primary QEP Information

First Name	Micaele	Middle Name	J	
Last Name	Floendo			
Designation	Registered Professional Biologist	Company	Maddison Consultants Ltd.	
Registration #	1423	Email	micaele@maddison-consultants.com	
Address	1265 Adams Road			
City	Bowen Island	Postal/Zip	V0N 1G2	Phone # 604.838.2321
Prov/state	BC	Country	Canada	

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name		Middle Name		
Last Name				
Designation		Company		
Registration #		Email		
Address				
City		Postal/Zip		Phone #
Prov/state		Country		

III. Developer Information

First Name	Boris and Patricia	Middle Name		
Last Name	Nikic and Salib			
Company				
Phone #	(416)786-4739	Email	boris.nikic@gmail.com and patricia@elevatemediagroup.co	
Address	1273 Hikers Trail Road			
City	Bowen Island	Postal/Zip	V0N 1G2	
Prov/state	BC	Country	Canada	

IV. Development Information

Development Type	Accessory buildings		
Area of Development (ha)	0.044	Riparian Length (m)	280
Lot Area (ha)	1.8	Nature of Development	redevelopment
Proposed Start Date	May 1, 2025	Proposed End Date	August 30, 2027

V. Location of Proposed Development

Street Address (or nearest town)	1273 Hikers Trail Road		
Local Government	Bowen Island Municipality	City	Bowen Island
Stream Name	Kill Creek, tributary to Killarney Lake		
Legal Description (PID)	026-873-818	Region	2
Stream/River Type	stream	DFO Area	Lower Fraser
Watershed Code	905-074000-76000-41049		
Latitude	49	23	29.4792
Longitude	-123	21	44.0244

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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

The property is located on unceded Skwxwú7mesh Úxwumixw territory. The property area is located within the Coastal Western Hemlock biogeoclimatic zone (CWH), dry maritime subzone. It is approximately 1.80 hectares (ha), and is surrounded by Hikers Trail Road to the west, Crippen Regional Park to the east, Mount Gardner Road to the north, and David Otter Nature Reserve to the south. The southern portion of the property is bisected by Kill Creek, as such, the topography of the northern portion of the property has a northern aspect, and the topography in the southern portion of the property has a southeastern aspect. Elevations within the property range from 50 metres (m) to 90 m above sea level. Existing development on the property includes a house, septic system, fencing, graded gravel access road, skid trails, a swimming pool, a well, utility poles, sheds, asphalt basketball pad with associated hoop post, and a wooden deck with viewing platform.

The southern portion of the property is bisected by Kill Creek (WSC 905-074000-76000-41049), which flows east, downstream into Killarney Lake. Killarney Lake is inhabited by coastal cutthroat trout (*Oncorhynchus clarkii clarkii*), rainbow trout (*O. mykiss*), northern pikeminnow (*Ptychocheilus oregonensis*), brook trout (*Salvelinus fontinalis*), stickleback (*Gasterosteus* sp.), prickly sculpin (*Cottus asper*), and threespine stickleback (*Gasterosteus aculeatus*); it has been stocked with rainbow trout (Habitat Wizard, 2023). The dam at the outlet of Killarney Lake is not accessible for pacific salmonids.

Kill Creek is characterized by a cascade-pool morphology with a mean bankfull width of 3.4 m, and a 6 percent (%) gradient. Water was present within the creek at the time of the survey. In addition, water was observed within the channel during the initial site visit on October 26, 2023, as well as on subsequent on site planning meetings on December 27, 2023; February 16, 2024; April 5, 2024; May 10, 2024; and July 26, 2024; as well as on February 21, 2024 when the streambank and SPEA were pinflagged on site. A graded dirt skid trail crosses the Kill Creek channel on the western portion of the property. Where the graded dirt skid trail crosses Kill Creek, on the downstream side of the skid trail, a log dam supports the skid trail bed. Cover for fish in Kill Creek is provided by woody debris, cobble substrate, some gravel bars, and overhanging vegetation dominated by western redcedar and sword fern, with some bracken fern, bigleaf maple (*Acer macrophylla*), red huckleberry, maidenhair fern (*Adiantum aleuticum*), and salmonberry (*Rubus spectabilis*). Fish presence within Kill Creek is undocumented. However, apart from the 900 millimetre (mm) corrugated metal culvert beneath Mount Gardner Road being perched approximately 0.40 m above the bedrock and cobble channel with no plunge pool at the outlet, there are no significant barriers to fish passage from Killarney lake. Nuala Murphy, Property Management Specialist with the Islands Trust Conservancy, indicated that cutthroat trout have been observed within the waters (assumed to be referring to Kill Creek) in an electronic mail (e-mail) dated November 20, 2023; the source of this observation is unknown.

The unnamed tributary to Kill Creek is characterized by a step-pool morphology with a mean bankfull width of 2.18 m, and a 40 percent (%) gradient. Water was present within the channel at the time of the survey. Cover for fish is provided by woody debris, cobble substrate, and overhanging vegetation dominated by western redcedar and sword fern, with some bigleaf maple, deer fern (*Blechnum spicant*), and salmonberry (*Rubus spectabilis*).

During the field work associated with the detailed RAPR assessment, two unmapped roadside ditches were observed. One roadside ditch has been constructed along the east side of Hiker's Trail Road and the other along the south side of Mount Gardner Road. The roadside ditch along the east side of Hiker's Trail Road is tributary to the roadside ditch on the south side of Mount Gardner Road which flows to the northwest to Bolton Creek. Bolton Creek, which is mapped as a fishbearing stream from Killarney Lake to Mount Gardner Road.

The proposed development will include:

- clearing and grading for site preparation;
- construction of four cabins (approximately 23.25 square metres (m²) each);
- construction of a movement studio (not to exceed 92 m²);
- construction of a garden kitchen breakfast area (not to exceed 55 m²);
- construction of a secondary detached suite (not to exceed 120 m²);
- construction of a structure for water therapy station (not to exceed 30 m²);
- construction of a detached office (not to exceed 10 m²);
- installation of new septic systems for the water therapy station, detached secondary suite, garden kitchen breakfast area, as well as the cabins;
- regrading and the placement of gravel to reactivate an existing access road;
- the installation of overhead power for the proposed water therapy station from the existing utility poles;
- trenching for water from the existing source to the water therapy station;
- trenching for water from the existing source to the secondary suite, cabins, and garden kitchen;
- access routes to the secondary detached suite;
- parking areas;
- temporary access routes for construction of the proposed development including a temporary clear span crossing of Kill Creek; and,
- permanent pedestrian access trails including a permanent clear span crossing of Kill Creek.

While polygons have been identified for the proposed cabin location and the water therapy station, the limits of construction is not anticipated to encompass the entire polygon; rather, the structures will be field fit within the polygon to avoid significant trees and retain the character of the area. In addition, all temporary ground disturbance will occur within the identified area for the cabins and water therapy station.

Where feasible, the temporary access routes for construction will coincide with the permanent access routes. In addition, trenching for utilities and water will be installed within the proposed permanent footpaths. While the temporary access routes will be of sufficient width to allow for construction equipment, after construction these routes will be narrowed for the permanent pedestrian footpath access routes by decompacting and planting native vegetation as the equipment is removed from the area.

All of the construction and proposed facilities are outside the Stream Protection Enhancement Area (SPEA) of Kill Creek and the unnamed tributary except for two crossings. One crossing will be a temporary construction access route to the proposed water therapy station and movement studio, the other crossing will be a permanent pedestrian clear span bridge downstream of the temporary construction access to provide pedestrian access to the water therapy station and movement studio.

The temporary construction access will utilize an existing graded dirt access road alignment that currently crosses Kill Creek to access the David Otter Nature Reserve; the existing graded dirt road currently provides vehicle access directly through Kill Creek. A temporary clear span bridge will be placed so that construction equipment will cross Kill Creek perpendicularly outside the bed and bank of the stream channel. However, given property boundary limitations at this location on the south side of Kill Creek, the temporary construction access route will have to be located within the SPEA of Kill Creek for approximately 25 m until it coincides with either the construction footprint of the water therapy station, or the alignment of the permanent footpath access. This portion of the temporary access route will be field fit to avoid tree

removal, the shrubs and ferns will be salvaged during clearing and replanted to restore the temporary construction access route upon completion of construction.

The permanent clearspan footbridge will be installed upon completion of the construction of the water therapy station, movement studio and associated infrastructure. Subsequently, the temporary construction access will be removed and restored outside the extent of the existing graded dirt access road. Therefore, there will be a minimum temporal overlap of the two crossings.

Both the temporary construction clearspan bridge access and the permanent clearspan footbridge are authorized changes under Part 3, Section 39 (1[a]) of the *Water Sustainability Regulation*. As such, they will require a notice to a habitat officer (Notification) be submitted to Front Counter BC a minimum of 45 days prior to the commencement of all instream work.

Section 2. Results of Riparian Assessment (SPEA width)

The detailed assessment of Kill Creek and the unnamed tributary was conducted on November 1, 2023 and determined that the Stream Protection and Enhancement Area (SPEA) for Kill Creek is 10.2 m and the SPEA for the unnamed tributary is 10 m.

During the course of the detailed assessment, it was determined that the roadside ditches on the south side of Hikers Trail Road and the west side of Mount Gardner Road are tributary to Bolton Creek, a "fish bearing stream". Therefore, a detailed RAPR assessment of these roadside ditches was subsequently conducted on November 22, 2023. The detailed assessment determined that the SPEA of the roadside ditches is 5 m.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

2. Results of Detailed Riparian Assessment

Refer to Section 3 of Technical Manual

Date:

Description of Water bodies involved (number, type)

Stream	<input checked="" type="checkbox"/>
Wetland	<input type="checkbox"/>
Lake	<input type="checkbox"/>
Ditch	<input type="checkbox"/>
Number of reaches	<input type="text" value="1"/>
Reach #	<input type="text" value="1"/>

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)	
starting point	<input type="text" value="3.60"/>	<input type="text"/>	I, <u>Micaele Florendo</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.
upstream	<input type="text" value="4.70"/>	<input type="text" value="4"/>	
	<input type="text" value="3.35"/>	<input type="text"/>	
	<input type="text" value="3.75"/>	<input type="text" value="7"/>	
	<input type="text" value="3.55"/>	<input type="text" value="8"/>	
downstream	<input type="text" value="2.20"/>	<input type="text"/>	
	<input type="text" value="4.60"/>	<input type="text"/>	
	<input type="text" value="4.50"/>	<input type="text"/>	
	<input type="text" value="3.50"/>	<input type="text"/>	
	<input type="text" value="3.50"/>	<input type="text"/>	
	<input type="text" value="3.75"/>	<input type="text"/>	
Total:	<input type="text" value="30.35"/>	<input type="text" value="19"/>	
mean	<input type="text" value="3.40"/>	<input type="text" value="6"/>	
Channel Type	<input type="text" value="R/P"/>	<input checked="" type="checkbox"/> C/P	

Site Potential Vegetation Type (SPVT)

SPVT Polygons	<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, <u>Micaele Florendo</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.	
Yes	No						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
Polygon No:	<input type="text" value="1"/>	Method employed if other than TR					
SPVT Type	<table border="1"> <tr> <td>LC</td> <td>SH</td> <td>TR</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>		LC	SH	TR	<input type="checkbox"/>	<input type="checkbox"/>
LC	SH	TR					
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>					

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	10					
Litter fall and insect drop ZOS (m)	10.2					
Shade ZOS (m) max	10.2	South bank	Yes	X	No	X
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)					
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report	
SPEA maximum	10.2	(For ditch use table3-7)				

I, Micaele Florendo, hereby certify that:

- I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
- I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib;
- I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Comments

no deviations in methodology

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Refer to Section 3 of Technical Manual

Date:

Description of Water bodies involved (number, type)

Stream	<input checked="" type="checkbox"/>
Wetland	<input type="checkbox"/>
Lake	<input type="checkbox"/>
Ditch	<input type="checkbox"/>
Number of reaches	<input type="text" value="1"/>
Reach #	<input type="text" value="1"/>

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)		
starting point	<input type="text" value="4.2"/>		I, <u>Micaele Florendo</u> , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u> ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and h) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.	
upstream	<input type="text" value="3.1"/>	<input type="text" value="44"/>		
	<input type="text" value="2.2"/>			
	<input type="text" value="1.7"/>	<input type="text" value="52"/>		
	<input type="text" value="2.0"/>			
downstream	<input type="text" value="3.4"/>	<input type="text" value="23"/>		
	<input type="text" value="1.8"/>			
	<input type="text" value="2.8"/>			
	<input type="text" value="2.0"/>			
	<input type="text" value="2.4"/>			
	<input type="text" value="1.6"/>			
Total:	<input type="text" value="19.6"/>	<input type="text" value="119"/>		
mean	<input type="text" value="2.18"/>	<input type="text" value="40"/>		
	R/P	C/P		S/P
Channel Type	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
	I, <u>Micaele Florendo</u> , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u> ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and h) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.		
Polygon No:	<input type="text" value="1"/>	Method employed if other than TR	
SPVT Type	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	<input type="text" value="1"/>	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	<input type="text" value="10"/>					
Litter fall and insect drop ZOS (m)	<input type="text" value="10"/>					
Shade ZOS (m) max	<input type="text" value="6.53"/>	South bank	<input type="text" value="Yes"/>	<input type="text"/>	<input type="text" value="No"/>	<input checked="" type="checkbox"/>

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)				
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report
SPEA maximum	10.0	(For ditch use table3-7)			

Comments

no deviations in methodology

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Refer to Section 3 of Technical Manual

Date:	November 22, 2023
Roadside ditch (Hiker's Trail Road)	

Description of Water bodies involved (number, type)

Stream	
Wetland	
Lake	
Ditch	X
Number of reaches	1
Reach #	1

Gradient (%)

Channel Width(m)		Gradient (%)	
starting point	1.3		I, <u>Micaele Florendo</u> , hereby certify that: i) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u> ; k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and l) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.
upstream	1.8	3	
	.8		
	.8		
downstream	.8	15	
	.8	14	
Total:	6.3	32	
mean	1.1	11	
Channel Type	R/P	C/P	S/P
			X

Site Potential Vegetation Type (SPVT)

SPVT Polygons	Yes	No	
		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
			I, <u>Micaele Florendo</u> , hereby certify that: i) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u> ; k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and l) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.
Polygon No:	1		Method employed if other than TR
SPVT Type	LC	SH	
			X

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	5				
Litter fall and insect drop ZOS (m)	5				
Shade ZOS (m) max	5				
		South bank	Yes	X	No

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Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)			Excavated infrastructure that the local government maintains for stormwater runoff; no significant natural headwaters.	
Ditch Fish Bearing	Yes	X	No	If non-fish bearing insert no fish bearing status report	
SPEA maximum	5		(For ditch use table3-7)		

Comments

Ditch insufficient length for all 11 measurements 10 metres apart. Therefore, measurements were taken 5 metres apart, and all measurements collected were used to calculate the mean.

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Refer to Section 3 of Technical Manual

Date:

November 22, 2023

Description of Water bodies involved (number, type)

Roadside ditch (Mount Gardner Road)

Stream	
Wetland	
Lake	
Ditch	X
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)	
starting point	1.6		
upstream	1.5	7	
	1.0	8	
	1.1	5	
downstream	1.2		
	1.2		
	1.2		
	1.0		
	1.0		
	1.0		
Total:	11.8	20	
mean	1.2	7	
	R/P	C/P	S/P
Channel Type			

I, Micaele Florendo, hereby certify that:

m) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

n) I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib;

o) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

p) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
			I, <u>Micaele Florendo</u> , hereby certify that: m) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; n) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u> ; o) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and p) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.
Polygon No:	1		Method employed if other than TR
SPVT Type	LC	SH	TR
			X

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons
LWD, Bank and Channel Stability ZOS (m)	5	
Litter fall and insect drop ZOS (m)	5	

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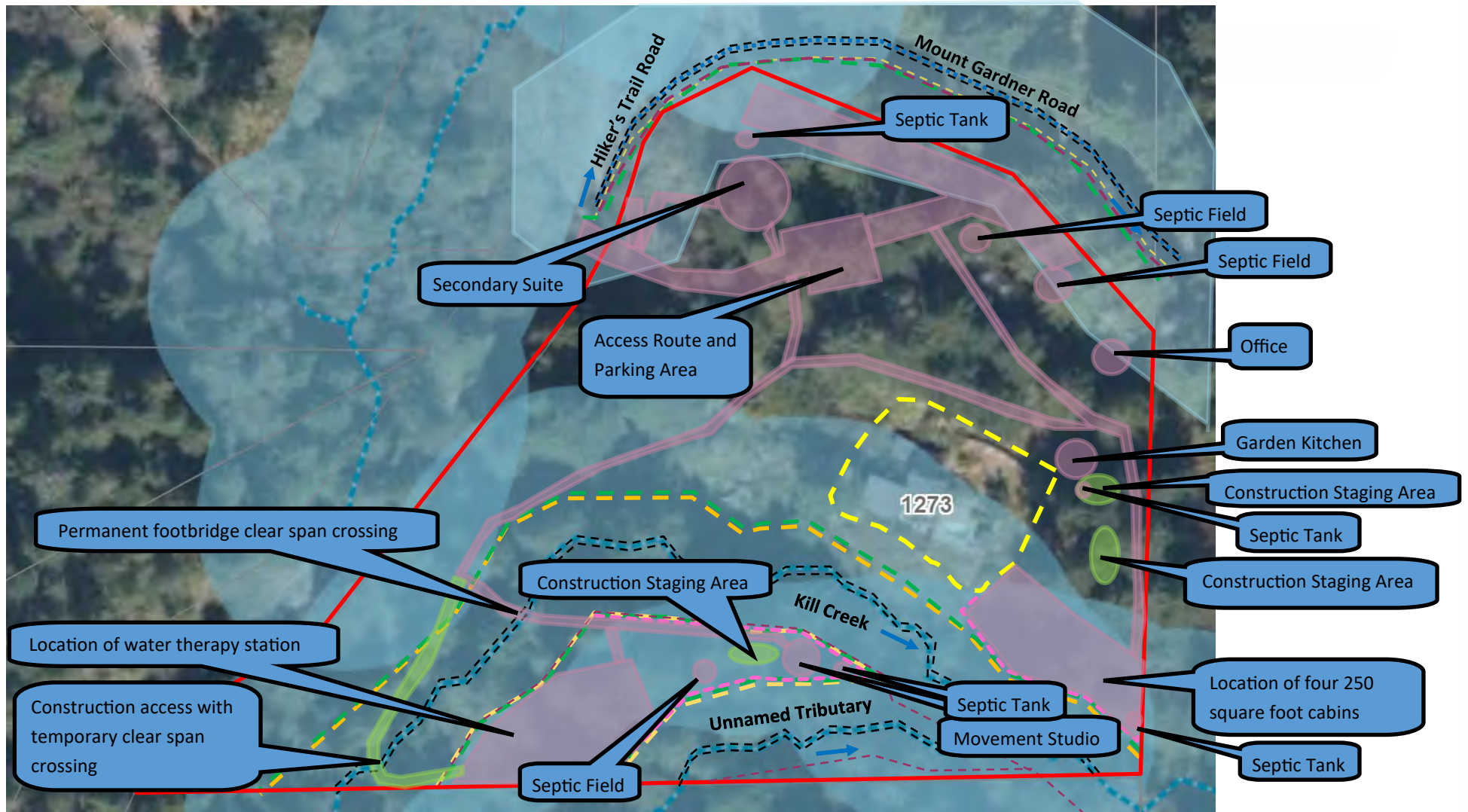
Shade ZOS (m) max	5	South bank	Yes	X	No	
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)				Excavated infrastructure that the local government maintains for stormwater runoff; no significant natural headwaters.	
Ditch Fish Bearing	Yes	X	No	If non-fish bearing insert no fish bearing status report		
SPEA maximum	(For ditch use table3-7)					

I, Micaele Florendo, hereby certify that:













- e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
- f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib;
- g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- h) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Comments

Ditch insufficient length for all 11 measurements 10 metres apart. Therefore, measurements were taken 5 metres apart and all measurements collected were used to calculate the mean.



LEGEND

-  Property Boundary (approx.)
-  Existing Fence
-  Proposed Works
-  Temporary construction impacts
-  Watercourse (Tributary to Fish Bearing)
-  Flow Direction
-  RAA, 30m both sides
-  Watercourse, Existing Top of Bank, 3. 4 m for Kill Creek, 2.2 m unnamed tributary, 1.1 m Hiker’s Trail roadside ditch, 1.2 m Mount Gardner roadside ditch
-  ZOS Shade, due south only, 10.2 m for Kill Creek, 10 m Unnamed tributary, 5 m roadside ditches
-  ZOS LWD & Litterfall, 10.2 m for Kill Creek, 10 m Unnamed tributary, 5 m roadside ditch
-  Streamside Protection Enhancement Area (SPEA), 10.2 m Kill Creek, 10.0 m unnamed tributary, 5 m roadside ditches
-  Sediment fence approximate location

Abbreviations:

- SPEA** – Stream Protection Enhancement Area
- RAA** – Riparian Assessment Area
- RAPR** – Riparian Area Protection Regulation
- ZOS** – Zone of Sensitivity
- LWD** – Large Woody Debris

Notes:

- Background imagery from BowMap, 2024
- Property boundaries are approximate
- Not to scale
- Revision date: 29 July 2024



Section 4. Measures to Protect and Maintain the SPEA

<p>1. Danger Trees</p>	<p>n/a If potential danger trees are observed on the property, a certified arborist will be retained to assess the tree. At this time, no potential danger trees have been identified.</p>
<p>I, <u>Micaele Florendo</u>, hereby certify that:</p> <ul style="list-style-type: none"> i) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u>; k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
<p>2. Windthrow</p>	<p>n/a Proposed development will be placed amongst trees, while individual trees may be removed within the construction footprint, tree removal will be limited for the proposed development.</p>
<p>I, <u>Micaele Florendo</u>, hereby certify that:</p> <ul style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Boris Nikic and Patricia Salib</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
<p>3. Slope Stability</p>	<p>n/a It is anticipated that earthworks will be minimized to the greatest extent feasible during construction. A geotechnical engineer will be retained to review the proposed cabin location prior to installation to ensure construction of the cabins does not destabilize the slope at this location. The local government has indicated that this would be a requirement prior to the issuance of the building permit.</p> <p>A Professional Engineer will be retained to determine that the proposed clear span bridges meet the conditions of an authorized change under the Water Sustainability Act (Section 39 (1)(b), which includes:</p> <ul style="list-style-type: none"> (i)the equipment used for site preparation, or for construction, maintenance or removal of the bridge is situated in a dry stream channel or operated from the top of the bank; (ii)the bridge and its approach roads do not produce a back water effect or increase the head of the stream; (iii)the hydraulic capacity of the bridge is equivalent to the hydraulic capacity of the stream channel, or is capable of passing the 1 in 200 year maximum daily flow; (iv)the height of the underside of the bridge is adequate to provide free passage of flood debris and ice flows; and, (v)the bridge is made of materials that meet the applicable standards of the Canadian Standards Association.

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	<p>These conditions will assist with slope stability at the proposed clear span bridge crossings.</p>
<p>I, <u>Micaele Florendo</u>, hereby certify that:</p> <ol style="list-style-type: none"> I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib; I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
<p>4. Protection of Trees</p>	<p>The limits of construction will be marked on site prior to construction and earth works will be monitored. The on site planning meetings identified the areas of development with careful consideration to the topography and mature tree retention.</p> <p>Access routes will follow existing alignments, where feasible, and a portion of the temporary construction access will be field fit to avoid trees in the vicinity of the water therapy station and movement studio. Rubber mats shall be placed during construction to protect shallow tree roots along the existing access roads. In addition, the footprint of the development has been identified to include underground utilities within footpaths and temporary construction routes in an effort to limit the overall vegetation removal and ground disturbance.</p> <p>Rubber mats will be placed during construction to protect shallow roots of cedar trees within existing access to be reactivated.</p>
<p>I, <u>Micaele Florendo</u>, hereby certify that:</p> <ol style="list-style-type: none"> I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
<p>5. Encroachment</p>	<p>Encroachment into the SPEA is required at two locations to cross Kill Creek. One crossing will be a temporary construction access route to the proposed water therapy station and movement studio, the other crossing will be a permanent pedestrian clear span bridge to provide pedestrian access to the water therapy station and movement studio.</p> <p>The temporary construction access will utilize an existing graded dirt access road alignment that currently crosses Kill Creek to access the David Otter Nature Reserve; the existing graded dirt road currently provides vehicle access directly through Kill Creek. A temporary clear span bridge will be placed so that construction equipment will cross Kill Creek perpendicularly outside the bed and bank of the stream channel. However, given property boundary</p>

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	<p>limitations at this location on the south side of Kill Creek, the temporary construction access route will have to be located within the SPEA of Kill Creek for approximately 25 metres until it coincides with either the construction footprint of the water therapy station, or the alignment of the permanent footpath access. This portion of the temporary access route will be field fit to avoid tree removal, the shrubs and ferns will be salvaged during access grading and replanted to restore the temporary construction access route upon completion of construction. Upon completion of construction the temporary clear span bridge will be removed and the crossing will be return to pre-existing conditions. This path for the temporary construction route was chosen as it utilizes the existing graded dirt roadway and the banks of Kill Creek at this location are less steep thereby providing more slope stability for heavy equipment as well as less grade change for equipment to access the construction site.</p> <p>The permanent clearspan footbridge will be of sufficient width to allow only pedestrian traffic. The Pedestrian footbridge will be installed after completion of construction of the water therapy station, movement studio and associated infrastructure. The timing of the construction will result in minimal overlap of the time that the bridges coexist.</p> <p>Both the temporary construction clearspan bridge access and the permanent clearspan footbridge are authorized changes under Part 3, Section 39 (1[a]) of the <i>Water Sustainability Regulation</i>. As such, they will require a notice to a habitat officer (Notification) be submitted to Front Counter BC a minimum of 45 days prior to the commencement of all instream work.</p> <p>Otherwise, the SPEA will be marked on site prior to construction for avoidance; a preconstruction meeting will be held to identify the environmentally sensitive areas, establish lines of communication, identify environmental management avoidance and minimization measures; and construction activities will be monitored to reduce the potential for encroachment.</p>
--	--

<p>I, <u>Micaele Florendo</u>, hereby certify that:</p>	
<p>a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib,</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.</p>	
<p>6. Sediment and Erosion Control</p>	<ul style="list-style-type: none"> • Limit the footprint of construction of the structures and associated infrastructure to retain vegetation

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	<p>and minimize the area of disturbed soils, where possible.</p> <ul style="list-style-type: none"> • Minimize the length of time disturbed soils are left exposed. • All exposed soils shall be covered prior to significant rainfall with jute netting, burlap, tarp or straw to control sediment and minimize erosion. A significant rainfall event is considered to be anything greater than 25 mm over a 24-hour period as forecasted by Environment Canada. • Ground disturbance activities shall be timed so that they avoid significant rainfall events. • Avoid ground disturbance when soils are saturated. • Construct and maintain structures to detain runoff. Runoff is not permitted to enter Kill Creek, the unnamed tributary, or the roadside ditches. • Any stockpiled soils shall be encircled with a sediment fence and tarped. • footpaths shall be surfaced with either gravel or mulch as a permanent cover. • Native seed mix should be broadcasted in accordance with manufacturer's guidelines, on top of disturbed soils. Ideally, seeding should occur on the same day that the soil surface has been prepared, either early fall or spring. • An organic mulch, such as straw, hydraulic mulch (either wood fibre (not western redcedar), or high performance hydraulic mulch), or compost, shall be applied overtop of the seed mix. • Sediment fences will be installed at two locations as shown on the site plan, one downslope of the proposed cabins, the other along the contours of the movement studio. The installation of the sediment fences will be monitored by the QEP. The sediment fences will be removed upon completion of construction.
--	---

I, Micaele Florendo, hereby certify that:

- a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
- b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib
- c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development

FORM 1

<p>Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.</p>	
<p>7. Stormwater Management</p>	<p>Either the proposed structures will incorporate rock pit stormwater detention areas to return stormwater to the ground, or the roof runoff will be retained as a secondary water source.</p> <p>The footpaths, access routes, and parking areas, will be surfaced with permeable surfaces such as gravel or graded dirt.</p>
<p>I, <u>Micaele Florendo</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.</p>	
<p>8. Floodplain Concerns (highly mobile channel)</p>	<p>n/a. The proposed project is outside the stream boundary of Kill Creek and the unnamed tributary; the steep channel slope indicates stream is less likely to flood the banks. No evidence of flooding was detected outside the channel.</p>
<p>I, <u>Micaele Florendo</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Boris Nikic and Patricia Salib;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.</p>	

Section 5. Environmental Monitoring

Environmental Monitoring shall be conducted during the implementation of the avoidance and minimization measures by the QEP who will be retained by the Property Owner. Before any work commences, a pre-work or tailgate meeting will be held with all personnel including the Environmental Monitoring Advisor (QEP), to review the on-site operating procedures and regulatory requirements (if any), to determine if all necessary erosion and sediment control supplies are available on site, and to discuss the spill response procedures. Site visits will be conducted to evaluate compliance and other applicable environmental protection guidelines. The timing of the site visits will depend upon when the proposed construction works are to occur.

A QEP will be on site during all instream works to monitor construction and water quality to ensure the integrity of the aquatic environment is maintained.

Section 6. Photos

View northwest of proposed temporary construction clear span crossing of Kill Creek.



View to the northeast of the proposed water therapy structure and movement studio location



FORM 1

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View northeast of existing access to proposed cabins to be reactivated



View south of proposed cabin location.



FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

View northwest of proposed secondary detached suite location.



View northeast of proposed garden kitchen and office location.



FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report
View downstream waypoint 019, at the existing crossing within Kill Creek.



View downstream of waypoint 24, Kill Creek.



FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report
View downstream, waypoint 30, Unnamed tributary to Kill Creek.



View upstream, waypoint 31, unnamed tributary to Kill Creek.



FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report
View downstream, waypoint 62, Hiker's Trail road roadside ditch.



View downstream, waypoint 70, Mount Gardner road roadside ditch.



Section 7. Professional Opinion

Qualified Environmental Professional opinion on the development proposal's riparian assessment.

Date

1. I/We Micaele Florendo, R.P. Bio

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Boris Nikic and Patricia Salib, which proposal is described in section 3 of this Assessment Report (the "development proposal"),
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the specifications of the Riparian Areas Protection Regulation and assessment methodology set out in the minister's manual; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) the site of the proposed development is subject to undue hardship, (if **applicable, indicate N/A otherwise**) and
- b) the proposed development will meet the **riparian protection standard** if the development proceeds as proposed in the report and complies with the measures, if any, recommended in the report.

[NOTE: "Qualified Environmental Professional" means an individual as described in section 21 of the Riparian Areas Protection Regulation.

APPENDIX D

SITE PHOTOGRAPHS



Photograph 1. View to the southeast of the location of the proposed cabins.



Photograph 2. View to the northeast of proposed access road to proposed cabins to be regraded.



Photograph 3. View to the northwest of proposed secondary detached suite.



Photograph 4. View to the northeast of proposed office and garden breakfast area.



Photograph 5. View to the northwest of proposed temporary construction clear span crossing over Kill Creek.



Photograph 6. Upstream view of existing log retaining wall to support existing skid road crossing of Kill Creek.



Photograph 7. View northeast of proposed water therapy structure and movement studio location.



Photograph 8. View to the east northeast of existing utility pole.



Photograph 9. Upstream view of Kill Creek.



Photograph 10. Downstream view of the unnamed tributary to Kill Creek.



Photograph 11. Upstream view of the unnamed tributary to Kill Creek.



Photograph 12. View to the west of Kill Creek culvert outlet beneath Mount Gardner Road.



Photograph 13. View south of Kill Creek culvert inlet beneath Mount Gardner Road.



Photograph 14. View downstream Hikers Trail Road ditch.



Photograph 15. View downstream Mount Gardner Road ditch.

APPENDIX E

RESUME

MICAELE J.W. FLORENDO, B.Sc., P.Biol., R.P.Bio.

Principal Biologist, 28 years experience

Micaele has worked both in Canada and the United States of America (U.S.A.), during the past twenty-eight years on residential, commercial, industrial development projects. She has expertise in biophysical and wetland classification assessments. In addition, her experience covers biological reconnaissance surveys, botanical inventory surveys, ornithological surveys, amphibian call surveys, habitat mapping, environmental assessments, Riparian Areas Protection Regulation detailed assessments, ecological assessments, biological impacts analysis, habitat restoration, construction monitoring, design and implementation of avoidance and minimization measures, design and implementation of mitigation measures, permit applications, and watershed assessment.

Micaele's career began in British Columbia working on a variety of contracts in both fisheries and botany. Subsequently, she moved to Southern California to work as a biologist specializing in botanical resources with some experience in ornithological surveys and wetland assessments for a mid-sized environmental consulting company. In 2005, Micaele partnered with her father, David Maddison, to provide biological resource services for Maddison Consultants Ltd. Micaele has been the sole proprietor since her father's retirement in 2008. In 2009, Micaele moved to Alberta where she conducted biophysical assessments, amphibian surveys, ornithological surveys, botanical surveys and wetland classification assessments, as well as associated permit applications. Micaele is currently located on Bowen Island, British Columbia. She continues to provide services in British Columbia from initial studies through to construction phases.

SELECTED PROJECTS:

Micaele conducted environmental assessments, Riparian Areas Protection Regulation (RAPR) detailed assessments, conditions and impact assessments, nesting bird surveys, and construction monitoring for a variety of residential developments on Bowen Island, British Columbia (BC). (2018 – 2022).

Micaele conducted nocturnal amphibian call surveys, botanical surveys, and an updated wetland delineation for a proposed development in Lloydminster, Alberta (AB). (2020).

Micaele conducted a botanical inventory for the Highway 91 and Highway 17 interchange project in Delta, BC. (2019).

Micaele conducted vegetation surveys for a Range Plant Community and Range Health Assessment for three proposed solar power projects in southern Alberta. (2018).

PROFESSIONAL DEVELOPMENT:

Vancouver Island University. Environmental monitoring for construction projects. June, 2022.

Invasive Species Working Group. Introduction to invasive species online training course. May, 2022.

Islands Trust Conservancy. Gathering for species at risk. March, 2022.

University of Victoria. Green shores training program; level 1. November, 2021.

Vancouver Island University. Riparian Areas Protection Regulation Methods. July, 2020.

Botany of Calgary and Environs, 2011

Environmental and Operational Engineering Standards, 2006

Flora of the Eastern Mojave Desert, 2003

Flora of Camp San Luis Obispo, 2003

Birding By Ear, 2002 & 2003

Introductory Birding, 2002

Identification of Raptors, 2001

Fairy Shrimp – Tadpole Shrimp Identification, 2001

Flora of San Diego County, 2001

Flora of San Luis Obispo, 2000

Southwestern Willow Flycatcher (*Empidonax traillii eximius*) workshop, 2000

Fish Habitat Assessment and Rehabilitation Prescriptions, 1996

Introduction to the Forest Practices Code, 1995

PROFESSIONAL AFFILIATIONS:

Alberta Society of Professional Biologists, number 2066

College of Applied Biology/Association of Professional Biologists of BC, number 1423

EDUCATION:

University of Victoria, Bachelors of Science (Biology), 1994

SELECTED PROJECTS CONTINUED:

Micaele collected baseline data for sensitive plant species, botanical inventory, Ecological Land Classification, and invasive species as well as a wetland inventory for an Environmental Assessment under the federal Canadian Environmental Assessment Act (CEAA) in Bragg Creek, Alberta. (2017).

Micaele completed a Phase II Ecological Network Report for a proposed Industrial Development in Edmonton, AB. Assessments included biological reconnaissance, sensitive botanical species surveys, wetland classification assessment using the Alberta Wetland Classification System (AWCS), as well as completing the Alberta Wetland Rapid Evaluation Tool-Actual (ABWRET-A) form and shapefile for a determination of relative wetland value to initiate coordination of anticipated compensation for proposed impacts to wetlands.

Micaele conducted a biophysical assessment of a proposed seismic program within the Manitou Sandhills Area, Saskatchewan. (2015).

Micaele conducted a biophysical assessment within Beaumont, Alberta. The assessments included botanical and ornithological surveys, a wetland classification assessment accompanied with recommendations of avoidance and minimization measures. In addition, Micaele obtained the required wetland approvals and compensation packages to offset project impacts to wetlands. This project was completed efficiently and on budget while meeting the new Water Act Policy deadlines. (2015).

Micaele completed a biophysical constraints analysis of a proposed industrial development within Alexander First Nations Reserve Number 134. This assessment included botanical and ornithological surveys, constraints analysis, and recommendation of avoidance and minimization measures. Subsequently, Micaele prepared the Detailed Environmental Review (DER) based on the Aboriginal Affairs and Northern Development Canada (AANDC) terms of reference. (2012-2013).

Micaele compiled a sensitive botanical species list and then conducted botanical surveys for sensitive botanical resources within the revised project boundary for the South Fraser Perimeter Road (SFPR) project of the Gateway Program, Lower Mainland, British Columbia. Subsequently, she designed and coordinated the implementation of the mitigation plan for the rare botanical species observed within the project boundaries. (2008-2010).

WORK HISTORY PRIOR TO MADDISON CONSULTANTS:

ECL-Envirowest Consultants Ltd. Burnaby, B.C., 2005

LSA Associates, Inc. Irvine, California, 1999 – 2005

BC Conservation Foundation, Surrey, B.C., 1998 – 1999
J.O. Thomas and Associates, Vancouver, B.C., 1998

EVS Environment Consultants, North Vancouver, B.C., 1997 – 1998

Andrew A. Bryant Services, Nanaimo, B.C., 1997

Malaspina University-College, Nanaimo, B.C., 1996

Coastal Geoscience Research Corporation, Victoria, B.C., 1994 – 1996

Pacific Forestry Centre, Victoria, B.C., 1992 - 1993

SELECTED PROJECT EXPERIENCE PRIOR TO MADDISON CONSULTANTS LTD.:

Micaele conducted surveys for song birds, raptors, and nesting birds for the development of the Richmond Oval site, Richmond, British Columbia. (2005).

Micaele conducted focused surveys for burrowing owl (*Athene cunicularia hypugea*) within the Eastvale area of Riverside County, California. (2004).

Micaele completed monthly bird surveys at the Bolsa Chica Mesa, Orange County, California. (2003-2004).

Micaele conducted the background literature review, botanical surveys, general ornithological surveys, delineation of jurisdictional waters, oak tree surveys, and impact assessment for a variety of projects throughout southern and central California. In addition, Micaele designed the avoidance and minimization measures to offset impacts associated with proposed development. Furthermore, she obtained the required environmental approvals from the various regulatory agencies (2003-2005).

APPENDIX F

PLANT AND ANIMAL SPECIES OBSERVED

PLANT SPECIES OBSERVED

The following plant species were observed in the assessment area by biologist Micaele Florendo during the site survey.

* *Introduced, nonnative species*

NW *legislated noxious weed*

CSV *Squamish Nation Culturally Significant Vegetation*

BRYOPHYTES

Pleurozium schreberi

Polytrichum juniperinum

MOSSES

red stemmed feathermoss

juniper haircap moss

GYMNOSPERMAE

Pseudotsuga menziesii

Thuja plicata

Tsuga heterophylla

CONIFERS

Douglas fir

western redcedar

western hemlock

MONILOPHYTES

Adiantum aleuticum

Athyrium filix-femina

Struthiopteris spicant

Dryopteris expansa

CSV *Polypodium glycyrrhiza*

Polystichum munitum

Pteridium acquilinum

FERNS

northern maiden-hair

lady fern

deer fern

spiny wood fern

licorice fern

sword fern

bracken fern

ANGIOSPERMAE: DICOTYLEDONAE

Acer macrophyllum

* *Cotinus coggygia*

* *Digitalis purpurea*

Gaultheria shallon

***NW** *Geranium lucidum*

* *Geranium robertianum*

Geum macrophyllum

* *Hedera helix*

* *Helleborus orientalis*

Holodiscus discolor

* *Hylotelephium telephium*

* *Ilex aquifolium*

* *Lapsana communis*

Mycelis muralis

CSV *Rubus idaeus*

CSV *Rubus spectabilis*

* *Iris sp*

* *Poa annua*

DICOT FLOWERING PLANTS

bigleaf maple

smoke tree

common foxglove

salal

shiny geranium

Robert's geranium

largeleaf avens

English ivy

lenten rose

oceanspray

orpine

English holly

nipplewort

wall lettuce

red raspberry

salmonberry

iris

annual bluegrass

Skw̥wú7mesh
máqwam

ch'shay̓
xápaʔay̓
qwáy'tsay̓

ptákwm
ptakwm
pálapála
tsxalm
tl'asíp
tsxálem

q'emel'áy'

t'áka7áy'

qálxay'

yetwánaʔ

ANIMAL SPECIES OBSERVED

This is a list of animals noted in the study area. Presence may be noted if a species is seen, or heard, or identified by the presence of tracks, scat or other signs.

*** Introduced species**

AVES

Corvidae

Corvus corax

Emberizidae

Melospiza melodia

MAMMALIA

Cervidae

Odocoileus hemionus columbianus black-tailed deer

BIRDS

Jays, crows and their allies

common raven

Emberizids

song sparrow

MAMMALS

Deer, Elk and Allies

Skw̓wú7mesh

sk̓ew̓k'

s̓x̓wix̓w (generic sparrow)

s̓x̓wí7shen

Taxonomy and nomenclature are based on the following:

- American Ornithologists' Union. 1998. The A.O.U. Checklist of North American Birds, 7th Ed. American Ornithologists' Union, Washington D.C.; 1998.
- _____. 2000. Forty-second Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 117: 847-858; 2000.
- _____. 2002. Forty-third Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 119: 897-906; 2002.
- _____ 2003. Forty-fourth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 120:923-931; 2003.
- _____ 2004. Forty-fifth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 121: 985-995; 2004.
- _____ 2005. Forty-sixth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 122: 1026-1031; 2005.
- _____ 2006. Forty-seventh Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 123: 926-936; 2006.
- _____ 2007. Forty-eighth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 124: 1109-1115; 2007.
- _____ 2008. Forty-ninth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 125: 758-768; 2008.
- _____ 2009. Fiftieth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 126: 705-714; 2009.
- _____ 2010. Fifty-first Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 127: 726 - 744; 2010.
- _____ 2011. Fifty-second Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 128: 600 - 613; 2011.
- _____ 2012. Fifty-third Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 129(3):573 – 588, 2012.
- _____ 2013. Fifty-fourth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 130:558 – 571, 2013.
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- _____ 2017. Fifty-eighth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 134: 751 - 773, 2017.
- _____ 2018. Fifty-ninth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 135: 798-813, 2018.
- _____ 2019. Sixtieth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 136: 1-23, 2019.
- _____ 2020. Sixty-first Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 137.
- <https://doi.org/10.1093/auk/ukaa030> 2020.

Cannings, R. A. 2002. Introducing the dragonflies of British Columbia and the Yukon. Royal British Columbia Museum. British Columbia. 96p.

Corkran, C. C., and C. R. Thoms. 1996. Amphibians of Oregon, Washington and British Columbia, A Field Identification Guide. Lone Pine Publishing. 175p.

Guppy, C. S., and J. H. Shephard. 2001. Butterflies of British Columbia, including western Alberta, southern Yukon, the Alaska panhandle, Washington, Northern Oregon, northern Idaho, and northwestern Montana. UBC Press in Collaboration with the Royal British Columbia Museum. British Columbia. 414p.

Kays, R.W., and D.E. Wilson. 2002. Princeton Field Guides. Mammals of North America. Princeton University Press. New jersey. 240p.

St. John, A. 2002. Reptiles of the Northwest. British Columbia to California. Lone Pine Publishing. Washington, USA. 272p.

University of Washington Press in association with Squamish Nation Education Department 2011 Squamish English Dictionary 356 pp

APPENDIX G

REPORTABLE LEVELS FOR CERTAIN SUBSTANCES

Reportable Levels for Certain Substances

Substance spilled	Specified Amount
Class 1, Explosives as defined in section 2.9 of the Federal Regulations	Any quantity that could pose a danger to public safety or 50 g
Class 2.1, Flammable Gases, other than natural gas, as defined in section 2.14 (a) of the Federal Regulations	10 kg
Class 2.2 Non-Flammable and Non-Toxic Gases as defined in section 2.14 (b) of the Federal Regulations	10 kg
Class 2.3, Toxic Gases as defined in section 2.14 (c) of the Federal Regulations	5 kg
Class 3, Flammable Liquids as defined in section 2.18 of the Federal Regulations	100 L
Class 4, Flammable Solids as defined in section 2.20 of the Federal Regulations	25 kg
Class 5.1, Oxidizing Substances as defined in section 2.24 (a) of the Federal Regulations	50 kg or 50 L
Class 5.2, Organic Peroxides as defined in section 2.24 (b) of the Federal Regulations	1 kg or 1 L
Class 6.1, Toxic Substances as defined in section 2.27 (a) of the Federal Regulations	5 kg or 5 L
Class 6.2, Infectious Substances as defined in section 2.27 (b) of the Federal Regulations	1 kg or 1 L, or less if the waste poses a danger to public safety or the environment
Class 7, Radioactive Materials as defined in section 2.37 of the Federal Regulations	Any quantity that could pose a danger to public safety and an emission level greater than the emission level established in section 20 of the "Packaging and Transport of Nuclear Substances Regulations"
Class 8, Corrosives as defined in section 2.40 of the Federal Regulations	5 kg or 5 L
Class 9, Miscellaneous Products, Substances or Organisms as defined in section 2.43 of the Federal Regulations	25 kg or 25 L
waste containing dioxin as defined in section 1 of the Hazardous Waste Regulation	1 kg or 1 L, or less if the waste poses a danger to public safety or the environment
leachable toxic waste as defined in section 1 of the Hazardous Waste Regulation	25 kg or 25 L
waste containing polycyclic aromatic hydrocarbons as defined in section 1 of the Hazardous Waste Regulation	5 kg or 5 L
waste asbestos as defined in section 1 of the Hazardous Waste Regulation	50 kg
waste oil as defined in section 1 of the Hazardous Waste Regulation	100 L
waste containing a pest control product as defined in section 1 of the Hazardous Waste Regulation	5 kg or 5 L
PCB Wastes as defined in section 1 of the	25 kg or 25 L

Substance spilled	Specified Amount
Hazardous Waste Regulation	
waste containing tetrachloroethylene as defined in section 1 of the Hazardous Waste Regulation	50 kg or 50 L
biomedical waste as defined in section 1 of the Hazardous Waste Regulation	1 kg or 1 L, or less if the waste poses a danger to public safety or the environment
A hazardous waste as defined in section 1 of the Hazardous Waste Regulation and not covered under items 1 – 22	25 kg or 25 L
A substance, not covered by items 1 to 23, that can cause pollution	200 kg or 200 L
Natural gas	10 kg, if there is a breakage in a pipeline or fitting operated above 100 psi that results in a sudden and uncontrolled release of natural gas

Note: If in doubt regarding spill size, affected environment, material involved and whether reportable, err on the side of caution and report the spill. All spills to water must be reported.

Sources: BC Ministry of Environment and Climate Change Strategy. 2021. Facts on the Management of Environmental Emergencies. March 2021.

APPENDIX H

REGULATORY FRAMEWORK

Federal regulations

Fisheries Act

The *Fisheries Act* provides for the management of fisheries resources and the protection of fish and fish habitats. Fish are defined by the Act as “fish, shellfish, crustaceans, and marine animals” as well as the “eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans, and marine animals.” Further, fish habitats are defined by the Act as “spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.” Clarification of these definitions was provided in the Habitat Conservation and Protection Guidelines (1998) which state that “fish habitat therefore refers to: freshwater, estuarine and marine environments that directly or indirectly support fish stocks or fish populations that sustain, or have the potential to sustain, subsistence, commercial, or recreational fishing activities”. The *Fisheries Act* is administered by Fisheries and Oceans Canada (DFO).

Subsection 35(1) of the Act prohibits any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational, or Aboriginal fishery, or to fish that support such a fishery. Subsection 35(2) provides the mechanism for an authorization, which is contingent on compliance with the National Habitat Policy, specifically the Fish Habitat Conservation Goal and its guiding off-setting policy.

Subsection 36 (1) prohibits the deposit or allowing the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter any such water.

As of August 28, 2019, the new fish and fish habitat protection provisions (FFHPP) of the *Fisheries Act* came into force. Of them, there are two are key prohibitions:

1. Subsection 34.4(1) of the *Fisheries Act* prohibits the carrying on of a work, undertaking or activity, other than fishing, that results in the death of fish, and
2. Subsection 35(1) of the *Fisheries Act* prohibits the carrying on of a work, undertaking or activity that results in the harmful alteration, disruption, or destruction of fish habitat.

However, under paragraphs 34.4(2)(b) and 35(2)(b) of the *Fisheries Act*, the Minister of Fisheries and Oceans (the Minister) may issue an authorization with any terms and conditions in relation to a proposed work, undertaking or activity that may, respectively, result in the death of fish or the harmful alteration, disruption or destruction of fish habitat.

With the implementation of the environmental management plan outlined in this environmental assessment, a harmful alteration, disruption, or destruction (HADD) of fish habitat as well as the death of fish will be avoided during the proposed construction; therefore a request for review by DFO is not required.

Migratory Birds Convention Act

The *Migratory Birds Convention Act* provides for the protection of migratory birds and migratory bird habitat. A migratory bird is defined as “a migratory bird referred to in the Convention, and includes sperm, eggs, embryos, tissue cultures, and parts of the bird.” The Act is administered by the Canadian Wildlife Service (CWS) of Environment and Climate Change Canada.

CWS rarely issues formal approvals of relatively small development projects. However, if the project requires federal involvement, they may refer the application to CWS for

comment to ensure that they have fulfilled their obligations under the *Canadian Impact Assessment Act* (CIAA).

The *Migratory Birds Convention Act* provides protection for migratory birds regardless of whether formal approval is required. The inadvertent harm, killing, disturbance or destruction of migratory birds, their nests and/or eggs as a result of activities such as clearing trees and other vegetation, draining, and flooding land, or using fishing gear is known as incidental take. To achieve compliance with the law and to minimize the risk of incidental take, any vegetation clearing or ground disturbance activities should be conducted outside the bird-nesting season (March 15 to August 31) as identified on the Environment Canada website (<https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods/nesting-periods.html#ZoneA>).

Generally, active nest searches are not recommended because 1) searchers may disturb or stress nesting birds, and 2) in most habitats, the likelihood of detecting all nests in a given search area is known to be low; therefore, incidental take is unlikely to be avoided through conducting active nest searches prior to vegetation clearing except when nests are known to be easy to locate as outlined on the Environment Canada website (<https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html#toc3>).

The new *Migratory Birds Regulations*, which came into force on July 30, 2022, provides protection to migratory bird nests when they are considered to have a higher conservation value for migratory birds, including the nests of all migratory bird species are protected when they contain a live bird or a viable egg (so generally during the nesting period).

The nests of 18 species that are listed in Schedule 1 of the regulations whose nests are reused by migratory birds continue to have year-round nest protection unless they have been shown to be abandoned. For Bowen Island, the Schedule 1 species of consideration that nest inland in forested areas are the great blue heron and the pileated woodpecker. No great blue heron nests were detected during the assessment; no great blue heron nests have been documented on, or in the vicinity of, the property. If construction will require the removal of trees, then a survey should be conducted by a qualified biologist² to determine if nest cavities potentially utilized by pileated woodpeckers are present within the trees to be removed. If they are used by pileated woodpeckers, the nest tree is protected until three years after the nest has been abandoned. If there are no pileated woodpecker nest cavities, trees must be removed outside the nesting season (March 15 – August 31).

Canadian Environmental Assessment Act

The *Canadian Impact Assessment Act* (CIAA) repealed and replaced the *Environmental Assessment Act* (CEAA) in 2019 and forms the legal framework for federal impact assessments. The purpose of the CIAA is:

- To foster sustainability, ensure respect of Government's commitments with respect to the rights of Indigenous peoples.
- To include environmental, social, health and economic factors within the scope of

² A biologist shall be considered qualified if they are a Registered Professional Biologist in good standing with the College of Applied Biology, and have a minimum of five years' experience conducting nest surveys in BC.

assessments.

- To establish a fair, predictable and efficient impact assessment process that enhances Canada's competitiveness and promotes innovation.
- To consider positive and adverse effects.
- To include early, inclusive and meaningful public engagement.
- To promote nation-to-nation, Inuit-Crown, and government-to-government partnerships with Indigenous peoples.
- To ensure decisions are based on science, Indigenous knowledge and other sources of evidence.
- To assess cumulative effects within a region.

The Impact Assessment Agency of Canada leads the process for projects Subject to the Act, which include:

- Designated projects are described in the Physical Activities Regulations (Project List).
- Minister may designate any project not described in regulations, based on factors set in the legislation.
- Non-designated projects on federal lands and outside Canada are assessed by federal authorities before decisions are made.

As the proposed project will not result in any impacts to fish and fish habitat, other sensitive aquatic species, migratory birds, federal lands, cross provincial or international boundaries, indigenous peoples, or changes in the environment that are directly linked to (or necessarily incidental to) any federal decisions about a project; the proposed project is not likely to require federal impact assessment.

Species at Risk Act

The *Species at Risk Act* provides protection to plant and animal species listed under Schedule 1 of SARA. Schedule 1 imposes statutory requirements for the management of listed species, which includes monitoring, assessment, response, recovery, and program evaluation of each species. Species addressed by COSEWIC but not addressed by Schedule 1 of SARA are not legally recognized. Federal Ministers that participated in the implementation of SARA consisted of the:

- Minister of Fisheries and Oceans Canada for aquatic species at risk;
- Minister of Canadian Heritage (through the Parks Canada Agency) for individuals of species at risk found in national parks, national historic sites or other protected heritage areas; and,
- Minister of the Environment Canada for all other species at risk and is also responsible for the administration of the Act.

SARA refers to these three ministers as "competent ministers" and gives them the authority to make decisions in their areas of responsibility and requires them to consult with each other on specific SARA-related matters.

Sections 32 and 33 of SARA make it an offence to:

- Kill, harm, harass, capture, or take an individual of a listed species that is extirpated, endangered, or threatened;
- Possess, collect, buy, sell, or trade an individual of a listed species that is extirpated, endangered, or threatened, or its part or derivative; or,
- Damage or destroy the residence of one or more individuals of a listed endangered or threatened species or of a listed extirpated species if a recovery strategy has recommended its reintroduction.

For other listed species, the provinces and territories are given the first opportunity to protect them through their laws. If the province or territory does not act, SARA has a 'safety net'. The Governor in Council, on the recommendation of the Minister of the Environment, may order that the prohibitions in sections 32 and 33 apply for a given species in a province or territory. The Minister must make a recommendation if, after consultation with the provincial or territorial minister, the Minister finds that the species or its residence is not effectively protected.

Projects that require an environmental assessment under an Act of Parliament will have to consider the project's effects on listed wildlife species and their critical habitats. The assessment must include recommendations for measures to avoid or reduce adverse effects and plans to monitor the impact of the project if it goes ahead. The project plan must respect recovery strategies and action plans and SARA prohibitions still apply.

The applicability of SARA to the proposed project is associated with the CIAA review of the development. The Responsible Agency, as part of the assessment of impacts to environmental resources, may require the project to identify impacts to Schedule 1 species, and determine how these impacts will be mitigated through the design, construction, and operation of the project. However, as the proposed project is not currently subject to review under CIAA, SARA will not apply to the proposed project.

Provincial Regulations

Riparian Areas Protection Regulation

The Riparian Areas Protection Regulation (RAPR) replaced the Riparian Areas Regulation on November 1, 2019, which was enabled by the *Fish Protection Act* to provide legislated direction needed by local governments to achieve improved fish and fish habitat protection. The regulation, administered by the Ministry of Forests, applies to riparian fish habitat affected by new residential, commercial, and industrial development on land under local government jurisdiction.

Under the regulation, local governments may allow development within 30 m of the high-water mark of a stream or top of a ravine bank, provided the prescribed riparian assessment methods have been followed. The riparian assessment method requires a Qualified Environmental Professional (QEP) to provide an opinion, in an assessment report, that the development will not result in a HADD of riparian fish habitat.

As the proposed development is within the Riparian Assessment Area (RAA) of Kill Creek the unnamed tributary, and the roadside ditches, all of which are "tributary to fish bearing" streams, the RAPR will apply to the proposed development on the property. As such, a detailed assessment under the RAPR, uploaded to Riparian Area Regulation Notification System (RARNS), and associated notification are required for the proposed project.

BC Environmental Management Act

The *Environmental Management Act* (EMA) came into effect on October 30, 2017 and governs the management of waste in BC, including permitting or other authorities (permits, regulations and codes of practice) for discharges to the environment, as well as related enforcements. The EMA prohibits the unauthorized introduction of waste into the environment from industries listed in the *Waste Discharge Regulation*, and from any activity in a manner or quantity that causes pollution. Division 2.1 of the EMA sets a foundation for strengthening spill preparedness, response, and recovery in BC with the following regulations:

1. Spill Preparedness, Response and Recovery Regulation.
2. Spill Contingency Planning Regulation.
3. Spill Reporting regulation.

Changes in and about a stream involving hazardous waste must also comply with the siting and operational requirements and performance standards for facilities set out in the *Hazardous Waste Regulation*. In addition, changes in and about a stream involving a substance listed in the *Spill Reporting Regulation* should take into consideration that any spill into a body of water requires a spill report, regardless of the quantity spilled. In the case of a spill, these regulations both require the responsible persons, and the government to take immediate action to prevent (or prevent the continuation of) the hazard or threat caused by the spill, and resolve immediate and long-term impacts. A "responsible person" means a person described in section 45 [*persons responsible for remediation of contaminated sites*]; and includes:

- (a) a current owner or operator of the site;
- (b) a previous owner or operator of the site;
- (c) a person who
 - (i) produced a substance, and
 - (ii) by contract, agreement or otherwise caused the substance to be disposed of, handled or treated in a manner that, in whole or in part, caused the site to become a contaminated site;
- (d) a person who
 - (i) transported or arranged for transport of a substance, and
 - (ii) by contract, agreement or otherwise caused the substance to be disposed of, handled or treated in a manner that, in whole or in part, caused the site to become a contaminated site;
- (e) a person who is in a class designated in the regulations as responsible for remediation.

Wildlife Act

Section 34 of the *Wildlife Act* states that "A person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys (a) a bird or its

egg, (b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or (c) the nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg”.

Section 75 of the *Wildlife Act* states that a person who kills or wounds wildlife, other than prescribed wildlife, either by accident or for the protection of life or property, commits an offence who fails to report to an officer (a) the killing or wounding, and (b) the location of the wildlife.

Water Sustainability Act

The *Water Sustainability Act* came into effect on February 29, 2016. This Act was implemented to replace the Water Act to regulate water use, management of rights and the protection of the resource.

A stream is defined in the *Water Sustainability Act* as a natural watercourse, including a natural glacier course or natural body of water. Bodies of water described by the term "stream" can include a lake, pond, river, creek, spring, ravine, gulch, wetland features with open standing water, or glacier (whether or not the glacier usually contains water or ice).

Under the *Water Sustainability Act*, changes in and about a stream, means:

- Any modification to the nature of the stream, including any modification of the land, vegetation and natural environment of a stream or the flow of water in a stream, or
- Any activity or construction within a stream channel that has or may have an impact on a stream or stream channel.

Only the proposed crossing of Kill Creek is subject to the *Water Sustainability Act* as it is the only part of the proposed development that is proposed within the bed and banks of a stream. If the proposed clear span bridge placement is in compliance with Part 3, Section 39 (1[a]) of the *Water Sustainability Regulation*, they will require a notice to a habitat officer (Notification) be submitted to Front Counter BC a minimum of 45 days prior to the commencement of all instream work. No fee is currently required for the submission of a Notification.

The conditions for an authorized change for the construction, maintenance and removal of a clear span bridge are outlined in Section 39, of Part 3 *Changes in and about a stream (no change approval or authorization)*, they include:

- (i) the equipment used for site preparation, or for construction, maintenance or removal of the bridge is situated in a dry stream channel or operated from the top of the bank;
- (ii) bridge and its approach roads do not produce a back water effect or increase the head of the stream;
- (iii) the hydraulic capacity of the bridge is equivalent to the hydraulic capacity of the stream channel, or is capable of passing the 1 in 200 year maximum daily flow;
- (iv) the height of the underside of the bridge is adequate to provide free passage of flood debris and ice flows;
- (v) the bridge is made of materials that meet the applicable standards of the Canadian Standards Association;

If the clear span bridge installations cannot be completed under these conditions, then an application for a WSA Change Approval will be required.

BC Environmental Assessment Act

When a major project is proposed in British Columbia, it must undergo an environmental assessment. In B.C. environmental assessments are managed by the Environmental Assessment Office (EAO), a neutral regulatory agency within the provincial government. On December 16th, 2019, the new Environmental Assessment Act (2018), came into force. Any new projects after December 16th, 2019 will undergo an Environmental Assessment under the new Act (2018) process.

A reviewable project under the *BC Environmental Assessment Act* is an activity and/or facility that is described in regulation that has or may have negative effects to the biophysical and human environments, the economy, culture, or health and is required to undergo an environmental assessment. These projects need an EA Certificate or Exemption Order to continue. Projects are typically reviewable if they meet or exceed certain project design or effects thresholds defined in the Reviewable Projects Regulation or if they are required to undergo an assessment by the Minister of Environment and Climate Change Strategy. Typically, large industrial, mining, energy, water management, waste disposal, transportation, and resort developments require an EA in British Columbia.

Reviewable projects are assessed for their potential:

- Effects on Indigenous nations and rights recognized and affirmed by section 35 of the Constitution Act, 1982 (collectively referred to Indigenous Interests);
- Positive and negative direct and indirect effects, including environmental, economic, social, cultural, and health effects;
- Adverse cumulative effects; and
- Other assessment matters under section 25 of the Environmental Assessment Act.

However, given the small size of the proposed project, the BC Environmental Assessment Act will not apply to the proposed project.

Weed Control Act

The *Weed Control Act* requires all land occupiers to control the spread of provincial and/or regional noxious weeds on their land and premises, and specifies provisions for transportation, movement, and cleaning of machinery. A list of noxious weeds is available online at [Field_Guide_to_Noxious_Weeds_10th_Edition_3.26.19.pdf](#) (bcinvasives.ca).

Heritage Conservation Act

BC's archaeological sites are protected under the *Heritage Conservation Act* (HCA). The provisions of the HCA apply whether sites are located on private or on public land, whether they are known or not. Protected archaeological sites may not be altered without a permit issued by the Ministry. Prior to development, property owner's should request archaeological site information and, if necessary, engage a professional archaeologist before developing on private property.



REQUEST FOR DECISION

To: Islands Trust Conservancy Board **For the Meeting of:** January 21, 2025
From: Staff **Date Prepared:** January 6, 2025
SUBJECT: Rezoning Application Referral - 561/564 Collins Road, Bylaw 671 and 672, Bowen Island

RECOMMENDATIONS:

- (1) That the Islands Trust Conservancy Board directs staff to respond to the Bowen Island Municipal Council referral regarding bylaw 671 and 672, indicating:
 - a. The southern parcel of this property is adjacent to a conservation covenant held by Islands Trust Conservancy. Any residential development on this lot risks direct and indirect intentional and unintentional impacts on the surrounding protected areas, potentially reducing their ecological integrity and biodiversity. However, the ITC Board does not have any specific concerns with this rezoning and subdivision application, and finds that ITC interests are unaffected by bylaw 671 and bylaw 672;
 - b. ITC Board commends BIM's 50% protection goal for rezoning applications, and emphasizes that ecological conditions and biodiversity values should be prioritized when determining protected area locations and boundaries. The ITC Board encourages BIM to pursue park land dedication to better protect valuable habitat, particularly for the southern portion of the property where there is a potential to expand or buffer Crippen Regional Park.
 - c. BIM should consider the impact of creating a new trail through an undeveloped area on biodiversity and habitat integrity and if a trail is approved protection measures should be required to limit impact.
 - d. Should BIM and the landholder decide to pursue conservation covenants as the habitat protection mechanism, with ITC as the covenant holder, ITC offers the following comments:
 - i. The landholder could submit a Conservation Proposal to the ITC Board for consideration, as per the ITC policies and requirements outlined on the ITC webpage.
 - ii. ITC prioritizes areas for protection based on the Regional Conservation Plan, analysis of regional conservation and biodiversity values, and considering staff and organizational capacity at the time of application.
 - iii. Generally, the ITC Board does not accept proposals for protected areas less than 2 hectares in size, although exceptions may be made if the property contains significant habitat for species at risk or a significant number of species at risk, if the property adds an area to an existing adjacent or nearby protected area, is an islet or small island, or contains an ecosystem that is not represented in existing protected areas in that local trust area.
 - iv. The ITC's priority with covenants is the protection of ecological values and in general ITC is not interested in taking on covenanted land that includes public trails.
 - (2) That the Islands Trust Conservancy Board directs staff to continue preliminary discussions with BIM planning staff and this landholder, to ensure a clear understanding of ITC's processes and requirements relating to conservation proposals and conservation covenants, and of the planning processes and requirements relating to rezoning and subdivision, to determine whether this rezoning application process will lead to a conservation proposal of interest to ITC.
-

- 1 **PURPOSE:** To recommend comments for the Islands Trust Conservancy Board to provide to Bowen Island Municipality on the Rezoning Application relating to 561/564 Collins Road.
- 2 **BACKGROUND:** The ITC has received a referral from Bowen Island Municipality (BIM) regarding bylaw 671 and bylaw 672, arising from a rezoning application. A brief overview of the application follows; more detail is provided in the attached reports.

BIM has received an application to amend the Land Use Bylaw and Official Community Plan designation to modify the zoning and permit one existing 3-hectare lot, 561 & 564 Collins Road, to be subdivided into two ~1.5-hectare lots (Figures 1 and 2). The property is currently in two separate zones in Bowen’s Land Use Bylaw, divided by Collins Road and this application will consolidate the zoning on the whole parcel to RS—Rural Residential, and then split the property into two lots on opposite sides of Collins Road. The rezoning will enable the creation of the two lots and will permit a single-family dwelling and accessory dwelling unit on each lot.

An existing [BIM policy](#) includes a goal that a minimum of 50 percent of the total land subject to a rezoning application be protected from further development. To meet this policy goal, the applicant has proposed that the subdivided residential lots be placed under conservation covenant(s) such that at least 50% of each lot is protected from development. The applicant has also proposed a trail network contribution. At the time of subdivision, it is proposed that a trail would be created inside the western boundary of the proposed southern lot to connect Collins Road to Crippen Regional Park, for the purposes of contributing to the Island’s Conceptual Trail Network and “the community spirit of connectivity,” and to provide a safe corridor for deer and other wildlife. (Figure 2).

ITC’s McIntyre Covenant lies immediately east of the southern portion of the subject property (Figure 1).

This referral is requesting ITC Board response on two items:

1. Whether ITC has any concerns about the proposed subdivision, in relation to the adjacent McIntyre Covenant;
2. Whether the ITC Board would consider holding the proposed conservation covenant(s) over the newly subdivided parcels.

Policy 3.2.2 [Assessing Conservation Proposals](#) provides a list of required information to accompany any such development-related proposal and also specifies, *[t]he Board will only consider a proposal that is accompanied by a completed Conservation Proposal Form and Staff Report*. In practice, ITC staff and planning team staff often have iterative conversations around conservation proposals that accompany a development application to ensure the most effective conservation methods and areas, ITC Board and LTC / Council support, and clear expectations and requirements for applications. In particular, planners and ITC staff seek to ensure that landholders do not incur significant expenses (e.g., biologist report, archaeological assessment) if the proposal will not be accepted by the ITC Board.

The application has also been referred to Islands Trust Council Executive Committee, who resolved that Official Community Plan Amendment Bylaw No. 671 and Land Use Bylaw Amendment 672 were not contrary to or at variance with the Islands Trust Policy Statement provided the conservation covenants and trail access proposed as amenity contributions are realized [emphasis added].

Figure 1 Map of subject property (blue outline) and surrounding conservation lands.

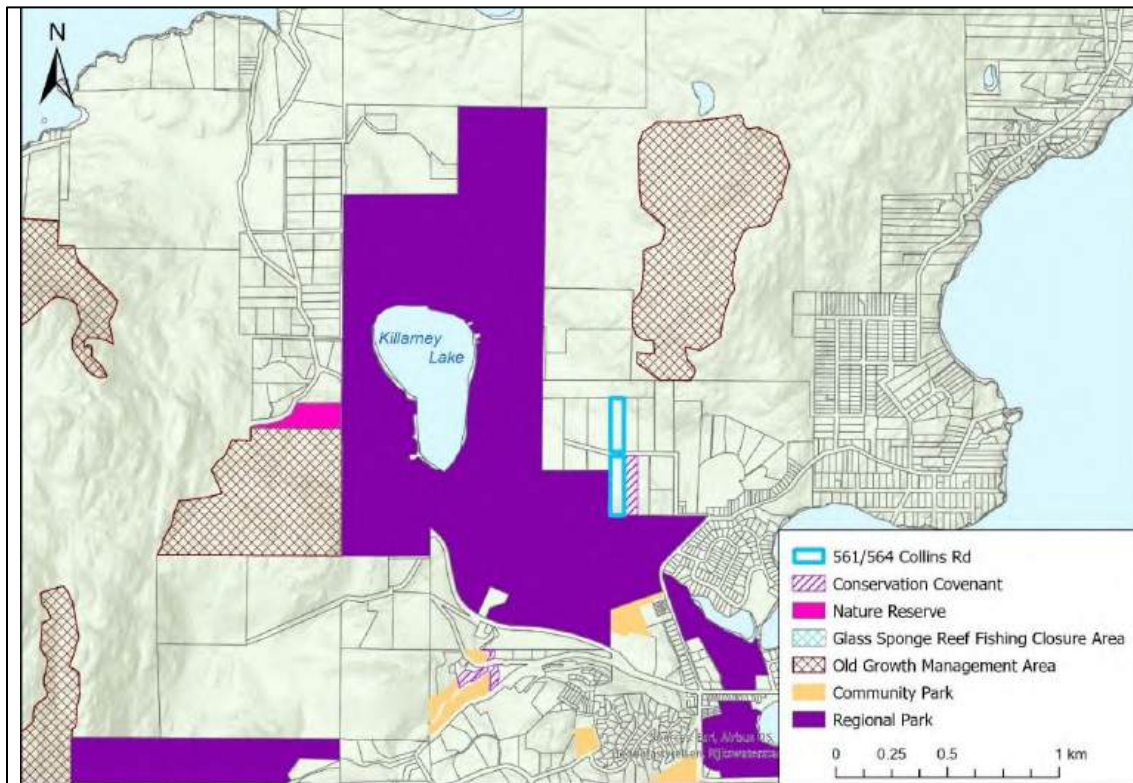
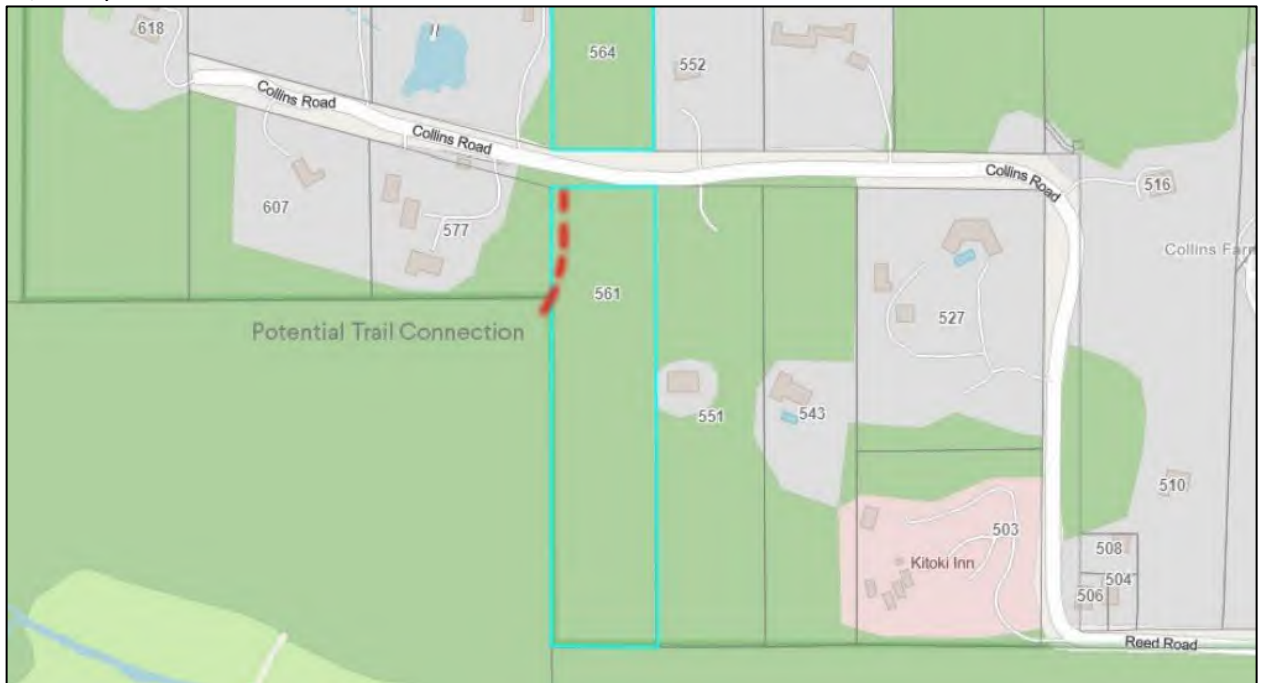


Figure 2 Proposed trail connection (from BIM staff report for meeting of Mayor and Council, April 22, 2024).



ANALYSIS

Proposed Subdivision Impacts on McIntyre Covenant

The southern portion of the lot is currently undeveloped except for a few footpaths; however, current zoning allows for development of a single-family dwelling on the southern portion. The proposed subdivision would allow for the development of an additional, accessory dwelling on the southern portion and, if the southern subdivided lot is sold, increase the likelihood of development. This will increase the risk of direct and indirect intentional and unintentional impacts near the boundary with McIntyre Covenant. Such risks are inherent with the introduction of residential development and related human activity on the land.

Proposed Conservation Covenant(s) and Trail Securement

Although ITC staff have not conducted a thorough analysis, a preliminary review of the subject property shows that it has inherent conservation value, and its protection would expand an existing network of parks and protected areas. Depending on the covenant area location(s), these new protected areas could be directly adjacent to the existing Crippen Regional Park and/or ITC's McIntyre Covenant (Figure 1). The property is made up of mature mixed forest, rock outcrops, and a western redcedar-western hemlock-skunk cabbage swamp (wetland). There is a moderate probability of habitat use by several avian and bat species at risk, and the presence of blue-listed Northern Red-legged Frogs was confirmed during a recent biologist's assessment. Bowen Island planning staff have indicated that there are options for how the 50% protection on the parcels could be accomplished, recognizing that there are several high conservation value areas but also the applicant's need to retain suitable building sites and resale value.

BIM and the applicants are seeking a preliminary indication from the ITC Board as to whether or not it would be willing to hold conservation covenants on these properties. ITC staff feel that the proposal is not sufficiently defined for a thorough analysis and recommendation, however, the CMOS and EPS have reviewed the information provided and offer the following comments for Board consideration:

- The two properties each contain areas of ecological significance and of conservation priority, and there may be multiple ways to meet BIM's 50% protection goal for rezoning applications. A more thorough analysis of biodiversity priorities, habitat availability, and other ecological factors should be conducted to provide *a priori* options for location, size, and boundaries of potential protected areas from a conservation perspective; these can then be considered *a posteriori* against the applicants' financial needs, and the interests and capacity of conservation organizations capable of holding conservation covenants or accepting land donations for nature reserves.
- Each of the two properties that will be created will be ~1.5ha in size, with any proposed covenant areas therefore likely <1 ha and thus below the ITC's minimum covenant size of 2 hectares. Policy 3.2.2 [Assessing Conservation Proposals](#) provides for the Board to consider accepting covenants less than 2 hectares (4.9 acres) in size if they meet certain criteria, including that the property contains significant habitat for species at risk and the property adds area to an existing adjacent or nearby protected area.
- It is unusual to have public trails on private, covenanted lands. (Existing ITC covenants with public trails are held on parks and nature reserves owned and reliably managed by regional parks and other conservation organizations, respectively, or by agreement with local trails associations.) In addition to the fragmentation and potential ecological degradation involved in creating a new trail through undisturbed forest, there are numerous management, liability, and capacity considerations involved. ITC staff advise against taking on covenants with trails.
- ITC's Regional Conservation Plan (RCP) identifies Bowen Island as a Medium conservation priority within the Islands Trust Area, with a High disturbance threat and High need for

sensitive ecosystem protection. ITC's conservation modelling places a High relative value on this property. Expanding existing protected areas and connectivity between them increases ecological integrity and meets the 'size, corridors & connectivity' biodiversity priority of the RCP.

- It should be noted that a protective covenant is not the only mechanism to achieve 50% protection. The initial staff report identified park land dedication as an alternative, suggesting that the extreme southern end of the lot could be contributed to Crippen Regional Park if supported by Metro Vancouver Parks; staff did not recommend the creation of a small fragmented municipal park at this location although in response to their referral the PTGAC commented that staff should explore other designations, such as park designation that may protect valuable habitat to a greater degree than a protective covenant (Attachment 2, pg. 2).

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: Staff time will be required to communicate the decision and to continue discussions with BIM planning staff and the landholder, and Metro Vancouver Parks (as necessary). Staff has limited capacity for this negotiation. The EPS is currently working on two active covenant negotiations, one active land donation, and several potential covenant or land donations, as well as the Ecological Gift Process component of two recent covenants. Taking on additional securement projects will delay or postpone work on other key strategic components of the Regional Conservation Plan, including current initiatives to improve spatial data management, identify and acquire data for climate change adaptation and development of the next RCP, and securement and land management policy revisions requested by the Board.

FINANCIAL: None at this stage.

POLICY: ITC does not have a clear policy or process for ITC staff and Board to consider and respond to covenant and land donation proposals connected with a development proposal from Bowen Island Municipality. The proposed protected areas will likely be smaller than ITC's current minimum size of 2 hectares.

IMPLEMENTATION/COMMUNICATIONS: Staff will provide the ITC Board response to Bowen Island Municipality.

FIRST NATIONS: The ITC has not done a desktop review of RAAD data or contacted First Nations regarding this referral, and BIM procedures do not include referral for a rezoning application. Should the ITC Board receive a Conservation Proposal from the landholder, it will be referred to all affected First Nations within the BC Consultative Areas Database for this property.

CLIMATE CHANGE: Creation of protected areas on this property will potentially increase ecological integrity of Crippen Regional Park by protecting adjacent areas, and providing connectivity to sensitive habitats (wetlands), both of which may increase ability of species and habitats to persist through climate instability. Furthermore, there are currently no mechanisms in place to prohibit land clearing on this property; therefore, protection of this forested land will ensure its contributions to carbon sequestration indefinitely.

OTHER: ITC staff has not reviewed Metro Vancouver Parks land securement or management strategies to see if they consider additions to existing protected areas.

4 RELEVANT POLICIES:

Policy 3.2.2 [Assessing Conservation Proposals](#)

Policy 3.3.1 [Islands Trust Conservancy and Local Planning Services Coordination](#)

5 ATTACHMENTS:

Attachment 1 - Referral email from BIM Manager of Planning & Development

Attachment 2 - BIM staff report to Mayor and Council, November 2024 incl. associated bylaws

Attachment 3 - BIM staff report to Mayor and Council, April 2024

RESPONSE OPTIONS

Recommendations:

- (1) That the Islands Trust Conservancy Board directs staff to respond to the Bowen Island Municipal Council referral regarding bylaw 671 and 672, indicating:
 - a. The southern parcel of this property is adjacent to a conservation covenant held by Islands Trust Conservancy. Any residential development on this lot risks direct and indirect intentional and unintentional impacts on the surrounding protected areas, potentially reducing their ecological integrity and biodiversity. However, the ITC Board does not have any specific concerns with this rezoning and subdivision application, and finds that ITC interests are unaffected by bylaw 671 and bylaw 672;
 - b. ITC Board commends BIM's 50% protection goal for rezoning applications, and emphasizes that ecological conditions and biodiversity values should be prioritized when determining protected area locations and boundaries. The ITC Board encourages BIM to pursue park land dedication to better protect valuable habitat, particularly for the southern portion of the property where there is a potential to expand or buffer Crippen Regional Park.
 - c. BIM should consider the impact of creating a new trail through an undeveloped area on biodiversity and habitat integrity and if a trail is approved protection measures should be required to limit impact.
 - d. Should BIM and the landholder decide to pursue conservation covenants as the habitat protection mechanism, with ITC as the covenant holder, ITC offers the following comments:
 - i. The landholder could submit a Conservation Proposal to the ITC Board for consideration, as per the ITC policies and requirements outlined on the ITC webpage.
 - ii. ITC prioritizes areas for protection based on the Regional Conservation Plan, analysis of regional conservation and biodiversity values, and considering staff and organizational capacity at the time of application.
 - iii. Generally, the ITC Board does not accept proposals for protected areas less than 2 hectares in size, although exceptions may be made if the property contains significant habitat for species at risk or a significant number of species at risk, if the property adds an area to an existing adjacent or nearby protected area, is an islet or small island, or contains an ecosystem that is not represented in existing protected areas in that local trust area.
 - iv. The ITC's priority with covenants is the protection of ecological values and in general ITC is not interested in taking on covenanted land that includes public trails.
- (2) That the Islands Trust Conservancy Board directs staff to continue preliminary discussions with BIM planning staff and this landholder, to ensure a clear understanding of ITC's processes and requirements relating to conservation proposals and conservation covenants, and of the

planning processes and requirements relating to rezoning and subdivision, to determine whether this rezoning application process will lead to a conservation proposal of interest to ITC.

Alternative:

- (1) That the Islands Trust Conservancy Board directs staff to respond to the Bowen Island Municipal Council referral regarding bylaw 671 and 672, indicating:
 - a. The southern parcel of this property is adjacent to a conservation covenant held by Islands Trust Conservancy. Any residential development on this lot risks direct and indirect intentional and unintentional impacts on the surrounding protected areas, potentially reducing their ecological integrity and biodiversity. However, the ITC Board does not have any specific concerns with this rezoning and subdivision application, and finds that ITC interests are unaffected by bylaw 671 and bylaw 672;
 - b. The landholder would need to submit a Conservation Proposal to the ITC Board for consideration, as per the ITC policies and requirements outlined on the ITC webpage, before the Board can confirm if it would consider taking proposed covenants on. Note,
 - i. ITC prioritizes areas for protection based on the Regional Conservation Plan, analysis of regional conservation and biodiversity values, and considering staff and organizational capacity at the time of application.
 - ii. Generally, the ITC Board does not accept proposals for protected areas less than 2 hectares in size, although exceptions may be made if the property contains significant habitat for species at risk or a significant number of species at risk, if the property adds an area to an existing adjacent or nearby protected area, is an islet or small island, or contains an ecosystem that is not represented in existing protected area in that local trust area.
 - iii. The ITC's priority with covenants is the protection of ecological values and generally, ITC is not interested in taking on covenanted land that includes public trails.

Prepared By: Kathryn Martell, Ecosystem Protection Specialist
Jemma Green, Covenant Management & Outreach Specialist

Reviewed By / Date: Carolyn Stewart, A/Manager, ITC / January 11, 2026

From: Daniel Martin <dmartin@bimbc.ca>
Sent: Tuesday, November 26, 2024 10:27 AM
To: Jemma Green <jgreen@islandstrust.bc.ca>
Cc: Sophie Idsinga <sidsinga@bimbc.ca>
Subject: Rezoning Application Referral - 561/564 Collins Road

Hello Jemma,

Last night Bowen Island Council referred an application, and associated amendment bylaws, to amend Bowen's Official Community Plan and Land Use Bylaw to the Islands Trust Conservancy.

Council adopted the following resolution:

That Bylaw No. 671, cited as "Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010 Amendment Bylaw No. 671, 2024" be read a first time;
That Bylaw No. 672, cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002 Amendment Bylaw No.672, 2024" be read a first time;
That Bylaws No. 671 and No. 672 be referred to the Advisory Planning Commission and the Islands Trust Conservancy; and
That Bylaws No. 671 and No. 672 and the attached Islands Trust Policy Checklist be referred to the Islands Trust.

The application is to amend the Land Use Bylaw and Official Community Plan designation to permit one existing lot to subdivide into two lots divided by Collins Road. The proposal includes a commitment to a conservation covenant such that 50% of the lot is protected from development, and a proposed Statutory right of way to connect through the property with Crippen Regional Park. We noted that the Islands Trust Conservancy has a protective covenant over the property neighbouring to the east. The referral was in part to see if the conservancy has any concerns, but also to see if the Conservancy has any interest in holding that protective covenant.

The staff report and associated bylaws are online at:
<https://bowenland.civicweb.net/document/318816/>

This report also went to Council previously in April 2024. I've linked the report below for your convenience as well.

<https://bowenland.civicweb.net/document/309898/>

Please let me know if you have any questions.

Thanks,

Daniel Martin
Manager of Planning & Development
Bowen Island Municipality
981 Artisan Lane, Bowen Island, BC V0N 1G2

dmartin@bimbc.ca

[604-947-4255](tel:604-947-4255) ext. 230

www.bowenlandmunicipality.ca

For general planning inquiries please contact planning@bimbc.ca

From: Daniel Martin <dmartin@bimbc.ca>
Sent: Friday, November 22, 2024 1:36 PM
To: Kathryn Martell; Jemma Green
Subject: RE: Rezoning on Bowen- adjacent to Islands Trust Conservancy Covenant

Hi Kathryn,

Thanks for the timeline. I'm scheduled to have this appear before Council on Monday (the 25th). Do you think that gives enough time to go to the January 21st meeting?

Daniel Martin
Manager of Planning & Development
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dmartin@bimbc.ca
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www.bowenislandmunicipality.ca
For general planning inquiries please contact planning@bimbc.ca

From: Kathryn Martell <kmartell@islandstrust.bc.ca>
Sent: November 18, 2024 2:00 PM
To: Daniel Martin <dmartin@bimbc.ca>; Jemma Green <jgreen@islandstrust.bc.ca>
Subject: RE: Rezoning on Bowen- adjacent to Islands Trust Conservancy Covenant

Hi Daniel,

I thought it would be helpful to give you our ITC Board meeting dates and associated timelines. Our Board meets tomorrow, and then the next one will be in January 21st. A realistic timeframe for a referral to the ITC Board's January meeting is to have a referral submitted by December 10th. It will need to be reviewed by several staff, who prepare a report for our Board, so we need to consider both upcoming holidays and the fact that our current Interim Manager will be leaving in early January.

The primary reviewer of a referral related to existing conservation covenant is Jemma Green, Covenant Management and Outreach Specialist (copied here).

HÍSWŪĒ
Kathryn

Kathryn Martell, MSc, RPBio
Ecosystem Protection Specialist
Islands Trust Conservancy | T 250.405.5176

Protecting islands in the Salish Sea

I am grateful to live and work as a guest in the Islands Trust Area, which is located within the treaty lands and territories of the BOŪĒĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXĒĒ, Qualicum, scáwáðan, salilwatał, SEMYOME, shishálh, Sḵwḵwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth',

STÁUTW, Stz'uminus, łaʔamen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W JOŁŁŁP, W SIŁŁEM, Xeláltxw, Xwémalhkwu, Xwsepsum, and x^wməθk^wəyám First Nations.

From: Daniel Martin <dmartin@bimbc.ca>
Sent: Thursday, November 14, 2024 10:02 AM
To: Kathryn Martell <kmartell@islandstrust.bc.ca>
Subject: RE: Rezoning on Bowen- adjacent to Islands Trust Conservancy Covenant

Hi Kathryn,
Thanks for the feedback. I'm preparing to bring this application to Council later this month, and I will seek a referral to the Islands Trust Conservancy, to provide the formal opportunity for the ITC Board to provide a response.

Daniel Martin
Manager of Planning & Development
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For general planning inquiries please contact planning@bimbc.ca

From: Kathryn Martell <kmartell@islandstrust.bc.ca>
Sent: October 24, 2024 10:55 AM
To: Daniel Martin <dmartin@bimbc.ca>
Subject: RE: Rezoning on Bowen- adjacent to Islands Trust Conservancy Covenant

Hi Daniel,
Nice to 'meet' you—I am indeed the correct person to contact for this type of project. Kate is on a TA until next September.

The Conservancy is always interested in hearing about projects that might expand existing protected areas. Our Board does consider making exceptions to the size requirements in certain circumstances, including adjacency to existing conservation properties. The size restriction is actually 2 ha (8 ha was an interim measure that has not been renewed).

I can't provide much specific advice at this point other than to say that the landholder should review the information on our website about options to protect land during development: <https://islandstrust.bc.ca/conservancy/protect-nature/protect-land-during-development/>. The ITC's process / acceptance is the same regardless of whether a project is related to a development or rezoning, but the early stages of discussion are sometimes a bit chicken and egg with the planning team: separate and independent processes but linked by the need to find options acceptable to the Conservancy. Note that any protection (donation of covenant, or of

land as nature reserve) required by local planning is not eligible for income tax charitable gift receipt but the landholder can still access the property tax benefits of a Natural Area Protection Tax Exemption Program (NAPTEP) covenant.

Aside from whether or not there ends up being a conservation covenant proposal for these lots, I do think that this rezoning project should be referred to the ITC Board due to its adjacency to our covenant (we call it the McIntyre Covenant). I'm not clear on whether or not Bowen Island Municipality is bound by the policy directives for coordination between the Conservancy and Local Planning Services ([ITC Board policy 3.1](#)) but it clearly establishes that a rezoning application that directly affects a property adjacent to an ITC covenant should be referred to the ITC Board. I'm not sure at what stage that referral would happen but I suspect it would be a bit further down the road once the plans are more concrete and the landholder has submitted an official application.

Thank you for sending this our way and for looking at conservation options on this property! It would indeed be great to be able to protect part of it from development. Someday I'll make it over to Bowen to explore these places in person.

Please let me know how else I can help, and feel free to call or send the landholder my way with more questions. Since our small team here is swamped (aren't we all?) we do ask folks to review the website thoroughly and then get in touch.

Hope you're having the same glorious autumn day that we are over here on the Big Island.

HÍSWŪE

Kathryn

Kathryn Martell, MSc, RPBio
Ecosystem Protection Specialist
Islands Trust Conservancy | T 250.405.5176
Protecting islands in the Salish Sea

I am grateful to live and work as a guest in the Islands Trust Area, which is located within the treaty lands and territories of the BOKÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəðən, səliiwətał, SEMYOME, shishálh, Sḵwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SḶÁUTW, Stz'uminus, łaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W JOŁEŁP, W SIKEM, Xeláltxw, Xwémalhkwu, Xwsepsum, and x^wməθk^wəyám First Nations.

From: Daniel Martin <dmartin@bimbc.ca>

Sent: Thursday, October 24, 2024 8:46 AM

To: Kathryn Martell <kmartell@islandstrust.bc.ca>

Subject: FW: Rezoning on Bowen- adjacent to Islands Trust Conservancy Covenant

Hi Kathryn,

I received an out of office from Kate, and believe you would be the appropriate person to direct this inquiry to. It's about a rezoning application on Bowen on land adjacent to an existing Islands Trust Conservancy conservation covenant.

Daniel Martin
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For general planning inquiries please contact planning@bimbc.ca

From: Daniel Martin
Sent: October 24, 2024 8:44 AM
To: kemmings@islandstrust.bc.ca
Subject: Rezoning on Bowen- adjacent to Islands Trust Conservancy Covenant

Hello Kate,

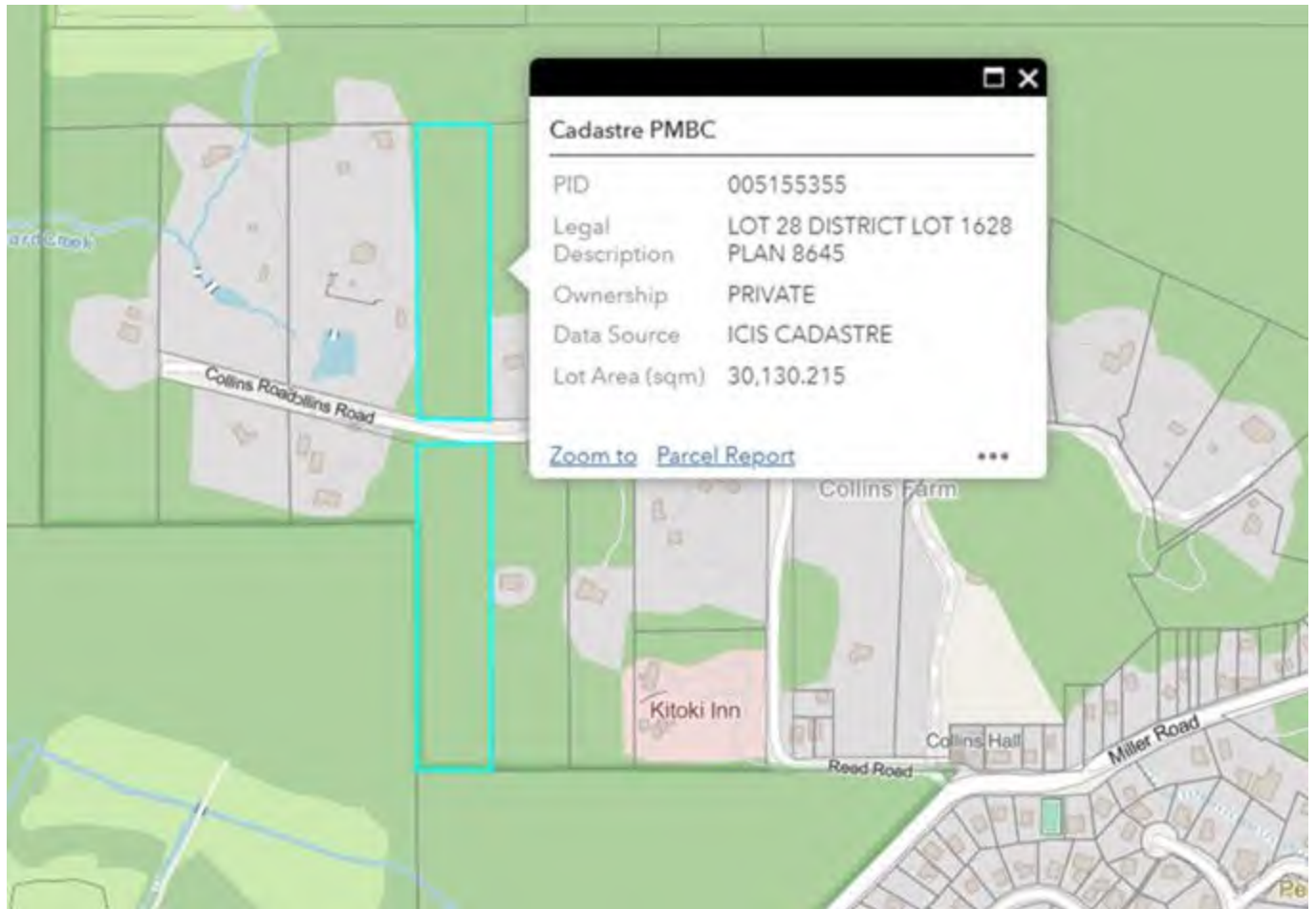
I am reaching out because we are in the process of considering a rezoning application at 561/564 Collins Road on Bowen Island. As part of the rezoning application the applicants have offered a trail connection through the property to the adjacent Crippen Regional Park, and to agree to a covenant that 50% of the land would be protected from development (we haven't worked out the details of this).

In reviewing the application Carla noted that the neighbouring property (551 Collins Road) has an existing Islands Trust Conservancy covenant restricting development on the lot. The covenant dates from the late 90s, and I've attached it here for reference. I know in the past the threshold for the Islands Trust Conservancy has been an 8ha parcel, so I didn't initially involve you. However, I wanted to reach out to see if there would be interest in the Islands Trust Conservancy playing a role in a protective covenant on this property, as a way to expand an existing protective area?

Let me know what you think.

Thanks,

Location Map for reference:



Daniel Martin
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To: Mayor Leonard and Council

From: Daniel Martin, Manager of Planning and Development

Date: April 5, 2024

Meeting Date: April 22, 2024

Subject: **561 & 564 Collins Road**

**LOT 28 DISTRICT LOT 1628 PLAN 8645
File No. OCP/RZ-2023-0297**

RECOMMENDATION

That Council refer application OCP/RZ-2023-0297 to the Advisory Planning Commission and the Parks, Trails, Greenways Advisory Committee for a recommendation and direct staff to refer back with the results of the referrals.

PURPOSE

This report is to introduce a rezoning application for 561 & 564 Collins Road, for initial Council discussion and referral to the Advisory Planning Commission and the Parks, Trails, Greenways Advisory Committee for a recommendation.

BACKGROUND

Bowen Island Municipality has received a Rezoning (RZ) and OCP Amendment application to rezone 561 & 564 Collins Road from a mix of Settlement Residential 1 (a) and Rural Residential 2 to place the entire property in the Settlement Residential 1 (a) zone. The application is also to amend the Official Community Plan designation from R1 - Rural 1 (2 ha) to RS – Rural Residential (1 ha). These changes would permit a proposed subdivision of the property into two parcels.

Figure 1 – Location Map

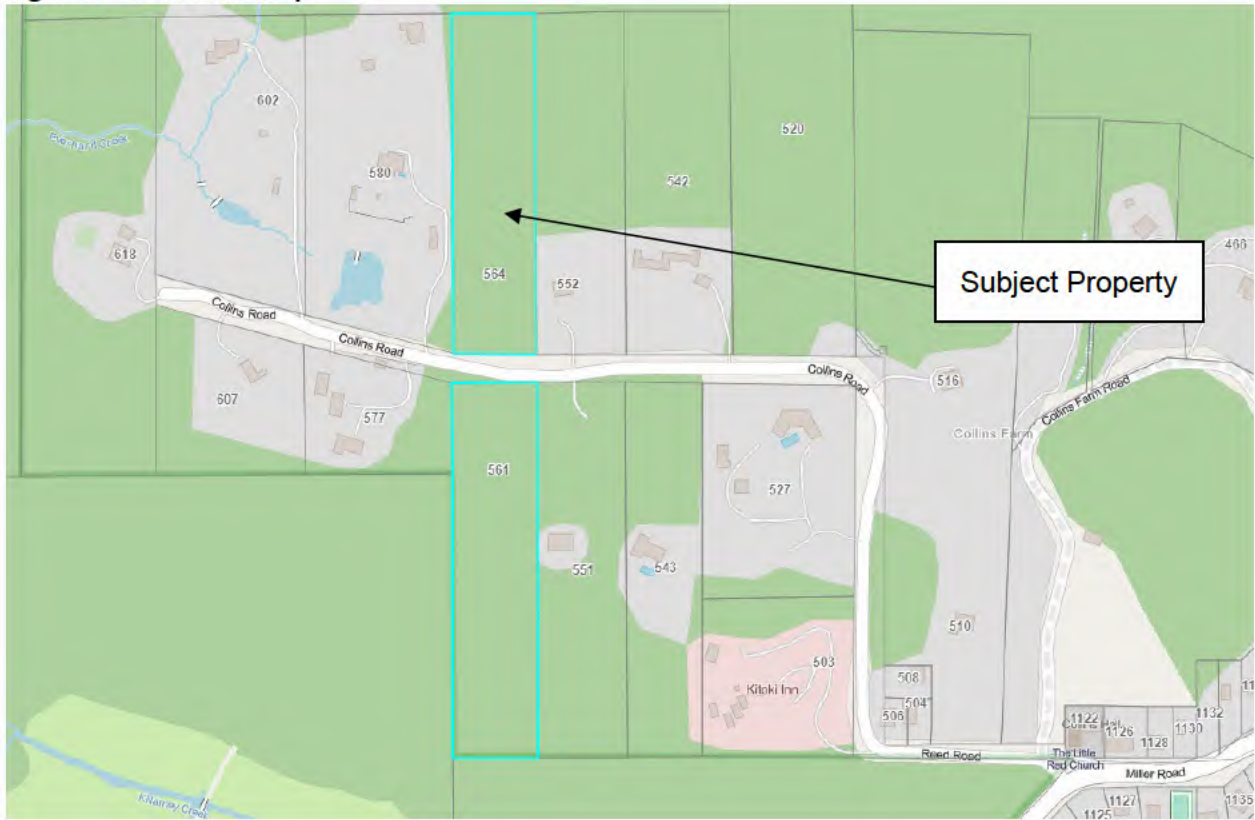


Figure 2 – Zoning Map

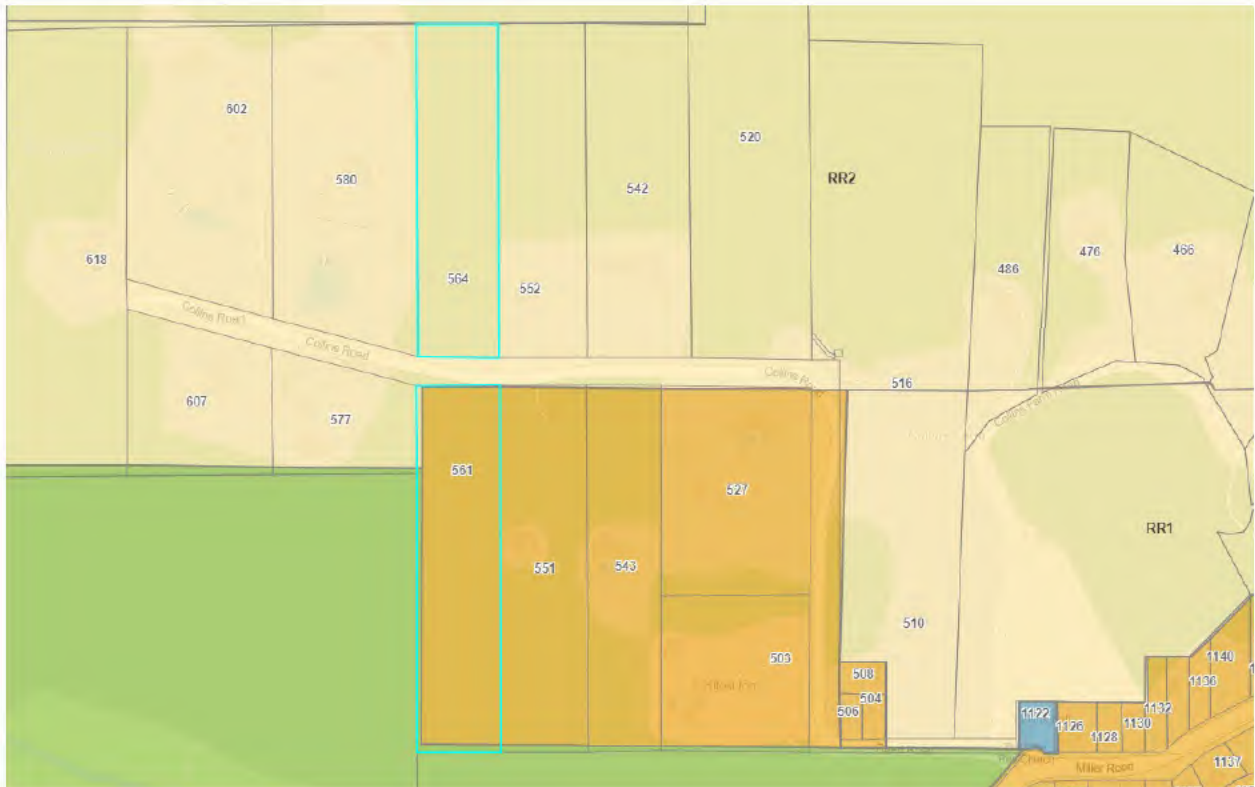
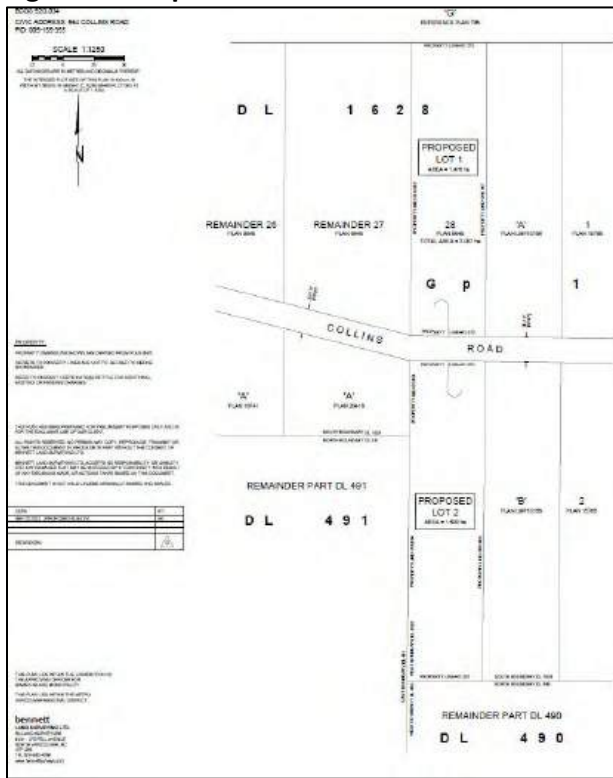


Figure 3 –Proposed Site Plan



DETAILS OF APPLICATION

Subject Property:

The property is approximately 3.013 ha in size, and straddles Collins Road. There are no existing structures on the southern portion of the lot, and an abandoned cabin and well are on the northern portion of the lot.

As part of their application, the applicants provided an Environmental Report on the properties. This report, provided as an attachment to this report, identified, among other features, an unmapped “forested swamp area” in the middle of the northern portion of the lot. This area, while not meeting BIM’s definition for a Development Permit requirement, would meet the wetland definition which requires a 30 metre setback for all buildings. The report additionally found rock outcrops on the northern portion of the lot and recommends that construction activities avoid this area to reduce impacts on the habitat type.

Official Community Plan:

The property is designated R1 – Rural 1 (2 ha), which is intended to provide lots of a size that helps maintain and enhance the rural resource values of the island and which provide for opportunity for the pursuit of rural lifestyles (Objective 59). Further objectives include:

Objective 60 To preserve and protect land that contains environmentally sensitive plant communities, terrestrial herbaceous ecosystems, wetland and riparian ecosystems, coastal ecosystems or forest ecosystems that may be locally, regionally or provincially significant or rare as identified in the Federal/Provincial Sensitive Ecosystems Inventory.

Objective 61 To protect the maintenance of tree cover, watersheds, wildlife habitat, viewscales, and rural atmosphere, and to minimize the impact of roads and driveways...

R1 also contains Policy 134 which reads:

Policy 134 The average parcel size for properties located in the Rural designation is 4 hectares (10 acres). In the areas designated Rural 1 the average parcel size is two hectares. The following policies apply to both Rural and Rural 1.

- minimum parcel sizes will generally be the same as the average lot size except where, in the opinion of the Municipality, there is community benefit in clustering of lots. Community benefit in these circumstances could include increased protection for watershed areas, maintenance of wetlands and wildlife habitat through different sizes of lots, maintenance of tree cover, protection of viewscales, and minimization of roads and driveways;
- as a means to retain the rural character, the Municipality may impose regulations as to what percentage of the lots may be less than the average lot size but larger than a minimum lot size;
- dwelling density will be limited to one dwelling unit per lot except where the property is eligible for consideration for purposes of providing affordable housing, rental housing or special needs housing or lots containing an accessory dwelling; and
- land use regulations for lands designated as Rural and Rural 1 will take into account the importance of these lands with respect to environmental values, water quality and quantity, groundwater flow, viewscales, island character and passive recreational opportunities. As part of subdivision processes, the Approving Officer may require a covenant that enables or enhances green space and/or forest cover connectivity.

The property is not within the Watershed, Aquifer and Stream Protection Development Permit Area.

Based on Policy 134, this application would require an amendment to the Official Community Plan to allow the subdivision of lots with an average lot size of 1.5 hectares.

Figure 4 – OCP Land Use Designations



Existing Zoning:

The northern portion of this property is zoned Rural Residential 2. The Land Use Bylaw requires a minimum average lot area of 4 hectares and a minimum average lot area of 2 hectares.

The southern portion of this property is zoned Settlement Residential 1 (a). This zone variation contains specific regulations for subdivision as follows:

Minimum lot area for the creation of new lots through subdivision shall be 1.2 hectare with minimum service level of individual septic tank and individual well for Lot 28, Plan 8645, Lot B, Plan LMP10156, Lot 2, Plan 15765 and Lot A, RP1836 all of DL 1628.

This clause relates specifically to this Lot – as it is Lot 28, Plan 8645.

As such, if the entire property was placed within the SR1(a) zone, the property could be subdivided into two lots.

PROPOSED DEVELOPMENT

The applicant wishes to subdivide the property into two properties divided by Collins Road. The proposed subdivision would comply with the SR1(a) zoning but not the Rural Residential 2 zoning. Each lot would be serviced by on-site septic and water.

Neighbourhood Comparison

The surrounding properties are all also within the R1 OCP designation – permitting an average lot size of 2 hectares. 24 lots in total are within this R1 designation in this area. Of the 23 lots not part of this application, 11 are below the 2 ha size specified in the OCP designation. The 23 lots have an average size of 2.38 ha. If the proposed application went forward and created two lots of 1.5 hectares each, the average lot size of the lots in this area would be 2.3 ha.

OTHER IMPLICATIONS

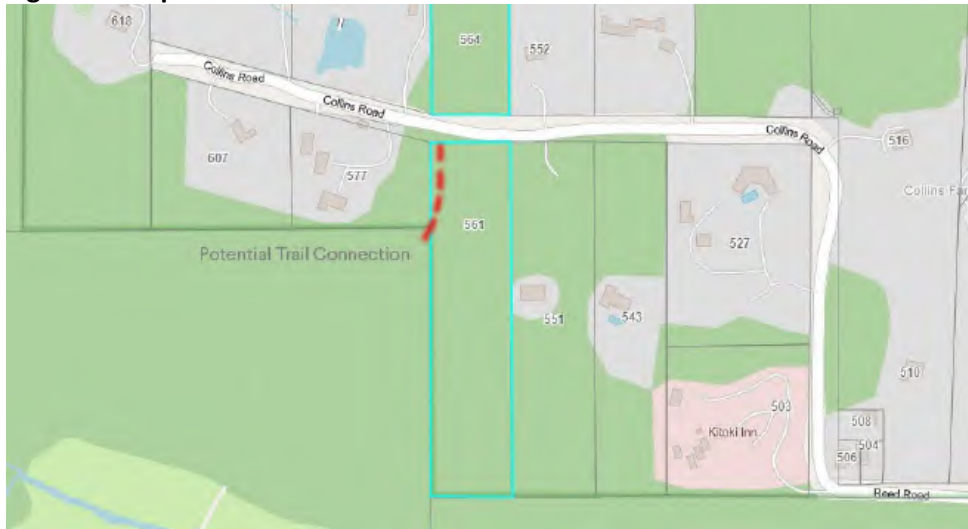
Conservation Development Policy

This BIM policy includes a goal that that a minimum of 50 percent of the total land subject to the rezoning application is protected from further development.

As mentioned above, the applicant provided an environmental report supporting their application. The applicant further proposed two contributions be made through the application to support this application as follows:

1. Trail Network contribution – being a future trail connection created inside the western boundary of the proposed Lot 2 to connect Collins Road to Crippen Park, as shown below.
2. Propose that the residential lots be placed under a covenant such that at least 50% of each site be protected from development.

Figure 5- Proposed Trail Connection



Staff would recommend seeking a recommendation from the Parks, Trails, and Greenways Advisory Committee on the suitability of this proposal. The Conservation Development Policy states that proposals will be evaluated, in part, on:

The means by which the protection is to be provided. This may be through mechanisms such as park land dedication, protective covenants, and/or other means deemed appropriate by Council.

Staff identified the alternative to conservation covenants could be park dedication at the extreme southern end of the lot for parkland that could be contributed to Crippen Regional Park. If Council wish to explore this option, staff recommend that a referral to Metro Vancouver Parks would be appropriate through this rezoning process. Staff would not recommend the creation of a small fragmented municipal park be established at this location.

FINANCIAL IMPLICATIONS

This application is not anticipated to have significant financial implications for the municipality. Some legal work would be required to review any legal agreements such as covenants or dedications. Any costs involving survey would be borne by the applicant at time of subdivision.

Subdivision of this lot would require DCC payment to BIM of \$1,100 to the Parks Reserve Fund, as per [Bylaw No. 905, 1998](#).

COMMUNICATION STRATEGY

Next review of this application will include referral to advisory committees for comment, prior to staff seeking direction to draft an amendment bylaw for Council's consideration.

BIM's procedure bylaw requires that notice be sent to neighboring properties (within 100 metres) prior to consideration of First Reading. Following a successful First Reading, staff will recommend the owners hold a public open house, or otherwise inform neighbours of their application.

As this application requires a public hearing (as it seeks to amend the Official Community Plan), a Public Hearing would be held following Second Reading of amendment bylaws.

SUMMARY / CONCLUSION

This application is to bring about the required changes to the OCP and LUB to facilitate a subdivision into two lots (creating one additional lot). Staff recommend that the application be referred to the Advisory Planning Commission and the Parks, Trails, and Greenways Advisory Committee for comment.

As an alternative, discussed below, Council may instead choose to not proceed with this application to amend the OCP in advance of consideration of a revised OCP.

ALTERNATIVES

Council has the following options available:

1. This application would seek an amendment to the Official Community Plan to permit the creation of one additional lot. Council has recently established the Terms of Reference for an OCP Steering Committee to oversee a likely multi-year project to review Bowen's OCP. In light of this work, Council may wish to defer consideration of individual OCP amendments until a new OCP has been established.

Council discussed a similar application at their February 8th meeting, for an application at 883 Hummingbird Lane, and adopted the following resolution:

RES#24-66

It was Moved and Seconded

That Council direct staff to not pursue the proposal OCP/RZ-02-2021 any further until the Official Community Plan is updated.

CARRIED UNANIMOUSLY

Given the similar nature of these two applications, Council may wish to make a similar motion as follows:

That Council direct staff to not pursue the proposal OCP/RZ-2023-0297 any further until the Official Community Plan is updated.

Staff would suggest two differences in the applications:

- This application provides the opportunity to secure future trails connections and land protection beyond that offered in the 883 Hummingbird application. In particular, the opportunity to protect land immediately adjacent to the Regional Park is valuable from a

conservation point of view, compared to fragmented segments offered in other applications;

- This application would not appear to be setting a precedent in the neighbourhood. As seen above, subdivision of 561/564 Collins into two lots would result in average lot sizes consistent with other lots on Collins Road.

2. That Council refer the proposal back to staff for further information;
3. That Council direct staff to not pursue the proposal any further; or
4. Other options as determined by Council.

ATTACHMENTS

1. Applicant Letter
2. Property Sketch
3. Environmental Report
4. Community Contribution Proposal
5. Neighbourhood Support Chart

Submitted by: Daniel Martin, Manager of Planning and Development

REVIEWED BY:

CAO	<input type="checkbox"/>
Bylaw Services	<input type="checkbox"/>
Communications	<input type="checkbox"/>
Corporate Officer	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Fire & Emergency	<input checked="" type="checkbox"/>
Environment & Parks	<input type="checkbox"/>
Planning	<input checked="" type="checkbox"/>
Public Library	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Recreation & Community Services	<input checked="" type="checkbox"/>

Municipality of Bowen Island
981 Artisan Lane
Bowen Island, BC V0N 1G2

November 30, 2023

Dear Council Members:

We would like to give you a brief history of the property at 561 and 564 Collins Road ("Lot 28") and its significance to our family.

This land has been part of the Collins family for over 100 years. Our grandfather, James Collins, was one of the early settlers on Bowen Island in the early 1900's. James was a farmer. He gifted a portion of his land to Bowen Island for the Bowen Island United Church and Bowen Hall. He was instrumental in founding the church and he helped build the church.

Our mother, Marion Moore, is the last survivor of James Collins' offspring. She is 101 years old and lives at 516 Collins Road (Collins Farmhouse property). Marion's daughter, Wendy Moore, is her Power of Attorney and has taken over handling of Marion's affairs.

Marion has owned Lot 28 and paid the property taxes on it for many decades. She refers to the property as individual north and south lots, although the land was never subdivided. We now realize that when the Municipal OCP was drawn up, the north and south portions were assigned different zones.

You will see from the Official Community Plan, that the rest of the lots on Collins Road were previously divided into two according to the road that divides the properties.

At Marion's advanced age, her care costs have become prohibitively expensive. Our purpose in seeking rezoning and subdivision of Lot 28 into two lots, is so that we may sell one of the lots in order to raise funds for Marion's care and hopefully keep the other lot in our family.

We have neighbourhood support and we are dedicated to following Bowen Island's conservation principles to the best of our ability.

Thank you in advance for your diligence in hopefully helping us to meet a mutually satisfactory outcome.

Sincerely,

Wendy Moore, Applicant/Power of Attorney,
on behalf of Marion Moore and her family

**SKETCH OF PROPOSED SUBDIVISION OF LOT 28
DISTRICT LOT 1628 GROUP 1 NWD PLAN 8645**

BOWEN ISLAND MUNICIPALITY
BCGS 92G.034

CIVIC ADDRESS: 564 COLLINS ROAD
PID: 005-155-355

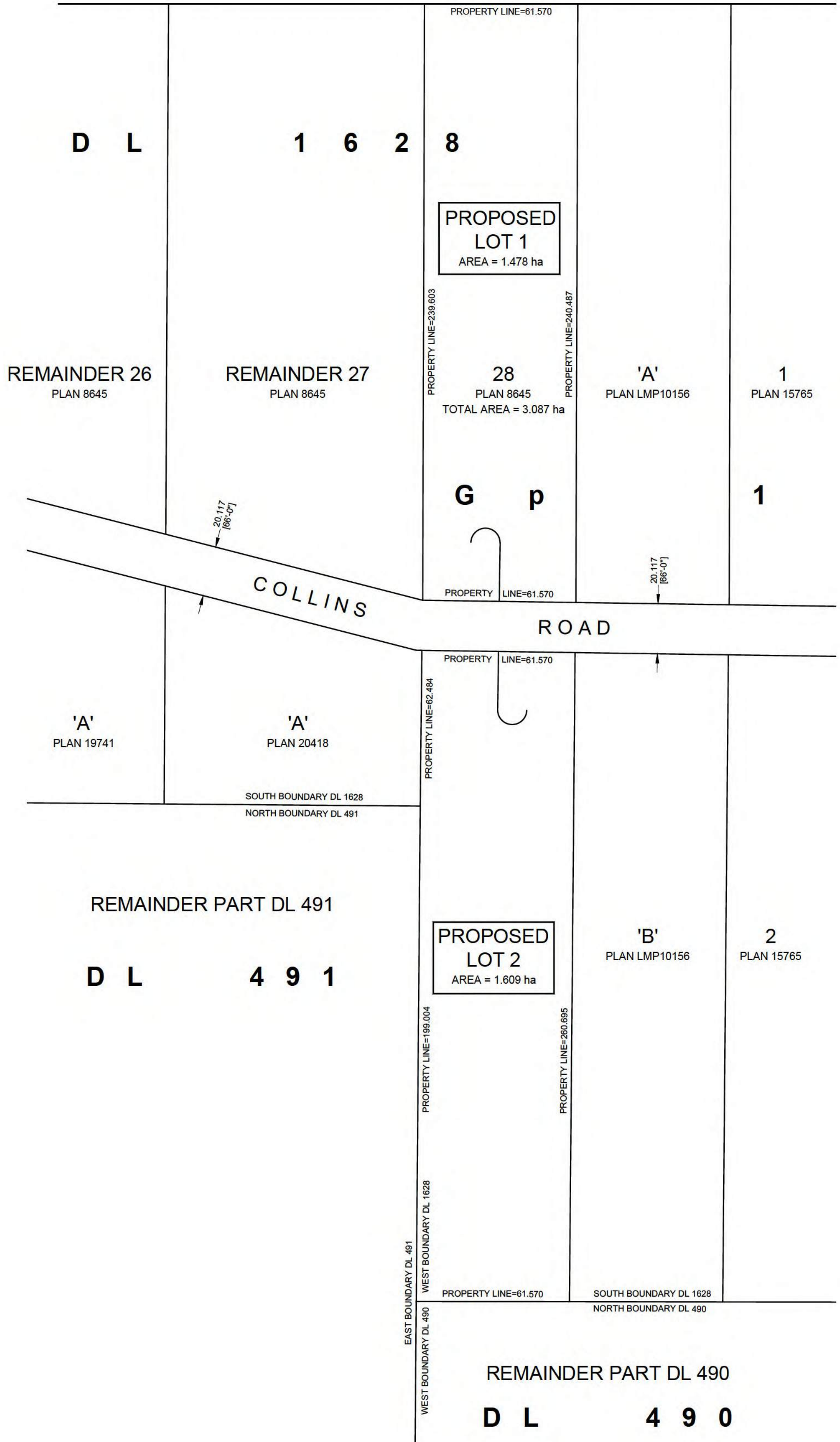
'G'
REFERENCE PLAN 795

SCALE 1:1250



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 560mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:1250



PROPERTY:

PROPERTY DIMENSIONS SHOWN ARE DERIVED FROM PLAN 8645.
OFFSETS TO PROPERTY LINES ARE NOT TO BE USED TO DEFINE BOUNDARIES.

REFER TO CURRENT CERTIFICATE(S) OF TITLE FOR ADDITIONAL, EXISTING OR PENDING CHARGES.

THIS PLAN HAS BEEN PREPARED FOR PRELIMINARY PURPOSES ONLY AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.

ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF BENNETT LAND SURVEYING LTD.

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THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.

DATE:	BY:
SEP 25 2023 (PROPOSED SUB-DIV)	HK
REVISION:	

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR BOWEN ISLAND MUNICIPALITY.

THIS PLAN LIES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT

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ENVIRONMENTAL ASSESSMENT

561 AND 564 COLLINS ROAD, NEXWLÉLEXWM (BOWEN ISLAND), BC

Submitted to:

Wendy Moore
1906 Whitman Street
North Vancouver, BC V7H 2C2

Prepared by:

Maddison Consultants, Ltd.
1265 Adams Road
Nexwlélexwm (Bowen Island), B.C.
V0N 1G2
(604) 838-2321

Maddison Consultants Project No. M296



November 8, 2023

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A: REGULATORY SETTING	
B: SENSITIVE SPECIES	
C: WETLAND PERIMETER COORDINATES	
D: SITE PHOTOGRAPHS	
E: RESUME	
F: PLANT AND ANIMAL SPECIES OBSERVED ON SITE	

INTRODUCTION

Maddison Consultants Ltd. (Maddison Consultants) was retained by Wendy Moore (Power of Attorney) to conduct an environmental assessment for the subject property located at 561 and 564 Collins Road, Nexwlélexwm (Bowen Island), British Columbia (BC). More specifically, the property location is described as Lot 28 District Lot 1628 plan 8645; parcel ID 005-155-355. The location of the property is depicted on Figure 1.

The proposed works include rezoning with the intent to subdivide the properties; however, no development or ground disturbance is associated with the planned rezoning and subdivision. For the rezoning application, the Municipality of Bowen Island (Municipality) has requested an environmental assessment of the subject property.

This report details the biophysical survey that was completed on the property, the findings, and identifies the sensitive biological resources identified on, or within close proximity to the property.

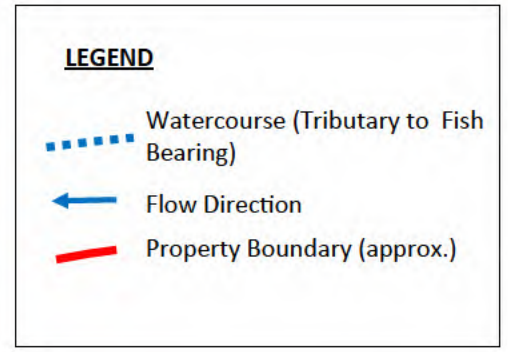
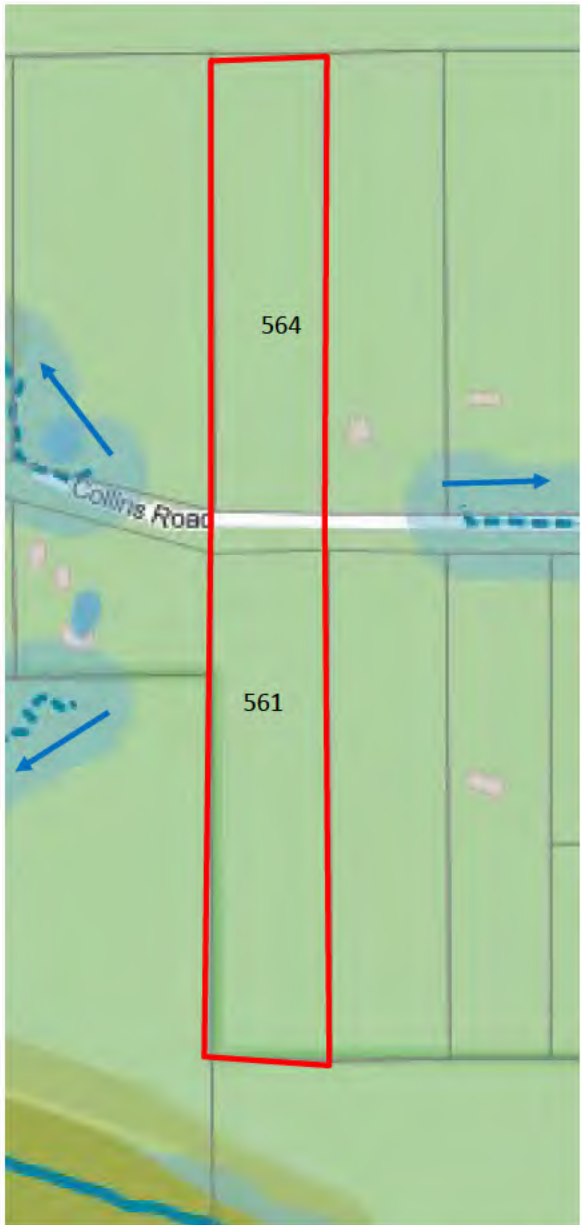
PROPERTY LOCATION AND DESCRIPTION

The property is located on unceded Skwxwú7mesh Úxwumixw territory. It ranges in elevation from 25 metres (m) to 115 m above sea level. The study area is located within the Coastal Western Hemlock biogeoclimatic zone (CWH), dry maritime subzone. It is approximately 3.01 hectares (ha), and is surrounded by rural residential to the north, east and west, and Killarney Creek to the south. The topography of the property is varied; with 564 being relatively flat with gently sloping areas, and a rock outcrop and a south-facing cliff along the north side; whereas the north side of 561 slopes gently to the north and the southern portion slopes to the southwest.

There are no existing structures on 561; however, on 564 there is an abandoned cabin, an A-frame storage shed, and a well. The abandoned cabin is located approximately 30 metres (m) north from the roadway. Located north of the cabin is the A-frame storage shed; and, to the northwest of the shed, approximately 60 m away, is the well which is located at the toe of the rock outcrop. The cabin foundation consists of logs and concrete blocks; whereas the storage shed has a wooden foundation. 561 Collins Road is undeveloped except for a few footpaths that bisect the property.

REGULATORY REQUIREMENTS

The *Bowen Island Municipal Official Community Plan (OCP) Bylaw No. 282, 2010* summarizes the municipal regulatory requirements for development on Bowen Island. Furthermore, works may be subject to other Federal and Provincial government regulations which include, but are not limited to the: *Fisheries Act, Migratory Birds Convention Act, Canadian Impact Assessment Act, Species at Risk Act, BC Environmental Assessment Act, Environmental Management Act, Riparian Areas Protection Regulation, Wildlife Act, and Weed Control Act*. A summary of the legislation and how they may relate to development on the subject property is included in Appendix A.



METHODS

Literature Review and Records Search

A literature review was conducted to identify the presence, or potential occurrence, of species at risk (*e.g.*, plant and animal species) in the vicinity of, and/or within the property. The resources used to compile the list, along with a table depicting the identified sensitive species, are included in Appendix B.

Field Surveys

Micaele Florendo, R.P. Bio., of Maddison Consultants conducted a biological reconnaissance survey of the study area on October 4, 2023 to characterize the biological resources in the study area. The survey was conducted on foot from 8:55 a.m. until 11:55 a.m. Weather conditions were overcast and cloudy with an average air temperature of approximately 15 degrees Celsius (°C). The purpose of the survey was to determine the potential presence and/or absence of listed wildlife species identified with the Conservation Data Centre (CDC) and/or listed on Schedule 1 of the SARA. Furthermore, the survey also determined if there were any unmapped drainages in the study area.

Soil sampling was conducted at 564 Collins Road on October 17, 2023 from 12:30 p.m. to 1:45 p.m. Weather conditions were overcast and rainy. The perimeter of a potential wetland was marked using a Garmin GPSMAP 60CSx. The coordinates for the perimeter are included in Appendix C.

Photographs taken at various locations throughout the survey area to document existing conditions are attached in Appendix D. A resume for Micaele Florendo is attached in Appendix E.

Rocks, cobble, and woody debris throughout the property were overturned in an attempt to detect amphibians, reptiles, slugs, and snails. All wildlife and plant species observed directly or otherwise, were noted. Vascular plants were identified in the field according to Pojar and Mackinnon (1994); and, voucher specimens were collected for identification according to eFlora (1998 - 2002). Animal species observed within the property were identified according to Sibley (2003), and National Geographic (1987). A list of the observed plant and animal species is attached as Appendix F.

EXISTING ENVIRONMENTAL SETTING

The property is within the Dry Maritime Subzone of the Coastal Western Hemlock biogeoclimatic zone. This zone occurs predominantly west of the coastal mountains along the entire coast of BC, and at low to middle elevations from sea level to 900 m on windward slopes in the south and mid-coast (1050 m on leeward slopes), and up to 300 m in elevation along the north coast, (Ministry of Forests, 1991).

This zone is, on average, the rainiest biogeoclimatic zone in BC, with a cool, mesothermal climate consistent with cool summers and mild winters (Ministry of Forests, 1991). The mean annual temperature is about 8 degrees Celsius (°C) and ranges from 5.2°C to 10.5°C among the Coastal Western Hemlock subzones (Ministry of Forests, 1991). Mean annual

precipitation for the dry maritime subzone 2349 millimetres (mm) and the dry maritime subzone mean annual temperature is 9.8°C (Ministry of Forests 1991).

Western hemlock (*Tsuga heterophylla*) is usually the most common tree species in the forest cover. It regenerates freely under the canopy of mature stands on zonal sites and elsewhere if sufficient acid raw hummus or decaying wood has accumulated on the forest floor (Ministry of Forests, 1991). Red alder (*Alnus rubra*), a pioneer species, is widespread on logged-over or otherwise disturbed sites (Ministry of Forests, 1991).

Characteristic floristic features of zonal ecosystems in the CWH are (a) the prominence of western hemlock (b) the sparse herb layer (c) the predominance of several moss species, especially step moss (*Hylocomium splendens*) and lanky moss (*Rhytidiadelphus loreus*).

Drier maritime forests typically have a substantial component of Douglas-fir (*Pseudotsuga menziesii*) along with western hemlock and western redcedar. Salal (*Gaultheria shallon*), dull Oregon-grape (*Mahonia nervosa*), and red huckleberry (*Vaccinium parvifolium*), typify the poorly to moderately developed shrub layer (Ministry of Forests, 1991).

Characteristic soil processes include accumulation of acid organic matter on the forest floor (Mor formation), leaching, eluviations, illuviation, and gleying (Ministry of Forests, 1991). Therefore, mors are the prevailing humus forms. Many soils derived from the acidic parent materials, such as granodiorites are low in clay minerals and poor in nutrients (Ministry of Forests, 1991).

Vegetation

As seen on Figure 2, mature mixed forest is the only habitat type located on 561 Collins Road, while three different habitat types occur on 564 Collins Road. Mature mixed forest with a rock outcrop occurs the northern portion of 564 Collins Road as well as a swamp wetland that is located in the center of the property.

Although the dominant habitat type on 564 Collins Road is mature mixed forest, a rock outcrop occurs in the northern portion of the property. Hydrophytic vegetation, including skunk cabbage, small-flowered and common rush, were observed growing in depressions near the toe of the rock outcrop. Therefore, a soil pit was excavated in the vicinity of the small-flowered bulrush (*Scirpus microcarpus*), an obligate hydrophyte; the coordinates of the soil pit location are 10u latitude 0475108 and longitude 5470869.

Mature mixed forest is the predominant habitat within, and surrounding, the property. This habitat type consists of mature second-growth coniferous forest, dominated by western redcedar, with some red alder regeneration and scattered occurrences of bigleaf maple (*Acer macrophyllum*). The young red alder regeneration is located mainly adjacent to Collins Road, where the forest has been disturbed for road maintenance. Otherwise, the understory of the mature forest is dominated by sword fern (*Polystichum munitum*) and red stemmed feathermoss (*Pleurozium schreberi*). Other species observed include western hemlock, bracken fern (*Pteridium aquilinum*), red huckleberry, deer fern (*Blechnum spicant*), douglas fir (*Pseudotsuga menziesii*), trailing blackberry (*Rubus ursinus*), dull Oregon grape (*Mahonia nervosa*). Springboard notches were observed on various stumps within the study area; therefore, providing evidence that the forest had previously been logged.

A rock outcrop occurs in the northern portion of 564 Collins Road. This habitat type is dominated by bryophytes and lichens, including red stemmed feathermoss, juniper haircap



LEGEND

-  Property Boundary (approx.)
-  Existing Structures
-  Rock outcrop
-  Mature mixed forest—Dry Maritime Coastal Western Hemlock Subzone
-  Western redcedar-Western hemlock-Skunk cabbage swamp

moss (*Polytrichum juniperinum*), *Cladonia* sp., coastal reindeer lichen (*Cladina portentosa*), Wallace's selaginella (*Selaginella wallacei*), and star moss (*Syntrichia ruralis*). There are scattered occurrences of lodgepole pine (*Pinus contorta*), parsley fern (*Cryptogramma acrostichoides*), *Danthonia spicata*, licorice fern (*Polypodium glycyrrhiza*), maidenhair spleenwort (*Asplenium trichomanes*), and rose (*Rosa* sp.). Surrounding the outcrop, where soils are generally deeper, vegetation includes oceanspray (*Holodiscus discolor*), sword fern, Douglas fir, and, dull Oregon grape.

The swamp wetland is dominated by a canopy of western redcedar, with an understory of sword fern, skunk cabbage (*Lysichiton americanus*), common horsetail (*Equisetum arvense*), small-flowered bulrush, and common rush (*Juncus effusus*).

Invasive species observed on the property include English holly (*Ilex aquifolium*), and spurge laurel (*Daphnia laureola*).

Wildlife

Northern red-legged frogs (*Rana aurora*) were observed throughout both 564 and 561 Collins Road. No other amphibians or reptile species were detected within the study area during the field survey. Amphibian species that are likely to occur within, and adjacent to the study area include Pacific tree frog (*Pseudacris regilla*), rough-skinned newt (*Taricha granulosa*), and ensatina salamander (*Ensatina eschscholtzii*). The western terrestrial garter snake (*Thamnophis elegans*), the common garter snake (*Thamnophis sirtalis*), and the northwestern garter snake (*Thamnophis ordinoides*) are reptile species that are likely to occur on, and adjacent to the study area.

Bird species observed during the survey include an American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), northern flicker (*Colaptes auratus*), black-capped chickadee (*Poecile atricapillus*), spotted towhee (*Pipilo maculatus*), red-breasted nuthatch (*Sitta canadensis*), American robin (*Turdus migratorius*), Stellar's jay (*Cyanocitta stellari*), hairy woodpecker (*Dryobates villosus*), varied thrush (*Ixoreus naevius*), golden-crowned kinglet (*Regulus satrapa*), and a song sparrow (*Melospiza melodia*). In addition, a belted kingfisher (*Megaceryle alcyon*) was detected aurally to the south of 561 Collins Road.

Many species of birds are expected to occur on and around the property during the spring breeding and migratory season. Several wildlife trees (snags or trees with woodpecker cavities) were detected during the survey. The wildlife trees observed on site may be utilized by birds, small mammals, and other animals for nests, nurseries, storage areas, foraging, roosting, and perching. Although a great blue heron (*Ardea herodias*) nest has been documented approximately 250 m southeast of 561 Collins Road, no great blue heron nests were observed on the property (Bowmap, 2023).

Black tailed deer (*Odocoileus hemionus columbianus*) and eastern grey squirrel (*Sciurus carolinensis*) were observed on the property. Other mammal species that have the potential to occur on the property include several species of shrews and mice, striped skunk (*Mephitis mephitis*), Norway rat (*Rattus norvegicus*), river otter (*Lontra canadensis*), American mink (*Neovison vison*), Douglas squirrel (*Tamiasciurus douglasii*), and northern flying squirrel (*Glaucomys sabrinus*).

Aquatic Resources

No unmapped drainages were detected on the property at the time of the site visit.

A forested swamp, an area with a mix of terrestrial and wetland microhabitats, occurs in the centre of 564 Collins Road. Within the swamp, elevated microsites under conifers are favourable for terrestrial species such as sword fern and deer fern; while depressions support hydrophytes, such as skunk cabbage and small-flowered bulrush (MacKenzie and Moran, 2004). While the plant community composition does not clearly reflect a wetland environment, the soils provide definitive indicators (MacKenzie and Moran, 2004). Rapid infiltration of the soil pit with water indicates an aquic moisture regime with pronounced lateral groundwater flow. The western redcedar-western hemlock-skunk cabbage swamp site association (Ws54) describes the rich, wet, skunk cabbage forests of the dry maritime subzone of the Coastal Western Hemlock biogeoclimatic zone (MacKenzie and Moran, 2004).

Identified Wildlife Species

In addition to the northern red-legged frog detected on the property, the field survey conducted for this assessment determined that there is a moderate to high potential for fourteen sensitive animal species including threaded vertigo (*Nearctula* sp.), Oregon forestsnail (*Allogona townsendiana*), common wood-nymph (*Cercyonis pegala incana*), great blue heron, band-tailed pigeon (*Columba fasciata*), common nighthawk (*Chordeiles minor*), western screech-owl (*Megascops kennicottii kennicottii*), olive-sided flycatcher (*Contopus cooperi*), hoary bat (*Lasiurus cinereus*), spotted bat (*Euderma maculatum*), keen's long-eared myotis (*Myotis keenii*), northern long-eared myotis (*Myotis septentrionalis*), little brown myotis (*Myotis lucifugus*) and Townsend's big-eared bat (*Corynorhinus townsendii*) to occur within, or in the vicinity of the study area.

CONCLUSION

The habitat on 561 Collins Road is mature mixed forest; three habitat types occur 564 Collins Road: mature mixed forest, rock outcrop and western redcedar-western hemlock-skunk cabbage swamp site association (Ws54).

While not afforded legal protection, rock outcrops are very slow to recover after impacts. Therefore, it is recommended that any proposed construction activities, including construction staging and equipment operation avoid the rock outcrop on the northern portion of 564 Collins Road to reduce impacts to this habitat type.

The Bowen Island Municipality defines the Water Resource Protection Area as an area adjacent to a watercourse, lake, pond, wetland, spring or well that links to drinking or irrigation or other approved water supplies and includes both existing and potential sources, aquifers, riparian vegetation and existing and potential upland vegetation that exert an influence on the water supply. During a telephone conversation with Daniel Martin, Bowen Island Municipality Manager of Planning and Development on October 30, 2023, it was determined that the isolated wetland (Ws54), which has no surface connection to adjacent waterbodies, does not meet the definition of a Water Resource Protection Area. However, the Municipal Bylaws identify a 30 m setback from any wetland for any building or structure. As such, any future building or structure within the 30 m setback of the western redcedar-western hemlock-skunk cabbage swamp site association (Ws54) will require a Development Permit from the Bowen Island Municipality to reduce the setback. The Municipal Bylaws define a structure as any construction installed on, supported by or sunk into land or water, but does not include construction less than 0.6 m in height; whereas a building is defined as a roofed structure at least 1.5 m in height and up to two buildings connected by a covered walkway and located not more than 3.0 m (9.8 feet) apart are deemed to be one building.

The western redcedar-western hemlock-skunk cabbage swamp site association (Ws54), with complex vertical structure and open or patchy canopy, is important habitat for many wildlife species, including the northern red-legged frog that was detected on site. In addition, wetlands are included in the definition of a "stream" under provincial legislation. As such, any proposed alterations to this wetland will require authorization from the province prior to the commencement of construction.

The habitats on site provide a moderate to high potential for fifteen sensitive animal species to occur on the property. As such, any future proposed development activities have the potential to directly or indirectly impact these sensitive animal species if they occur on the subject property. Therefore, if future development of the property is proposed, a Qualified Environmental Professional (QEP) should be retained to provide recommendations to avoid or minimize potential impacts to the sensitive animal species.

CORPORATE AUTHORIZATION

This report, entitled "Environmental Assessment for 561 and 564 Collins Road, Nexwlelexwm (Bowen Island), British Columbia" has been prepared by Maddison Consultants, Ltd. (Maddison Consultants) for the exclusive use of Wendy Moore (Power of Attorney), using generally accepted scientific and technical practices, environmental legislation, guidelines, regulations and standards in effect at the time of report's preparation.

The material contained in this report reflects Maddison Consultants' best judgment in light of the information available at the time the environmental consulting services and report preparation (Services) were conducted. This Environmental Assessment is valid for five years after the date of the field survey.

The reported information provides a representation of the general environmental conditions in the areas assessed (Study Area). The data presented were collected at specific locations and findings outlined in this report cannot and should not be extrapolated to other areas outside of the Study Area, or other sites that were not specifically investigated.

The assessment classifications provided in this report are intended for the sole use of the landowners for the Specific Services referenced herein, and for no other purpose whatsoever. Any other reliance on this report by the landowners, or a third party, is not authorized and Maddison Consultants does not accept any responsibility for any such use or reliance.

Services provided by Maddison Consultants have been conducted during this Assessment in a manner consistent with the level of skill exercised by members of the profession currently practicing under similar conditions, and in the jurisdiction in which the services are provided. No other warranty or guarantee, expressed or implied, is made concerning the study results, or any other portion of the report.

Maddison Consultants Ltd.



Micaele Florendo, P.Biol., R.P.Bio.
Principal Biologist



Note: The original signed and wet sealed copy is retained on file at the office of Maddison Consultants Ltd.

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Available: <http://a100.gov.bc.ca/pub/eswp/> (September 27, 2023)
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APPENDIX A

REGULATORY FRAMEWORK

Federal regulations

Fisheries Act

The *Fisheries Act* provides for the management of fisheries resources and the protection of fish and fish habitats. Fish are defined by the Act as “fish, shellfish, crustaceans, and marine animals” as well as the “eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans, and marine animals.” Further, fish habitats are defined by the Act as “spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.” Clarification of these definitions was provided in the Habitat Conservation and Protection Guidelines (1998) which state that “fish habitat therefore refers to: freshwater, estuarine and marine environments that directly or indirectly support fish stocks or fish populations that sustain, or have the potential to sustain, subsistence, commercial, or recreational fishing activities”. The *Fisheries Act* is administered by Fisheries and Oceans Canada (DFO).

Subsection 35(1) of the Act prohibits any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational, or Aboriginal fishery, or to fish that support such a fishery. Subsection 35(2) provides the mechanism for an authorization, which is contingent on compliance with the National Habitat Policy, specifically the Fish Habitat Conservation Goal and its guiding off-setting policy.

Subsection 36 (1) prohibits the deposit or allowing the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter any such water.

As of August 28, 2019, the new fish and fish habitat protection provisions (FFHPP) of the *Fisheries Act* came into force. Of them, there are two are key prohibitions:

1. Subsection 34.4(1) of the *Fisheries Act* prohibits the carrying on of a work, undertaking or activity, other than fishing, that results in the death of fish, and
2. Subsection 35(1) of the *Fisheries Act* prohibits the carrying on of a work, undertaking or activity that results in the harmful alteration, disruption, or destruction of fish habitat.

However, under paragraphs 34.4(2)(b) and 35(2)(b) of the *Fisheries Act*, the Minister of Fisheries and Oceans (the Minister) may issue an authorization with any terms and conditions in relation to a proposed work, undertaking or activity that may, respectively, result in the death of fish or the harmful alteration, disruption or destruction of fish habitat.

No watercourses were observed on the property; therefore there is no risk to fish or fish habitat as a result of the proposed works. A Request for Review by DFO is not required for this project. **Migratory Birds Convention Act**

The *Migratory Birds Convention Act* provides for the protection of migratory birds and migratory bird habitat. A migratory bird is defined as “a migratory bird referred to in the Convention, and includes sperm, eggs, embryos, tissue cultures, and parts of the bird.” The Act is administered by the Canadian Wildlife Service (CWS) of Environment and Climate Change Canada.

CWS rarely issues formal approvals of relatively small development projects. However, if the project requires federal involvement, they may refer the application to CWS for comment to ensure that they have fulfilled their obligations under the *Canadian Impact Assessment Act* (CIAA).

The *Migratory Birds Convention Act* provides protection for migratory birds regardless of whether formal approval is required. The inadvertent harm, killing, disturbance or destruction of migratory birds, their nests and/or eggs as a result of activities such as clearing trees and other vegetation, draining, and flooding land, or using fishing gear is known as incidental take. To achieve compliance with the law and to minimize the risk of incidental take, any vegetation clearing or ground disturbance activities should be conducted outside the bird-nesting season (March 15 to August 31) as identified on the Environment Canada website (<https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods/nesting-periods.html#ZoneA>).

Generally, active nest searches are not recommended because 1) searchers may disturb or stress nesting birds, and 2) in most habitats, the likelihood of detecting all nests in a given search area is known to be low; therefore, incidental take is unlikely to be avoided through conducting active nest searches prior to vegetation clearing except when nests are known to be easy to locate as outlined on the Environment Canada website (<https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html#toc3>).

The new *Migratory Birds Regulations*, which came into force on July 30, 2022, provides protection to migratory bird nests when they are considered to have a higher conservation value for migratory birds, including the nests of all migratory bird species are protected when they contain a live bird or a viable egg (so generally during the nesting period).

The nests of 18 species that are listed in Schedule 1 of the regulations whose nests are reused by migratory birds continue to have year-round nest protection unless they have been shown to be abandoned. For Bowen Island, the Schedule 1 species of consideration that nest inland in forested areas are the great blue heron and the pileated woodpecker (*Dryocopus pileatus*).

Although a great blue heron nest site has been documented 260 m to the southeast of 561 Collins Road, no great blue heron nests were detected on the property during the assessment. Due to the proximity of the great blue heron nest to the southeast, any future development on the property will be subject to the Bowen Island heron policy.

Prior to any future development on the property, a survey should be conducted by a qualified biologist¹ to determine if there are any nest cavities of pileated woodpeckers on the property.

Canadian Environmental Assessment Act

The *Canadian Impact Assessment Act (CIAA)* repealed and replaced the *Environmental Assessment Act (CEAA)* in 2019 and forms the legal framework for federal impact assessments. The purpose of the CIAA is:

- To foster sustainability, ensure respect of Government's commitments with respect to the rights of Indigenous peoples.
- To include environmental, social, health and economic factors within the scope of

¹ A biologist shall be considered qualified if they are a Registered Professional Biologist in good standing with the College of Applied Biology, and have a minimum of five years' experience conducting nest surveys in BC.

assessments.

- To establish a fair, predictable and efficient impact assessment process that enhances Canada's competitiveness and promotes innovation.
- To consider positive and adverse effects.
- To include early, inclusive and meaningful public engagement.
- To promote nation-to-nation, Inuit-Crown, and government-to-government partnerships with Indigenous peoples.
- To ensure decisions are based on science, Indigenous knowledge and other sources of evidence.
- To assess cumulative effects within a region.

The Impact Assessment Agency of Canada leads the process for projects Subject to the Act, which include:

- Designated projects are described in the Physical Activities Regulations (Project List).
- Minister may designate any project not described in regulations, based on factors set in the legislation.
- Non-designated projects on federal lands and outside Canada are assessed by federal authorities before decisions are made.

Species at Risk Act

The *Species at Risk Act* provides protection to plant and animal species listed under Schedule 1 of SARA. Schedule 1 imposes statutory requirements for the management of listed species, which includes monitoring, assessment, response, recovery, and program evaluation of each species. Species addressed by COSEWIC but not addressed by Schedule 1 of SARA are not legally recognized. Federal Ministers that participated in the implementation of SARA consisted of the:

- Minister of Fisheries and Oceans Canada for aquatic species at risk;
- Minister of Canadian Heritage (through the Parks Canada Agency) for individuals of species at risk found in national parks, national historic sites or other protected heritage areas; and,
- Minister of the Environment Canada for all other species at risk and is also responsible for the administration of the Act.

SARA refers to these three ministers as "competent ministers" and gives them the authority to make decisions in their areas of responsibility and requires them to consult with each other on specific SARA-related matters.

Sections 32 and 33 of SARA make it an offence to:

- Kill, harm, harass, capture, or take an individual of a listed species that is extirpated, endangered, or threatened;

- Possess, collect, buy, sell, or trade an individual of a listed species that is extirpated, endangered, or threatened, or its part or derivative; or,
- Damage or destroy the residence of one or more individuals of a listed endangered or threatened species or of a listed extirpated species if a recovery strategy has recommended its reintroduction.

For other listed species, the provinces and territories are given the first opportunity to protect them through their laws. If the province or territory does not act, SARA has a 'safety net'. The Governor in Council, on the recommendation of the Minister of the Environment, may order that the prohibitions in sections 32 and 33 apply for a given species in a province or territory. The Minister must make a recommendation if, after consultation with the provincial or territorial minister, the Minister finds that the species or its residence is not effectively protected.

Projects that require an environmental assessment under an Act of Parliament will have to consider the project's effects on listed wildlife species and their critical habitats. The assessment must include recommendations for measures to avoid or reduce adverse effects and plans to monitor the impact of the project if it goes ahead. The project plan must respect recovery strategies and action plans and SARA prohibitions still apply.

The applicability of SARA to the proposed project is associated with the CIAA review of the development. The Responsible Agency, as part of the assessment of impacts to environmental resources, may require the project to identify impacts to Schedule 1 species, and determine how these impacts will be mitigated through the design, construction, and operation of the project.

Provincial Regulations

Riparian Areas Protection Regulation

The Riparian Areas Protection Regulation (RAPR) replaced the Riparian Areas Regulation on November 1, 2019, which was enabled by the *Fish Protection Act* to provide legislated direction needed by local governments to achieve improved fish and fish habitat protection. The regulation, administered by the Ministry of Forests, Lands, Natural Resource Operations, and Rural Development, applies to riparian fish habitat affected by new residential, commercial, and industrial development on land under local government jurisdiction.

Under the regulation, local governments may allow development within 30 m of the high-water mark of a stream or top of a ravine bank, provided the prescribed riparian assessment methods have been followed. The riparian assessment method requires a Qualified Environmental Professional (QEP) to provide an opinion, in an assessment report, that the development will not result in a HADD of riparian fish habitat.

As there are no drainages on the property and the wetland on the property is isolated from adjacent surface waters, including the pond to the west on 580 Collins Road, the *Riparian Areas Protection Regulation* will not apply to any future development on the property.

BC Environmental Management Act

The *Environmental Management Act* (EMA) came into effect on October 30, 2017 and governs the management of waste in BC, including permitting or other authorities (permits, regulations and codes of practice) for discharges to the environment, as well as related enforcements. The EMA prohibits the unauthorized introduction of waste into the environment from industries listed in the *Waste Discharge Regulation*, and from any activity in a manner or quantity that causes pollution. Division 2.1 of the EMA sets a foundation for strengthening spill preparedness, response, and recovery in BC with the following regulations:

1. Spill Preparedness, Response and Recovery Regulation.
2. Spill Contingency Planning Regulation.
3. Spill Reporting regulation.

Wildlife Act

Section 34 of the *Wildlife Act* states that "A person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys (a) a bird or its egg, (b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or (c) the nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg".

Section 75 of the *Wildlife Act* states that a person who kills or wounds wildlife, other than prescribed wildlife, either by accident or for the protection of life or property, commits an offence who fails to report to an officer (a) the killing or wounding, and (b) the location of the wildlife.

Water Sustainability Act

The *Water Sustainability Act* came into effect on February 29, 2016. This Act was implemented to replace the Water Act to regulate water use, management of rights and the protection of the resource.

A stream is defined in the *Water Sustainability Act* as a natural watercourse, including a natural glacier course or natural body of water. Bodies of water described by the term "stream" can include a lake, pond, river, creek, spring, ravine, gulch, wetland features with open standing water, or glacier (whether or not the glacier usually contains water or ice).

Under the *Water Sustainability Act*, changes in and about a stream, means:

- Any modification to the nature of the stream, including any modification of the land, vegetation and natural environment of a stream or the flow of water in a stream, or
- Any activity or construction within a stream channel that has or may have an impact on a stream or stream channel.

Wetlands, such as the western redcedar-western hemlock-skunk cabbage swamp site association (Ws54) on 564 Collins Road, are considered streams under the *Water Sustainability Act* and are defined as swamps, marshes, and fens, but not bogs. As wetlands are included in the definition of a "stream", proposed alterations to wetlands are considered a Change In and About a Stream and permissions will be required from the Ministry of Forests for any proposed wetland alteration work (Government of BC, 2022).

BC Environmental Assessment Act

When a major project is proposed in British Columbia, it must undergo an environmental assessment. In B.C. environmental assessments are managed by the Environmental Assessment Office (EAO), a neutral regulatory agency within the provincial government. On December 16th, 2019, the new Environmental Assessment Act (2018), came into force. Any new projects after December 16th, 2019 will undergo an Environmental Assessment under the new Act (2018) process.

A reviewable project under the *BC Environmental Assessment Act* is an activity and/or facility that is described in regulation that has or may have negative effects to the biophysical and human environments, the economy, culture, or health and is required to undergo an environmental assessment. These projects need an EA Certificate or Exemption Order to continue. Projects are typically reviewable if they meet or exceed certain project design or effects thresholds defined in the Reviewable Projects Regulation or if they are required to undergo an assessment by the Minister of Environment and Climate Change Strategy. Typically, large industrial, mining, energy, water management, waste disposal, transportation, and resort developments require an EA in British Columbia.

Reviewable projects are assessed for their potential:

- Effects on Indigenous nations and rights recognized and affirmed by section 35 of the Constitution Act, 1982 (collectively referred to Indigenous Interests);
- Positive and negative direct and indirect effects, including environmental, economic, social, cultural, and health effects;
- Adverse cumulative effects; and
- Other assessment matters under section 25 of the Environmental Assessment Act.

Weed Control Act

The *Weed Control Act* requires all land occupiers to control the spread of provincial and/or regional noxious weeds on their land and premises, and specifies provisions for transportation, movement, and cleaning of machinery. A list of noxious weeds is available online at [Field_Guide_to_Noxious_Weeds_10th_Edition_3.26.19.pdf](#) (bcinvasives.ca).

Heritage Conservation Act

BC's archaeological sites are protected under the *Heritage Conservation Act* (HCA). The provisions of the HCA apply whether sites are located on private or on public land, whether they are known or not. Protected archaeological sites may not be altered without a permit issued by the Ministry. Prior to development, property owner's should request archaeological site information and, if necessary, engage a professional archaeologist before developing on private property.

APPENDIX B

SENSITIVE SPECIES TABLE

For the purpose of this assessment species at risk are identified in the context of both the provincial and national ranking systems. The provincial ranking system applies to species that have been assessed by the British Columbia (BC) Conservation Data Centre (CDC). The national ranking system applies to species that have been assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), and in some instances, Schedule 1 of the *Species at Risk Act* (SARA). Although SARA provides lists of species in Schedules 1, 2 and 3, Schedule 1 is the only Schedule of listed species that are afforded protection under SARA. The Schedules in SARA are based on COSEWIC's assessments of the species.

The Federal and Provincial lists that were reviewed by Maddison Consultants include the following:

- Government of B.C. 2023. BC Species and Ecosystems Explorer. Available: <http://a100.gov.bc.ca/pub/eswp/> (Accessed September 27, 2023).
- Government of B.C. 2023. Conservation Data Centre. Available: <http://maps.gov.bc.ca/ess/hm/cdc/> (Accessed September 27, 2023).
- Government of B.C. 2023. HabitatWizard. Available at: <https://maps.gov.bc.ca/ess/hm/habwiz/> (Accessed September 27, 2023).
- Government of Canada. 2021. Species at Risk Public Registry. Available at: <https://species-registry.canada.ca/index-en.html#/species?sortBy=commonNameSort&sortDirection=asc&pageSize=10> (Accessed September 27, 2023).

Inclusion in the analysis for this study area is based on the following criteria: (1) direct observation of the species on the property during one of the biological surveys conducted for this report; (2) sighting by other qualified or reputable observers; (3) elemental occurrence reported by the CDC; or (4) study area contains appropriate habitat and is within the known range of a given species. Therefore, several plant and animal species that were identified in the initial literature review were subsequently excluded from further consideration because the property either lacks suitable habitat conditions to support these species or the property is located well beyond their normal range.

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
NON-VASCULAR PLANTS				
seaside bone <i>Hypogymnia heterophylla</i>	Grows on coastal conifers, especially shore pine (<i>Pinus contorta</i>) in open and exposed coastal localities within 1 kilometre of open ocean, from BC to northern California. In BC, found in low elevations of seaside ledges adjacent to lodgepole pine stands, in driest subzone of CWH zone.		CDC: red COSEWIC: TH SARA: TH	Low.
Cryptic paw <i>Nephroma occultum</i>	Cryptic paw is confined to moist forested regions at elevations below 1200 m. In BC, all populations occur where the mean annual temperature is between 4 and 10°C, with an annual mean temperature range of about 15–26°C in the Coastal Western Hemlock zone and the Interior Cedar–Hemlock zone of the British Columbia biogeoclimatic ecosystem classification system. Cryptic paw occurs on trees of all age classes in old-growth forests characterized by high humidity and stable environmental conditions. Old-growth forests provide protection from summer drought, one of the distributions constraints of this species. Cryptic paw most often grows on bark and wood of living branches, usually near the branch tips among the conifer needles, in mid to high canopy. On fallen branches, recent windthrow, near forest floor in areas of open canopy. It is less common or absent over large branches or on the trunks of trees. It is an acidophytic species that colonizes a broad range of trees. Cryptic paw is a North American endemic known from Alaska, Oregon, Washington, and British Columbia. In 2004, 6 populations had been documented from Alaska, 182 from Oregon, 8 from Washington, and 45 (43 extant, 2 extirpated) from British Columbia.		CDC: blue COSEWIC: TH SARA: SC	Low.
VASCULAR PLANTS				
DICOTYLEDONS				
Gymnosperm				
Coastal wood fern <i>Dryopteris arguta</i>	Occurs in fairly specialized habitats of coastal wooded slopes, cliffs, and rocky outcrops (Jamison and Douglas 1998). Exposures are always southwest, southeast, or south, and slopes are usually moderately steep (Jamison and Douglas 1998). <i>D. arguta</i> habitats are often strongly associated with the red-listed Garry oak ecosystems of the Coastal Douglas-fir biogeoclimatic zone, which are very rare and fragmented in B.C.	Year round	CDC: blue COSEWIC: SC SARA: SC	Low.
MOLLUSCS				
threaded vertigo <i>Nearctula</i> sp.	Lives in moist leaf litter in rich sites in deciduous and mixed forests. Southwestern BC to Monterey County, California.	Year round	CDC: blue COSEWIC: SC SARA: SC	Moderate.

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
Oregon forestsnail <i>Allogona townsendiana</i>	Moist, lowland deciduous woods with dense undergrowth, often in patches of stinging nettle, sword fern and big leaf maple. Southwestern BC to northwestern Oregon. In BC, occurs along the Chilliwack and Fraser River valleys from hope to Mission and Langley. Few records from southern Vancouver Island.	Year round; most active late spring to early summer	CDC: red COSEWIC: EN SARA: EN	Moderate.
DRAGONFLIES AND DAMSELFLIES				
blue dasher <i>Pachydiplax longipennis</i>	Still waters of ponds, lakes, marshes and bogs and has been found at Killarney Lake on Bowen Island. Abundant in many areas of the southern half of North America. In BC, this species occurs in the lowlands of the south coast and at the end of Osoyoos Lake in the southern interior. Blue dasher is most common on southern Vancouver Island and in the Gulf Islands.	Early June – mid September	CDC: blue COSEWIC: - SARA: -	Low.
BUTTERFLIES AND MOTHS				
common wood-nymph, incana subspecies <i>Cercyonis pegala incana</i>	Grassy forest openings, clearcut's, roadsides, meadows and streambanks. Larval food source is grass, can feed on sedges. Adults feed on willow and poplar sap. Southern BC south to central California and Arizona and across the continent to the Atlantic. Only occurs from Vancouver Island south to Willamette Valley, Oregon.	July - September	CDC: red COSEWIC: - SARA: -	Moderate. Documented on Bowen Island in 1933.
monarch <i>Danaus plexippus</i>	Open fields, roadsides, canyons and suburban areas. Main source of food is milkweed (<i>Asclepias</i> sp.), which is only native to the dry areas of the southern interior of BC. Therefore, migrants to the west coast cannot breed successfully. In tropical and subtropical areas of the world. Colonized New Zealand, Australia, and Canary Islands following the introduction of food plants to these areas. In BC, typically found in the interior, and infrequently in the lower Fraser valley, on Vancouver Island and the Rocky Mountain trench. Migrates in late summer and fall from BC to California to hibernate and overwinter along the central and southern California coast.	March – November	CDC: blue COSEWIC: EN SARA: SC	Low.
REPTILES				
sharp-tailed snake <i>Contia tenuis</i>	Under rocks, decaying wood and debris in oak woodlands, also open pine forests, dense coniferous forests, brushy chaparral, and grassy savannas. Valley floors to mountainous terrain from just above sea level to 4000 ft elevation. Feed on slugs, snail eggs and earthworms. Occurs from northern California to southern Vancouver Island and some Gulf Islands.	late February – June; late September - October	CDC: red COSEWIC: EN SARA: EN	Low.

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
northern rubber boa <i>Charina bottae</i>	Mixed-wood and deciduous forests, typically dominated by bigleaf maple (<i>Acer macrophyllum</i>) and with dense herbaceous cover, such as stinging nettle (<i>Urtica dioica</i>) with coarse woody debris, copious amounts of leaf litter, and both living and senescent vegetation. Western Cascades, Puget Trough, and eastern lowlands of the Olympic Peninsula in the United States north into the southwestern region of British Columbia. In BC, most records are from the Fraser Valley in the Mission/Abbotsford/Chilliwack area and from the lower portion of the Chilliwack Valley, below 360 meters in elevation. Two outlying localities, in Langley and southern Vancouver Island.	Year round; adults best located in late spring	CDC: yellow COSEWIC: SC SARA: SC	Low.
<i>AMPHIBIANS</i>				
western toad <i>Bufo boreas</i>	Three different types of habitats: breeding habitat, terrestrial summer range, and winter hibernation sites. Breeds in a variety of aquatic habitats with sandy substrates, including the shallow margins of lakes to roadside ditches. Outside the breeding season, adults spend most of their time on land and can be found in forested areas, wet shrublands, avalanche slopes, and meadows. Adults consume a wide variety of invertebrates including worms, spiders, bees, beetles, ants and grasshoppers. Tadpoles are highly gregarious and eat algae, as well as organic matter in the water, but will scavenge on carrion. Although they are capable of excavating their own burrows in loose soils, they shelter in small mammal burrows, beneath logs, and within rock crevices. Rocky Mountains to the pacific coast, from sea level to approximately 3 600 meters. The eastern portion of its range includes western Alberta, and parts of the western United States; and the southern extent is Baja California.	Adults are active from January until October; hibernates in burrows below the frostline up to six months of the year	CDC: yellow COSEWIC: SC SARA: SC	Low. Observed in an artificial pond near Josephine Lake in 2019.
northern red-legged frog <i>Rana aurora</i>	Streams, ponds, and marshes with slow-moving water and adjacent terrestrial environments; moist forest conditions far from open water characterized by mature vegetation, leaf litter, and large woody debris. Restricted to low elevations. Breeding in late winter/early spring in shallow water of permanent ponds or lakes, slow-moving streams, marshes, bogs, and swamps. During the summer, hatchlings typically occur within vegetation along streams, in moist sedge or brush, on shaded pond edges, and/or under logs or debris. Due to predation and competition with introduced bullfrogs (<i>Rana catesbeiana</i>), the red-legged frog does not occur where this species is present.	March – October; hibernates from November until late February	CDC: blue COSEWIC: SC SARA: SC	Observed.

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
<p>Occurs along the west coast of North America from Baja California to Canada and reaches the northern extent of its range in extreme southwestern BC. In BC, it occurs on Vancouver Island, the Gulf Islands, the mainland adjacent to the Strait of Georgia, and through the Fraser valley to Hope.</p>				
BIRDS				
<p>great blue heron, <i>herodias</i> subspecies <i>Ardea herodias herodias</i></p>	<p>Salt, brackish, and freshwater environments including marshes, swamps, shores, and tidal flats. The diet of great blue herons is highly variable and adaptable and includes fish, frogs, salamanders, turtles, snakes, rodents, and birds. This species is very common in southern BC and is frequently observed. The Fraser River delta is the primary wintering area for the great blue heron in BC. Breeding colonies are typically associated with island or mainland sites adjacent to tidal mud flats and eelgrass meadows. Nesting colonies can be located adjacent to high-traffic areas, such as Stanley Park, Vancouver. The nest is in trees approximately 5 to 30 metres above the ground or water. Widely distributed along the coast including Vancouver Island and the Queen Charlotte Island and throughout the interior south of the 52 latitudes.</p>	<p>Year round</p>	<p>CDC: blue COSEWIC: - SARA: -</p>	<p>Moderate.</p>
<p>band-tailed pigeon <i>Columba fasciata</i></p>	<p>Variety of habitats ranging from open wooded areas including mixed coniferous/deciduous trees with edges, city yards, parks, wooded groves, open bushland, mineral springs, and intertidal flats. Breeds in coniferous trees and deciduous trees. Forage for ripening fruits and grains in wooded areas; frequent rail lines, grain storage areas, and residential properties where grain is transferred and/or stored. Broadly distributed from southern Alaska to Central and South America. In North America, it is distributed along the coastal areas from about southern Alaska into Baja California; interior region from Colorado, where they extend mostly along the continental divide into South America. While present year-round in some northern urban areas where it is attracted to feeders and holly orchards, the species is described as a partial migrant where most from the northern pacific coast breeding range migrate to south of the upper third of California (Sonoma-Nevada Counties) and most from the interior region migrate beyond the U. S. and Mexico border.</p>	<p>Year round</p>	<p>CDC: blue COSEWIC: SC SARA: SC</p>	<p>Moderate.</p>
<p>western screech-owl, <i>kennicottii</i> subspecies <i>Megascops kennicottii kennicottii</i></p>	<p>Mixed deciduous/coniferous forests on the edges of clearings, wooded canyons <i>Otus flammeolus</i>, riparian thickets, deserts, orchards, at low elevations often associated with riparian areas. May roost in either</p>	<p>Year round</p>	<p>CDC: blue COSEWIC: TH SARA: TH</p>	<p>Moderate.</p>

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
	<p>coniferous or deciduous tree cavities, patches of thick vegetation, nest boxes, buildings, trees, vines, and crevices in cliffs. Nesting habitats of this owl include large, natural cavities (e.g., in trees), abandoned pileated woodpecker (<i>Dryocopus pileatus</i>) and northern flicker holes, as well as, cavities in poles, and old magpie (<i>Pica pica</i>) nests. May occur in wooded suburban areas and city parks, if they are disturbed minimally by humans and their associated activities.</p> <p>Western screech-owl is nocturnal and becomes active at dusk feeding on small mammals, birds, reptiles, small fish, and insects, with large insects being primary source of food (Alsop, 2001). This species is sedentary in that it often stays in the same home range throughout the year. Western portion of the North American continent from southern Alaska to central Mexico (COSEWIC, 2002). It is generally common and widely distributed throughout its range. In BC, this subspecies is known along the coast, including Vancouver Island, but excluding the Queen Charlotte Islands, relatively common in the lower mainland.</p>			
<p>olive-sided flycatcher <i>Contopus cooperi</i></p>	<p>Abundant in early postfire landscapes that have burned at high severity. Breeds in coniferous woods across Canada, Alaska, and the northeastern and western United States, and other types of wooded areas in California. Migrate to Central America and the Andes region of South America.</p>	<p>Spring and summer</p>	<p>CDC: blue COSEWIC: SC SARA: TH</p>	<p>Moderate.</p>
<p>barn swallow <i>Hirundo rustica</i></p>	<p>Open situations, less frequently in partly open habitats, frequently near water. Nests in barns or other buildings, under bridges, in caves or cliff crevices, usually on vertical surface close to ceiling. Commonly reuses old nests. Usually returns to same nesting area in successive years; yearlings often return to within 30 km or closer to natal site. Flies over open land and water and forages on a wide variety of flying insects; rarely eats berries. South-coastal and southeastern Alaska, across much of Canada south through much of U.S. to central Mexico; also eastern Buenos Aires province, Argentina, in early 1980s (Ridgely and Tudor 1989); across Eurasia to Mediterranean region, northern Africa, China, Japan.</p>	<p>Late April through August</p>	<p>CDC: blue COSEWIC: TH SARA: TH</p>	<p>Low.</p>
<p>common nighthawk <i>Chordeiles minor</i></p>	<p>In British Columbia, Common Nighthawks can be found roosting and nesting in a variety of habitats including: beaches, farm fields, sagebrush and grassland habitat, open Ponderosa pine forests, rock outcrops, logged and slash-burned forest areas, coastal island meadows and</p>	<p>Mid-march through August</p>	<p>CDC: yellow COSEWIC: SC SARA: TH</p>	<p>Moderate. Common inland and over freshwater on Bowen Island;</p>

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
	urban areas. Ground substrates at nesting sites included gravel, sand, bare rock, wood chips, needles, leaves, and occasional living vegetation: lichen, dandelion and moss. Common Nighthawks are known from throughout the province, with the exception of west of the Coast Mountains north of Vancouver (where they are very rare) and the Queen Charlotte Islands (where they are accidental). They have been found breeding from sea level to elevations of 1250m.			observed by Micaele Florendo over Killarney Lake.
MAMMALS				
hoary bat <i>Lasiurus cinereus</i>	The hoary bat is a nocturnal, tree-dwelling bat, and is one of the largest & most widespread bat species in North America. It inhabits open, grassy areas in coniferous and deciduous forests, and over lakes, and in areas impacted by humans. After sunset it is often found over wetlands, lakes and rivers. In the summer they roost mostly in trees with dense foliage with open flying areas below, though sometimes in rock crevices and squirrel nests. They mate in the fall; young are born late-May to early July. They migrate south to hibernate in the winter. Occur in BC's central and southern regions from May to September.	May to September in BC	CDC: blue COSEWIC: - SARA: -	Moderate. Detected on island
spotted bat <i>Euderma maculatum</i>	Undisturbed roosts on cliffs, as well as dense deciduous and coniferous forests, hay fields, deserts, marshes, riparian areas, and dry shrub-steppe grasslands. Main diet is grasshoppers and moths. Mates in autumn and females produce offspring in June or July. Occurs in Arizona, California, Colorado, Utah and British Columbia.	Year round	CDC: blue COSEWIC: SC SARA: SC	Moderate. May be present on island; yet to be captured/ observed visually
Keen's long-eared myotis <i>Myotis keenii</i>	Low elevation, dense, coastal western hemlock mature forest habitats. Roosts in trees and brush, under loose bark, and in rock crevices. Hibernates in caves over winter. Food items include moths and other insects. In BC, occurs on coastal islands, coastal mainland, and the coast mountains, including Vancouver Island and the Queen Charlotte Islands.	Spring, summer, fall; hibernates in winter; nocturnal	CDC: blue COSEWIC: DD SARA: -	Moderate. May be present on island; yet to be captured/ observed visually
Northern long-eared myotis <i>Myotis septentrionalis</i>	This bat generally is associated with old-growth forests composed of trees 100 years old or older. It relies on intact forest habitat, with low edge-to-interior ratios. Foraging occurs within forests, along forest edges, over forest clearings, and occasionally over ponds. Hibernation occurs primarily in caves, mines, and tunnels, typically those with large passages and entrances, relatively constant and cool temperatures, high humidity, and no air currents. Hibernators frequently roost in crevices, drill holes, and similar sites, but roosting in the open is not uncommon. Night roosts used in summer between foraging	Spring, summer, fall; hibernates in winter; nocturnal	CDC: blue COSEWIC: EN SARA: EN	Moderate. May be present on island; yet to be captured/ observed visually

SPECIES	HABITAT AND DISTRIBUTION	ACTIVITY/BLOOMING PERIOD	STATUS DESIGNATION	PROBABILITY OF OCCURRENCE
	<p>bouts are in different habitats than day roosts. Caves, mines, and quarry tunnels are used as night roosts. Daytime observations typically are of individuals in crevices or hollows or under loose bark on trees and in a variety of small spaces associated with buildings and other structures. Most nursery colonies are in cavities or beneath loose bark in trees or snags in upland forests, with roost entrances generally below or within the tree canopy. This bat is widely but patchily distributed in the eastern and north-central United States and adjacent southern Canada, from eastern British Columbia and southern Yukon eastward across southern Canada to eastern Quebec, Prince Edward Island, and Newfoundland, and southward to southern Texas, Louisiana, Alabama, Georgia, and Florida, and westward in the United States generally to the eastern margin of the Great Plains region. The overall summer and winter ranges are essentially the same.</p>			
<p>little brown myotis <i>Myotis lucifugus</i></p>	<p>This most frequently encountered bat, inhabiting buildings, attics, roof crevices, loose tree bark, or under bridges; anywhere near water. They roost along, or in small groups or colonies up to 1000 bats. Roosts are found under a loose shingle, in an open attic or tree cavity. They mate in late fall or during hibernation; with young born in late June or early July. Females return to the same maternity colony site every year. Upon arrival of cooler weather in late August/September, most the little brown myotis begin their migration south for winter, although some bats will hibernate in caves and old mines in BC.</p>		<p>CDC: yellow COSEWIC: EN SARA: EN</p>	<p>Moderate. Detected on island in Cape Roger Curtis.</p>
<p>Townsend's big-eared bat <i>Corynorhinus townsendii</i></p>	<p>Wide variety of habitats, its distribution strongly correlates with the availability of caves or cave-like roosts. Diet consists of small moths, lacewings, beetles, flies, and sawflies. Relatively sedentary and move only up to 10-65 km from the winter roost to the summer roost. Current range of this species is from Mexico into BC, along the western United States. In addition, there are a few isolated populations in the central and eastern United States.</p>	<p>Year round; nocturnal</p>	<p>CDC: blue COSEWIC: - SARA: -</p>	<p>Moderate.</p>

Legend

CDC

- red candidates for legal designation as Threatened (TH) or Endangered (EN).
- blue considered to be vulnerable or sensitive to human activities or natural events, and could become candidates for the red-list.

yellow indigenous and are not at risk in BC and include uncommon, declining, and increasing species.

SARA/COSEWIC

XX	Extinct	a species that no longer exists
ET	Extirpated	a species that no longer exists in the wild in Canada, but occurs elsewhere
EN	Endangered	a species facing imminent extirpation or extinction
TH	Threatened	a species likely to become endangered if limiting factors are not reversed
SC	Special Concern	a species with characteristics that make it particularly sensitive to human activities or natural events
NAR	Not At Risk	have not been given status because populations are not in any peril; and,
DD	Data Deficient	a species for which there is insufficient scientific information to support status designation.
-	Not addressed	Not addressed by the COSEWIC or the SARA

APPENDIX C

WETLAND PERIMETER COORDINATES

zone	latitude	longitude
10u	475098	5470916
10u	475108	5470911
10u	475113	5470905
10u	475123	5470908
10u	475127	5470913
10u	475127	5470909
10u	475127	5470899
10u	475136	5470890
10u	475133	5470902
10u	475128	5470920
10u	475128	5470934
10u	475134	5470936
10u	475141	5470937
10u	475142	5470928
10u	475138	5470927
10u	475130	5470931
10u	475122	5470935
10u	475116	5470938
10u	475109	5470946
10u	475095	5470954
10u	475094	5470901
10u	475085	5470907
10u	475104	5470910

APPENDIX D

SITE PHOTOGRAPHS



Photograph 1. 561 Collins Road; view south from Collins Road.



Photograph 2. 561 Collins Road, view north of subject property.



Photograph 3. 564 Collins Road, view to the north from Collins Road of abandoned cabin.



Photograph 4. 564 Collins Road, view to the north of the A frame shed.



Photograph 5. 564 Collins Road, view to the northwest of existing well.



Photograph 6. 564 Collins Road, view to the northwest of a wildlife tree immediately adjacent to Collins Road.



Photograph 7. 564 Collins Road, view to the north of the rock outcrop on the northern portion of the property.



Photograph 8. 564 Collins Road, view west of the rock outcrop.



Photograph 9. 564 Collins Road, view northwest of western redcedar-western hemlock-skunk cabbage swamp site association (Ws54).



Photograph 10. 564 Collins Road, soil pit excavated within western redcedar-western hemlock-skunk cabbage swamp site association (Ws54).

APPENDIX E

RESUME

MICAELE J.W. FLORENDO, B.Sc., P.Biol., R.P.Bio.

Principal Biologist, 28 years experience

Micaele has worked both in Canada and the United States of America (U.S.A.), during the past twenty-eight years on residential, commercial, industrial development projects. She has expertise in biophysical and wetland classification assessments. In addition, her experience covers biological reconnaissance surveys, botanical inventory surveys, ornithological surveys, amphibian call surveys, habitat mapping, environmental assessments, Riparian Areas Protection Regulation detailed assessments, ecological assessments, biological impacts analysis, habitat restoration, construction monitoring, design and implementation of avoidance and minimization measures, design and implementation of mitigation measures, permit applications, and watershed assessment.

Micaele's career began in British Columbia working on a variety of contracts in both fisheries and botany. Subsequently, she moved to Southern California to work as a biologist specializing in botanical resources with some experience in ornithological surveys and wetland assessments for a mid-sized environmental consulting company. In 2005, Micaele partnered with her father, David Maddison, to provide biological resource services for Maddison Consultants Ltd. Micaele has been the sole proprietor since her father's retirement in 2008. In 2009, Micaele moved to Alberta where she conducted biophysical assessments, amphibian surveys, ornithological surveys, botanical surveys and wetland classification assessments, as well as associated permit applications. Micaele is currently located on Bowen Island, British Columbia. She continues to provide services in British Columbia from initial studies through to construction phases.

SELECTED PROJECTS:

Micaele conducted environmental assessments, Riparian Areas Protection Regulation (RAPR) detailed assessments, conditions and impact assessments, nesting bird surveys, and construction monitoring for a variety of residential developments on Bowen Island, British Columbia (BC). (2018 – 2022).

Micaele conducted nocturnal amphibian call surveys, botanical surveys, and an updated wetland delineation for a proposed development in Lloydminster, Alberta (AB). (2020).

Micaele conducted a botanical inventory for the Highway 91 and Highway 17 interchange project in Delta, BC. (2019).

Micaele conducted vegetation surveys for a Range Plant Community and Range Health Assessment for three proposed solar power projects in southern Alberta. (2018).

PROFESSIONAL DEVELOPMENT:

Vancouver Island University. Environmental monitoring for construction projects. June, 2022.

Invasive Species Working Group. Introduction to invasive species online training course. May, 2022.

Islands Trust Conservancy. Gathering for species at risk. March, 2022.

University of Victoria. Green shores training program; level 1. November, 2021.

Vancouver Island University. Riparian Areas Protection Regulation Methods. July, 2020.

Botany of Calgary and Environs, 2011

Environmental and Operational Engineering Standards, 2006

Flora of the Eastern Mojave Desert, 2003

Flora of Camp San Luis Obispo, 2003

Birding By Ear, 2002 & 2003

Introductory Birding, 2002

Identification of Raptors, 2001

Fairy Shrimp – Tadpole Shrimp Identification, 2001

Flora of San Diego County, 2001

Flora of San Luis Obispo, 2000

Southwestern Willow Flycatcher (*Empidonax traillii eximius*) workshop, 2000

Fish Habitat Assessment and Rehabilitation Prescriptions, 1996

Introduction to the Forest Practices Code, 1995

PROFESSIONAL AFFILIATIONS:

Alberta Society of Professional Biologists, number 2066

College of Applied Biology/Association of Professional Biologists of BC, number 1423

EDUCATION:

University of Victoria, Bachelors of Science (Biology), 1994

SELECTED PROJECTS CONTINUED:

Micaele collected baseline data for sensitive plant species, botanical inventory, Ecological Land Classification, and invasive species as well as a wetland inventory for an Environmental Assessment under the federal Canadian Environmental Assessment Act (CEAA) in Bragg Creek, Alberta. (2017).

Micaele completed a Phase II Ecological Network Report for a proposed Industrial Development in Edmonton, AB. Assessments included biological reconnaissance, sensitive botanical species surveys, wetland classification assessment using the Alberta Wetland Classification System (AWCS), as well as completing the Alberta Wetland Rapid Evaluation Tool-Actual (ABWRET-A) form and shapefile for a determination of relative wetland value to initiate coordination of anticipated compensation for proposed impacts to wetlands.

Micaele conducted a biophysical assessment of a proposed seismic program within the Manitou Sandhills Area, Saskatchewan. (2015).

Micaele conducted a biophysical assessment within Beaumont, Alberta. The assessments included botanical and ornithological surveys, a wetland classification assessment accompanied with recommendations of avoidance and minimization measures. In addition, Micaele obtained the required wetland approvals and compensation packages to offset project impacts to wetlands. This project was completed efficiently and on budget while meeting the new Water Act Policy deadlines. (2015).

Micaele completed a biophysical constraints analysis of a proposed industrial development within Alexander First Nations Reserve Number 134. This assessment included botanical and ornithological surveys, constraints analysis, and recommendation of avoidance and minimization measures. Subsequently, Micaele prepared the Detailed Environmental Review (DER) based on the Aboriginal Affairs and Northern Development Canada (AANDC) terms of reference. (2012-2013).

Micaele compiled a sensitive botanical species list and then conducted botanical surveys for sensitive botanical resources within the revised project boundary for the South Fraser Perimeter Road (SFPR) project of the Gateway Program, Lower Mainland, British Columbia. Subsequently, she designed and coordinated the implementation of the mitigation plan for the rare botanical species observed within the project boundaries. (2008-2010).

WORK HISTORY PRIOR TO MADDISON CONSULTANTS:

ECL-Envirowest Consultants Ltd. Burnaby, B.C., 2005

LSA Associates, Inc. Irvine, California, 1999 – 2005

BC Conservation Foundation, Surrey, B.C., 1998 – 1999
J.O. Thomas and Associates, Vancouver, B.C., 1998

EVS Environment Consultants, North Vancouver, B.C., 1997 – 1998

Andrew A. Bryant Services, Nanaimo, B.C., 1997

Malaspina University-College, Nanaimo, B.C., 1996

Coastal Geoscience Research Corporation, Victoria, B.C., 1994 – 1996

Pacific Forestry Centre, Victoria, B.C., 1992 - 1993

SELECTED PROJECT EXPERIENCE PRIOR TO MADDISON CONSULTANTS LTD.:

Micaele conducted surveys for song birds, raptors, and nesting birds for the development of the Richmond Oval site, Richmond, British Columbia. (2005).

Micaele conducted focused surveys for burrowing owl (*Athene cunicularia hypugea*) within the Eastvale area of Riverside County, California. (2004).

Micaele completed monthly bird surveys at the Bolsa Chica Mesa, Orange County, California. (2003-2004).

Micaele conducted the background literature review, botanical surveys, general ornithological surveys, delineation of jurisdictional waters, oak tree surveys, and impact assessment for a variety of projects throughout southern and central California. In addition, Micaele designed the avoidance and minimization measures to offset impacts associated with proposed development. Furthermore, she obtained the required environmental approvals from the various regulatory agencies (2003-2005).

APPENDIX E

PLANT AND ANIMAL SPECIES OBSERVED

PLANT SPECIES OBSERVED

The following plant species were observed in the assessment area by biologist Micaele Florendo during the site survey.

* *Introduced, nonnative species*

NW *legislated noxious weed*

CSV *Squamish Nation Culturally Significant Vegetation*

Sḵw̓xwú7mesh máqwam

BRYOPHYTES

Asplenium trichomanes
Cladina portentosa
Hylocomium splendens
Plagiomnium cuspidatum
Pleurozium schreberi
Polytrichum juniperinum
Selaginella wallacei
Syntrichia ruralis

MOSSES

maidenhair spleenwort
coastal reindeer lichen
step moss
woody thyme-moss
red stemmed feathermoss
juniper haircap moss
wallace's spikemoss
star moss

GYMNOSPERMAE

Picea sitchensis
Pinus contorta
Pseudotsuga menziesii
Thuja plicata
Tsuga heterophylla

CONIFERS

Sitka spruce
lodgepole pine
Douglas fir
western redcedar
western hemlock

ts'its'icháyay'

ch'shay'
xápa'yay
qwáy'tsay

MONILOPHYTES

Athyrium filix-femina
Struthiopteris spicant
Cryptogramma acrostichoides
Dryopteris expansa
CSV *Polypodium glycyrrhiza*
Polystichum munitum
Pteridium aquilinum
Equisetum arvense

FERNS

lady fern
deer fern
parsley fern
spiny wood fern
licorice fern
sword fern
bracken fern
common horsetail

ptakwm
pálapála

tsxalm
tl'asíp
tsxálem

sxám-xm

ANGIOSPERMAE: DICOTYLEDONAE

Arbutus menziesii
Acer macrophyllum
CSV *Achillea millefolium*
Alnus rubra
* *Arctium minus*
Claytonia sibirica
* *Cotoneaster horizontalis*
* *Daphne laureola*
* *Digitalis purpurea*
Gaultheria shallon

DICOT FLOWERING PLANTS

arbutus
bigleaf maple
yarrow
red alder
common burdock
siberian miner's-lettuce
rock cotoneaster
spurge-laurel
common foxglove
salal

lhulhukw'ay
q'emel'áy'
sí?semáchx w
kwelú'áy

t'áka7áy'

	<i>Galium aparine</i>	cleavers	
	<i>Galium sp.</i>	bedstraw	mamakw'útsinay'
*	<i>Geranium robertianum</i>	Robert's geranium	
*	<i>Hedera helix</i>	English ivy	
*	<i>Hieracium Laevigatum</i>	smooth hawkweed	
	<i>Holodiscus discolor</i>	oceanspray	qálxay'
*	<i>Ilex aquifolium</i>	English holly	
*	<i>Lapsana communis</i>	nipplewort	
	<i>Mahonia nervosa</i>	dull Oregon-grape	séliyáʔ
	<i>Mycelis muralis</i>	wall lettuce	
	<i>Osmorhiza berteroi</i>	sweet cicely	táqaʔt
	<i>Ranunculus occidentalis</i>	western buttercup	
	<i>Ranunculus repens</i>	creeping buttercup	
	<i>Rosa sp</i>	rose	
*	<i>Rubus armeniacus</i>	Himalayan blackberry	
CSV	<i>Rubus ursinus</i>	trailing blackberry	qw'eləm'xwáy'
CSV	<i>Sambucus canadensis</i>	common elderberry	
*	<i>Stellaria media</i>	chickweed	
	<i>Symphoricarpos albus</i>	common snowberry	ts'exwts'xwáy'
	<i>Trientalis borealis</i>	starflower	
CSV	<i>Vaccinium parvifolium</i>	red huckleberry	sḵw'ekwchsáy
	<i>Viola sp.</i>	violet	

ANGIOSPERMAE:MONOCOTYLEDONAE

MONOCOT FLOWERING PLANTS

	<i>Anthoxanthum odoratum L.</i>	sweet vernalgrass	
*	<i>Brachypodium sylvaticum</i>	slender false brome	
*	<i>Dactylis glomerata</i>	orchard grass	
	<i>Danthonia spicata</i>	poverty oatgrass	
*	<i>Goodyera pubescens</i>	rattlesnake plantain	
	<i>Juncus effusus</i>	common rush	
	<i>Lysichiton americanus</i>	skunk cabbage	ch'úkwa
	<i>Scirpus microcarpus</i>	small-flowered bulrush (panicled)	shách'əls

Taxonomy and nomenclature are based on the following:

Klinkenberg, Brian. (Editor) 2020. E-Flora BC: Electronic Atlas of the Flora of British Columbia [eflora.bc.ca]. Lab for Advanced Spatial Analysis, Department of

C. Leo Hitchcock & Arthur Cronquist (authors) 2018. second edition. Flora of the Pacific Northwest: an illustrated manual. University of Washington Press, Seattle

Nancy Turner 2014. Ancient Pathways, Ancestral Knowledge. Ethnobotany and Ecological Wisdom of Indigenous Peoples of Northwestern North America, Appendix 2B- Names of Native Plant Species in Indigenous Languages of Northwestern North America. McGill-Queens University Press

Squamish Nation Culturally Significant Vegetation list compiled by Elizabeth Rose.
(this list is not exhaustive)

ANIMAL SPECIES OBSERVED

This is a list of animals noted in the study area. Presence may be noted if a species is seen, or heard, or identified by the presence of tracks, scat or other signs.

* *Introduced species*

AMPHIBIA

Ranidae

Rana aurora

AMPHIBIANS

True Frogs

red-legged frog

Skwxwú7mesh

wexés

AVES

Alcedinidae

Megaceryle alcyon

BIRDS

Kingfishers

belted kingfisher

ts'chelm

Picidae

Colaptes auratus

Dryobates villosus

Woodpeckers

northern flicker

hairy woodpecker

Corvidae

Corvus brachyrhynchos

Corvus corax

Cyanocitta stellari

Jays, crows and their allies

American crow

common raven

Stellar's jay

k'elák'ela

skewk'

Paridae

Poecile atricapillus

Chickadees and Titmice

black-capped chickadee

sets'úts'umam

Sittidae

Sitta canadensis

Nuthatches

red-breasted nuthatch

Regulidae

Regulus satrapa

Kinglets

golden-crowned kinglet

GCKI

Turdidae

Ixoreus naevius

Turdus migratorius

Thrushes

varied thrush

American robin

skw'ekák

Emberizidae

Junco hyemalis

Melospiza melodia

Pipilo maculatus

Emberizids

dark-eyed junco

song sparrow

spotted towhee

sxwixw (generic sparrow)

MAMMALIA

Sciuridae

* *Sciurus carolinensis*

Cervidae

Odocoileus hemionus columbianus black-tailed deer

MAMMALS

Squirrels

Eastern gray squirrel

Deer, Elk and Allies

black-tailed deer

sxwí7shen

Taxonomy and nomenclature are based on the following:

- American Ornithologists' Union. 1998. The A.O.U. Checklist of North American Birds, 7th Ed. American Ornithologists' Union, Washington D.C.; 1998.
- _____. 2000. Forty-second Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 117: 847-858; 2000.
- _____. 2002. Forty-third Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 119: 897-906; 2002.
- _____. 2003. Forty-fourth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 120:923-931; 2003.
- _____. 2004. Forty-fifth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 121: 985-995; 2004.
- _____. 2005. Forty-sixth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 122: 1026-1031; 2005.
- _____. 2006. Forty-seventh Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 123: 926-936; 2006.
- _____. 2007. Forty-eighth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 124: 1109-1115; 2007.
- _____. 2008. Forty-ninth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 125: 758-768; 2008.
- _____. 2009. Fiftieth Supplement to the American Ornithologists' Union Checklist of North American Birds. Auk 126: 705-714; 2009.
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OCP AMENDMENT APPLICATION and REZONING APPLICATION

561 and 564 Collins Road, Bowen Island, B.C. V0N 1G1 (“Lot 28”)

Amenity Contribution Proposal

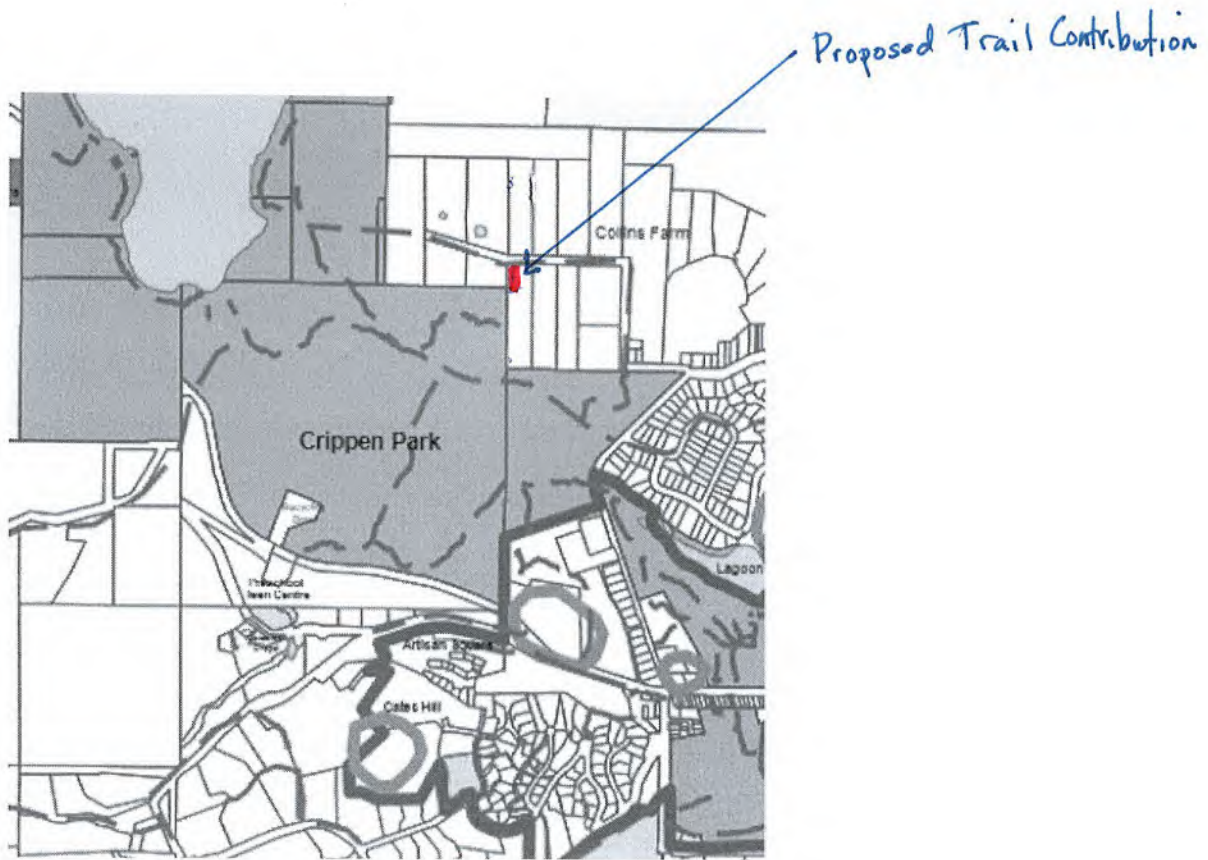
1. Trail Network Contribution:

The applicant proposes that at the time of subdivision, a trail contribution be created inside the western boundary of proposed Lot 2 (561 Collins Rd.), to connect Collins Road from north to south to the place where it meets up and aligns with Crippen Park, which distance is estimated at 62 metres. Our purpose is to contribute to the Island's Conceptual Trail Network and the community spirit of connectivity. It is also our family's wish that the trail will offer a safe corridor to benefit deer and other animals. (See attached diagram from Schedule E Parks and Trails of the OCP.)

2. “Nature Needs Half”

The applicant proposes that at the time of subdivision, the proposed residential lots be placed under a covenant such that at least 50% of each site, including the dedicated trail, be protected from development.

From Schedule E - Parks and Trails of the OCP



**OCP Amendment and Rezoning Applications – Community Support of Neighbours
of 561 and 564 Collins Road, Bowen Island, B.C.**

Street # – Collins Rd.	Property Owner(s)	Position
61	Kevin and Katrina Rose Katrina: 604- [REDACTED] // Kevin 604-9 [REDACTED]	Supports
60	Everhard and Lyn van Lidth de Jeude, 604 [REDACTED] /Email: eeflyn@[REDACTED]	Supports
60	Rich Ralph and Rachel Kingler Rich: 778- [REDACTED] // Rachel: 778- [REDACTED]	LMTC Nov 24/23 X2 owners Hand delivered notice on Nov 30/23
58	Carey and Denise Trethewey 604 [REDACTED]	Supports
57	Kirsten Stark, 604 9 [REDACTED] is deceased. TT her son Devin Nov 29/23 @ this phone No.	Hand delivered notice to her sons on Nov 30/23
55	Daniela 'Dani' Gifford 604- [REDACTED] not in service	Posted letter to door on Nov 30/23
55	Leigh Benson 778 [REDACTED]	Supports
54	Trish Sahlstrom, 604 [REDACTED]	No objection
54	Mike and Heather Hartwick, 604 [REDACTED]	Supports
52	Blair Johnson 604 [REDACTED]	Supports
52	Matthew Parsons & Samantha Ravndahl 604- [REDACTED]	Supports
51	Marion Moore, by her Power of Attorney, Wendy Moore	Marion is owner of 5 [REDACTED] and 5 [REDACTED] Collins Road in these applications.
	and the Estate of Jean Jamieson, represented by its Trustee, BMO Trust	No objections
51	Marion Moore, by her Power of Attorney, Wendy Moore	Marion is owner of 56 [REDACTED] and 56 [REDACTED] Collins Road in these applications.
	and the Estate of Jean Jamieson, represented by its Trustee, BMO Trust	No objections
50	Jim Collins 250 6 [REDACTED] / jimcollins@[REDACTED]	Supports
50 Collins Farm Rd.	Ben Hart and Kellee Ngan hart_ben [REDACTED]	Supports
50 Collins Farm Rd.	Sue Ellen Fast and Will Husby 604 9 [REDACTED] sefast3@[REDACTED]	Will Husby supports. Sue Ellen is "encumbered"



To: Mayor Leonard and Council

From: Daniel Martin, Manager of Planning and Development

Date: October 28, 2024 (Revised Nov 21, 2024) Meeting Date: November 12, 2024

Subject: RZ-2023-0297 – 561 & 564 Collins Road

RECOMMENDATION

That Bylaw No. 671, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010 Amendment Bylaw No. 671, 2024” be read a first time;

That Bylaw No. 672, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002 Amendment Bylaw No.672, 2024” be read a first time;

That Bylaws No. 671 and No. 672 be referred to the Advisory Planning Commission and the Islands Trust Conservancy; and

That Bylaws No. 671 and No. 672 and the attached Islands Trust Policy Checklist be referred to the Islands Trust.

PURPOSE

To present Council with the results of referrals for application OCP/RZ-2023-0297 and bring amendment bylaws to the Official Community Plan and Land Use Bylaw for consideration of First Reading and further referrals.

BACKGROUND

This application was introduced to Council at their April 24, 2024 meeting. More details on the application are found in the [staff report](#) from that meeting. At the meeting Council adopted the following resolution:

RES#24-206

It was Moved and Seconded

That Council refer application OCP/RZ-2023-0297 to the Advisory Planning Commission and the Parks, Trails, Greenways Advisory Committee for a recommendation and direct staff to refer back with the results of the referrals and draft bylaws for consideration of first reading.

CARRIED UNANIMOUSLY

REFERRAL RESPONSES

Advisory Planning Commission (APC)

The APC met to consider this application on July 3rd, 2024. The APC adopted the following resolution:

It was Moved and Seconded

That the Advisory Planning Commission support Official Community Plan Amendment and Rezoning Application OCP/RZ-2023-0297 (561 & 564 Collins Road) and provide the following comments:

- The APC supports the proposed contributions as guided by the Conservation Development Policy;
- The APC supports the applicant's offer of a future trail connection to Crippen Park; and,
- The APC is encouraged by the support of the neighbours.

CARRIED UNANIMOUSLY

Parks, Trails, and Greenways Advisory Committee (PTGAC)

The PTGAC met to consider this application on October 15th, 2024, after a site visit held earlier that same day. The PTGAC adopted the following resolution:

That the Parks, Trails and Greenways Advisory Committee support Official Community Plan Amendment and Rezoning Application OCP/RZ-2023-0297 (561 and 564 Collins Road) and provide the following comments:

- *That the proposed trail amenity should connect to the unofficial trail in Crippen Park and allow for a potential future connection to crown land through the Northern lot.*
- *That consideration be given to habitat values and ecological quality in designating the protected conservation covenant areas.*
- *That staff explore other designations, such as park designation that may protect valuable habitat to a greater degree.*

Following this meeting staff met with the applicants to discuss the PTGAC's comments. The applicants have concerns with proposed expanded trail rights-of-way crossing the property. Specifically, the applicants are concerned that extending the trail further south on the southern portion of the property could interfere with a selected building site. They also have concerns about the potential northern connection as they are concerned encumbrances may hinder future sale of the property, and that a trail route would interfere with the identified wetland.

The applicant supports the other recommendations from the committee, and their initial amenity offer would include ensuring that consideration to habitat values and ecological quality is given in designating protected conservation covenant areas.

Staff would recommend continue seeking the extended trail through the southern lot, and will revisit with the applicant prior to consideration of second reading.

AMENDMENT BYLAWS

Bylaw No. 671

Bylaw No. 671 would amend Bowen’s Official Community Plan by designating this property as “RS-Rural Residential,” instead of R1 – Rural. This change in designation would permit the reduced lot size to enable the subdivision of the property into two lots.

Bylaw No. 672

Bylaw No. 672 would amend Bowen’s Land Use Bylaw by placing the northern portion of the property into the Settlement Residential 1 (a) zone, to match the southern portion of the property already within the Settlement Residential 1 (a) zone. This change in zoning would result in the property having a smaller minimum lot size (of 1.2 hectares) which would permit the proposed subdivision into two parcels.

FINANCIAL/ RESOURCE/MAINTENANCE CONSIDERATIONS

There are no Financial/Resource/Maintenance Considerations as a direct result of this report.

COMMUNICATION TO THE PUBLIC

As this application seeks to amend the Official Community Plan, a Public Hearing will be necessary for these bylaws prior to consideration of Third Reading. Prior to a Public Hearing notice will be included in the Island Page, on the municipal website, and mailed to neighboring property owners and tenants. Staff recommend that the mailout include all properties west of the intersection of Reed Road and Miller Road (an approximately 300 m distance). When staff return for consideration of second reading staff will include a map showing the proposed mailout for the Public Hearing.

ECOLOGICAL/ENVIRONMENTAL/CLIMATE CONSIDERATIONS

An environmental report was included with this application highlighting ecological features including a wetland area on the North of the property, and a rock outcrop on the northern border of the property featuring lichens and mosses.

OTHER CONSIDERATIONS

Islands Trust Conservancy

The adjacent property to the east (551 Collins) is protected by a conservation covenant held by the Islands Trust Conservancy. Staff recommend referral of this bylaw to the Conservancy for any comments prior to consideration of Second Reading.

Islands Trust Policy Statement

Under terms of Bowen’s Letters Patent no bylaw to amend Bowen’s Official Community Plan may be contrary to or at variance with the Trust Policy Statement. Bowen must refer any proposed bylaw to the Islands Trust before a public hearing is held and refer the bylaw again following any third reading of the proposed bylaw for the Islands Trust executive committee approval.

Under the Protocol Agreement between BIM and the Islands Trust, staff are to prepare Islands Trust’s Policy Statement Checklist for Council’s consideration. The checklist is prepared and attached to this report.

For ease of Council’s discussion, staff have included below the policies for which staff have indicated these bylaws are in compliance and/or for which staff have provided comment.

Table 1 – Islands Trust Policy Checklist excerpts

✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
Staff Comment		While not identified in the Environmentally Sensitive Areas map in Bowen’s OCP (Schedule B-1), an environmental assessment for the property identified a wetland on the subject property. Application would be conditional on a protective covenant that would protect the wetland from development.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
Staff Comment		Property is located in a key location between Crippen Regional Park to the south, Islands Trust Conservancy covenant to the East, and Crown Land to the north. Application would seek expansion of protected areas, by protecting 50% of this property from further development.
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
Staff Comment		Restrictive covenant on this application aims to expand protection to neighbouring protective areas.
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
Staff Comment		Wetland identified in northern portion of property would be provided protection through the rezoning that would otherwise not be available through the existing development permit area.
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
Staff comment		No known problems with the quality or quantity of the supply of freshwater in this area.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.

Staff Comment		<p>Bowen's Official Community Plan defines the following density limit: <i>Principle 3 Notwithstanding the potential to adjust the distribution and location of dwelling units on the island, the overall number of primary dwelling units anticipated in the 1996 OCP will remain the same¹⁹.</i></p> <p>¹⁹ Note: The total number of units may vary to reflect the creation of secondary suites and detached secondary suites, allowed in all residential areas, and the policies of this Plan regarding development of affordable, rental and special needs housing in Snug Cove.</p> <p>Bylaw 671 would allow for one additional lot beyond that proposed for this parcel in Bowen's Official Community Plan. Overall development on Bowen has continued at levels below that proposed in the 1996 OCP (largely through the development of Cape Roger Curtis as 59 4-hectare parcels, instead of the 224 units included in the 1996 OCP). As such, the increase of 1 additional lot in this location would not exceed any density limit defined in Bowen's Official Community Plan.</p>
✓	5.3.7	<p>Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.</p>
Staff Comment		<p>Rezoning would propose a trail connection between Collins Road and Crippen Regional Park. This trail connection would additionally provide a pedestrian connection between Collins Road and Snug Cove that would avoid the road system.</p>

APPLICATION TIMELINE



CONCLUSION

Following initial referrals of this application, staff have prepared amendment bylaws for consideration of First Reading.

ALTERNATIVES

1. That Council refer the bylaws to staff for further action.

Council may wish to see changes made to Bylaw 671 and/or 672. If these changes are substantial in nature, staff recommend that Council refer the bylaws to staff with direction on changes to be made in their drafting. Staff would then return the bylaws to Council at a future meeting.

Council may also wish to see changes in the application as proposed, including the proposed amenities. In that case, staff also would recommend Council refer the bylaws to staff with direction on

changes Council wish to see to the application. Staff would meet with the applicants and return the application to Council at a future meeting.

2. That Council reject this application by defeating First Reading of Bylaws 671 and 672
3. Other action as identified by Council.

ATTACHMENTS AND REFERENCES:

1. [Staff Report April 24, 2024 Meeting](#)
2. Bylaw No. 671, 2024
3. Bylaw No. 672, 2024
4. Islands Trust Policy Checklist

Submitted by: Daniel Martin, Manager of Planning and Development

REVIEWED BY:

- | | |
|---------------------------------|-------------------------------------|
| CAO | <input checked="" type="checkbox"/> |
| Bylaw Services | <input type="checkbox"/> |
| Communications | <input type="checkbox"/> |
| Corporate Officer | <input checked="" type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Fire & Emergency | <input type="checkbox"/> |
| Environment & Parks | <input type="checkbox"/> |
| Planning | <input type="checkbox"/> |
| Public Library | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Recreation & Community Services | <input type="checkbox"/> |

APPROVED BY:



Kirn Dhillon

Kirn Dhillon, Chief Administrative Officer



**Bowen Island Municipality
Bylaw No.671 2024**

**A Bylaw to amend Bowen Island Municipality
Official Community Plan Bylaw No. 282, 2010**

WHEREAS, “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010” establishes Present and Proposed Land Use Designations

AND WHEREAS, Council wishes to amend “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010” to enable designations on the property legally described as:

LOT 28 DISTRICT LOT 1628 PLAN 8645

THEREFORE, the Council of Bowen Island Municipality, in open meeting assembled, enacts as follows:

1. Citation

- 1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Official Community Plan Amendment Bylaw No. 671, 2024”.

2. Amendments

- 2.1 “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2002” is amended by amending “Schedule B- Present and Proposed Land Use Designation” to re-designated the lands labelled “A” on Schedule “A” to this bylaw from R1 - Rural 1 to RS – Rural Residential

READ A FIRST TIME this ____ day of _____, _____;

READ A SECOND TIME this ____ day of _____, _____;

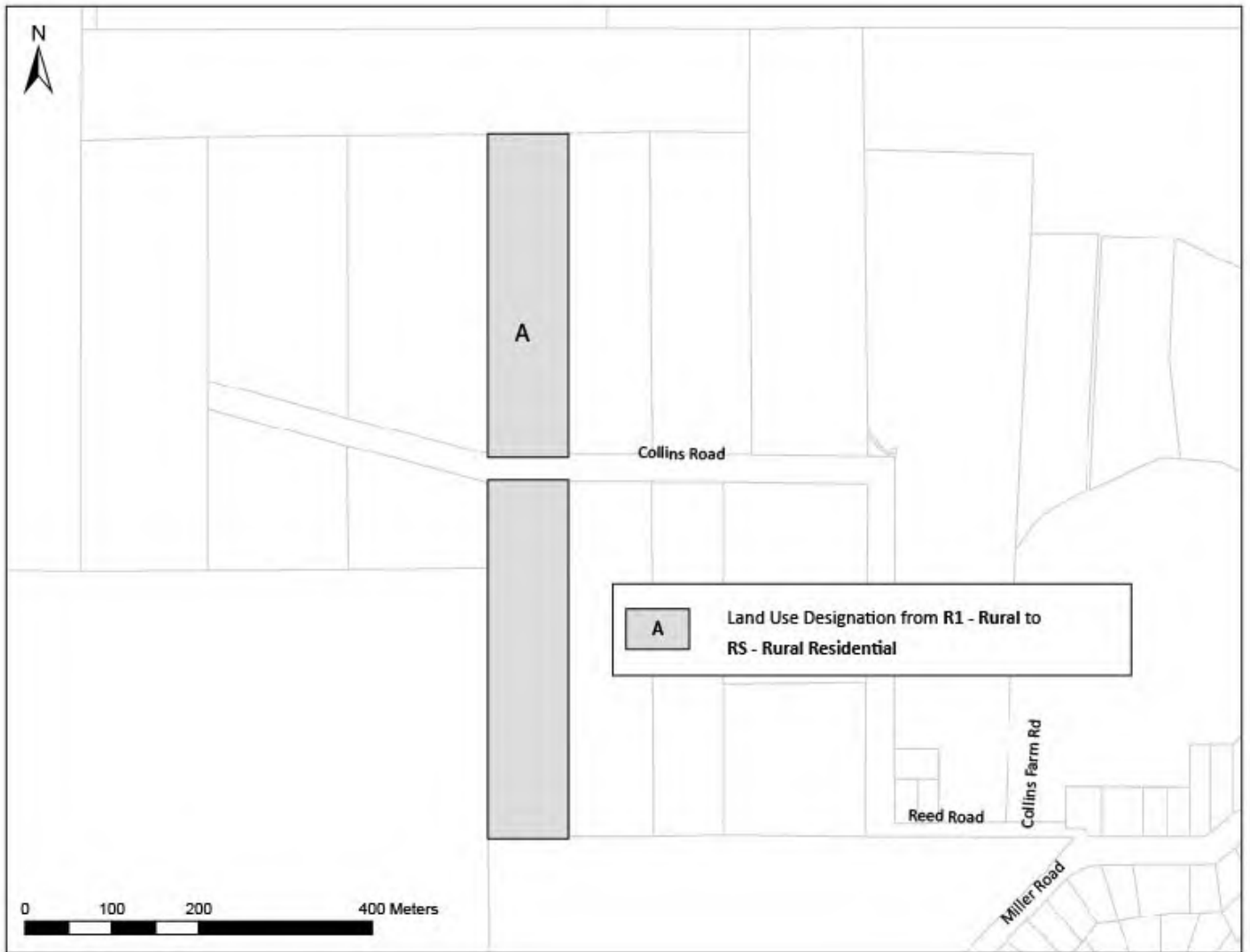
READ A THIRD TIME this ____ day of _____, _____;

RECONSIDERED AND FINALLY ADOPTED this ____ day of _____, _____;

Andrew Leonard
Mayor

Sophie Idsinga
Corporate Officer

Amendment Bylaw No. 671, 2024 – Schedule A





**Bowen Island Municipality
Bylaw No.672 2024**

A Bylaw to amend Land Use Bylaw No. 57, 2002

WHEREAS, “Bowen Island Land Use Bylaw NO. 57, 2002” regulates the use of land, buildings, and structures within the Bowen Island Municipality.

AND WHEREAS, Council wishes to amend the “Bowen Island Land Use Bylaw No. 57, 2002” to amend existing regulations on the property legally described as:

LOT 28 DISTRICT LOT 1628 PLAN 8645

THEREFORE, the Council of Bowen Island Municipality, in open meeting assembled, enacts as follows:

1. Citation

- 1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 671, 2024”.

2. Amendments

- 2.1 Schedule “B” to “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by changing the description of the lands labelled “A” on Schedule “A” to this Bylaw from Rural Residential 2 to Settlement Residential 1 (a)

READ A FIRST TIME this ____ day of _____, _____;

READ A SECOND TIME this ____ day of _____, _____;

READ A THIRD TIME this ____ day of _____, _____;

RECONSIDERED AND FINALLY ADOPTED this ____ day of _____, _____;

Andrew Leonard
Mayor

Sophie Idsinga
Corporate Officer

Bowen Island Municipality Land Use Bylaw No 57, 2002

Amendment Bylaw No. 672, 2024 – Schedule A





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No. 671 & 672, 2024 – File: OCP/RZ/2023-0297

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✘ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
Staff Comment		While not identified in the Environmentally Sensitive Areas map in Bowen's OCP (Schedule B-1), an environmental assessment for the property identified a wetland on the subject property. Application would be conditional on a protective covenant that would protect the wetland from development.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
Staff Comment		Property is located in a key location between Crippen Regional Park to the south, Islands Trust Conservancy covenant to the East, and Crown Land to the north. Application would seek expansion of protected areas, by protecting 50% of this property from further development.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
Staff Comment		Restrictive covenant on this application aims to expand protection to neighbouring protective areas.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
Staff Comment		Wetland identified in northern portion of property would be provided protection through the rezoning that would otherwise not be available through the existing development permit area.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
Staff comment		No known problems with the quality or quantity of the supply of freshwater in this area.

		Section 6.19 of Bowen's Land Use Bylaw No. 57 requires that a proposed subdivision must provide proof of sufficient potable water to supply each proposed lot.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
Staff Comment		Bowen's Official Community Plan defines the following density limit: <i>Principle 3 Notwithstanding the potential to adjust the distribution and location of dwelling units on the island, the overall number of primary dwelling units anticipated in the 1996 OCP will remain the same¹⁹.</i>

		<p>¹⁹ Note: The total number of units may vary to reflect the creation of secondary suites and detached secondary suites, allowed in all residential areas, and the policies of this Plan regarding development of affordable, rental and special needs housing in Snug Cove.</p> <p>Bylaw 671 would allow for one additional lot beyond that proposed for this parcel in Bowen's Official Community Plan. Overall development on Bowen has continued at levels below that proposed in the 1996 OCP (largely through the development of Cape Roger Curtis as 59 4-hectare parcels, instead of the 224 units included in the 1996 OCP). As such, the increase of 1 additional lot in this location would not exceed any density limit defined in Bowen's Official Community Plan.</p>
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
Staff Comment		Rezoning would propose a trail connection between Collins Road and Crippen Regional Park. This trail connection would additionally provide a pedestrian connection between Collins Road and Snug Cove that would avoid the road system.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.

N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
✓	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
Staff Comment		Rezoning would propose a trail connection between Collins Road and Crippen Regional Park trail network. This trail connection would additionally provide a pedestrian connection between Collins Road and Snug Cove that would avoid the road system.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE

✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



REQUEST FOR DECISION

To: Islands Trust Conservancy Board
For the Meeting of: January 21, 2025

From: Staff
Date Prepared: January 9, 2024

SUBJECT: 2025/26 Islands Trust Conservancy Budget Request

RECOMMENDATION(S): That the Islands Trust Conservancy Board provide an updated 2025/26 budget request to the Financial Planning Committee and Trust Council that addresses the changes and comments made by the Board November 19, 2024 (resolutions ITC-2024-064 and ITC-2024-065).

1 PURPOSE:

In light of the Board direction at the November 19, 2024 meeting and in the spirit of Trust Council's December 2024 request for its Standing Committees to review their 2025/26 budget requests and provide staff with any changes, this Request for Decision outlines reductions and changes the Board has directed.

2 BACKGROUND:

The Islands Trust Conservancy Board approved an initial 2025/26 budget request at its July 2024 meeting. This request was submitted to Financial Planning Committee. The Board's budget request was subsequently updated in October 2024 and the changes were submitted to Financial Planning Committee.

At its November 19, 2024 meeting the Board resolved to make the following additional changes to the Board's 2025/26 budget request and to provide the following comment to Financial Planning Committee:

- Increase the Islands Trust contribution: Taxes from \$793,033 to \$800,615 and reduce the Grant Contribution: SAR from \$110,000 to \$102,418 to correct an error made previously in the grant contribution amount.
- Reduce Islands Trust Conservancy Board training request from \$4,600 to \$1,600.
- Islands Trust Conservancy Board indicate to Trust Council and Financial Planning Committee that it considers the Trust Area Services business case for an Auxiliary Policy Advisor for 2025-2026 is critical to support ongoing intergovernmental and policy work, and that Islands Trust Conservancy requests that a portion of an Auxiliary Policy Advisor position be dedicated to support the Conservancy's engagement with First Nations on the Conservancy's mandate and a renewed five-year plan

At the December 2024 Trust Council meeting, Trust Council request to its Standing Committees that they review their budget requests and provide staff with any changes. Staff felt that this also applied to the Islands Trust Conservancy. ITC staff believe that this was done through the November 19, 2024 Board resolution 2024-065, which reduced the Islands Trust Conservancy budget request by \$3,000.

The Board may wish to consider if there are additional reductions it wishes to make. Staff have no recommendations for further reductions and wish to remind the Board that there are matching funding requirements for the ECCC grant that have been accounted for.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL:

The reduction to the ITC Board training budget will preclude a significant training event related to Indigenous Protected and Conserved Areas. The reduction of the ecosystem mapping budget will have minimal impact to the expected work program. The Communications budget had already been reduced from \$18,000 (2024/25) to \$10,000 (2025/26), which may have implications for the communications program.

FINANCIAL:

The ITC's budget request has an 11.2% increase over the 2024/25 budget.

POLICY:

The budget process has followed Trust Council's Budget Process Policy 6.3.1.

IMPLEMENTATION/COMMUNICATIONS:

ITC Board's elected members will need to promote and speak to the Board's budget needs at Financial Planning Committee and Trust Council. It may be important to note that 2025 is the 35th anniversary of the Islands Trust Conservancy and that the Conservancy helps directly achieve the Object of the Trust. The Conservancy currently protects 115 properties (approximately 1,400 hectares) through its existing 34 nature reserves and 81 conservation covenants.

FIRST NATIONS:

The Islands Trust Conservancy Board's support for a policy advisor position for Trust Area Services, and its request that some of that positions time be dedicated to engagement with First Nations as Islands Trust Conservancy develops its Five Year Plan, would improve capacity to engage with First Nations.

CLIMATE CHANGE:

None

OTHER:

None

4 RELEVANT POLICY(S):

[Trust Council's Budget Process Policy 6.3.1](#) sets out that the Islands Trust Conservancy (ITC) Board is to be consulted directly, at the beginning of, and throughout, the budget process with respect to Board requirements, programs and administrative services, and that appointed trustees of the ITC Board shall be given the opportunity to attend Financial Planning Committee and Trust Council meetings with observer status. The policy also sets out that the ITC Board is responsible for endorsing all budget requests for the Islands Trust Conservancy Board and its program operations.

5 ATTACHMENT(S):

Attachment 1: Proposed Briefing to Financial Planning Committee.

RESPONSE OPTIONS

Recommendation(s): That the Islands Trust Conservancy Board provide an updated 2025/26 budget request to the Financial Planning Committee and Trust Council that addresses the changes and comments made at the November 19, 2024 Board meeting (resolutions ITC-2024-064 and ITC-2024-065).

Alternatives: That the Islands Trust Conservancy Board provide an updated 2025/26 budget request to the Financial Planning Committee and Trust Council that addresses the changes and comments made at the November 19, 2024 Board meeting (resolutions ITC-2024-064 and ITC-2024-065) and additional budget reductions as directed at the Board's January 21, 2025 meeting.

Prepared By: *Carolyn Stewart*



BRIEFING

To: Financial Planning Committee **For the Meeting of:** February 19, 2025
From: Islands Trust Conservancy Board **Date Prepared:** January 9, 2025

SUBJECT: Draft Budget 2025/26, Review of Islands Trust Conservancy Funding Requests

PURPOSE:

To provide an updated Islands Trust Conservancy budget request to Financial Planning Committee (FPC).

BACKGROUND:

[Trust Council's Budget Process Policy 6.3.1](#) sets out that the Islands Trust Conservancy (ITC) Board is to be consulted directly, at the beginning of, and throughout, the budget process with respect to Board requirements, programs and administrative services, and that appointed trustees of the ITC Board shall be given the opportunity to attend Financial Planning Committee and Trust Council meetings with observer status. The policy also sets out that the ITC Board is responsible for endorsing all budget requests for the Islands Trust Conservancy Board and its program operations.

Four Islands Trust Conservancy Board resolutions have been made relating to the Conservancy's 2025/2026 budget request, as follows:

At its July 23, 2024 meeting, the ITC Board passed the following resolution:

ITC-2024-043

that the Islands Trust Conservancy Board approve the draft 2025/26 ITC Budget with the following amendment:

- *Increase the Board training and conferences line to \$4,600*

and direct staff to provide it to the Director of Administrative Services and the Director of Trust Area Services for inclusion in the Islands Trust draft 2025/26 budget, as amended.

At its October 1, 2024 meeting, the ITC Board passed the following resolution:

ITC-2024-052

that the Islands Trust Conservancy Board direct staff to add \$4,000 to the 2025-26 budget request for bookkeeping services, and add \$1,160 per covenant to property management funds to reflect new covenants taken on in the 2024-25 fiscal year.

At its November 19, 2024 meeting, the ITC Board passed the following two resolutions:

ITC-2024-064

that the Islands Trust Conservancy Board request an increase of \$7,582 to its proposed 2025/26 Salaries and Benefits budget (Islands Trust Contribution) and decrease the Environment and

Climate Change Canada contribution by the same amount due to an error in its earlier submission relative to the amount available from the Environment and Climate Change Canada Contribution Agreement for Salaries and Benefits in 2025/26.

Staff Note: the overall amount for Salaries and Benefits remains the same but the Islands Trust Contribution Taxes increases by \$7,582 and the Grant Contribution: SAR decreases by \$7,582. This change will have no impact on proposed taxation as already accounted for by the Director of Trust Area Services.

ITC-2024-065

that the Islands Trust Conservancy Board indicates to Trust Council and Financial Planning Committee that it considers the Trust Area Services business case for an Auxiliary Policy Advisor for 2025-2026 is critical to support ongoing intergovernmental and policy work, and that ITC requests that a portion of an Auxiliary Policy Advisor position be dedicated to support the Conservancy's engagement with First Nations on the Conservancy's mandate and a renewed five-year plan, and,

that in light of increasing budget requests from the Conservancy, the Board indicates that its request for an increase to Board training (\$3,000) to support education on Indigenous Conserved and Protected Areas, could be de-prioritized for this fiscal.

At December Trust Council, a resolution passed directing that Trust Council Committees re-look at their 2025-26 budget submissions and determine if there are reductions that can be made. Staff assume this also applies to the Islands Trust Conservancy Board. Given that ITC have already passed motion ITC-2024-065 which reduces the budget by \$3,000, staff have already made this change in Table 1, below.

FOLLOW-UP: Staff will provide the updated ITC 2025-26 ITC Budget Request (January 21, 2025) to the Director of Administrative Services for Financial Planning Committee and the ITC representative to the Financial Planning Committee will convey the results of Trust Council deliberations to the ITC Board at its March 2025 meeting.

Prepared By: Carolyn Stewart, A/Manager, Islands Trust Conservancy
Reviewed By: Clare Frater, Director, Trust Area Services / December 9, 2024

Table 1. Proposed Islands Trust Conservancy 2025/26 budget request – Updated December 9, 2024

Description	2024/25				2025/26			Increase/Decrease in IT Tax Contribution	
	Islands Trust Contribution: Taxes	Grant Contribution: FN Engagement	Grant Contribution: SAR	Total Approved Budget	Islands Trust contribution: Taxes	Grant Contribution: SAR	Total Draft Budget	\$ Change	% Change
Salaries and Benefits *	700,458		115,000	815,458	800,615	102,418	903,033	87,575	14.3%
Communications	16,500		1,500	18,000	4,500	5,500	10,000	(8,000)	-72.7%
Contracted Temporary Staffing	20,000			20,000	15,000		15,000	(5,000)	-25.0%
Professional Services**	-		16,300		6,000	13,000	19,000	19,000	100.0%
Subscriptions	400			400	400		400	-	0.0%
Memberships	1,800			1,800	1,800		1,800	-	0.0%
Board Honoraria	7,000			7,000	7,000		7,000	-	0.0%
Board Meeting Expense	2,850			2,850	2,850		2,850	-	0.0%
Board Training and Conferences	1,600			1,600	1,600		1,600	-	0.0%
Property Management	99,640		66,500	166,140	99,460	69,000	168,460	2,320	-0.2%
Safety***	1,200			1,200	3,300		3,300	2,100	175.0%
Conservation Planning and Land Securement	16,550		10,000	26,550	25,000	12,000	37,000	10,450	51.1%
Ecosystem Mapping	-			-	5,200	4,000	9,200	9,200	100.0%
Legal	17,800		4,200	22,000	30,000		30,000	8,000	68.5%
Mobile Devices	2,562			2,562	3,020		3,020	458	17.9%
Training and Conferences	4,700			4,700	6,400		6,400	1,700	36.2%
Travel for Training	4,000			4,000	4,500		4,500	500	12.5%
Travel	19,500		6,500	26,000	19,500	6,500	26,000	-	0.0%
Project: ITC Plan First Nations Engagement	10,000	10,000		20,000	-		-	(20,000)	-100.0%
TOTAL Direct ITC Costs	926,560	10,000	220,000	1,146,560	1,036,145	212,418	1,248,563	108,303	11.8%
Admin Allocation - 14% ****	326,086			326,086	357,058	-	357,058	30,972	9.5%
TOTAL	1,252,646	10,000	220,000	1,466,346	1,393,203	212,418	1,605,621	139,275	11.2%

* Estimate of ITC salaries and benefits for draft budget 2025-26, assumes 3% wage increases under the BCGEU agreement.

** Professional Services includes \$8,000 from ECCC for contracted First Nations liaison/advisor and \$5,000 for contracted program evaluation.

*** Safety budget has changed due to all GPS units being replaced in Fiscal 2025/26 with BIVY units which have higher monthly monitoring costs.

**** Estimate of Admin Allocation based on previous year's budget, plus estimated increase in line with increase to ITC budget

NOTE: Budget amount listed for prior year is as per the approved budget.



BRIEFING

To: Islands Trust Conservancy Board
For the Meeting of: January 21, 2025

From: Staff
Date Prepared: January 8, 2024

SUBJECT: Invitation to join the Centre for Land Conservation's Land Trust Certification Pilot Program

PURPOSE: To discuss the invitation to join the Land Trust Certification Pilot Program established by the Centre for Land Conservation and to confirm ITC Board's direction.

BACKGROUND:

As staff understands it, at the recent Galiano Conservancy Association's (GCA) Salish Sea Forum, ITC Chair Risa Smith, was approached in her capacity as a GCA Board member, with respect to having the GCA consider joining the Land Trust Certification Pilot Project. Following the forum, it was suggested that perhaps the Islands Trust Conservancy (ITC) may want to join this program.

Staff followed up to determine the intent of the program, anticipated time to apply and gathered additional information. The program is geared to non-profit organizations. It focuses on standards for land trusts to follow with the expectation that certification will help ensure non-profits are following best practices and in turn, strengthen their work and their public support.

Staff have considered the information provided by The Centre for Land Conservation and, on balance, staff feel that this program applies more to local level non-profit organizations and/or new conservancies than a government land trust such as ITC. Staff do not see significant added value for ITC in the certification since ITC has been around for 35 years, is well respected as a conservancy already, and has policies and practices in place as a government agency. Further, given ITC capacity issues and existing priorities, staff do not feel that spending staff time on this initiative would be a wise use of staff time or would provide any significant benefit for ITC at this time.

ATTACHMENT(S):

- 1) Email from Charlotte Craig, Centre for Land Conservation, dated 2024-10-24 and Certificate Program Checklist
- 2) Email from Lara Ellis, Centre for Land Conservation, dated 2024-10-15
- 3) Email from Charlotte Craig, Centre for Land Conservation, to Chair Smith, dated 2024-10-15

FOLLOW-UP: Staff will implement the direction provided by the Board. Staff suggest an email be provided to the two individuals we have had discussions with (Charlotte Craig and Lara Ellis) outlining the Board's direction.

Prepared By: Carolyn Stewart, A/Manager, ITC

From: Charlotte Craig <charlotte.craig@centreforlandconservation.org>
Sent: Thursday, October 24, 2024 9:08 AM
To: itcmail <itcmail@islandstrust.bc.ca>
Cc: Lara Ellis <lara.ellis@centreforlandconservation.org>
Subject: Re: Invitation to Join the Conservation Excellence Certification Program

Hi Corlynn and Carolyn,

So excited to meeting more of the INT team!

Please see my responses to your questions below. If you want more information, I am happy to set a meeting for us to talk more.

1. How would the Islands Trust Conservancy apply?
CLC has an online platform that all applicants apply through. For security you do need a login but I would be happy to give you a demo if you want to see it live!
2. What is required to illustrate to meet the Canadian Land Trust Standards and Practices?
The Certification program uses a subset of the standards and practices that are most relevant. I have attached the checklist that we sent to out to the first cohort showing all of the different areas that you need to submit information for. We will be coming out with a new and more detailed check list for the next cohort in the coming weeks.
3. How much time is required to complete certification process?
We usually recommend up to 8 hours for application, to allow for the searching around your databases for policies and records. As well as another 8 hours for meeting with assessors and finding further information that they might need for their assessment. So about 2 days of work that will span across a 3-4 month period.
4. Is there any other information we should be aware of?
I don't think I have any other specifics as of now but I am happy to talk more about the program anytime!

Best,
Charlotte

**Centre for Land Conservation
Certification Program - Evidence & Indicator Elements Checklist**

Staff Lead:

Board of Directors	Evidence	Indicator Elements	Checklist	Notes
	01 Organizational bylaws	3.B.4. Presiding officer and treasurer		Ensure the board's presiding officer and treasurer are not the same individual
		3.C.1. Expectations		Provide board members with written expectations for their service on the board
		3.C.2. Meeting frequency and minutes		Have governing documents that contain policies and procedures (such as provisions for a quorum and adequate meeting notices) to encourage broad participation and to prevent a minority of board members from acting for the land trust without proper delegation of authority.
		3.C.3. Provision of material prior to meetings		Provide board members with sufficient and timely informational materials prior to each meeting to make informed decisions
		3.C.6. Participation in meetings		
02 Board meeting notification	3.C.3. Provision of material prior to meetings		Provide board members with sufficient and timely informational materials prior to each meeting to make informed decisions	
03 Board meeting minutes	3.C.2. Meeting frequency and minutes		The board meets a minimum of three times per year and maintains adopted minutes of each meeting	
04 Board member recruitment and training policy	3.B.3. Recruiting and training board members		Have a board development process that includes procedures for recruiting and training board members	

Staff Lead:

Executive Mangement	Evidence	Indicator Elements	Checklist	Notes
	05 Mission and strategic plan(s)	1.B.2. Establish strategic goals		Establish strategic goals for implementing the mission, and then review and update them, as needed, at least once every five years. a) Revisit the mission during the strategic review to confirm it is relevant.
		12.D.1. Contingency plan		Establish a contingency plan for conservation lands in the event the land trust ceases to exist or can no longer own or manage them.
		3.A.2. Board approval of mission and strategic plan		The board reviews and approves the land trust's mission and strategic plans, and is responsible for evaluating them.
		8.A.1. Conservation priorities		Identify specific conservation priority consistent with the land trust's mission and goals.
	06 Community engagement plan	1.C.1. Organizational culture		Develop an inclusive, welcoming organizational culture that respects diversity
		1.C.4. Relationships with community		
	07 Review and evaluation of programs and	1.B.3. Review programs and activities		Review programs and activities at least annually to ensure they are advancing the strategic goals and make adjustments, as appropriate
8.A.1. Conservation priorities				
08 Code of ethics or values statement	1.A.1. Code of ethics and/or values statement		Adopt a written code of ethics and/or values statement and adhere to it in implementing the land trust's mission, in its governance and in its operations	

09 Conflict of interest policy	4.A.1. Adopt a conflict of interest policy	Adopt a written conflict of interest policy that addresses, for all insiders, how conflicts are identified and avoided or managed
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Staff Lead:

Evidence	Indicator Elements	Checklist	Notes
10 Land securement policy(ies) or procedure(s)	8.B.1. Project selection process		Develop and implement a written process to select land and conservation agreement projects.
	8.B.2. Project-selection criteria		Develop and apply written project-selection criteria that are consistent with the land trust's conservation priorities.
11 Transaction description(s)	11.A.1. Stewardship and enforcement expenses estimate		Estimate the long-term stewardship and enforcement expenses of each conservation agreement transaction.
	3.D.1. Transaction review and approval		The board reviews and approves every land and conservation agreement transaction. a) However, the board may delegate decision-making authority on transactions if: i) It establishes written policies or has bylaw provisions that define the limits to the authority given to the delegated entity, ii) The delegated entity provides timely notification in writing to the full board of any completed transactions.
	8.C.1. Property inspection		Visually inspect properties before buying or accepting donations of conservation land or conservation agreements to determine and document whether: a) There are important conservation values on the property, b) The project meets the land trust's project-selection criteria.
	9.A.2. Technical expertise		As dictated by the project, secure appropriate technical expertise, such as in financial, real estate, tax, scientific, indigenous and land and water management matters.
	9.D.1. Land boundaries		Determine both the legal description and physical boundaries of each property or conservation agreement.
	9.F.1. Title investigation		Prior to closing and preferably early in the process, have a title company, lawyer or notary investigate title for each property or conservation agreement the land trust intends to acquire. a) Update the title at or just prior to closing.
	9.F.2. Encumbrances		Evaluate any encumbrance and title exception and document how the land trust addressed mortgages, liens, severed mineral rights and other encumbrances prior to closing. a) Mortgages, liens and other encumbrances that could result in extinguishment of the conservation agreement or significantly undermine the important conservation values on the property are discharged or properly subordinated to the conservation agreement.
	9.H.1. Buying at or above appraised value		When buying land, conservation agreements or other real property interests, below, at or, in limited circumstances, above the appraised value, contemporaneously document: a) The justification for the purchase price, b) That there is no private or undue benefit.
	9.H.2. Independent appraisal		Obtain an independent appraisal by a qualified appraiser in advance of closing to support the purchase price based on the fair market value. a) However, a short narrative, a letter of opinion or other documentation from a qualified real estate professional may be obtained in the limited circumstances when: i) A property has a very low economic value, ii) A full appraisal is not feasible before a public auction, iii) Or the amount paid is significantly below the fair market value.

Conservation Securement	12 Declaration of transaction with an insider	4.A.3. Transactions with an insider		When engaging in any transaction with an insider, a) Follow the conflict of interest policy, b) Contemporaneously document that there is no private or undue benefit.
	13 Landowner notification	10.A.1. Income tax deduction or credit		Inform potential land or conservation agreement donors who may claim a provincial or federal income tax deduction or credit, in writing and early in project discussions, of the following: a) Canada Revenue Agency strongly recommends an independent appraisal prepared by a qualified appraiser for gifts of property valued at more than \$1,000, including information on the timing of the appraisal, b) As the beneficiary of the tax receipt, the donor has the primary responsibility for any determination of the value of the donation (even in the case where the appraisal has been arranged for or commissioned by the land trust), c) An independent appraiser who is certified by the Appraisal Institute of Canada and who follows the Canadian Uniform Standards of Professional Appraisal Practice should perform the appraisal, or, in Québec, Les normes de pratique professionnelle des évaluateurs agréés (Les normes de pratique), d) The land trust requires a copy of the completed appraisal in order to issue a charitable donation receipt, e) The land trust will not participate in projects where it has significant concerns about the potential for false receipting, tax avoidance, tax abuse or tax fraud.
		10.A.2. Inform potential donors about the EGP		Where appropriate, inform potential donors about the Ecological Gifts Program (EGP) including: a) The increased tax benefits associated with making a gift under the program, b) The consequences of unauthorized disposition or change in land use of ecological gifts, c) That appraisals of ecological gifts must comply with the Ecological Gifts Program Guidelines for Appraisals and will be reviewed independently by the Appraisal Review Panel.
	14 Summary of steps taken to address concerns with appraisal	10.C.3. Addressing substantial concerns with appraisal		Discuss substantial concerns about the appraisal, the appraised value or other terms of the transaction with legal counsel and take appropriate action, such as: a) Documenting that the land trust has shared those concerns with the donor, b) Seeking additional substantiation of value, c) Withdrawing from the transaction prior to closing.
	15 Registered property transaction documents	9.F.3. Registered transaction documents		Promptly register land and conservation agreement transaction documents, including baseline documentation reports or summaries when required, at the appropriate registration office.
	16 Registered conservation agreement transaction documents	9.D.2. Area-specific rights		If a conservation agreement contains restrictions or permitted rights that are specific to certain zones or areas within the property, include the locations of these areas in the agreement document so that they can be identified in the field.
		9.E.1. Conservation agreement content		For every conservation agreement, a) Individually tailor it to the specific property, b) Identify the conservation values being protected, c) Allow only uses and permitted rights that are consistent with the conservation purposes and that will not significantly impair the protected conservation values, d) Avoid restrictions and permitted rights that the land trust cannot monitor and/or enforce, e) Include all necessary and appropriate provisions to ensure it is legally enforceable.

		9.E.2. Conservation agreement review	Review each conservation agreement for: a) Consistency with enabling legislation of conservation agreements and other provincial and federal applicable legislation, b) Internal consistency, omissions and absence of errors within the conservation agreement documents.
		9.F.3. Registered transaction documents	Promptly register land and conservation agreement transaction documents, including baseline documentation reports or summaries when required, at the appropriate registration office.
	17 Authorization of sale, transfer, or amendments	11.H.4. Authorization of conservation agreement amendments	Request authorization from the Minister of Environment and Climate Change Canada for amendments to conservation agreements certified as ecological gifts
		9.I.3. Authorization of sale or transfer of rights	For the sale or transfer of land or conservation agreements certified as ecological gifts, request authorization from the Minister of Environment and Climate Change Canada, or its replacement.

Staff Lead:

hip	Evidence	Indicator Elements	Checklist	Notes
	18 Land stewardship policy(ies) or procedure(s)	11.C.1. Compliance monitoring policy or procedure		Adopt a written policy and/or procedure for compliance monitoring of conservation agreements that establishes consistent monitoring protocols and recordkeeping procedures
		11.E.1. Conservation agreement violation policy or procedure		Adopt a written policy and develop written procedures for documenting and responding to potential conservation agreement violations
		11.H.1. Conservation agreement amendments policy or procedure		Adopt and follow a written policy or procedure addressing conservation agreement amendments so that they are consistent with the following principles: a) Are consistent with the land trust's mission, b) Comply with all applicable provincial and federal laws, c) Do not jeopardize the land trust's charitable status, d) Do not result in a private or undue benefit, e) Are consistent with the conservation purpose(s) and intent of the conservation agreement, f) Are consistent with the documented intent of the donor, grantor and any funding source, g) Have a net beneficial or neutral effect on the relevant conservation values protected by the conservation agreement
	19 Baseline documentation report	11.B.1. Baseline documentation report content		For each conservation agreement, have a baseline documentation report signed-off by the necessary technical expertise, with written descriptions, maps and photographs, that documents: a) The conservation values protected by the agreement, b) The relevant conditions of the property as necessary to monitor and enforce the agreement
11.B.2. Baseline documentation report scheduling			Prepare the baseline documentation report prior to closing and have it signed by the landowner and land trust at or prior to closing. a) Baseline documentation reports that require technical data collection are prepared with the support of professional(s) having appropriate background and expertise, b) In the event that seasonal conditions prevent the completion of a full baseline documentation report by closing, the landowner and land trust sign a schedule for finalizing the full report and an acknowledgement of interim data at closing	

Conservation - Stewards	20 Conservation agreement monitoring report(s)	11.B.3. Documenting significant changes		In the limited circumstances when there are significant changes to the land (such as a result of a wildfire or bank erosion) or the conservation agreement (such as a result of an amendment or the exercise of a permitted right), document those changes in an appropriate manner, such as through monitoring reports, a baseline supplement or current conditions report
		11.C.2. Conservation agreement monitoring		Monitor each conservation agreement property at least once per calendar year. a) If the land trust uses aerial monitoring, conduct on-the-ground monitoring at least once every five years, b) Promptly document the outcomes of annual compliance monitoring activities for each conservation agreement, including communications to and from owners of conservation agreement properties, c) Conduct on-the-ground verification in a timely manner for any <u>suspected violation or breach of conservation agreement</u>
		11.D.1. Contact with owners of conservation agreement properties		Maintain regular contact with owners of conservation agreement properties to maintain relationships and avoid potential agreement conflicts.
		11.E.2. Conservation agreement violation report		Investigate potential violations in a timely manner and promptly document all actions taken
		11.E.3. Conservation agreement violation resolution		Involve pertinent parties, authorities and legal counsel as appropriate to the severity of the violation and the nature of the proposed resolution. a) For conservation agreements that have been certified as an ecological gift, report violations that have impacted the natural features of the property to Environment and Climate Change Canada
	21 Land management plan	12.B.1. Land management plan		Develop a written land management plan for each conservation property within 12 months after acquiring the land to: a) Identify the property's conservation values, including any significant cultural, Indigenous, historical and natural features, and identify threats to those features, b) Identify the overall management goals for the property, c) Identify activities and timeline to achieve the goals and to reduce any risks or threats to the conservation values, d) Specify the uses that are appropriate for the property, in keeping with the property's conservation values, any restrictions and donor or funder requirements
		12.C.1. Marking of property boundaries		Determine the boundaries of land trust properties and physically mark them to the extent possible or necessary
	22 Property inspection report	12.C.2. Property inspection		Inspect properties at least once per calendar year for potential management problems and promptly document the outcomes of the inspection.
		12.C.3. Addressing management problems		Address management problems, including encroachments, trespass and other ownership challenges, in an appropriate and timely manner and document the actions taken. a) For lands that have been certified as an ecological gift, report detected changes or impacts to the natural features of the property to Environment and Climate Change Canada

Staff Lead:

	Evidence	Indicator Elements	Checklist	Notes
e	23 Donor policy(ies) or procedure(s)	5.B.4. Donor privacy policy or procedure		Have a written policy or procedure to ensure donor privacy concerns are honored.

Fundraising, Accounting & Finance	24 Donation tax receipt	10.B.2. Donation tax receipts		Issue donation tax receipts only in accordance with the provisions of the Income Tax Regulations
		5.B.2. Gifts acknowledgment		Provide timely written acknowledgment of all gifts, including land and conservation agreements, in keeping with Canada Revenue Agency charitable receipting requirements, as appropriate
	25 Board approvals for financial documents	3.A.3.Oversight of the land trust's finance		The board provides oversight of the land trust's finances and operations by: a) Reviewing and approving an annual budget. c) Receiving and reviewing financial reports and statements in a form and with a frequency appropriate for the scale of the land trust's financial activity. d) Reviewing the independently prepared financial audit, review or compilation
	26 Accounting and financial policy(ies) or procedure(s)	11.A.2. Stewardship and enforcement costs		Track stewardship and enforcement costs
		3.A.3.Oversight of the land trust's finance		The board provides oversight of the land trust's finances and operations: e) Adopting written policies or procedures for the responsible and prudent investment, management, and use of financial assets.
		6.B.1. Keep financial records		Keep financial records in accordance with Generally Accepted Accounting Principles (GAAP) and, where applicable, Canada Revenue Agency requirements
		6.D.1. Financial controls and procedures		Establish written internal controls and accounting procedures, including segregation of duties, in a form appropriate for the scale of the land trust, to prevent the misuse or loss of funds.

Staff Lead:

Human Resources & Legal Affairs	Evidence	Indicator Elements	Checklist	Notes
27 HR policy(ies) or procedure(s)		7.B.1. Volunteer management		Provide volunteers with training, supervision, and recognition
		7.F.1. Safe working conditions		Provide staff and volunteers with safe working conditions.
28 Job description & performance review		7.E.1. Job descriptions and performance review		Have a written job description for each staff member and conduct periodic performance reviews.
29 Rights recordkeeping policy(ies) or procedure(s)		11.F.3. Keeping of records		Maintain a permanent record of all notices, approvals, denials, interpretations and the exercise of any significant permitted rights.
		9.G.2. Keeping of essential original documents		Keep originals of all documents essential to the defense of each real property transaction in a secure manner and protected from damage or loss.
		9.G.3. General keeping of documents		Create and keep copies of these documents in a manner such that both originals and copies are not destroyed in a single calamity.

From: Lara Ellis <lara.ellis@centreforlandconservation.org>

Sent: Tuesday, October 15, 2024 11:45 AM

To: Charlotte Craig <charlotte.craig@centreforlandconservation.org>; Risa Smith <rismith@islandstrust.bc.ca>; itcmail <itcmail@islandstrust.bc.ca>

Subject: Re: Invitation to Join the Conservation Excellence Certification Program

Hello Risa, just adding to Charlotte's message...It was great to have your input on the call last week.

Our request regarding certification is for the Galiano Conservancy. We met on this topic last year (time flies!) and I believe the next step was to speak to Chessi.

Let us know if that would make sense and of course we are happy to discuss the program with you and other members of the board if desired.

Hope you're well and had a great thanksgiving!

Lara

From: Charlotte Craig <charlotte.craig@centreforlandconservation.org>
Sent: Tuesday, October 15, 2024 2:12 PM
To: Risa Smith <rismith@islandstrust.bc.ca>; itcmail@islandstrust.bc.ca
<itcmail@islandstrust.bc.ca>
Cc: Lara Ellis <lara.ellis@centreforlandconservation.org>
Subject: Invitation to Join the Conservation Excellence Certification Program

Dear Risa,

I hope you had a great long weekend.

It was great hearing from you during the presentation from Julian last week about the Partners in Conservation project. Your insight was greatly appreciated.

I'm reaching out to see if the Island Nature Trust would be interested in joining [The Centre for Land Conservation's Land Trust Certification pilot program](#). We're currently inviting a select group of organizations to participate before the program becomes widely available and think that the Island Trust BC would be a good fit!

The certification is based on the [Canadian Land Trust Standards and Practices](#) and is designed to recognize and support land trusts that meet these high standards. By becoming certified, your organization could enhance its credibility with donors, investors, and the public. In the U.S., certified land trusts have seen significant boosts in their conservation efforts and community support, and we're excited to bring those benefits to Canada.

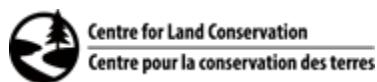
If you would like to learn more I would be happy to set a short meeting for us to connect!

Warm regards,

Charlotte Craig
Operations and Research Coordinator/Coordinatrice des opérations et de la recherche
Centre for Land Conservation / Centre pour la conservation des terres

437-344-3755

charlotte.craig@centreforlandconservation.org





BRIEFING

To: Islands Trust Conservancy Board **For the Meeting of:** January 21, 2025
From: Staff **Date Prepared:** January 8, 2025
SUBJECT: Islands Trust Conservancy 2025 Work Plan

PURPOSE: To present a draft Islands Trust Conservancy Work Plan for 2025.

BACKGROUND: In July 2024, a Work Plan for 2024/25 was provided to the Islands Trust Conservancy. Updates were provided in October 2024 and January 2025.

As the A/Manager term for C. Stewart ends in January 2025 and the new A/Manager is not yet in place, an updated draft Work Plan has been developed to cover January 2025 through March 2026 (Attachment 1).

Once the new A/Manager is in place and staff performance management and development plans are confirmed the Work Plan will be further updated.

ATTACHMENT(S): DRAFT 2025 Islands Trust Conservancy Work Plan

FOLLOW-UP: Once the new A/Manager is in place and staff performance management and development plans are confirmed the Work Plan will be further updated and provided to the Board.

Prepared By: Carolyn Stewart, A/Manager January 8, 2025

2025 Islands Trust Conservancy Work Plan – Initial Draft for Consideration

Jan 8, 2025

NOTE: This initial draft work plan has been developed prior to employee performance management and development planning (PMDP) discussions being undertaken. This work plan may be further refined over the next few months.

Work Plan Item	2025 Work Plan Tasks	Status Update
CORE OPERATIONS		
Nature Reserve and Covenant Acquisition Program	<ul style="list-style-type: none"> • Complete in-progress Salt Spring Island land donation (initiated in 2023) • Negotiate covenant agreement for Salt Spring Island covenant (initiated 2024) • Negotiate covenant agreement for North Pender covenant (initiated 2024) • Initiate additional covenants or acquisitions as applications are received • Update acquisition related policies and procedures as needed • Explore if more pro-active approach to acquisitions (high conservation value lands or priority islands identified in RCP, lands with conservation values adjacent to existing nature reserves and covenants) can be initiated through the 35th Anniversary communications (e.g. Letter and the Heron sent to landowners in key areas) and/or a plan for targeted letters to key landowners and targeted info session for key landholders in 2026 	
Nature Reserve Management Program	<ul style="list-style-type: none"> • Work to address issues from 2024 monitoring (Jan – March) • Prepare for and monitor 34 ITC Nature Reserve (February – June) • Input field data from monitoring into GIS/data management systems (July-Aug) • Develop Monitoring Report (September – Nov) 	

Work Plan Item	2025 Work Plan Tasks	Status Update
	<ul style="list-style-type: none"> • Work with contracted groups to ensure day-to-day maintenance work is being accomplished (On-going) • Contract key work for nature reserves (e.g., management plans, archaeological work, invasive species removal/restoration work) (On-going) • Address issues as they arise (e.g. trail maintenance, danger trees, trespass) (On-going) 	
Covenant Management Program	<ul style="list-style-type: none"> • Work to address compliance and ecosystem health issues identified during 2024 monitoring (Jan – March) • Distribute Species and Ecosystems Information Sharing Agreement to covenant landholders (Jan-March) • Plan trial of remote monitoring (supplemental) using the Lens online platform (Jan- March) • Prepare for and monitor 80 ITC covenants, in person and remotely as needed (March – August) • Input field data from monitoring into GIS/data management systems (August – Sept) • Prepare Monitoring Report for ITC Board (Sept – Oct) • Prepare monitoring letters for covenant landholders (November) • Prepare covenant landholder newsletter (with Communications) (Nov-December) • Work with landholders, covenant co-holders, conservation partners, and contractors to undertake land management activities, including species at risk protection and enhancement, development of invasive species management plans, and organization of archeological and land surveys (Ongoing) • Continue involvement with Sidney Island Ecological Restoration Project (SIERP) as it relates to ITC covenants on Sidney Island (On-going) 	Items in bold are part of day-to-day work but are new/special aspects being added this year
Species At Risk Program	<ul style="list-style-type: none"> • Manage ECCC SAR Program reporting requirements (On-going) 	

Work Plan Item	2025 Work Plan Tasks	Status Update
	<ul style="list-style-type: none"> • Identify priorities in remaining items and undertake those in last year of ECCC program (such as SAR inventories on ITC nature reserves and covenant lands, research on critical habitat) (Jan-Mar) • Establish SAR policy or incorporate SAR sections into existing property management policy/procedure. (April-June) • Evaluate 6-year program and prepare report for ITCB, TC, and ECCC (Oct – Dec) 	
Communications Program	<ul style="list-style-type: none"> • Launch 35th Anniversary celebration (January) • Update ITC webpage for 35th Anniversary (January) • Establish Special Places blog to gather stories about ITC and protected areas from public, partners, donors (Jan-March) • Develop special 35th Anniversary editions of the 'The Heron' newsletters (Spring, Summer, Fall) • Prepare regular social media posts (weekly) • Prepare ITC annual report (Spring) • Organize celebrations of two covenants registered in 2024 (Spring-Summer) • Prepare IMPACT report (Fall – Winter) • Support development of covenant landholder newsletter (Fall-Winter) • Prepare e-news to ITC subscribers (Twice/Yr) 	
Fund Development & Fundraising Program	<ul style="list-style-type: none"> • Meet with lawyers, financial advisors and tax specialists in Victoria, Nanaimo and Vancouver to promote bequests (land with high conservation values or cash/securities) and use of financial and securities donations to benefit donors and to build ITC Land Acquisition Funds (On-going) • Maintain donor database and issue receipts for donations (On-going) • Conduct an assessment of existing funds and gaps that should be considered for future fundraising, based on Object of the Trust, Regional Conservation Plan, and ITC's core work (Jan – June) 	

Work Plan Item	2025 Work Plan Tasks	Status Update
	<ul style="list-style-type: none"> • Establish a Fundraising Strategy (or add Fundraising as a new section to the to the Strategic Fund Development Strategy) (June – Oct) • Continue to implement the Strategic Fund Development Strategy and related Action Plan (On-going) 	
Regional Conservation Planning	<ul style="list-style-type: none"> • Update the Implementation Workplan for the 2018-2029 Regional Conservation Plan (RCP), to simplify it (Jan – May) • Begin to consider the data and budget needs for updating the RCP (work to begin in 2026) (Sept – Nov) • Continued involvement with Capital Region Invasive Species Program (CRISP) and Coastal Douglas Fir Conservation Partnership (CDFCP), and CDFCP Coastal Oak and Prairie Working Group 	
Organizational/Administrative	<ul style="list-style-type: none"> • Prepare meeting packages and hold 6 ITC Board meetings and 1 joint ITCB-EC meeting (On-going) • Prepare minutes, resolutions, and Follow Up Actions following meetings (On-going) • Move follow up actions from meetings forward. (On-going) • Process Board member appointments/re-appointments and conduct orientation as needed (January and August) • Facilitate Board member training as necessary (On-going) • Prepare quarterly Trust Council updates (On-going) • Undertake staff management (Performance Management & Development Program, Time and Leave Management, Employee Attendance Records, weekly individual staff meetings, bi-weekly ITC Team meetings) (On-going) • Provide ITC updates at quarterly Greater Trust Area Services meetings, Greater Management Team meetings (On-going) • Regular liaison with Information Systems/GIS Team (On-going) 	

Work Plan Item	2025 Work Plan Tasks	Status Update
	<ul style="list-style-type: none"> Budget and Banking management (invoices, bank reconciliation/transfers, budget tracking, budget projections, budget requests) (On-going) 	
PROJECTS		
Business Case Projects (2024-25)		
Hire Team Lead, Protected Areas Management	<ul style="list-style-type: none"> Complete remaining steps in hiring process (January-Feb) 	
Property Data Management Solution Project	<ul style="list-style-type: none"> Complete Needs Assessment contract (January) Using outcome of Needs Assessment report, determine best solution to meet ITC staff needs for property data management and use (Feb) Procure new software (March) or begin to establish new system/system upgrades and migrate data to new system Incorporate property related data from TAPIS Info and TAPIS Map into TAPIS 3 (Jan - March) 	This project needs to be expanded, or a similar project is needed, to ensure that ITC's Contact and Donor Data Management requirements are updated from Salsa database to Nation Builder or other improved system to meet ITC needs (as was expected to occur in 2024 but was put off by Information Systems).
ITC Plan – FN Engagement	<ul style="list-style-type: none"> Send letter to Minister seeking extension to development timeframe to allow for longer First Nations engagement process. (January) Invitation to Participate letters and follow up re: capacity funding (January- Feb) Provide capacity funding to First Nations (through Trust Council) (Feb-March) Schedule and hold initial meetings to discuss FN interests, ITC's mandate, work, and ITC Plan project (Feb – May) Schedule and hold meetings toward developing key aspects of Plan such as mission, vision, acquisition priorities, FN reconciliation related policies (Sept – Dec) 	Given the scope of this project this should be the main project undertaken by Manager. Assistance may be required from other staff to achieve this project (Admin Assistant, Ecosystem Protection Specialist, TAS Policy Advisor, Sr. Indigenous Advisor, Director TAS)

Work Plan Item	2025 Work Plan Tasks	Status Update
Other Projects		
Hire Coop Student to Assist with Monitoring Program	<ul style="list-style-type: none"> • Develop and post job description with University of Victoria Coop Program (Jan – Feb) • Interview Candidates (March) • Complete hiring process (March – April) 	
Ruby Alton Nature Reserve Management Plan	<ul style="list-style-type: none"> • Finalize proposed plan for Board approval • Complete a Communications Plan for the release of the new management plan 	
Ruby Alton Nature Reserve On-going Management of Structures	<ul style="list-style-type: none"> • Get hazardous materials assessment and cost estimate to remove • Remove hazardous materials • Begin to implement 2025 management plan 	Property Management Specialist and Manager will need to work together to achieve this project. Given the need to focus on ITC Plan – FN Engagement and other property management needs, this project may need to be contracted out to achieve it.
Public Safety Risk Management Policy Development	<ul style="list-style-type: none"> • Confirm type of policy (January) • Finalize policy, working with MIABC • Develop related procedure for policy implementation by staff 	Given staff capacity, may need to contract assistance with this project.
ITC Sign Standards	<ul style="list-style-type: none"> • Develop a policy for Signage on ITC Nature Reserves and ITC Covenants. • Through engagement with First Nations on the ITC Plan, discuss use of Indigenous language, place names and territory acknowledgements on signage at ITC nature reserves (and update policy as appropriate). • Undertake a pilot project with Squamish First Nations regarding incorporation of Squamish language into signage on ITC nature reserves in the Gambier Island Local Trust Area. 	Given staff capacity, some or all of this may need to contract assistance with this project. No timeframe has been set at this time.

Work Plan Item	2025 Work Plan Tasks	Status Update
	<ul style="list-style-type: none"> Establish a timeline and begin to update signage at ITC nature reserves to be in line with approved policies. 	
Saturnina Island Management Plan	<ul style="list-style-type: none"> Complete Archaeological Overview Assessment (AOA) (Jan – June) Share/discuss AOA with key First Nations and seek input to best management direction Update and finalize draft management plan 	Given staff capacity, may need to contract assistance with some aspects of this project.
Link Island Management Plan	<ul style="list-style-type: none"> Complete Archaeological Overview Assessment (AOA) (Jan – June) Share/discuss AOA with key First Nations and seek input to best management direction Update and finalize draft management plan 	Given staff capacity, may need to contract assistance with some aspects of this project.
ITC Policy Review and Updates	<ul style="list-style-type: none"> Establish policy tracking table (existing policies, date created, dates updated, required updates) Assess policy gaps and review key policies to determine if they should be updated or combined or split. 	Given staff capacity, may need contract assistance with this project. No timeframe has been set at this time.
Long range organizational planning	<ul style="list-style-type: none"> evaluation of current structure of the ITC identification of current and potential future capacity issues identification on-going and anticipated needs identification of future focus areas identification of options to ensure long term organizational strength and resiliency identification of potential to acquire increased funding for ITC through the Province 	Depending on status of Islands Trust Organizational Plan project (and how ITC/ITCB is included) this may need to be a separate future project funded through a business case



BRIEFING

To: Islands Trust Conservancy Board
For the Meeting of: January 21, 2025

From: Staff
Date Prepared: January 10, 2025

SUBJECT: North Pender Island Bylaw 235 Referral

PURPOSE: To update the Islands Trust Conservancy (ITC) Board that staff provided comments on the Bylaw Referral as noted below.

BACKGROUND:

Islands Trust Conservancy received a referral from the North Pender Local Trust Committee on December 16, 2024. Comments were due by January 16, 2024. Due to other priorities and timing, staff were unable to get to this in time to have it addressed by the Board in advance of the deadline for comments.

The purpose of draft Bylaw No. 235 is to make amendments to the North Pender Island Official Community Plan No. 171 to update Raptor and Heron Nest Development Permit Area (DPA) mapping and associated provisions. The current Raptor Nest DPA provisions were adopted in 2008. The provisions have been reviewed and updates proposed based on more recent 2013 provincial guidelines for raptor conservation.

The ITC Species at Risk Program Coordinator reviewed the Referral Package and provided comments to the A/Manager. The A/Manager submitted the following comments on behalf of the Islands Trust Conservancy:

Before approving Bylaw 245,

1. The LTC may want to add recommended breeding season buffer zones for Western screech owl, as per the publication: 'Environmental Guidelines for Urban and Rural Land Development in British Columbia: Fact Sheet 12 – Western screech owl' (<https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/develop-with-care/fact-sheet-12-screech-owl.pdf>), which reads, in part: **“An additional 200 m ‘no disturbance’ buffer is recommended during the breeding season (March 15–August 31), when the female and nestlings are even more susceptible to human disturbance.”**
2. The LTC may want to add more explicit information about recommended breeding season buffers for all other raptors and owls that occur in the Islands Trust Area, as per the publication 'Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia (2013)' (<https://www2.gov.bc.ca/assets/gov/environment/natural->

[resource-stewardship/best-management-practices/raptor_conservation_guidelines_2013.pdf](#)).

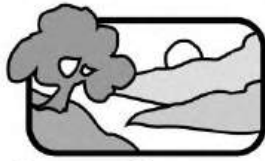
3. The ITC is aware of eight bald eagle nest trees in and around protected lands in the North Pender Island Local Trust Area. The planning staff for the North Pender Local Trust Area may want to confer with the ITC's Species at Risk Program Coordinator, Erica Wheeler, to ensure these nest sites are identified in the Local Trust Area's updated mapping.

ATTACHMENT(S):

Attachment 1: Bylaw 235 Referral Form

FOLLOW-UP: None

Prepared By: Carolyn Stewart, A/Manager, ITC



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
southinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: North Pender Island Local Trust Area Bylaw No.: 235 Date: December 16, 2024

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Not applicable

PURPOSE OF BYLAW:

The purpose of draft Bylaw No. 235 is to make amendments to the North Pender Island Official Community Plan No. 171 to update Raptor and Heron Nest Development Permit Area (DPA) mapping and associated provisions.

The current Raptor Nest DPA provisions were adopted in 2008 based upon surveys conducted by local volunteers. Nest trees were mapped with assistance of Islands Trust staff. An update of wildlife trees is required as new nests are established and older ones abandoned. In addition, DPA provisions have been reviewed and updates proposed based on most recent [2013 provincial guidelines](#) for raptor conservation.

For ease of reference and review, attached are both a redline version of draft Bylaw No. 235 with proposed revisions in track changes, and a clean version that does not include track changes.

GENERAL LOCATION:

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

Multiple parcels

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

N/A

N/A

OTHER INFORMATION:

Additional project information, including associated project staff reports, mapping and draft Bylaw No. 235 is available at: <https://islandstrust.bc.ca/island-planning/north-pender/projects/>

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

BSmith

(Signature)

Name: Brad Smith

Title: Island Planner

Tel: 250-405-5194

Contact Info: Email: bsmith@islandstrust.bc.ca

PLEASE TURN OVER →

This referral has been sent to the following agencies:

Federal Agencies

Parks Canada

Provincial Agencies

Ministry of Municipal Affairs

Ministry of Water, Land and Resource Stewardship – Wildlife Branch

Non-Agency Referrals

Pender Islands Parks and Recreation Commission

Islands Trust Conservancy

Pender Islands Conservancy

Regional Agencies

Capital Regional District – Building Inspection

Capital Regional District – Planning & Protective Services

Adjacent Local Trust Committees and

Municipalities

Mayne Island Local Trust Committee

Saturna Island Local Trust Committee

South Pender Island Local Trust Committee

Salt Spring Island Local Trust Committee

First Nations

Cowichan Tribes

Halalt First Nation

Lyackson First Nation

Malahat First Nation

Pauquachin First Nation

Penelakut Tribe

Semiahmoo First Nation

Snuneymuxw First Nation

Stz'uminus First Nation

Ts'uubaa-asatx Nation (Lake Cowichan)

Tsartlip First Nation

Tsawout First Nation

Tsawwassen First Nation

Tseycum First Nation

WSANEC Leadership Council

BYLAW REFERRAL FORM RESPONSE SUMMARY

- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Outlined Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area
(Island)

(Signature)

(Date)

235
(Bylaw Number)

(Name and Title)

(Agency)

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 235

A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

The North Pender Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023”.

2. SCHEDULES

North Pender Island Official Community Plan Bylaw No. 171, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	_____	DAY OF	_____	20__
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20__
READ A SECOND TIME THIS	_____	DAY OF	_____	20__
READ A THIRD TIME THIS	_____	DAY OF	_____	20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20__
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 235**

SCHEDULE 1

The North Pender Island Official Community Plan Bylaw No. 171, 2007, is amended as follows:

1. Subsection 5.2.8 Development Permit Area Seven – Raptor Nests, is deleted in its entirety and replaced with the following:

“5.2.8 DEVELOPMENT PERMIT AREA SEVEN - RAPTOR AND HERON NESTS

5.2.8.1 Development Approval Information

This development permit area is designated as an area for which development approval information may be required as authorized by Section 485(1) of the *Local Government Act*. The designation of these as areas, for which development approval information may be required, is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impacts of the proposed activity or development in the form of a report from a qualified professional.

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.

5.2.8.2 Designation

Development Permit Area Seven is shown in a generalized representation on Schedule O and includes a minimum 60 metre radius around identified eagle, great blue heron and other raptor nest trees, including falcons, hawks, ospreys, and owls.

Development Permit Areas are designated as follows:

- a) For Bald Eagle Nest Trees – the Development Permit Area applies to all mapped trees containing bald eagle nests and is:
 - i. a 60 m radius from a nest tree in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022
 - ii. a 100 m radius from a nest tree in all other zones in North Pender Island Land Use Bylaw No, 224, 2022.
 - iii. an additional 100 m radius from any nest tree during the breeding season as a ‘Breeding season quiet buffer’ of February 5th to August 31st.

- b) For Great Blue Heron Nest Trees – the Development Permit Area applies to all mapped trees containing great blue heron nests, and is:
 - i. a 60 m radius from the nest tree in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022;

- ii. a 200 m radius from the nest tree in all other zones of North Pender Island Land Use Bylaw No. 224, 2022.
 - iii. an additional 200m radius from any nest tree during the breeding season of January 15th to September 15th.
- c) All other raptor Nest Trees or cliff nest locations (falcons, hawks, ospreys, and owls) – the Development Permit Area applies to all mapped trees or cliff sites containing raptor nests and is:
- i. a 60 m radius from the nest tree or site in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022; and
 - ii. a 100 m radius from the nest tree or site in all other zones of North Pender Island Land Use Bylaw No. 224, 2022.

Schedule O depicts all trees designated as raptor and heron nest trees, including appropriate non-nesting and nesting season buffers areas for each tree based on the bird species utilizing each tree as described above.

The definitive designation and delineation of Development Permit Area Seven consists of a digital record compiled by means of air photograph interpretation and verification through field studies. This digital record is stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust.

In some instances, exact nesting tree location coordinates have not been field verified. In those cases, where a discrepancy exists between the digital record and the actual location of the nesting tree, the minimum radius distances apply to the actual location of the nesting tree as verified by a qualified professional.

5.2.8.3 Special Conditions or Objectives that Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.”

The North Pender Island Local Trust Area contains habitat used by bald eagles, other raptors and great blue herons for nesting and breeding.

Bald Eagles are a regionally significant species and include both resident and wintering birds. Resident eagles establish a territory around a nest, with most pairs using the same site for all their breeding life. Nests are semi-permanent structures which represent a considerable investment of energy. Nest abandonment – either permanent or temporary – can result from tree damage or removal, nest damage or human disturbance during the critical nesting period from January 15th to August 30th.

Eagle nest trees requirements are specialized: typically large, very old trees near the water and although second growth trees are sometimes used, most nest trees are Douglas-firs over 150 years of age, usually within one kilometre of the shoreline. Human activity related to logging and land development have resulted in the loss of nest sites, which results in a permanent reduction in the nesting population. Gradual loss of nesting habitat is considered to be the most significant factor

affecting bald eagle abundance in B.C. (Province of BC. Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development) and specifically on Vancouver Island and the Gulf Islands, habitats within low-elevation coastal habitats in the Coastal Douglas-fir Biogeoclimatic zone have been degraded by human developments (Province of BC. Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia 2013).

‘Breeding season quiet buffer’: During their breeding season (Feb 5 to Aug 31), especially during early courtship and egg-laying periods, bald eagles are very sensitive to noise disturbances and may abandon their nests and young.

Great Blue Herons are a Species of Special Concern in Canada and are blue-listed in British Columbia. The number of active nests on Vancouver Island and the Gulf Islands averages 525 annually. Bald eagles require large territories and generally locate nest sites 1 km away from another breeding pair. Both species nest near large bodies of water such as lakes, large rivers or the ocean, near their main food source. The loss of available nesting habitat due to human disturbance reduces the birds’ ability to reproduce and successfully raise their young. Great Blue Heron breeding sites are concentrated in the Strait of Georgia, with large colonies generally occurring in relatively contiguous forest, fragmented forest or solitary trees and associated with extensive estuarine mudflats and eelgrass beds. Avoid any new disturbance, especially early in the season as herons are particularly susceptible to disturbance. Great blue heron breeding window is between January 15 and September 15. During their breeding season (Jan 15 to Sept 15), especially early in the breeding season, herons are very sensitive to noise disturbances and may abandon their nests and young.

Colonies are dynamic, especially in areas of high disturbance and habitat destruction and human disturbance has been implicated in historical colony abandonment. In particular, disturbance from humans can cause herons to temporarily abandon breeding attempts, allowing predators to take eggs. The Province of British Columbia recommends a buffer of at least 300 m in undeveloped areas, 200 m in rural areas, and 60 m in urbanized areas. An additional 200 metre ‘no disturbance’ buffer is recommended during the nesting season, especially for colonies not previously accustomed to people and their activities. (Develop with Care 2014: Fact Sheet #11 - Great Blue Heron: Environmental Guidelines for Urban and Rural Land Development in British Columbia).

Other Raptors include falcons, hawks, ospreys, owls and other eagle species. Healthy raptor populations are important in maintaining a balance in prey populations. Protection of habitat, including nesting areas, is important in order to maintain raptor populations.

In considering the issuance of a development permit, the LTC should be satisfied that the objectives of the DPA have been met where applicable and may impose conditions where appropriate.

The objective of this development permit area is as follows:

1. To preserve and protect raptor and heron nesting sites.

5.2.8.4 Authority

This development permit area is established, pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity. In considering the issuance of a development permit, the LTC should be satisfied that the

objective of the DPA has been met where applicable and may impose conditions where appropriate.

5.2.8.5 Applicability

Section 489 of the *Local Government Act* provides that within areas designated as Development Permit Areas in an official community plan:

- (a) land must not be subdivided,
- (b) construction of, addition to or alteration of a building or structure must not be started;
- (c) land must not be altered;

unless the owner first obtains a Development Permit or an exemption under s 488(4) applies.

5.2.8.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

- a) for certainty: development or alteration of land occurring outside of a development permit area;
- b) the placement of impermanent structures , such as benches, tables and garden ornaments;
- c) submission to the Islands Trust of a written statement from a registered professional biologist with relevant experience, stating that the proposed work would have no impact on any raptor or heron nesting site;
- d) forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act*;
- e) forest management activities on land that is the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*;
- f) work undertaken by an agent of the Crown;
- g) gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land;
- h) the removal of dangerous trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
- i) the removal of invasive, non-indigenous trees or vegetation;
- j) the removal of trees or vegetation minimally necessary for the construction of any of the uses, buildings or structures exempted from the requirement for a development permit;
- k) the repair, maintenance, alteration or reconstruction of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of undisturbed land or vegetation (building permit may be required);
- l) the repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing;
- m) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use Regulation*; or,
- n) The construction or placement of a small accessory building or structure such as a pump house, gazebo, garden shed or storage structure if all the following apply:

- i) The accessory building or structure is located entirely within the seasonal buffer;
- ii) No native trees are removed; and
- iii) The total area or coverage of the accessory building or structure is less than 10 m².

5.2.8.7 Guidelines

1. Where an application involves a proposal to subdivide land, the layout of proposed lots should be configured in such a manner as to ensure, to the extent practical, that Bald Eagle, other raptor, or Blue Heron nesting trees are protected by clustering lots through lot averaging or bare land strata. Where feasible, the lot containing the nesting tree should be of a sufficient size to accommodate the permitted level of development, including driveway access, septic disposal systems, and accessory uses, in addition to an adequate buffer around the nesting tree.
2. Where an application involves proposals to construct or locate new buildings, structures, roads, driveways, utility corridors, or to clear or alter undisturbed land or vegetation in areas within the DPA, development should, where feasible:
 - a) Avoid disturbance of occupied nesting, roosting and feeding sites.
 - b) Consider potential impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area.
 - c) Consider the timing of development in respect of minimizing impacts during breeding season timing windows and ensure that species specific breeding season quiet buffers are applied where applicable.
 - d) Retain existing natural habitats suitable for raptors and herons, such as potential or currently unoccupied nesting trees, perches, roosting trees, snags, and trees with cavities.
 - e) Where possible, retain groups of trees rather than isolated single trees to provide an inter-locking canopy.
 - f) Maintain an effective buffer of undisturbed vegetation around nest sites. Larger buffer areas may be suitable on larger lots; lesser buffer areas may be suitable in areas of longstanding development, on small lots and where on-going activity has habituated birds to human presence.
 - g) Locate new trails, buildings and roads away from nesting, roosting and foraging areas.
 - h) Consider restoration or enhancement of key habitat features where they have been disturbed.
3. Permits may include conditions respecting the timing or phasing of development work, including conditions restricting significant work to periods when eggs and young are not present in the nesting sites, and restoration or enhancement of key habitat features.

4. Where a qualified professional recommends additional mitigation measures within the DPA based on site-specific observations, permits may include conditions to:
 - a) protect trees, cliffs or other specific sites that are in regular use for roosting, perching or feeding.
 - b) protect primary foraging sites such as shorelines, wetlands, shrubby areas, hedgerows and riparian areas.

 5. Where an application involves the development of a primary residence on a previously undeveloped residential parcel, and a significant portion or all of the developable area of the parcel falls within a raptor or heron DPA, development should, where feasible:
 - a) Be designed and sited in a way that minimizes impacts to raptor and heron activities within the DPA, including siting development outside the DPA where possible;
 - b) Consider the establishment of a 'residential home plate' as a permit condition that delineates an area within the parcel where residential uses, including dwellings, driveways, and ancillary uses, must be sited.

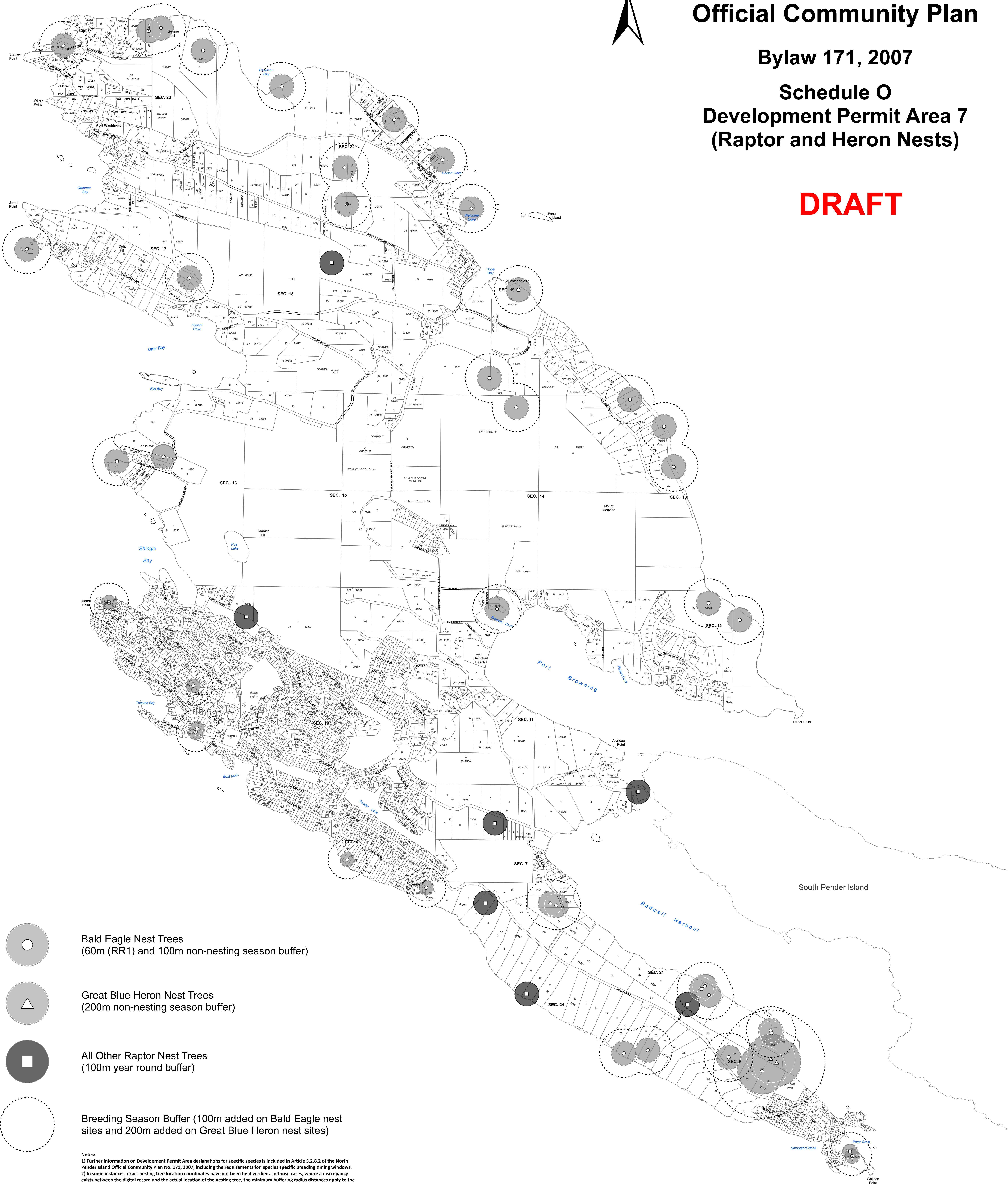
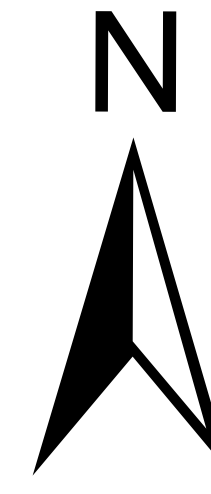
 6. The LTC may consider variances to relax siting, size or subdivision regulations where the variance may result in enhanced protection of a nesting tree or colony or habitat feature.
-
2. Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) is deleted in its entirety and replaced with an updated Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) attached to and forming part of this bylaw.

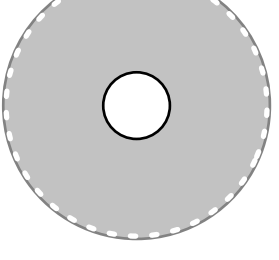
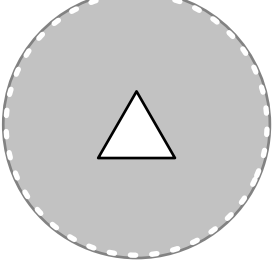
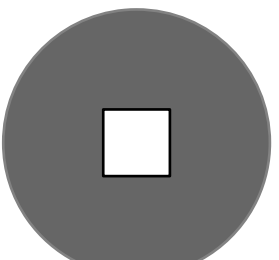
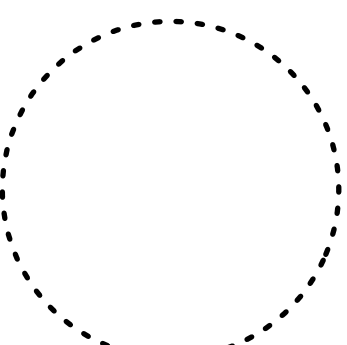
North Pender Island Official Community Plan

Bylaw 171, 2007

Schedule O Development Permit Area 7 (Raptor and Heron Nests)

DRAFT



-  Bald Eagle Nest Trees
(60m (RR1) and 100m non-nesting season buffer)
-  Great Blue Heron Nest Trees
(200m non-nesting season buffer)
-  All Other Raptor Nest Trees
(100m year round buffer)
-  Breeding Season Buffer (100m added on Bald Eagle nest sites and 200m added on Great Blue Heron nest sites)

Notes:
1) Further information on Development Permit Area designations for specific species is included in Article 5.2.8.2 of the North Pender Island Official Community Plan No. 171, 2007, including the requirements for species specific breeding timing windows.
2) In some instances, exact nesting tree location coordinates have not been field verified. In those cases, where a discrepancy exists between the digital record and the actual location of the nesting tree, the minimum buffering radius distances apply to the actual location of the nesting tree as verified by a qualified professional.



North Pender Island

North Pender Island
Local Trust Committee

Schedule O
DPA 7

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 235

A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

The North Pender Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023”.

2. SCHEDULES

North Pender Island Official Community Plan Bylaw No. 171, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	_____	DAY OF	_____	20__
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20__
READ A SECOND TIME THIS	_____	DAY OF	_____	20__
READ A THIRD TIME THIS	_____	DAY OF	_____	20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20__
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 235**

SCHEDULE 1

The North Pender Island Official Community Plan Bylaw No. 171, 2007, is amended as follows:

1. Subsection 5.2.8 Development Permit Area Seven – Raptor Nests, is deleted in its entirety and replaced with the following:

“5.2.8 DEVELOPMENT PERMIT AREA SEVEN - RAPTOR ~~AND HERON~~ NESTS

5.2.8.1 ~~Application Requirements~~ Development Approval Information

This development permit area is designated as an area for which development approval information may be required as authorized by Section 485(1) of the *Local Government Act*. The designation of these as areas, for which development approval information may be required, is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impacts of the proposed activity or development in the form of a report from a qualified professional.

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.

5.2.8.2 Designation

Development Permit Area Seven is shown in a generalized representation on Schedule O and ~~generally incorporates~~ includes a minimum 60 ~~30-50~~ metre radius around identified eagle, osprey and great blue heron and other raptor nesting sites ~~trees, including falcons, hawks, ospreys, and owls.~~

Development Permit Areas are designated as follows:

- a) For Bald Eagle Nest Trees – the Development Permit Area applies to all mapped trees containing bald eagle nests and is:
- i. a 60 m radius from a nest tree in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022
 - ii. a 100 m radius from a nest tree in all other zones in North Pender Island Land Use Bylaw No, 224, 2022.
 - iii. an additional 100 m radius from any nest tree during the breeding season as a ‘Breeding season quiet buffer’ of February 5th to August 31st.
- b) For Great Blue Heron Nest Trees – the Development Permit Area applies to all mapped trees containing great blue heron nests, and is:
- i. a 60 m radius from the nest tree in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022;

- ii. a 200 m radius from the nest tree in all other zones of North Pender Island Land Use Bylaw No. 224, 2022.
- iii. an additional 200m radius from any nest tree during the breeding season of January 15th to September 15th.

c) All other raptor Nest Trees or cliff nest locations (falcons, hawks, ospreys, and owls) – the Development Permit Area applies to all mapped trees or cliff sites containing raptor nests and is:

- i. a 60 m radius from the nest tree or site in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022 ; and
- ii. a 100 m radius from the nest tree or site in all other zones of North Pender Island Land Use Bylaw No. 224, 2022.

Schedule O depicts all trees designated as raptor and heron nest trees, including appropriate non-nesting and nesting season buffers areas for each tree based on the bird species utilizing each tree as described above.

The definitive designation and delineation of Development Permit Area Seven consists of a digital record compiled by means of air photograph interpretation and verification through field studies. This digital record is stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust.

In some instances, exact nesting tree location coordinates have not been field verified. In those cases, where a discrepancy exists between the digital record and the actual location of the nesting tree, the minimum radius distances apply to the actual location of the nesting tree as verified by a qualified professional.

5.2.8.3 Special Conditions or Objectives that Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.”

The North Pender Island Local Trust Area contains habitat used by bald eagles, other raptors and great blue herons for nesting and breeding.

Bald Eagles are a regionally significant species and include both resident and wintering birds. Resident eagles establish a territory around a nest, with most pairs using the same site for all their breeding life. Nests are semi-permanent structures which represent a considerable investment of energy. Nest abandonment – either permanent or temporary – can result from tree damage or removal, nest damage or human disturbance during the critical nesting period from January 15th to August 30th.

Eagle nest trees requirements are specialized: typically large, very old trees near the water and although second growth trees are sometimes used, most nest trees are Douglas-firs over 150 years of age, usually within one kilometre of the shoreline. Human activity related to logging and land development have resulted in the loss of nest sites, which results in a permanent reduction in the nesting population. Gradual loss of nesting habitat is considered to be the most significant

factor affecting bald eagle abundance in B.C. ([Province of BC. Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development](#)) and specifically on Vancouver Island and the Gulf Islands, habitats within low-elevation coastal habitats in the Coastal Douglas-fir Biogeoclimatic zone have been degraded by human developments ([Province of BC. Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia 2013](#)).

'Breeding season quiet buffer': During their breeding season (Feb 5 to Aug 31), especially during early courtship and egg-laying periods, bald eagles are very sensitive to noise disturbances and may abandon their nests and young.

Great Blue Herons are a Species of Special Concern in Canada and are blue-listed in British Columbia. The number of active nests on Vancouver Island and the Gulf Islands averages 525 annually. Bald eagles require large territories and generally locate nest sites 1 km away from another breeding pair. Both species nest near large bodies of water such as lakes, large rivers or the ocean, near their main food source. The loss of available nesting habitat due to human disturbance reduces the birds' ability to reproduce and successfully raise their young.

Great Blue Heron breeding sites are concentrated in the Strait of Georgia, with large colonies generally occurring in relatively contiguous forest, fragmented forest or solitary trees and associated with extensive estuarine mudflats and eelgrass beds. Avoid any new disturbance, especially early in the season as herons are particularly susceptible to disturbance. Great blue heron breeding window is between January 15 and September 15.

During their breeding season (Jan 15 to Sept 15), especially early in the breeding season, herons are very sensitive to noise disturbances and may abandon their nests and young.

Colonies are dynamic, especially in areas of high disturbance and habitat destruction and human disturbance has been implicated in historical colony abandonment. In particular, disturbance from humans can cause herons to temporarily abandon breeding attempts, allowing predators to take eggs. The Province of British Columbia recommends a buffer of at least 300 m in undeveloped areas, 200 m in rural areas, and 60 m in urbanized areas. An additional 200 metre 'no disturbance' buffer is recommended during the nesting season, especially for colonies not previously accustomed to people and their activities. (Develop with Care 2014: Fact Sheet #11 - Great Blue Heron: Environmental Guidelines for Urban and Rural Land Development in British Columbia).

Other Raptors include falcons, hawks, ospreys, owls and other eagle species. Healthy raptor populations are important in maintaining a balance in prey populations. Protection of habitat, including nesting areas, is important in order to maintain raptor populations.

In considering the issuance of a development permit, the LTC should be satisfied that the objectives of the DPA have been met where applicable and may impose conditions where appropriate.

The objective of this development permit area is as follows:

1. To preserve and protect ~~remaining~~ raptor and heron nesting sites.

5.2.8.4 Authority

This development permit area is established, pursuant to Section ~~919.1488~~(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity. In considering the issuance of a development permit, the LTC should be satisfied that the objective of the DPA has been met where applicable and may impose conditions where appropriate.

5.2.8.5 ~~General~~ Applicability

Section 489 of the *Local Government Act* provides that within areas designated as Development Permit Areas in an official community plan:

(a) land must not be subdivided,

(b) construction of, addition to or alteration of a building or structure must not be started;

(c) land must not be altered;

unless the owner first obtains a Development Permit or an exemption under s 488(4) applies.

~~The following activities shall require a development permit whenever they occur within Development Permit Area Seven, unless specifically exempted below.~~

~~— Subdivision of land.~~

~~— Construction of, addition to, or alteration of a building or other structure.~~

~~— Alteration of land.~~

5.2.8.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

- a) for certainty: development or alteration of land occurring outside of a development permit area;
- b) the placement of impermanent structures , such as benches, tables and garden ornaments;
- c) submission to the Islands Trust of a written statement from a registered professional biologist with relevant experience, stating that the proposed work would have no impact on any raptor or heron nesting site;
- ~~d) — in the case of eagle nest trees, construction activities more than 30 metres from the base of the nest tree between the dates of August 16th and January 14th.~~
- ~~e)d) — forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act*;~~
- ~~f)e) — forest management activities on land that is the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*;~~
- ~~g)f) — work undertaken by an agent of the Crown;~~
- ~~g) — gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land;~~
- ~~h) — the maintenance of existing gardens;~~
- ~~i)h) — the removal of dangerous trees that have been examined by an arborist and certified to pose posing an immediate threat to life or property;~~
- ~~j)i) — the removal of invasive, non-indigenous trees or vegetation;~~

- ~~k~~)j) the removal of trees or vegetation minimally necessary for the construction of any of the uses, buildings or structures exempted from the requirement for a development permit;
- k) the repair, maintenance, alteration or reconstruction of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of undisturbed land or vegetation (building permit may be required);
- l) the repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing;
- m) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use Regulation*; or,
- n) The construction or placement of a small accessory building or structure such as a pump house, gazebo, garden shed or storage structure if all the following apply:
 - i) The accessory building or structure is located entirely within the seasonal buffer;
 - ii) No native trees are removed; and
 - iii) The total area or coverage of the accessory building or structure is less than 10 m².

5.2.8.7 Guidelines

1. Where an application involves a proposal to subdivide land, the layout of proposed lots should be configured in such a manner as to ensure, to the extent practical, that Bald Eagle, other raptor, or Blue Heron nesting trees are protected by clustering lots through lot averaging or bare land strata. Where feasible, the lot containing the nesting tree should be of a sufficient size to accommodate the permitted level of development, including driveway access, septic disposal systems, and accessory uses, in addition to an adequate buffer around the nesting tree.
2. Where an application involves proposals to construct or locate new buildings, structures, roads, driveways, utility corridors, or to clear or alter undisturbed land or vegetation in areas within the DPA, development should, where feasible:
 - a) Avoid disturbance of occupied nesting, roosting and feeding sites.
 - b) Consider potential impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area.
 - c) Consider the timing of development in respect of minimizing impacts during breeding season timing windows and ensure that species specific breeding season quiet buffers are applied where applicable.
 - ~~b~~)d) Retain existing natural habitats suitable for raptors and herons, such as potential or currently unoccupied nesting trees, perches, roosting trees, snags, and trees with cavities.
 - ~~e~~)e) Where possible, retain groups of trees rather than isolated single trees to provide an inter-locking canopy.
 - ~~e~~)f) Maintain an effective buffer of undisturbed vegetation around nest sites. Larger buffer areas may be suitable on larger lots; lesser buffer areas may be suitable in

areas of longstanding development, on small lots and where on-going activity has habituated birds to human presence.

e)g) Locate new trails, buildings and roads away from nesting, roosting and foraging areas.

h) Consider restoration or enhancement of key habitat features where they have been disturbed.

3. Permits may include conditions respecting the timing or phasing of development work, including conditions restricting significant work to periods when eggs and young are not present in the nesting sites, and restoration or enhancement of key habitat features.

4. Where a qualified professional recommends additional mitigation measures within the DPA based on site-specific observations, permits may include conditions to:

a) i- protect trees, cliffs or other specific sites that are in regular use for roosting, perching or feeding.

b) ii- protect primary foraging sites such as shorelines, wetlands, shrubby areas, hedgerows and riparian areas.

5. Where an application involves the development of a primary residence on a previously undeveloped residential parcel, and a significant portion or all of the developable area of the parcel falls within a raptor or heron DPA, development should, where feasible;:

a) Be designed and sited in a way that minimizes impacts to raptor and heron activities within the DPA, including siting development outside the DPA where possible;

b) Consider the establishment of a 'residential home plate' as a permit condition that delineates an area within the parcel where residential uses, including dwellings, driveways, and ancillary uses, must be sited.

3.6. The LTC may consider variances to relax siting, size or subdivision regulations where the variance may result in enhanced protection of a nesting tree or colony or habitat feature.

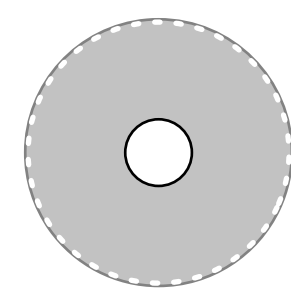
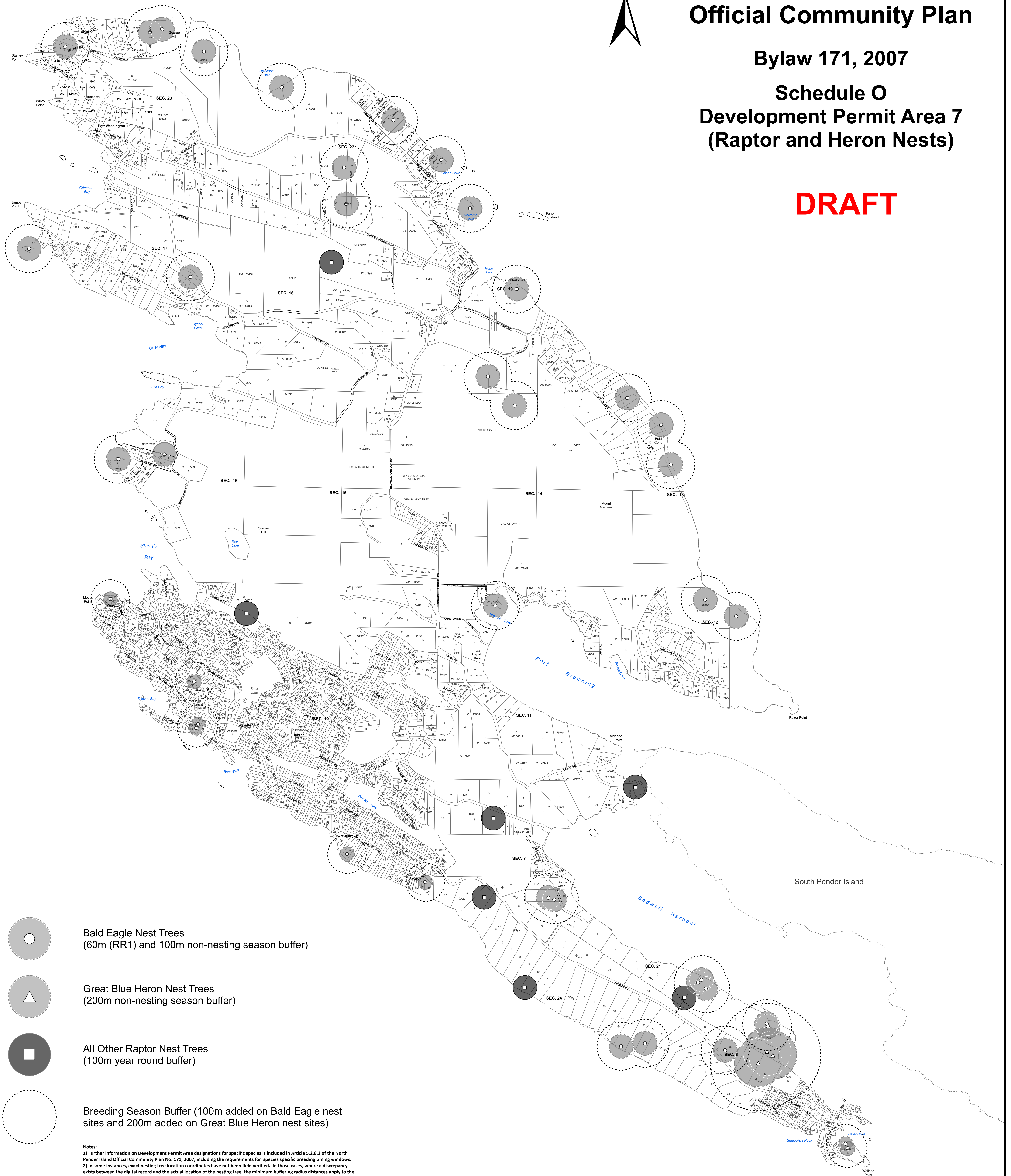
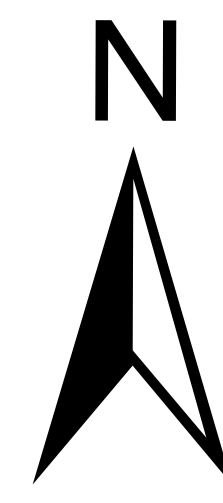
2. Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) is deleted in its entirety and replaced with an updated Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) attached to and forming part of this bylaw.

North Pender Island Official Community Plan

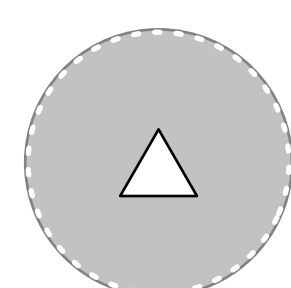
Bylaw 171, 2007

Schedule O Development Permit Area 7 (Raptor and Heron Nests)

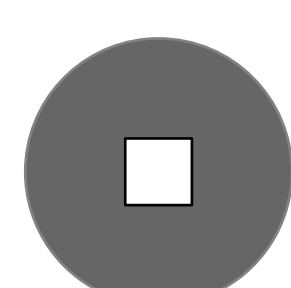
DRAFT



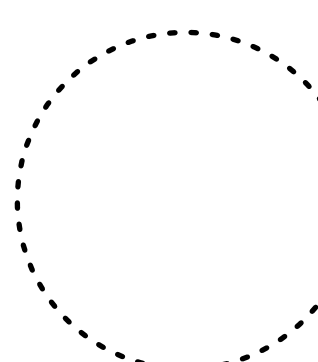
Bald Eagle Nest Trees
(60m (RR1) and 100m non-nesting season buffer)



Great Blue Heron Nest Trees
(200m non-nesting season buffer)

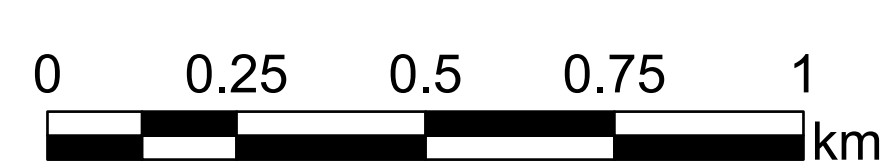


All Other Raptor Nest Trees
(100m year round buffer)



Breeding Season Buffer (100m added on Bald Eagle nest sites and 200m added on Great Blue Heron nest sites)

Notes:
1) Further information on Development Permit Area designations for specific species is included in Article 5.2.8.2 of the North Pender Island Official Community Plan No. 171, 2007, including the requirements for species specific breeding timing windows.
2) In some instances, exact nesting tree location coordinates have not been field verified. In those cases, where a discrepancy exists between the digital record and the actual location of the nesting tree, the minimum buffering radius distances apply to the actual location of the nesting tree as verified by a qualified professional.



North Pender Island

North Pender Island
Local Trust Committee

Schedule O
DPA 7



November 25, 2024

File No.: 0110-20-ITC

Via email: execadmin@islandstrust.bc.ca

Trust Council
Islands Trust
200-1627 Fort Street
Victoria BC V8R 1H8

Dear Members of Trust Council,

Re: Consultation on Provincial Review Request and the Role of the Islands Trust Conservancy

I am writing on behalf of the Islands Trust Conservancy (ITC) Board regarding your letter to the Honourable Anne Kang, the former Minister of Municipal Affairs, dated October 16, 2024. In that letter, you requested a provincial review of the Islands Trust mandate, governance, and structure.

The ITC Board would like to share its thoughts on this request and the recent discussions surrounding a provincial review of Islands Trust governance. While we understand the importance of exploring ways to strengthen governance, we want to address some procedural concerns related to ITC's role.

The ITC Board's work focuses on acquiring, holding, and disposing of land and property to protect the unique ecosystems in the Trust Area. It's essential that any initiatives potentially affecting our responsibilities involve consultation with the Board.

Bylaw No. 86, Section 4.1, clearly states:

"Where the Executive Committee of the Council considers that a legislative proposal that is to be submitted to the Council may have an impact on the responsibility of the Board, the Executive Committee will refer that draft legislative proposal to the Board for comment. The Executive Committee will consider Board comments on the legislative proposal before the legislative proposal is submitted to the Council."

Trust Council's letter to the Province, dated October 16, 2024, concluded that "without systemic change the Islands Trust cannot meet the challenges of our time." This statement underscores the significant and potentially far-reaching implications of the proposed review. Given this context, it seems clear that Bylaw No. 86 should have been invoked, ensuring the ITC Board had an opportunity to provide input on such an impactful initiative.

.../2

To date, the ITC Board has not been consulted on this matter. Nor have we had the opportunity to assess whether the current governance model is hindering our work and whether a different governance model might facilitate future work, particularly as we are faced with new and emerging issues. Additionally, staff have noted that no assessment has been made to determine whether the request for a provincial review qualifies as a "legislative proposal" or how it might impact ITC's responsibilities. This raises concerns about whether proper protocols have been followed.

We respectfully ask Trust Council to:

1. Ensure that the ITC Board is included in discussions about initiatives that might affect its statutory responsibilities; and
2. Reconsider this letter and its implications, particularly ensuring that the views of ITC Board and other affected entities are incorporated.

The ITC Board is committed to open dialogue and collaboration with Trust Council to support our shared mission of protecting the Trust Area. Following consultation processes not only strengthens our governance but also ensures that all perspectives are included in shaping the future of the Islands Trust.

While it is regrettable that neither the ITC Board nor Bowen Island Municipality were consulted before the letter was sent, we see this as an opportunity to enhance collaboration and ensure that future initiatives benefit from shared perspectives and collective expertise.

We look forward to your response and to continuing to work together for the benefit of the Trust Area.

Sincerely,



Risa Smith
Chair, Islands Trust Conservancy
rismith@islandstrust.bc.ca

cc: Islands Trust Conservancy Board



Public Acquisitions Update For the Meeting of January 21, 2025

Property Name and Island	Date (yyyy/mm/dd)	Notes
PUBLICLY CONSIDERED PRIVATE LAND ACQUISITIONS		
Crystal Mountain (Galiano) 18.3 ha.	2017/11/21	ITC previously considered a conservation covenant proposal and land transfer proposal for this property.
	2017/11/21	<p>TFB-2017-031: It was MOVED and SECONDED, that the Trust Fund Board accept the updated Conservation Proposal from the Crystal Mountain Society, agreeing to accept transfer of approximately 18.3 hectares of Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200, (PID 000-851-035) and part of Lot A, District Lots 88 and 89, Galiano Island, Cowichan District, Plan VIP68079, (PID 024-351-041), subject to:</p> <ol style="list-style-type: none"> 1. The release of the rent charge and related easements on the title of Lot A and any other charges determined, through legal review, to be problematic for the Trust Fund Board; 2. Establishing legal access for the Trust Fund Board to the most eastern part of Lot A; 3. Receipt of \$30,000 upon transfer of the land, with at least \$15,000 to be held in a pooled Nature Reserve Management Fund, and \$10,000 to \$15,000 to be put towards the development of a management plan and management activities for the nature reserve; 4. Staff reaching mutual agreement with the water license holders to limit the impact of accessing and maintaining the permitted water works; 5. Agreement with the Society that the portion of the proposed Emergency Access over the nature reserve would be used only in the case of emergency; 6. Written agreement with the Society about the use and maintenance of the pagoda; 7. Installation of boundary and corner pin markers at the time of survey at the expense of the applicant (locations to be determined in consultation with ITF staff); and 8. Final approval of the Trust Fund Board of the final survey plan, transfer agreement and all other associated agreements.
	2019/07/24	Received subdivision proposal plan from the planning department.
	2020/09/08	Applicant provided a revised proposal to the Galiano Island Local Trust Committee.
	2020/12/10	File transferred to TAS Director Frater due to declared conflict of interest by ITC Manager, Kate Emmings.
	2021/01/28	ITC Staff met with applicant. An application update is anticipated for the May ITC Meeting.
2021/05/25	Update provided to ITC Board.	



Public Acquisitions Update For the Meeting of January 21, 2025

Crystal Mountain (Galiano) 18.3 ha.	2021/05/25	<p>ITC-2021-019: It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the updated approximate lot configuration proposed by the Crystal Mountain Society, subject to staff assessment that adjusted lot boundaries meet ITC conservation goals and policies, based upon a site visit and review of any necessary additional ecological information from the applicant.</p> <p>ITC-2021-020: It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the Crystal Mountain Society proposal to register a Statutory Right of Way across Lot A on the upper ridge, in favour of Islands Trust Conservancy, to provide legal access to the eastern part of Lot A via the legal easement across neighbouring Lots B and C.</p> <p>ITC-2021-021: It was MOVED and SECONDED, that the Islands Trust Conservancy Board express support for the Crystal Mountain Society proposal to alter the lot boundaries of Lot 9 and Lot 10, prior to land transfer to Islands Trust Conservancy, to remove the pagoda from the proposed nature reserve, subject to staff assessment that adjusted lot boundaries meet ITC conservation goals and policies, based upon a site visit and review of any necessary additional ecological information from the applicant</p> <p>ITC-2021-022: It was MOVED and SECONDED, that the Islands Trust Conservancy Board request that the Crystal Mountain Society update the Ecological Inventory report and other relevant documents to reflect the proposed boundary changes, prior to transfer of the land.</p> <p>ITC-2021-023: It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the Crystal Mountain Society proposal to register a Statutory Right of Way for emergency access on Lot A in favour of the Capital Regional District prior to subdivision, subject to Crystal Mountain Society’s working with ITC staff to develop an appropriate agreement.</p>
	2021/07/07	Staff site visit scheduled.
	2021/07/21	Follow-up staff visit to discuss lot boundary options.
	2022/02/09	Applicant and staff discuss coordinating a visit from a Cultural Knowledge Holder.
	2022/08/16	Meeting with applicant to discuss their meeting with Penelakut Elders and leadership.
	2022/11/24	Meeting with applicant’s agent to discuss potential co-management relationship with Penelakut.
	2023/02/01	Applicant’s agent provided update on process of fulfilling ITC Board’s requirements; continuing discussion with staff about engagement with Penelakut Tribe and other Indigenous community members.
	2023/05/06	Penelakut Tribe has requested greater consultation around subdivision and bylaw. ITC work on hold.
	Current Total ITC Acquisitions:	



PUBLIC COVENANTS UPDATE
For the Meeting of January 21, 2025

NAPTEP COVENANTS		
<i>29 NAPTEP Covenants on title, 3 NAPTEP covenants in progress</i>		
Property	Date	Notes
Martin NAPTEP Covenant (Salt Spring Is., ~1 ha)	2024/08/25	Application received.
	2024/10/28	Staff site visit.
	2024/10/29	Applicant submitted request for fee sponsorship. Staff will send to Executive Committee for review and approval at an upcoming meeting.
	2024/11/19	ITC-2024-061: It was MOVED and SECONDED that the Islands Trust Conservancy Board approve the conservation proposal submitted by Tara Martin, to place a NAPTEP covenant on approximately 1 ha of Salt Spring Island, PID: 000-363-740, Lot A, Section 39, South Salt Spring Island, Cowichan District, Plan 35768, subject to review of First Nations responses and to Ministerial approval, to protect woodlands and herbaceous habitats, maturing dry Douglas-fir forest, and connectivity with adjacent protected areas.
	2024/12/05	Staff is preparing application for referral to First Nations.
Doris McHardy NAPTEP Covenant (North Pender Is, ~1 ha)	2024/02/04	Application received.
	2024/02/14	Application sent for Ministerial approval.
	2024/03/19	ITC-2024-13: It was MOVED and SECONDED that the Islands Trust Conservancy Board approve the conservation proposal submitted by Sara Miles, Mike Timmins, and Vivian Mitchell, to place a NAPTEP covenant on approximately 0.6 ha of North Pender Island, PID: 005-837-651, Lot 6, Sections 18 and 22, Pender Island, Cowichan District, Plan 6294, subject to review of First Nations responses and to Ministerial approval, to protect woodlands and herbaceous habitats, maturing dry Douglas-fir forest, and adjacent protected areas.
	2024/04/18	Staff updated the Ministry of Municipal Affairs, who replied that they will wait for results of First Nations referral before reviewing the application.
	2024/04/29	Application referred to First Nations. Response window of 90 days ends on July 25 th , 2024.
	2024/07/08	Referral reminder sent to First Nations.
	2024/07/25	First Nations referral response window closes. Responses compiled and submitted to Minister's office for review and approval of the covenant application.
	2024/08/28	Covenant approved by the Minister. Application will be sent to Trust Council for tax exemption approval at December 2024 meeting, and for information to North Pender LTC.
	2024/10/28	Applicant submitted request for fee sponsorship.



PUBLIC COVENANTS UPDATE For the Meeting of January 21, 2025

Doris McHardy NAPTEP Covenant cont'd (North Pender Is)	2024/10/30	Applicant requested ITC support in arranging preliminary approval for Priority Agreement with mortgage holder. Ongoing. Any work negotiating and drafting covenant is on hold pending agreement from mortgage holder.
	2024/11/20	Executive Committee approved sponsorship of NAPTEP Application: EC-2024-146: It was MOVED and SECONDED , that the Executive Committee approve financial sponsorship of \$450 for Natural Area Protection Tax Exemption Program (NAPTEP) application NP-NAP-2024.1 (Doris McHardy), North Pender Island. Staff will process Ph 1 fee refund and Ph 2 fee waiver.
	2024/11/29	Referred for information to North Pender Island Local Trust Committee. No comments received.
	2024/12/04	Application for tax exemption reviewed and approved by Trust Council. TC-2024-111: It was MOVED by Trustee Elliott, and SECONDED by Trustee Morrison , that the Islands Trust Council request the Secretary to issue a Natural Area Protection Tax Exemption Program Certificate for the covenanted portion of the property described as PID: 005-837-651, Lot 6, Sections 18 and 22, Pender Island, Cowichan District, Plan 6294, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for the Natural Area Tax Exception Program.
	2024/12/18	Staff is preparing letter informing applicant of TC decisions and next steps.
Koontz NAPTEP Covenant Gabriola Island (~2.5 ha)	2023/02/08	Application received.
	2023/05/30	ITC-2023-017: It was MOVED and SECONDED , that the Islands Trust Conservancy Board approve the conservation proposal submitted by Yarrow Koontz, to place a NAPTEP covenant on approximately 2.5 ha of Gabriola Island, PID: 005-788-447, That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, to protect wetlands, maturing forest, and sensitive riparian and cliff habitats.
	2023/06/12	Staff informed applicant of Board decision.
	2023/07/07	Application referred to First Nations.
	2023/08/18	First Nations referral window ended. Only one response has been received, indicating no comments regarding this application.
	2023/09/14	Referred for information to Gabriola Island Local Trust Committee. No comments received.
	2023/09/27	Application for tax exemption approved by Trust Council (resolution number pending)
	2023/10/05	Phase II next steps correspondence sent to landholder.
	2023/10/19	Site visit to determine covenant area boundaries.



PUBLIC COVENANTS UPDATE For the Meeting of January 21, 2025

Koontz NAPTEP Covenant (cont'd)

2023/10/23	Applicant submitted request to have NAPTEP fees sponsored by EC. Staff working to add to November EC meeting
2023/10/26	Submitted expression of interest for funding support from Ecological Gifts Program.
2023/11/22	Executive Committee approved sponsorship of NAPTEP Application: EC-2023-120: It was MOVED and SECONDED , that Executive Committee approve financial sponsorship of \$450 for Natural Area Protection Tax Exemption Program (NAPTEP) application GB-NAP-2023.1 (Koontz), Gabriola Island.
2023/12/08	Applicant requested ITC support in arranging Priority Agreement with mortgage holder. Ongoing. Further work negotiating and drafting covenant is on hold pending agreement from mortgage holder.
2023/12/15	NAPTEP Phase I fee refund cheque mailed to applicant.
2023/12/22	ITC staff worked with GaLLT to secure Ecological Gifts Program funding for covenant area survey; procurement process underway (contract will be directly with Environment & Climate Change Canada). Survey work planned for January.
2024/02/14	Application sent for Ministerial approval.
2024/02/29	Contract signed for land survey (with ECCC).
2024/03/27	Covenant area survey complete.
2024/03/27	Ministerial approval received for covenant.
2024/05/13	Applicant connected with mortgage provider about Priority Agreement.
2024/06/21	Mortgage holder provided approval in principle for a Priority Agreement for the covenant and SRW over the mortgage.
2024/08/23	Draft covenant reviewed by ITC legal.
2024/08/28	Draft baseline inventory report submitted by contractor. Reviewed by ITC.
2024/09/16	Final draft covenant sent to landholder and GaLLT for final agreement on language.
2024/09/17	ITC staff site visit to complete field surveys for baseline inventory report.
2024/10/01	ITC-2024-048: It was MOVED and SECONDED , that the Islands Trust Conservancy Board authorizes the Chair to sign a covenant with Yarrow Koontz, over a portion of the Land described as That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, PID: 005-788-447, and directs staff to register the covenant through the Natural Area Protection Tax Exemption Program (NAPTEP).
2024/10/12	Application to register covenant submitted to Land Titles and Survey Authority.
2024/10/24	Covenant registered on title. Natural Area Exemption Certificate submitted to Land Titles.



**PUBLIC COVENANTS UPDATE
For the Meeting of January 21, 2025**

Koontz NAPTEP Covenant (cont'd)	2024/11/07	Natural Area Exemption Certificate registered on title. Staff will prepare and send all necessary notifications and copies.
	2024/11/19	The Islands Trust Conservancy Board authorized a rise and report relating to the approval of spending up to \$2,000 from existing budgets towards the cost of an Ecological Gifts Program appraisal for a NAPTEP covenant on Gabriola Island.
	2024/12/05	GalLT and landholder are coordinating covenant appraisal for Ecological Gift Program application.
Larmour NAPTEP Covenant Salt Spring Island (2.45 ha)	2021/10/15	Application received.
	2022/01/24	ITC-2022-003: It was MOVED and SECONDED , that the Islands Trust Conservancy Board approves the conservation proposal submitted by Rodney Polden, on behalf of Skye Larmour, to donate a 2.45 ha NAPTEP covenant on Salt Spring Island, over a portion of Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, PID: 000-138-452, to protect mature forests, wetlands, and connectivity to other protected areas, and advise the applicant that ITC will defer this securement project until late 2022/early 2023 due to staff capacity constraints.
	2022/02/04	Staff informed applicant of Board decision.
	2023/02/09	Staff initiated discussion with ALC about providing approval for placing NAPTEP covenant on non-ALR portion of the property.
	2023/04/21	Site visit to discuss next steps and details with landowner and applicant. Staff to begin negotiating covenant as soon as capacity permits, and submit application for Trust Council approval.
	2023/06/30	Application referred to First Nations. Requested response date is August 18 th , 2023.
	2023/08/18	First Nations referral window ended. Responses were received from two First Nations, one of whom indicated that they do not have any comments to provide regarding this application; and the another who requested a copy of the baseline inventory report when it is completed.
	2023/09/14	Referred for information to Salt Spring Island Local Trust Committee. No comments received.
	2023/09/27	Application for tax exemption approved by Trust Council (resolution number pending)
	2023/10/05	Phase II next steps correspondence sent to landholder.
	2023/10/30	Submitted expression of interest for funding support from Ecological Gifts Program.
	2023/11/27	Applicant submitted request to have NAPTEP fees sponsored by EC.
	2023/12/20	Executive Committee approved sponsorship of NAPTEP Application: EC-2023-131: It was MOVED and SECONDED , that the Executive Committee approve financial sponsorship of \$450 for Natural Area Protection Tax Exemption Program (NAPTEP) application SS-NAP-2021.1 (Larmour), Salt Spring Island.
2024/02/20	Contract signed for baseline inventory (with ECCC, EcoGifts program funding)	



**PUBLIC COVENANTS UPDATE
For the Meeting of January 21, 2025**

Larmour NAPTEP Covenant (cont'd)	2024/02/28	Draft covenant sent to landholder and co-covenant holder for review.
	2024/04/28	Final baseline report received.
	2024/07/23	ITC-IC-2024-021: It was MOVED and SECONDED , that the Islands Trust Conservancy Board rise and report approval of spending up to \$6,000 from existing budgets towards the cost of a land survey and an Ecological Gifts Program appraisal, and the costs of covenant registration for a NAPTEP covenant on Salt Spring Island.
	2024/08/20	Draft covenant sent to ITC legal for review.
	2024/08/23	Received draft covenant revised by ITC legal.
	2024/09/09	Finalized contract for survey completion.
	2024/09/16	Final draft covenant sent to landholder and SSIC for final agreement on language.
	2024/10/01	ITC-2024-049: It was MOVED and SECONDED , that the Islands Trust Conservancy Board authorizes the Chair to sign a covenant with Skye Larmour, over a portion of the Land described as Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, PID: 000-138-452, and directs staff to register the covenant through the Natural Area Protection Tax Exemption Program (NAPTEP), subject to minor edits as discussed by staff.
	2024/10/10	Application to register covenant submitted to Land Titles and Survey Authority.
	2024/10/23	Covenant registered on title. Natural Area Exemption Certificate submitted to Land Titles.
	2024/11/05	Natural Area Exemption Certificate registered on title. Staff will prepare and send all necessary notifications and copies.
	2024/11/20	ITC contracted appraiser to conduct covenant appraisal for Ecological Gift Program application.
2024/12/16	Appraisal received. Staff is preparing Ecological Gift application with applicant.	
R. Leader NAPTEP Covenant Salt Spring Island (3.54 ha)	2020/06/16	Application received.
	2020/11/24	ITC-2020-039: It was MOVED and SECONDED , that the Islands Trust Conservancy Board approve the conservation proposal submitted by Robert Leader to place a NAPTEP covenant on approximately 5 ha on Salt Spring Island, PID: 000-395-081, LOT 2, SECTION 72, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 36292 Except Plan 40974



**PUBLIC COVENANTS UPDATE
For the Meeting of January 21, 2025**

**R. Leader NAPTEP
Covenant (cont'd)**

2020/12/02	TC-2020-112: It was MOVED and SECONDED , that the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for the covenanted portion of the property described as 'Lot 2, Section 72, South Salt Spring Island, Cowichan District, Plan 36292 Except Plan 40974, Parcel Identifier 000-395-081' subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.
2020/12/15	Referred for information to the Salt Spring Island Local Trust Committee. No comments received.
2021/04/08	Phase II application fee received
2021/04/12	ITC staff discussion with TLC about discharging existing covenant on the property. Ongoing.
2021/04/26	ITC staff approves contractor to conduct baseline inventory. Work underway.
2021/05/04	ITC staff discussion with SSIC about discharging existing covenant on the property. Ongoing.
2021/05/11	First covenant draft sent to landowner for review.
2021/05/14	Draft covenant sent to TLC and SSIC for their Board to review as part of their discussions about discharging the existing covenant these organizations co-hold on the property. ITC staff to participate in upcoming Board meetings of these organizations to provide information about NAPTEP and this proposed covenant.
2021/05/14	Request for legal advice about impact of clause in existing covenant, restricting ability to place additional easements on the property.
2021/05/22	Staff participate in TLC Board meeting to provide background information about NAPTEP program and discuss details of this application for a NAPTEP covenant to replace or be placed in addition to existing TLC/SSIC covenant.
2021/05/28	Received legal counsel that the existing covenant contains no restrictions on ability to place NAPTEP covenant on the property.
2021/06/16	Discussion with landowner about rights and restrictions in the draft covenant. Ongoing.
2021/07/05	SSIC and TLC agree to discharge existing covenant subject to registration of NAPTEP covenant. SSIC has requested becoming co-covenant holder for NAPTEP covenant.
2021/07/29	Landowner begins discussions with mortgage provider about granting priority to the Covenant and Rent Charge. Ongoing.
2021/09/09	ITC received and accepted final baseline inventory report.
2022/01/21	Staff called to discuss need to get mortgage provided to grant priority to the Covenant. Followed up with email to credit union representative.
2022/02/21	No response from credit union, informed landowner and indicated that they will need to pursue this issue.



ISLANDS TRUST CONSERVANCY

PUBLIC COVENANTS UPDATE For the Meeting of January 21, 2025

R. Leader NAPTEP Covenant (cont'd)	2022/09/26	Staff emailed to remind landowner that NAPTEP application expires December 2nd and enquire about progress with mortgage provider. Landholder discussed issue with credit union account manager and forwarded request for ITC staff to follow-up.
	2022/09/28	Staff contacted credit union account manager via email and left phone message.
	2022/12/06	Trust Council passed the following resolution: TC-2022-156: It was Moved by Trustee Yates and Seconded by Trustee Patrick, that the Islands Trust Council extend the timeline for issuing the Natural Area Exemption Certificate for Natural Area Protection Tax Exemption Program application SS-NAP-2020.3 (Salt Spring Island) until December 2024.
	2023/01/01	Ongoing discussions with credit union and landowner about priority agreement.
	2023/07/28	Staff contacted applicant to discuss next steps; left phone message, no response received.
	2024/05/07	Staff emailed applicant to discuss next steps, no response received.
	2024/07/03	Letter sent to applicant requesting confirmation of desire to proceed with NAPTEP application.
REGULAR COVENANTS		
<i>52 regular covenants on title, 0 public regular covenants in progress, 0 in camera covenants in progress.</i>		
Property	Date	Notes
None		
ITC NATURE RESERVES WITH COVENANTS OUTSTANDING		
<i>9 ITC Nature Reserves are without covenants, 1 ITC Nature Reserve covenant in progress.</i>		
Property	Date	Notes
Fairyslipper Forest Nature Reserve Thetis Island (16.6 ha)	2018/03/20	ThINC Board approves resolution to hold a covenant on Fairyslipper Forest.
	2018/03/21	CCLT Board approves resolution to hold a covenant on Fairyslipper Forest.
	2018/04/03	TFB approves negotiation of conservation covenant in favour of ThINC and CCLT.
	2018/04/06	ITC template covenant sent to partners. Trail relocation is needed before finalizing baseline report.
	2018/10/13	Hosted Management Plan Open House on Thetis Island.
	2019/02/22	Draft management plan and baseline report sent to ThINC and CCLT staff for review.
	2019/05/21	ITC Board approves management plan with minor revisions.
	2019/06/12	ThINC Board approves revised management plan.
	2019/09/26	CCLT Board approves revised management plan. Management Plan posted to the ITC website.



ISLANDS TRUST CONSERVANCY

PUBLIC COVENANTS UPDATE For the Meeting of January 21, 2025

2020/02/03	Trail relocation completed by contracted trail builder, Penelakut youth and volunteer labour. A Statutory Right of Way is required from the adjacent property where the trailhead and parking area are planned.
2020/03/19	ThINC is working with the Thetis Island Residents and Ratepayers Association to obtain a trail license over adjacent private lands for access and parking for the Fairyslipper Forest Nature Reserve.
2020/07/14	Adjacent landowner signs Trail Licence Agreement with TIRRA (Thetis Island Residents and Ratepayers Association). Staff continues to work with owner to develop permanent legal access.
2022/04/25	Adjacent landowner extends Trail Licence Agreement with TIRRA.
2022/06/06	Staff discussed proposed conservation covenant with ThINC, agreement to defer. Staff will reengage with adjacent landowner to discuss more formal access arrangement.
2022/07/27	Adjacent landowner wishes to continue with informal access agreement. Staff will continue with current access and will consider varied trail options as part of the covenant negotiations.
2022/10/04	ITC Board rescinds resolution directing staff to negotiate a statutory right of way and related section 219 covenant with adjacent landowner.
2023/05/30	Staff re-initiated discussion about access arrangement with adjacent landowner. Numerous efforts to set up phone call or (preferred) site visit to discuss options; unable to set meeting.
2023/11/20	TIRRA agrees to continue holding trail licence for access through adjacent private lands
2024/01/24	Neighbour on eastern side establishes trail that connects into FFNR from Mt Burchell trail, in a trail licence with TIRRA, as an alternate access.
2024/03/01	TIRRA and adjacent landholder sign renewed trail licence for existing informal access, to last until April 30, 2026, with automatic renewal for an additional 2 years unless either or both parties desires otherwise.
Total	81 covenants registered

Budget Report for Islands Trust Conservancy Board – January 21, 2025

(as of December 31, 2024)

Budget Line Description	Approved Budget	Spent	Budget Balance	% Used	% Remaining
Admin Support Services	387,003.00	167,094.34	219,908.66	43%	57%
Communications	18,000.00	3,419.24	14,580.76	19%	81%
Contracted Temporary Staffing	20,000.00	8,156.25	11,843.75	41%	59%
ITC "Board Honoraria"	7,000.00	4,400.00	2,600.00	63%	37%
ITC "Board Meeting Expense"	2,850.00	826.74	2,023.26	29%	71%
ITC "Board Training & Conferences"	1,600.00	637.84	962.16	40%	60%
ITC "Property Management"	166,140.00	43,607.95	122,532.05	26%	74%
ITC "Conservation Plg & Land Secure"	26,550.00	1,263.59	25,286.41	5%	95%
Legal "General"	22,000.00	7,723.23	14,276.77	35%	65%
Memberships	1,800.00	933.56	866.44	52%	48%
First Nations Engagement - ITC Plan	20,000.00	0.00	20,000.00	0%	100%
Safety	1,200.00	406.80	793.20	34%	66%
Salaries	650,286.00	365,035.46	285,250.54	56%	44%
Benefits	165,173.00	92,542.37	72,630.63	56%	44%
Subscriptions	400.00	150.00	250.00	38%	62%
Mobile Devices	2,561.00	1,812.58	748.42	71%	29%
Training & Conferences (staff)	4,700.00	1,724.64	2,975.36	37%	63%
Travel for Training (staff)	4,000.00	2,534.84	1,465.16	63%	37%
Travel	26,000.00	23,767.62	2,232.38	91%	9%
Subtotal	1,527,263.00	726,037.05	801,225.95	48%	52%

Banking Report for Islands Trust Conservancy Board – January 21, 2025

Investment/Account	Date	Status
Gambier Island Acquisition Investment	December 31, 2024	\$138,248.50
Ruby Alton Nature Reserve Endowment Investment	September 30, 2024	\$160,095.75
Ruby Alton Nature Reserve Mngmt/Maintenance	November 29, 2024	\$115,622.78
McFadden, Lasqueti, Thetis, & Cov Defence Investment	November 30, 2024	\$187,411.93
McFadden Mngmt/Maintenance Account	November 29, 2024	\$2,398.10
Lasqueti Acquisition Account	November 29 2024	\$4,887.92
Thetis Acquisition Account	November 13, 2024	\$48.10
Covenant Management & Defence Account	November 13, 2024	\$130.32
Morrison Waxler (Penders)	November 13, 2024	\$11,009.11
Opportunity Account	November 29, 2024	\$126,422.16
Regular/Chequing Account (SAR and WSO)	November 29, 2024	\$153,297.35

2024 Islands Trust Conservancy Work Plan

July 1, 2024 (updated January 7, 2024)

January 2025 Update

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
<p>Goal 2: Strengthen relationships with First Nations to identify and collaborate on shared conservation goals.</p>	<p>High (Board’s primary focus for 2024 is to initiate the project and have meaningful engagement with interested First Nation governments).</p>	<p>Project (Manager-led) (ITC business case for \$20,000 capacity funding for First Nations involvement – was funded by Trust Council for 2024/25)</p>	<p>ITC (Five Year) Plan Development Project</p>	<ul style="list-style-type: none"> • This is a major project. • Capacity issues, manager changes, and other priority projects have hampered initiation of this project to-date. 	<ul style="list-style-type: none"> • Outlines for project steps and timeline have been prepared/updated in May, July, Oct, Nov 2024. • A draft letter to Minister, requesting timeline extension to 2027, is with Director Frater for review. • Initial draft letter to First Nations is with Director Frater for review. • Concordance tables (how we used 2022 input from First Nations) have not been prepared yet/added to 2025 Work Plan • If possible letters should go out in January. • Capacity funding must be provided through Trust Council before March 31, 2025.

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
<p>Goal 1: Identify, investigate and communicate about important natural areas to generate action on conservation priorities.</p>	<p>Medium (Board's primary focus for 2024 is ongoing items)</p>	<p>Operational</p>	<p>Communications Program</p>	<p>Includes development and implementation of:</p> <ul style="list-style-type: none"> • three 'The Heron' newsletters per year • regular social media development • webpage updates • key message development • ITC annual report • IMPACT report • covenant landholder newsletter • eNews to ITC subscribers • celebrations of new covenants and nature reserves • iNaturalist participant profile management 	<ul style="list-style-type: none"> • ITC Annual Report completed • Three 2024 issues of The Heron have been produced • ITC eNews sent out to subscribers • Annual Covenant Landholder newsletter issued in December • IMPACT report in progress • Weekly social media posts completed • Celebration discussions for two covenants registered in 2024 has been added to 2025 Work Plan
<p>Goal 1</p>	<p>Medium</p>	<p>Operational</p>	<p>Fund Development & Fundraising Program</p>	<p>Includes:</p> <ul style="list-style-type: none"> • on-going relationship development with lawyers, financial advisors and tax specialists in Victoria, Nanaimo and Vancouver to promote use of financial and securities donations to increase ITC's ability to undertake projects • donor database entries 	<ul style="list-style-type: none"> • Meetings held with several advisors about how ITC donations can benefit clients • Completed estate administration for a major donor

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
				<ul style="list-style-type: none"> • responses to donations received • on-going work based on the Strategic Fund Development Plan and related Action Plan. 	<ul style="list-style-type: none"> • Ongoing donor and advisor stewardship • Presentation made on Pender Island with about donating/fund development • Completed 2024 Will Power campaign to draw attention to bequests as gift giving opportunity • Processed and responded to four Opportunity Fund donations received
Goal 1	Medium	Operational	Update and maintain ecological data sets	<p>Includes working with Information Systems staff to:</p> <ul style="list-style-type: none"> • update and maintain data sets in mapping platforms (TAPIS Map, MapIT) for four main audiences: ITC’s conservation planning and management staff, Islands Trust land use planning staff, elected and appointed decision-makers, and ITC partners. • Ensure datasets relating to bio-cultural values and cultural heritage mapping are included and remain confidential. 	<ul style="list-style-type: none"> • Data updates from Federal and Provincial Species at Risk listings in progress. • TAPIS system broke down in late 2024 – awaiting IS solutions before staff and public can use system again. • Mapping updated with new protected areas (on Salt Spring, Lasqueti, North Pender, Galiano, South Pender) • Working with GIS/IS to ensure ITC access to data while TAPIS 3 is finalized and to ensure

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
					ITC information and data are in systems for use.
Goal 1	Medium	Project	Communications	<p>Includes development and implementation of:</p> <ul style="list-style-type: none"> • ITC Communication Strategy (two-year plan to build stronger communications, targeted communications, and stronger relationships) • Communications Photo Management Project (to organize backlog of 1000+ unfiled photos for communications purposes) • Protected Areas Map Update Project (to decolonize language, update photos and write-ups) • Survey of nature reserve volunteer wardens (for assessment of this program) 	<ul style="list-style-type: none"> • ITC Communication Strategy completed and approved. • Communications Photo Management project completed. • Procedure for saving photos into Communications Digicam system completed • Protected Areas Map updated and posted online. • Survey of volunteer wardens sent out, analyzed and presented to Manager and Property Management Specialist • Satisfaction survey created for covenant landholders and advertised in their December newsletter

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
Goal 1	Medium	Project	Species at Risk Project	<p>Includes development and implementation of:</p> <ul style="list-style-type: none"> • Local Trustees Workshop (June 2024) • development and dissemination of public information about species at risk in the Islands Trust Area and how to help protect them • acquiring and coordinating appropriate species and ecosystems at risk information from government • research and gather data from other sources, e.g. the Capital Regional District’s Sharp-tail snake habitat layer. 	<ul style="list-style-type: none"> • Required administrative work completed • Local Trustees workshop on responsibilities and tools to protect species at risk held. • Western screech owl (threatened) research, monitoring and habitat enhancement undertaken on Link and Thetis Islands. • Sharp-tailed snake (threatened) monitoring undertaken at six ITC protected areas. • Monitoring of Coastal Scouler’s Catchfly (endangered) on Salt Spring Island. • Review of achievements to date and future priorities conducted • Budget for 2025/26 established • CRD’s sharp-tailed snake potential habitat layer was acquired • Public audio blog item in planning • Finalized a Species and Ecosystems Information

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
					Sharing Agreement form for conservation covenants
Goal 1	Medium	Project (Manager-led)	Work with interested First Nations to identify a confidential list of areas of cultural importance, sacred significance, or conservation importance in the Islands Trust Area that ITC could help them protect.	Through ITC 5 Year Plan conversations.	<ul style="list-style-type: none"> • N/A yet
Goal 1	Medium	Project	Invasive Species and Species at Risk management in ITC Covenants	<p>Includes:</p> <ul style="list-style-type: none"> • research into best practices and documentation of how best to address invasive species and species at risk in ITC held covenant areas. • Invasive species removal by staff, contractors, conservation partners, and volunteers 	<ul style="list-style-type: none"> • Recommended improved protections for Sharp-tailed Snake habitat in Brooks Point covenant, which were implemented by partners in 2024. • Researched best practices for trail use management near Common Nighthawk habitat on Sidney Island

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
					<ul style="list-style-type: none"> • Researched biocontrol options for tansy ragwort on Salt Spring Island • Invasive species removal undertaken 32 nature reserves • Invasive species work parties held in with HAT Restoration Crew in seven covenants on three Islands. • Opportunistic invasive species removal by staff on all 78 covenants monitored. • Reviewed best practices for shiny geranium, Himalayan blackberry, English hawthorn, and common burdock management.
<p>Goal 3: Continue to secure and manage Islands Trust Conservancy Board lands and conservation</p>	<p>Medium (Board’s primary focus for 2024 is on managing ITCB lands/covenants rather than seeking/securing conservation</p>	<p>Operational</p>	<p>Conservation Covenant Monitoring Program</p>	<p>Includes:</p> <ul style="list-style-type: none"> • contacting all landholders to establish monitoring dates and coordinating site visits with covenant co-holders • conducting monitoring site visits (78 conservation covenants) to assess compliance with covenant 	<ul style="list-style-type: none"> • 78 covenanted lands monitored (79th is monitored by a third party). • Monitoring information, spatial data, and photos input to system. • Monitoring reports provided to the Board in November 2024.

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
covenants to maximize ecological integrity.	new lands and covenants.)			<p>terms and the general health of the ecosystems</p> <ul style="list-style-type: none"> • completing monitoring report forms for each covenant site visit • input of all monitoring information, spatial data, and photos into property management systems • updating mapping • reporting to the ITC Board • communicating with the landholders about the monitoring, any compliance issues, and recommended actions to protect the ecological integrity of the covenanted area. 	<ul style="list-style-type: none"> • Letters out to all covenant landholders • Working to remedy noted breaches/trespass issues. • Mapping updates in progress.
Goal 3	Medium	Operational	Nature Reserve Monitoring Program	<p>Includes:</p> <ul style="list-style-type: none"> • contacting all management groups and covenant holders to establish monitoring dates • conducting monitoring site visits (34 nature reserves) to assess the general health of the ecosystems, ongoing operations and management actions to-date, management plan recommended actions, and issues that have been identified • completing monitoring report forms for each nature reserve site visit 	<ul style="list-style-type: none"> • 33 nature reserves monitored (34th monitored by contract by partner group) • Monitoring information, spatial data, and photos input to system • Monitoring reports approved by ITC Board in November 2024. • Working to remedy noted trespass situations.

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
				<ul style="list-style-type: none"> • input of all monitoring information, spatial data and photos into property management systems, • preparing monitoring reports for each nature reserve • updating mapping • reporting to the ITC Board • communicating with partners about the monitoring, any management issues and recommended actions to protect the ecological integrity of the nature reserves while also keeping the public safe for those areas that have trails open to the public 	
Goal 3	Medium	Operational	Nature Reserve Operations and Management Program	<p>Includes:</p> <ul style="list-style-type: none"> • establishing annual contracts, through the Islands Trust procurement process, with each of the local conservancies and needed contractors that undertake day-to-day operations and management activities on behalf of the ITC • working with contractors to develop annual work plans • on-going liaison with contractors about issues that arise through the year 	<ul style="list-style-type: none"> • All management group/local conservancy contracts were completed as three-year contracts. • Most other contractors still on one-year contracts • Workplan items identified in contracts • Liaison conducted with nine management groups through 2024 monitoring

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
Goal 3	Medium	Operational	New Acquisitions Program (covenants and nature reserves)	<p>ITC staff continue with negotiations of in-progress applications that have already received Board approval.</p> <p>Any new applications will be brought to the Board for consideration before staff spend significant time in on the file.</p>	<ul style="list-style-type: none"> • Completed and registered two covenants. • Continuing to work on one in progress land acquisition. • First Nations referrals and Ministerial approval sought on new projects. • Funding provided to assist three landholders with costs. • Updating of application forms is in progress (NAPTEP covenants, regular voluntary covenants, land donations) • Implementation of CityView platform for securement applications (including training and data transfer)
Goal 3	Medium	Project (Manager-led/New Team Lead to assist once hired)	Risk Management Policy Development Project	<p>This project has been broken into two phases.</p> <p>Phase 1 relates to Risk Management Policy or Procedure relating to Public Safety (2024-25). This is likely to include aspects such as: danger tree management around trails/ITC infrastructure, fire as it relates to people in and around the nature reserve,</p>	<ul style="list-style-type: none"> • Initial policy (phase 1) drafted by Manager/reviewed by Property Mgt Specialist • In October, sought confirmation from ITCB that this is type of

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
				<p>trail maintenance, and unusual natural hazards).</p> <p>Where possible, ITC staff will seek existing Public Safety Risk Management policies and procedures from other conservancies, park agencies, local jurisdictions, (e.g., NCC, CRD Parks), and MIABC as a starting point.</p> <p>Phase 2 relates a Risk Management Policy or Procedure relating to Environmental Risk. This may include aspects related to: insect infestations, invasive species, fire, flooding, and other climate change impacts.</p> <p>Phase 2 may require considerably more research for policy/procedure development and may be tied into the ITC climate change project when it is initiated.</p>	<p>policy desired – still in progress.</p> <ul style="list-style-type: none"> • In November, sought further clarification from ITCB. • MIABC representatives coming to January meeting to help advise on what is appropriate course of action.
Goal 3	Medium	Project	Research Climate Change options for ITC protected areas	Includes researching and consideration of key climate change parameters that affect the protection and management of the ITC lands and covenants and developing options (new direction or projects) relating to how to adapt to the changing climate situation/climate emergency.	<p>N/A yet</p> <ul style="list-style-type: none"> • Some initial background information gathered through contact with Parks Canada (Resource Conservation/Wildfire specialist)
Goal 3	Medium	Project	Species at Risk Project	<p>Includes:</p> <ul style="list-style-type: none"> • required grant reporting and project administration 	<ul style="list-style-type: none"> • Grant reporting and project administration completed • Prioritization of nature reserves requiring

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
				<ul style="list-style-type: none"> • determining ITC data management system needs for species at risk data • prioritization of ITC nature reserves that require species at risk work during the current funding period • consideration of how ITC can/will manage species at risk in nature reserves and covenant areas (may lead to development of a policy or strategy) • species at risk public communications (with/through communications program) • potential assistance with acquisitions where they benefit species at risk • consideration of how culturally important species for First Nations may be addressed with assistance from ITC/Species at Risk project. 	<p>species at risk work complete</p> <ul style="list-style-type: none"> • Ongoing SAR monitoring on six islands • Section 11 negotiations restarted with ECCC.
Goal 3	Medium	Operational (policy-driven)	Management Plan Program	<p>Develop of management plans for:</p> <ul style="list-style-type: none"> • Ruby Alton Nature Reserve • Saturnina Island Nature Reserve • Link Island Nature Reserves <p>Note: The ITC Board has put all management plans on hold at present to allow the ITC Five Year Plan engagement with First Nations to inform management planning work.</p>	<ul style="list-style-type: none"> • Updated management plan for Ruby Alton NR is with Director Frater for review. • Management Plans for Link Island and Saturnina Island Nature Reserves are on hold. They are approximately 85% complete and will be updated/finalized once

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
				Note: in July the ITC Board brought the RANR management plan back as priority to complete this year.	Archaeological Overview Assessments have been completed (2025-26).
<p>Goal 4:</p> <p>Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area.</p>	<p>Low</p> <p>(Board’s primary focus for 2024 is on internal organizational strength and resilience.)</p>	<p>Operational</p>	<p>Ongoing liaison with others through partnership projects, other government initiatives, local conservation groups, etc. (internal work)</p>	<p>Includes:</p> <ul style="list-style-type: none"> • Participation on the Coastal Douglas-fir Conservation Partnership (CDFCP) Steering Committee and Coastal Oak & Prairie Working Group • Participation in the Sidney Island Ecological Restoration Project (SIERP) Steering Committee and Vegetation Working Group • BC Kelp Resilience Project • Participation in Capital Region Invasive Species Partnership • Local/Regional conservancy liaison 	<ul style="list-style-type: none"> • Board approved continued involvement with CDFCP and staff have attended five Steering Committee meetings • Board approved continued involvement with SIERP and staff and Board reviewed and addressed multiple documents prepared by Parks Canada • Staff attended several SIERP meetings • Staff coordinated data sharing of ecological data sets to multiple partners
<p>Goal 4</p>	<p>Low</p>	<p>Project (Manager-led) (ITC business case for \$72,803 funded by Trust Council for 2024/25)</p>	<p>Hire new ITC staff position (Protected Areas Management Team Lead)</p>	<p>Includes:</p> <ul style="list-style-type: none"> • preparing job description • undertaking job classification process • advertising • development of testing materials and interview questions • evaluation of resumes 	<ul style="list-style-type: none"> • Team Lead Job description completed and classified • Posting made and candidates screened • Interviews to be held in January 2025.

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
				<ul style="list-style-type: none"> • preparing for and holding interviews • selection of candidate • reference checks • negotiation of start • organization of equipment/space • training • development of performance plan 	
Goal 4	Low	Project (Manager-led)	Long range organizational planning	<p>Includes:</p> <ul style="list-style-type: none"> • evaluation of current structure of the ITC • identification of current issues • identification on-going and anticipated needs • identification of future focus areas • identification of options to ensure long term organizational strength and resiliency <p>Note: Includes consideration of fundraising and fund development for conservation purposes.</p>	<ul style="list-style-type: none"> • Initial consideration given to current structure of ITC organization and issues of workload by A/Manager.
Goal 4	Low	Project (ITC business case for property management database project for \$20,000)	ITC data management systems improvements	<p>Includes:</p> <ul style="list-style-type: none"> • Contracted improvements to and testing of ESRI Field Maps/Survey 123 (field technology) project • Internal/contracted customization and implementation of Cityview for application processing 	<ul style="list-style-type: none"> • ESRI Field Maps improvements are done but training manual/staff training still required with deadline to provide to ITC staff by March 2025

Regional Conservation Plan Goal	Board Priority of Goal	Type of Initiative	Major Tasks	ITC Manager Comments	Status Update
		funded by Trust Council for 2024/25)		<ul style="list-style-type: none"> • Internal migration of contact and donor data from Salsa database to Nation Builder, and development of custom reports • Property management database project: Procurement of contractor, needs assessment, procurement of software, migration of data from TAPIS Map, TAPIS Info and other sources, training • Creating availability of GIS to ITC staff for spatial visualization and analysis of data • Evaluation of whether the various technological systems can be made more efficient and effective for ITC's protected areas management/data management needs and data input/output. 	<ul style="list-style-type: none"> • Complications with integration of Survey 123 lead to this aspect of project being abandoned earlier in 2024 • Cityview use guidelines for ITC are in progress • Property data management needs assessment is in progress, may require additional time due to December break • ITC's needs for updated TAPIS 3 mapping platform has been explained to IS/GIS • GIS staff have worked with ITC staff on Species at Risk data.



BRIEFING

To: Islands Trust Conservancy Board
For the Meeting of: January 21, 2025

From: Staff
Date Prepared: January 9, 2025

SUBJECT: Emergency Danger Tree Removal

PURPOSE: To inform the Islands Trust Conservancy Board about an emergency danger tree removal undertaken at the Ruby Alton Nature Reserve (RANR) in December 2024.

BACKGROUND:

On occasion, Islands Trust Conservancy staff must address safety situations relating to danger trees – trees that pose a risk to people or infrastructure due to structural instability or other conditions such as rot, disease, dead branches, uprooting, or other damage.

In November 2022, an arborists report noted a large cedar tree (33m/108 ft high) on the south creek embankment being undercut by erosion. At that time, it was noted that the tree may be at risk to fall onto the caretaker house located 8 m across the creek. The arborist assessed the risk at that time to be low, but likely to increase over time. Since then, the tree was monitored by staff and the caretaker.

In March 2024, an arborist noted severe root plate erosion of the tree and strongly recommended it be taken down. ITC subsequently contracted an arborist modify the tree to reduce the risk, leaving as much standing as possible to be a wildlife tree. This work was undertaken between June-July, 2024. Staff estimate that approximately 9m/30 ft of tree was removed at that time.

On December 19, 2024, it was brought to staff's attention that the same tree had shifted considerably and was leaning toward the house and that the situation was considered urgent (by an arborist). Staff began the process to contract an arborist to address the situation. On December 20th, staff were notified by the tenant caretaker that the tree was now on a 45-degree angle across the creek and parts of the tree were grazing the antenna on the roof. If the tree fell it would have hit the house, with a high potential take out the roof, caretakers studio/office space and a bedroom.

Staff considered the situation to have elevated from urgent to emergency status and contacted the Board Chair, the Director, and the CAO to discuss the situation and the RANR caretaker contacted a local arborist to come and address the situation as an emergency. On December 20th, Island Tree Care attended, secured the tree so they could climb it to limb and remove more of the tree. Some of the tree was left for wildlife purposes but if it fall in the future it will not hit the house. The tenant caretaker paid for the service on December 20, 2024 and was reimbursed by staff from the RANR account.

Prepared By: Carolyn Stewart, A/Manager, ITC