



A NOTICE OF A BUSINESS MEETING OF **THE LASQUETI ISLAND LOCAL TRUST COMMITTEE**
to be held at 11:00 am on Thursday, May 1, 2014 at the Arts Centre,
Main Road, Lasqueti Island, BC

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		11:00 am
2.	APPROVAL OF AGENDA		
3.	TOWNHALL SESSION		
4.	MINUTES		11:15 am
4.1	Local Trust Committee Adopted Meeting Minutes of February 27, 2014 – <i>for information</i>	1-8	
4.2	Local Trust Committee Draft Special Meeting Minutes of March 29, 2014 – <i>for adoption</i>	9-13	
4.3	Section 26 Resolutions Without Meeting Log dated April 24, 2014 – <i>attached for information</i>	14	
5.	BUSINESS ARISING FROM MINUTES		
5.1	Follow-up Action List dated April 24, 2014 - <i>attached</i>	15-17	
6.	DELEGATIONS		
7.	CORRESPONDENCE		
	<i>Correspondence specific to an active development application and/or project will be received by the Lasqueti Island Local Trust Committee when that application and/or project is on the agenda for consideration</i>		
7.1	Letter dated March 5, 2014 from Captain Elgin G. McKillop, Marine Superintendent, Western Pacific Marine Ltd. regarding Communications and the refit of the Centurion VII - <i>attached</i>	18	
8.	APPLICATIONS AND PERMITS		
	BREAK FOR LUNCH – <i>Sometime During the Following Segment</i>		
9.	LOCAL TRUST COMMITTEE PROJECTS		11:20 am
9.1	False Bay Master Plan		
	9.1.1 Community Consultation Plan (updated April 3, 2014) - <i>attached</i>	19-20	
	9.1.2 Compilation of Correspondence as at April 23, 2014	21-39	
9.2	Riparian Areas Regulation		
	9.2.1 Staff Report dated April 23, 2014 – <i>attached</i>	40-52	
	9.2.2 Draft Community Information Meeting materials - <i>attached</i>	53-58	
	9.2.3 Madrone Report dated March 27, 2014 regarding Mine Bay and Sam Creek - <i>attached</i>	59-74	

10.	REPORTS		2:30 pm
10.1	Work Program		
10.1.1	Top Priorities and Projects List dated April 24, 2014 - <i>attached</i>	75-76	
10.2	Applications Log - <i>verbal report</i>		
10.3	Trustee and Local Expenses		
10.3.1	Expenses posted to March, 2014 – <i>attached</i>	77	
10.4	Adopted Policies and Standing Resolutions - <i>attached</i>	78	
10.5	Chair's Report		
10.6	Trustees' Report		
10.7	Trust Fund Board Report		
11.	NEW BUSINESS		2:40 pm
11.1	Local Trust Committee Submission for 2013/2014 Annual Report		
11.1.1	Memorandum dated April 16, 2014- <i>attached</i>	79-80	
11.2	Gulf Islands Groundwater Protection - A Regulatory Toolkit		
11.2.1	Memorandum dated March 19, 2014 - <i>attached</i>	81-107	
12.	BYLAWS		
13.	ISLANDS TRUST WEBSITE		
13.1	Lasqueti Pages – <i>for discussion</i>		
14.	TOWN HALL SESSION		
15.	NEXT MEETING DATE		
	Thursday, July 3, 2014 at 11:00 am at the Anglican Church, Main Road, Lasqueti Island, BC		
16.	ADJOURNMENT		
			3:15 pm

*Approximate time is provided for the convenience of the public only and is subject to change without notice.



Lasqueti Island Local Trust Committee Minutes of a Regular Meeting

Date of Meeting:	Thursday, February 27, 2014, 11:00 am
Location:	Arts Centre, Main Road Lasqueti Island, BC
Members Present:	David Graham, Chair Peter Johnston, Local Trustee Susan Morrison, Local Trustee
Staff Present:	Linda Prowse, Planner 2 Jaylene Scheible, Recorder Penny Hawley, Recorder
Media And Others Present:	There were five (5) members of the public in attendance in am There were five (5) members of the public in attendance in pm

1. CALL TO ORDER

Chair Graham called the meeting to order at 11:03 a.m. He welcomed the public and introduced himself, Local Trustees and the staff members. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 7.2 Letter received from Gail Fleming dated February 26, 2014
- 10.3.5 Local Trust Committee Expenses posted to February 2014
- 11.5 Lasqueti Ferry Operations and Communications with Western Pacific Marine
- 11.6 Electronic Local Trust Committee (LTC) Meetings

By general consent the agenda was approved, as amended.

3. TOWNHALL SESSION

Five members of the public spoke and the following summary was recorded:

- Clarification that the Advisory Planning Commission (APC) meets only when the LTC asks them to meet, and they are responsible for setting time, date and location for the meetings. They are to give two (2) weeks notice to the public and post meeting times on the website, and places such as the post office, and the ferry.

- Discussion ensued regarding False Bay parking plans and pay parking being permitted as a home enterprise.
- Firearms safety in False Bay was mentioned.
- Concern that two kitchens in a bed and breakfast could allow for a kitchen in each bedroom.
- The upcoming community meetings will allow for input regarding the False Bay Master Plan.
- Concerns were expressed about the prohibitive costs of temporary use permits.

4. MINUTES

4.1 Local Trust Committee Adopted Meeting Minutes of October 17, 2013

The minutes of the Lasqueti Local Trust Committee Meeting of October 17, 2013 were received for information.

4.2 Section 26 Resolutions Without Meeting Log dated February 18, 2014

The summary was received. The Planner noted that a resolution without meeting adopting the minutes of October 17, 2013 was missing from the summary, and that it would be noted in the next resolution without meeting summary.

5. BUSINESS ARISING FROM MINUTES

5.1 Follow-up Action List dated February 18, 2014

The Follow-up Action List was reviewed and updates were provided.

LA-2014-001

It was MOVED and SECONDED,

that the Local Trust Committee requests staff to remove the activities of July 20, 2012 and May 2, 2013 from the Follow-up Action List.

CARRIED

LA-2014-002

It was MOVED and SECONDED

that the Local Trust Committee requests staff to remove the activities of August 29, 2013 from the Follow-up Action List.

CARRIED

6. DELEGATIONS –None

7. CORRESPONDENCE

7.1 Email dated December 25, 2013 from Guy Immega regarding False Bay Parking

The email was received.

7.2 Letter dated February 26, 2014 from Gail Fleming regarding pay parking at False Bay

The letter was received.

8. APPLICATIONS AND PERMITS -None

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 False Bay Master Plan

9.1.1 Correspondence Update – There has been one piece of correspondence received (as noted under item 7.1). All correspondence received will be placed in a binder for public review.

9.1.2 Community Consultation Plan

Following questions from the public, clarification was provided regarding the scope of the False Bay Master Plan. The upcoming meetings are discussion meetings and it is the consultation with the public that will form the plan.

The Local Trust Committee made a number of amendments to the draft flier that is to go out to all residents and property owners to inform them of the upcoming community meeting to be held on March 29th.

Dates were booked to hold the first meeting to hear public comments on Density/Land Use and having two kitchens in Bed and Breakfast operations on Saturday March 29, 2014 from 11:30 am to 3:00 pm at the Lasqueti Island Community Hall.

The second meeting to hear public comments on Hunting policies and Parking will be held on Saturday April 26, 2014 from 11:30 am to 3:00 pm at the Lasqueti Island Community Hall.

9.1.3 Community Information Meeting Materials

An updated copy of the discussion draft flier was reviewed and changes to be made were noted.

9.2 Riparian Areas Regulation

9.2.1 Project Charter dated January 22, 2014

The Project Charter was received and reviewed for amendments. Trustee Johnston made comments to the LTC regarding his concerns about the Riparian Areas Regulation (RAR) and its implementation in the community.

Planner Prowse will present an updated Project Charter to a future LTC meeting.

9.2.2 Community Consultation Plan dated January 22, 2014

The Community Consultation Plan dated January 22, 2014 was received and reviewed for amendments. Trustee Morrison noted that there have been a few telephone calls and conversations with the public.

9.2.3 Riparian Areas Regulation (RAR) Reference Documents

Documents were received.

10. REPORTS

10.1 Work Program

10.1.1 Top Priorities and Projects List dated February 18, 2014

No changes or additions.

10.2 Applications Log – None

10.3 Trustee and Local Expenses

10.3.1 Expenses posted to October, 2013

Expense Report was received.

10.3.2 Expenses posted to November, 2013

Expense Report was received.

10.3.3 Expenses posted to December, 2013

Expense Summary Report was received.

10.3.4 Expenses posted to January, 2014

Expense Summary Report was received.

10.4 Adopted Policies and Standing Resolutions

LA-2014-003

It was MOVED and SECONDED

that the resolution numbers LA-034-2010 (THAT the Local Trust Committee establish a standing resolution for an Annual Lasqueti Stewardship Award to be presented in the spring, by way of voluntary nominations up to a maximum of two awards to show public recognition); LA-012-2013 (THAT the Lasqueti Local Trust Committee rename the Annual Lasqueti Stewardship Award to “Annual Lasqueti Environmental and Social Stewardship Award”); and LA-024-13 (THAT the Lasqueti Island Local Trust Committee rename the “Annual Lasqueti Environmental and Stewardship Award” to the “Annual Lasqueti Environmental and Community Stewardship Award”), be rescinded.

CARRIED

LA-2014-004

It was MOVED and SECONDED

That the Lasqueti Local Trust Committee establishes a standing resolution for an “Annual Lasqueti Environmental and Community Stewardship Award” to be presented annually by way of voluntary nominations up to a maximum of two (2) awards to show public recognition.

CARRIED

10.5 Chair’s Report

Chair Graham gave his report.

10.6 Trustees’ Report

The trustees gave their report.

10.7 Trust Fund Board Report

Trustee Morrisson gave a report.

11. NEW BUSINESS

11.1 Temporary Use Permits

The staff memorandum dated February 18, 2014 was received. Findings were presented and discussed. The Chair noted that the Local Trust Committee could decide to lower the cost of temporary use permit applications, even below out of pocket costs of processing them.

11.2 Advisory Planning Commission Appointments

The LTC will be considering applications received for the Advisory Planning Commission positions during the closed meeting to be held today

11.3 Bylaw Enforcement

There was a discussion about general bylaw enforcement procedures.

11.4 Regular Advisory Planning Commission (APC) Meeting Time and Venue

It was noted that the APC only meets when the Local Trust Committee refers a matter to the APC.

11.5 Lasqueti Ferry Operations and Communications with Western Pacific Marine

LA-2014-005

It was MOVED and SECONDED

that the Lasqueti Trust Committee request staff to draft a letter for the Chair's signature to Western Pacific Marine and BC Ferries expressing concern for the lack of notice given regarding ferry operation changes.

CARRIED

Trustee Johnston volunteered to draft the letter and he will do that and then send it to staff for final processing.

11.6 Electronic Local Trust Committee (LTC) Meetings

It was noted that at this time, the Local Trust Committee would not pursue a bylaw amendment to allow for electronic LTC meetings.

12. BYLAWS - None

13. CLOSED MEETING

LA-2014-006

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee closes the next part of the February 27, 2014 business meeting to discuss matters pursuant to Section 90(1)(a) of the *Community Charter* to consider appointments to the Advisory Planning Commission and that staff be invited to attend this meeting

CARRIED

Committee closed the meeting at 2:30 pm.

By general consent the Committee reconvened in open meeting at 2:51 pm to Rise and Report.

14. RECALL TO ORDER

Rise and Report from Closed Meeting.

The new appointments for the one year term from March 15, 2014 to March 15, 2015 for the Advisory Planning Commission were announced:

1. Doane Grinnell
2. John O'Halloran
3. Nadine Simpson
4. Nikki Darwin
5. Shelley Garside
6. Sue Kristinsson
7. Tim Peterson
8. Tom Weinerth
9. Wayne Bright

15. ISLANDS TRUST WEBSITE

15.1 Lasqueti Pages

No changes to the Lasqueti webpage were noted. Staff was asked to find out if public submissions on work program subjects such as the False Bay Master Plan can be posted to the website.

16. Town Hall Session

Three members of the public spoke and the following summary was recorded:

- More copies of the agenda packages were requested. Planner Prowse will provide three (3) additional copies for each meeting.
- Thank you to the Islands Trust Council for signing up to be a commentator for the hearings to be held regarding the proposed Trans Canada pipeline.

17. Next Meeting Date

Thursday, May 1, 2014 at 11:00 am at the Lasqueti Arts Centre, Main Road, Lasqueti Island, BC

18. ADJOURNMENT

Chair Graham adjourned the meeting at 3:05 pm.

David Graham, Chair

CERTIFIED CORRECT:

Jaylene Scheible, Recorder



Lasqueti Island Local Trust Committee Minutes of a Special Business Meeting to hold a Community Information Meeting

Date of Meeting:	Saturday, March 29, 2014, 11:30 am
Location:	Lasqueti Island Community Hall Main Road, Lasqueti Island, BC
Members Present:	Peter Johnston, Acting Chair, Local Trustee Susan Morrison, Local Trustee
Regrets:	David Graham, Chair
Staff Present:	Linda Prowse, Island Planner Jaylene Scheible, Recorder
Media And Others Present:	Approximately 40 members of the public in attendance in am Approximately 35 members of the public in attendance in pm

1. CALL TO ORDER

Acting Chair Johnston, called the meeting to order at 11:35 am. He introduced himself as the Acting Chair, filling in for Chair Graham who could not attend the meeting. He welcomed the public and introduced the Local Trustees and staff.

2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

- Add to Section 3.3: Town Hall Session
- Add scheduled break for lunch at 12:30pm
- Add coffee break at 2:00 pm

By general consent the agenda was approved, as amended.

3. COMMUNITY INFORMATION SESSION REGARDING: FALSE BAY MASTER PLAN – LANDUSE/DENSITY AND B&B POLICIES

3.1 Presentation by Planner and Trustees

Acting Chair Johnston reviewed the reason for the Community Information Meeting and provided a brief history of the Lasqueti Island Land Use Bylaw (LUB) and the False Bay Master Plan project.

Trustee Morrison spoke to the matter of the Ministry of Transportation and Infrastructure stating that they would not assist with the removal of derelict and abandoned vehicles from the road in False Bay unless Lasqueti Island had a False Bay Master Plan.

Planner Prowse explained that the Official Community Plan (OCP) should be reviewed every five to ten years. The OCP is an overview of how the community envisions the way the island will develop in the future. The OCP consists of goals, objectives and policies to help to achieve the community's vision. The LUB consists of regulations that help put the OCP's long term goals into place.

The False Bay Master Plan is a targeted OCP review of four subjects being:

- Density and land use;
- Bed and breakfasts (B&Bs) having secondary kitchens;
- Parking; and
- Hunting.

She noted that the subjects of today's Community Information Meeting (CIM) are land use/density and Bed and Breakfast (B&B) secondary kitchens. She further noted that the subjects of the CIM being held on April 26, 2014, would be parking and hunting.

Planner Prowse explained that she would collect input and feedback from the CIMs and create a report for the Local Trust Committee.

3.2 Questions & Answers

Approximately 25 people spoke and the following summary of comments was recorded:

- A number of people wanted to discuss the issue of parking in the False Bay area. Trustee Morrison clarified that the Ministry of Transportation and Infrastructure required a False Bay Master Plan in order to deal with abandoned vehicles. Since then it has become clear that abandoned vehicles are the jurisdiction of the RCMP and that the RCMP cannot remove vehicles as there is no impound lot on Lasqueti.
- False Bay should not be designated as a special area. Official Community Plan (OCP) policies for these four subjects being reviewed should apply to the whole island.
- Commercial uses such as post offices, banks, credit unions, liquor stores,

libraries and retail stores should not be exclusive to the False Bay Area. Historically, the “village core” of Lasqueti has moved, and there should not be a concentration of business uses in False Bay only. This is very important as having business uses outside False Bay helps to create jobs for our children. We do not want a retirement-based community. False Bay’s primary use is for the ferry landing and for the sale of gasoline.

- Parking should be encouraged on private property by allowing paid parking to be a home enterprise. There should be no expansion of industrial use in False Bay as there is concern of pollution and excessive noise by existing industry.
- On-road parking and walking pathways in the False Bay area are matters under the jurisdiction of the Ministry of Transportation and Infrastructure.
- The parking issue in False Bay should be the main focus of the Local Trust Committee this term.
- B&Bs should be permitted anywhere on the island, and secondary kitchens for B&Bs should be permitted. However, B&Bs are governed by Provincial regulations which should be looked into. On Lasqueti, B&B operations are permitted anywhere. However, a responding rezoning application costing \$1650 would be required if a person wished to rezone to allow for Tourist Accommodation, which is a different zoning than B&B.
- Anything that supports keeping people in the community and keeping the community healthy should be supported.
- Homes and workshops should be permitted to have secondary kitchens.
- It makes sense to increase the density around False Bay, however, we want to maintain the rural nature of Lasqueti Island. If we have higher density, we need to make sure we have enough water, firewood and sewage disposal so that we can live independently.
- There are good reasons to limit density and kitchens. There is also a difference between vacation rentals vs. guest cabins.
- Bylaws were put into place to control density. There is a fear of density and it has now overtaken the need to create space for the young people. Density should not be feared on Lasqueti Island as it is mainly controlled by a passenger only ferry that runs over rough waters, plus a lack of hydroelectric power. We need some permanent lower priced rentals for the elderly and young families and it makes sense to increase the density around False Bay.
- Guest cabins and tourist accommodation that are illegal should be legalized. Bylaw enforcement does not seem to exist on Lasqueti Island.
- Acting Chair Johnston gave a brief history about bylaw enforcement on Lasqueti Island and how there are relatively few complaints.
- When parking regulations are amended, also change so that dwellings can have more than one kitchen.
- The existing uses in False Bay regarding B&Bs having two kitchens should be legitimized. We should restrict cabin rentals to cabins on 10 acres or more but should be able to do long or short term rentals. We should freeze any more industrial use of land in False Bay.
- There is a need for more options for renters and other non-land owners, perhaps allowing for some areas of increased density, example given of rezoning on Galiano Island. It was much less expensive to buy land on Lasqueti Island 30 years ago. The current cost of land is prohibitive to young people and families.

- The current LUB was put into place to control density. There is fear of the gentrification of the island, therefore it is necessary to take some risks to create space for more young people.
- We must maintain reasonable density ensuring access to water, sewage disposal and ability to be energy independent.
- There could be a rezoning application or temporary commercial use permit that would allow for more density on certain lots to allow for long term rentals. We can make these accessible by lowering application fees.
- Definitions of B&B's, tourist accommodations, and long term rentals should be included in the OCP.
- It is important to many to maintain the rural character of the island. Each person must be able to be energy independent, have access to water, and maintain sewage disposal.
- All existing guest cabins should be "grandfathered", however anyone who subdivides in the future should not be able to build guest cabins.
- According to the 2011 census, there were 245 dwellings on Lasqueti Island at that time. There is a difference between actual population and potential density. Not everyone is willing or capable of living on Lasqueti Island, and this controls density.
- Density and growth must be allowed. It takes at least 800 people to create a healthy and sustainable local economy, and Lasqueti Island has a population of 425.
- Objection to the word "Village" for False Bay, as this misrepresents what we want False Bay to become. Please consider the amount of noise already in the False Bay Area.
- Opposition to the segregation of any area on the island when it comes to OCP changes. Parking is the existing problem and should be dealt with. We need to find solutions outside of changing the OCP.
- The fees for Rezoning and Temporary Use Permits should be lessened.
- Would like to permit the rental of guest cabins to long term, however, people should have to pay to do this and neighbours should have a say in this matter.
- Anyone should be able to have a parking lot on their property. The parking lot will only be used where it is needed.
- If we change density to less than 10 acres, we would lose our forests and rural nature. There should be appreciation of the larger lots as people on the smaller lots benefit from them. Even 10 acre parcels are too small if all the lots on the island were divided into this size.
- The other issues should be left alone and parking should be dealt with. Consciousness raising in the community and talking to neighbours about the parking issue helps and we should deal with this issue ourselves.
- We already have a simple OCP and LUB in place. We should not have any regulations about renting guest cabins, but keep the guest cabin size regulated. Young people are needed on this island and need to live in the cabins.
- Young people want to come back to Lasqueti Island to live permanently and it is very hard for young people right now to live and work on the island.
- We should open up the OCP for a full review. Trustee Morrison noted that this would need to be an initiative of the Local Trust Committee and funding would need to be requested for this in the next fiscal year.

- Discussions about future changes to the OCP could begin within the community and this would cost nothing.

3.3 Town Hall Session

As the discussion regarding land use/density and B&B secondary kitchens in False Bay ballooned into discussion of other related subjects (parking, guest cabins) the Town Hall session was not necessary

4. NEXT MEETING DATE

4.1 Community Information Meeting

Saturday, April 26, 2014 at 11:30 am at Lasqueti Island Community Hall,
Main Road, Lasqueti Island, BC
Regarding: False Bay Master Plan - Parking, Hunting and General Policies

4.2 Regular Business Meeting:

Thursday, May 1, 2014 at 11:00 am at the Lasqueti Island Arts Centre,
Main Road, Lasqueti Island, BC

5. ADJOURNMENT

By general consent the meeting adjourned at 2:33 pm.

Peter Johnston, Chair

CERTIFIED CORRECT:

Jaylene Scheible, Recorder



RWM From: December 04, 2013 To: April 24, 2014

Lasqueti Island

Resolution #	Action	Resolution Description	Resolution Date
2014-01	In Favour	That the Lasqueti Island Local Trust Committee adopt the minutes of its regular business meeting of February 27, 2014, as attached.	Mar 17, 2014
2013-11	In Favour	That the Lasqueti Island Local Trust Committee adopt the minutes of its regular business meeting of October 17, 2013, as attached.	Dec 05, 2013



Islands Trust

Follow Up Action Report w/ Target Date

Lasqueti Island Oct-18-2012

No.	Activity	Responsibility	Target Date	Status
1	Staff contact Ministry of Environment staff to request that they hold a RAR workshop on Lasqueti Island.	Linda Prowse	Nov-07-2012	On Going

Feb-27-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff remove the following items from the Follow Up Action List: (1) July 12, 2012 (expenditure authorization of \$150 for APC to draft a parking brochure); (2) May 2, 2013 (expenditure authorization of \$200 to hold an APC appreciation event); and (3) August 29, 2013 (expenditure authorization of \$200 to hold a community informaiton meeting on the Texada Coal Project).	Linda Prowse Nancy Roggers	Feb-28-2014	Done

1	FALSE BAY MASTER PLAN (1) Staff to update the False Bay Master Plan community consultation plan. (2) Staff to update the discussion draft False Bay Master Plan B & B and Density Community Information Meeting flier (3) Staff to arrange a Community Information Meeting for B & B and Density at the Community Hall beginning at 11:30am on Saturday, March 29th. (4) Trustees to arrange for tea and coffee at the Community Hall for the March 29th CIM (5) Staff to draft a flier for a second CIM dealing with Hunting in False Bay and Parking in False Bay. (6) Staff to arrange a CIM for Hunting in False Bay and Parking in False Bay at the Community Hall beginning at 11:30am on Saturday, April 26th.	Penny Hawley Peter Johnston Susan Morrison Linda Prowse	Mar-11-2014	Done
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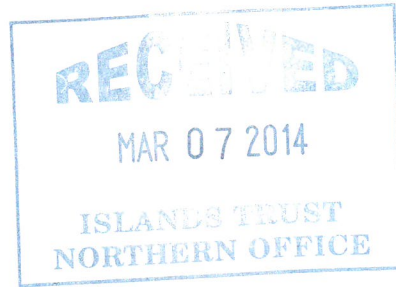
(7) Trustees to arrange for tea and coffee at the Community Hall for the April 26th CIM

1	Staff to find out if e-mail addresses need to be severed from correspondence submitted to the Local Trust Committee.	Linda Prowse Lisa Webster-Gibson	Mar-12-2014	Done
1	Staff to send a few False Bay Master Plan newsletters to the Lasqueti Island Post Office.	Penny Hawley	Mar-12-2014	Done
1	ADVISORY PLANNING COMMISSION APPOINTMENTS (1) The Lasqueti Island Local Trust Committee appoints the following people to the Advisory Planning Commission for a 1 year term expiring March 15, 2015: Sue Kristinsson, Nadine Simpson, Tim Peterson, Tom Weinerth, Wayne Bright, Doane Grinnell, John O'Halloran, Nikki Darwin, Shelly Garside (2) Staff to send information packages to the new APC members, but NOT to the members who have been re-appointed. Do send a letter to all members telling them they have been appointed for the 1 year term. Done- (BMc)	Penny Hawley Becky McErean	Mar-14-2014	Done
1	Staff write a letter for the Chair's signature to Western Pacific Marine and BC Ferries about concerns of the lack of notice of the recent change of ferry operation.	Peter Johnston Linda Prowse	Mar-14-2014	Done
1	RIPARIAN AREAS REGULATION (RAR) (1) Staff draft an updated summary of the watershed work that has been done on Lasqueti Island to the end of the 2013-14 fiscal year. (2) Staff to update Project Charter for approval at the May, 2014 LTC meeting. (3) Staff to bring draft potential Community Information materials to the May, 2014 LTC meeting for endorsement from LTC, including a comprehensive list of the exceptions that fall under RAR; an updated RAR Fact Sheet and an updated "Developing Near Riparian Areas" brochure.	Linda Prowse	Mar-20-2014	Done
1	Staff to make arrangements for the May 1, 2014 Lasqueti LTC business meeting.	Penny Hawley	Mar-28-2014	Done

1	Staff to arrange a future orientation session with the new APC members.	Linda Prowse	Apr-17-2014	On Going
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March 5th, 2014

Islands Trust
700 North Road
Gabriola Island B.C. V0R 1X3



Dear Mr. Graham;

Thank you for your letter of March 4th, 2014. Your points are well made and are taken. Every effort will be made to maintain strong, clear and timely communications as this mid-life refit progresses. I will be providing reports and photos of the refit progress to Mr. Peter Johnston for posting on the community webpage.

I regret the way the Hollyburn was deployed into the Lasqueti Island service. It was due in part to my inaccurate assumptions about how information was disseminated to the community. Now that I am clear on the communication protocol I will make sure that the community is appropriately informed.

I appreciate the flexibility of the Lasqueti community during the refit on the Centurion VII and sincerely thank them for their understanding and cooperation.

Yours truly,

Captain Elgin G. McKillop MSc. CMM, PD.
Marine Superintendent/Operations Manager
Western Pacific Marine Ltd.

Cc: Captain Keith Hopkins
Marine Superintendent,
British Columbia Ferry Services Inc.

Mr. Peter Johnston
Trustee, Islands Trust,
Lasqueti Island BC.

FALSE BAY MASTER PLAN (Targetted Official Community Plan review and Land Use Bylaw review of Parking regulations for False Bay Area)

COMMUNITY CONSULTATION PLAN

GOALS of Project COMMUNITY Communication

- *To describe the process, timeline and opportunities for input to property owners*
- *To empower property owners and residents to have their say and demonstrate that they are being heard and their comments are valued*
- *To provide accurate, balanced and objective information*
- *To obtain feedback, ideas and advice on the topic areas and incorporate this in the decision making process as much as possible*

Communication Action Plan – Updated April 3, 2014

Method	Key content / purpose	Cost	Target Date
<i>Website updates</i>	All project documents and meeting notices to website for community information	\$0	ongoing
<i>Newsletter #1 (send with a summary of the Staff Report dated October 1, 2013)</i>	Description of the timeline, process and topic areas, and request for preliminary comments on the four topic areas	\$400	November, 2013
<i>Ongoing articles in the Our Isle and Times from Local Trustees</i>	Up to 6 monthly trustee reports giving description of the timeline and process and providing updates. Solicit further comments and ideas from community.	\$300	Winter 2013-2014
<i>LTC and staff receive preliminary comments over the winter</i>	Gather preliminary comments, advice and ideas from the public on the four topic areas via mail and e-mail and telephone	\$0	Winter 2013-2014
<i>Newsletter #2 inviting public to CIM #1 to discuss General False Bay Policies, Density and Bed and Breakfast policies</i>	Update on project and request community attendance at CIM – Density, Bed and Breakfast, and General False Bay Area policies	\$350	Island mail drop and mail to off island property owners
<i>Hold CIM #1 Density/Bed and Breakfast and general False Bay policies</i>	Consultation with community to obtain input to be considered for incorporation into draft Master Plan – density, bed and breakfast, and general False Bay Area Policies	\$350	Hold March 29, 2014
<i>Newsletter #3 inviting public to CIM #2 to discuss Hunting and Parking and general False Bay policies</i>	Update on project and request community attendance at CIM – Parking, Hunting and General False Bay Area policies	\$400	Island Mail drop and mail to off island property owners and advertise in Our Isle and Times April, 2014 edition

Method	Key content / purpose	Cost	Target Date
<i>Hold CIM #2 – Hunting and Parking</i>	Consultation with community to obtain input to be considered for incorporation into draft Master Plan - parking and hunting and general False Bay Area policies	\$350	Hold April 26, 2014
<i>Staff report summarizing CIM's and making recommendations</i>	LTC receive report and give further direction to staff	\$0	May, 2014
<i>Draft staff report and Parking LUB amendment for LTC review and possible First Reading, referral to First Nations and agencies and Advisory Planning Commission, and set public hearing date</i>	LTC reviews the draft bylaw. Legislated process of sending out a draft bylaw for comment commences. Public hearing can be scheduled 30 days after agency comment deadline (e.g. agencies have until August 10 to give comments, then public hearing can be scheduled 30 days after the August 10 response deadline	\$0	July, 2014
<i>Bring agency comments to the Local Trust Committee</i>	Bring agency comments to Local Trust Committee for any possible amendments to the proposed bylaw.	\$0	August 28, 2014
<i>Advertise public hearing, send out public notification, and Hold Public hearing</i>	Need to hold special meeting to have this public hearing. Legislated public hearing process	\$1550	September, 2014
<i>LTC Considers 2nd and 3rd readings and referral to Executive Committee</i>	Legislated process	\$0	October 16, 2014
<i>The LTC considers adopting bylaw</i>	Bylaw adopted by resolution without meeting	\$0	End of October, 2014
<i>Land Use bylaw amendment consolidated into the Land Use Bylaw</i>	Post updated land use bylaw to the website and send hard copies to the LTC members and the APC members	\$0	November, 2014

Compilation of Correspondence
False Bay Master Plan
regarding
Density and B&B Policies
and
Parking and Hunting Policies
as at April 23, 2014

----- Original Message -----

Subject:Trust council meeting

Date:Fri, 28 Mar 2014 16:57:46 -0700 (PDT)

From:Amber Pikula <indigophoenix@yahoo.ca>

Reply-To:Amber Pikula <indigophoenix@yahoo.ca>

To:pjohnston@lasqueti.ca <pjohnston@lasqueti.ca>

Hi Peter,

As I was leaving Lasqueti on the Thursday ferry (one of the lucky ones!!) I was chatting to Georgia and she asked me to voice my opinion to you about the proposal to limit commercial enterprises to the north end only. I would disagree with this. As a south-ended, it is a big deal to go all the way north for a cookie and a cup of tea! Although nothing is as yet available on the south, I would LOVE it if there were! I would be very happy to see a small centre closer to where I live. If we are trying to get off fossil fuels, I would think it'd be good to keep the possibility of more local places of business. 16 kms of distance precludes bike commuting for 99.7% of people (more or less....!)

The possibility of opening a business would, likely, provide a livelihood for a woman. That is important on Lasqueti, where the jobs for women are already few, and low paying.

As well, historically, the centre for the island has been in various places. It might well change again, from the False Bay area to... where? I'd be happy to leave that open to circumstance, without any legal rules prohibiting such a shift.

Sorry, I am off island this weekend, so i can't make the meeting. Hope this email gets to you before the meeting!

Thanks,

--Amber

From: wolf island engineering [mailto:wie@uniserve.com]

Sent: March-28-14 10:38 PM

To: False Bay

Cc: Jessie Dawe; 'Lisa Johnson'; Brian Pitt; richard@thefudgery.com; skristin44@hotmail.com; austinandgwen@lasqueti.ca; doane51@gmail.com; 'Terry T.'; Ray And Eve

Subject: Lasqueti Density and B&Bs

Please see attached letter regarding my views on these non-issues.

Don Dempster, P. Eng.

Wolf Island Engineering

Wolf Island, BC
March 28, 2014

To Lasqueti Island Trustees

RE: Density and B&Bs

I am disappointed that our time, effort and energy is being wasted on these two non-issues in our community when there are so many important problems that need our immediate attention. No one I talk to is the least bit concerned about density or B&Bs and yet these phantom topics continually distract us all from dealing with the daily, frustrating problems facing this Island. Why is it that the opinions and paranoia of a few can dictate the agenda of the majority? It's time for it to stop.

Density? Since when do we have density issues? We've had the policies and situations in place already for decades to make sure our density doesn't stretch our resources. No car ferry (nor will there ever be one): no BC Hydro (nor will there ever be any): and, of course, the key policy - a 10 acre minimum subdivision rule. These conditions are what have kept this Island under - populated, and will continue to do so for decades to come.

If we really did have a high density risk, the population would have risen years and years ago. But it hasn't - simply because we're just not that attractive a place to live – remote, off the grid, no services, 10 miles of water to cross, etc. – well, you get the picture. It's hard work living and working on Lasqueti and most people are just not up to it. We're not Saltspring and we never will be.

If anything, we don't have enough people living on this Island as it is. We've created our own version of a "senior's gated community" here with skewed demographics favouring the elderly but penalizing our youth and children who often cannot live amongst their own parents and in their own community because of the lack of services and employment opportunities. We've created a kind of "silver - haired" country club that excludes many of our own children and young people from membership. How selfish is that?

B&Bs? Who is driving this obsession with B&Bs? They are not a problem, never have been a problem and never will be a problem. Most community members I talk to see this as a phantom issue that continually distracts us from dealing with the real issues facing this Island. Is there some theory that suggests that B&Bs will stretch our resources and services? If there is, show us the facts and figures backing this theory up. Show me, and this community, the studies, the analyses and the assessments that back up this supposed threat.

If those proposing that density and B&Bs are indeed a pressing problem on this island, let's see the facts. Where are the urban planner's reports? Where is the demographic analysis to back up these claims? Where are the road usage surveys showing the increased traffic due to rentals and B&Bs?

If you want to discuss issues that frustrate Lasquetians on an almost daily basis, let's do that.

How about ferry service? What impacts our lives more? The ferry overloads and schedule restrictions or the fact that someone might have a second kitchen in their house somewhere on the island.

Or the phone service? The fact that half the time many of us are without phone service, I'm sure, is not nearly the annoyance of knowing that those pesky B&Bs are lurking nearby!

How about the roads? Last fall's delivery of gravel, and I use the term loosely, was disgraceful. It wasn't gravel: it was a kind of soft, easily crumbled material that disappeared in a matter of weeks. And, as a result, even with the fine efforts of our local crews, the roads take a daily toll on our vehicles and bikes.

Parking? We have a serious parking problem on this Island, and yet, here I am writing a letter about B&Bs. The first introduction to visitors arriving on this Island is normally the False Bay area - and it looks like a scene out of "Deliverance", with wrecks, abandoned and illegally parked vehicles covering the area. This is a real and pressing problem facing us today, not someone's hazy concept of what might possibly happen in the future, maybe.

Barge Service? Our local barge owner, Keith Morris, is in a constant bureaucratic battle to keep our "life-line", our barge service up and running. Which, do you suppose, would have a more detrimental effect on this community? The loss of barge service or someone renting out a B&B for a few weeks in the summer?

To sum up, let's focus on the real issues facing this Island that cause us almost daily frustration and impact. We don't have a lot of resources or people that generously devote their time and energy to solving these pressing issues, so let's not waste their time on bogus agendas driven by the dogma of a very small minority of this Island.

Don Dempster

Subject:Lasqueti Density and Land Use Policies

Date:Fri, 28 Mar 2014 13:03:06 -0600

From:Linda Strong-Watson <trailnet@telusplanet.net>

To:'Peter Johnston' <pjohnston@lasqueti.ca>

Hello Peter

It is unfortunate that Don and I are not available to attend tomorrow's meeting as it would be good to hear others' perspectives. We do however have some concerns and comments regarding the Density and Land Use Policies - Discussion Wording.

We've indicated areas of concern in the attached by highlighting some suggested wording changes (that would help address our concerns) in yellow and by highlighting comment areas in blue. Hope this isn't too confusing.

As you will note from our comments, we don't support further industrial development in the False Bay Area. The residents of the Area are already experiencing a level of negative impact from traffic, noise, etc. We believe that island planning should identify an area(s) removed from this or any other more densely populated area for these activities to occur, where negative impacts to adjacent landowners can be avoided. There are other more suitable areas on the island for these activities.

We've made the point (see green highlighted comment) that the False Bay Area is first and foremost a community of the people that live and have residences there. Like all other Island residents, quality of life and the expectation of quiet use and enjoyment of their land is of paramount importance to ourselves and I believe to others who live in the False Bay area. I think this point may sometimes be lost in discussions with those who mostly use the area to access the ferry or other services. Referring to the phrase 'Encourage a modest scale of village development', I think it's important to note that good community planning anticipates and minimizes conflict by not placing all and any activities together in one place. 'Village' implies first of all a place of denser residential development and in the case of most such developments, especially where proper planning occurs, industrial activities are provided for separately and at a distance from residential.

We hope that Lasqueti will adopt policies that allow for the preservation, beautification and enhancement of the False Bay Area, including its walkability, so that it can be a centre of community and a showpiece of community pride in the Island.

Thank you for bringing these points forward for us Peter.

Sincere regards

Linda

Linda Strong-Watson, Executive Director
Alberta TrailNet Society
11759 Groat Road, Edmonton, AB T5M 3K6
email: trailnet@telusplanet.net
Ph: 780 422 7150 Toll Free 1 877 987 2457
Fax: 780 427 4229

Density and Land Use Policies

Current Official Community Plan (OCP)

The entire False Bay Area is in the Land Based (LB) Designation. The permitted density of the entire False Bay Area is 1 dwelling per 10 acres and 1 guest cottage per dwelling.

NEW GOALS, VISIONS, OBJECTIVES, POLICIES - Density and Land Use

Any change to the OCP density/land use provisions may require a future amendment to the Land Use Bylaw.

DISCUSSION WORDING

- Encourage a modest scale of village development compatible with the rural character of Lasqueti Island, the protection of the False Bay community's natural and heritage resources, and the current quality of life of community residents in the False Bay Area.
- Promote mixed uses of the village land (Comment: this is a very general comment and implications of the word 'promote' are worrisome; we suggest that alternate wording be considered that captures the notion of supporting the current mixed uses, with community consultation and approval for any proposed new use(s) or developments)
- Zoning will continue to allow the mix of commercial, industrial, institutional and residential land uses that are currently allowed.
- Only in an exceptional case would the LTC (suggest removing the words 'should not' as a proposal could be worthy of consideration even if the proposal is rejected) consider rezoning applications that would result in the following land uses outside the False Bay Area: post offices, banks and credit unions, liquor stores, libraries, retail stores
- LTC should not consider rezoning applications that would result in some additional industrial in the False Bay Area, (however, where such uses do exist, they should not be land intensive, result in noise, air or water pollution, or result in negative impacts to residents of the False Bay Area.) (Comment – we do not support additional industrial development in the False Bay Area. Suggest there are other areas (dump, etc) on the Island that would better support these uses and result in lesser impacts to Island residents. A definition of 'industrial' would be useful.)
- Non-residential uses should be well screened (Who determines the meaning of 'well screened' and whether that objective has been accomplished? Suggest that mutual agreement is an important qualifier) from residential uses according to mutual agreement.
- Ensure zoning continues to recognize the False Bay Area as a local rural, residential, commercial, and institutional centre that includes some existing light industrial and which has a unique character and local community pride of place.
- To recognize that the False Bay Area functions as a gateway and primary entry to Lasqueti Island, giving an initial impression of the island's rural character.
- To ensure that development within the False Bay Area does not exceed the available water supply capacity
- To help in the resolution of conflicts between the functions of the False Bay Area and the ferry wharf operations.
- Density - continue to allow the current densities of commercial, industrial, residential and commercial land uses as allowed by existing zoning
- To retain a pattern of low density residential land use.
- Encourage a range of approved home enterprise activities.
- Safe walking pathways for the public are required and are developed and maintained to an appropriate standard.

*The False Bay Area functions essentially as a rural/residential area with limited industrial, commercial and other public services. Like other Lasqueti residents, residents of the False Bay Area have the reasonable expectation of quiet use and enjoyment of their land.

----- Original Message -----

Subject:Re:false bay Master Plan , Density and B and B policies

Date:Fri, 28 Mar 2014 15:37:52 -0700

From:Richard J Smith <richard.j.smith@hc-sc.gc.ca>

To:Peter Johnston <pjohnston@islandstrust.bc.ca>

CC:trudiszoo@hotmail.com <trudiszoo@hotmail.com>

Dear Peter :

Thanks for the ability to have input without attending in person. As a non resident I really appreciate that consideration.

Point 1

In reviewing the policy the underlying concern appears to me to centre around density . To me it is a moot point whether the guest is a paying one or not . With this in mind I suggest that we allow B and B to take place in the primary residence as well as a guest cottage .

Rationale :

- 1) I believe the original policy of limiting B and B to the primary residence was to inhibit the development of the B and B business on the island . Now we have a stated purpose to encourage business / density in the False Bay area.
- 2) Many residences are small and simply not built to handle guest. Hence the original rational for building a guest cottage. If we are going to have guests put them in the guest cottage .
- 3) By legalising the use of guest cottages we are simply recognising current use in the area of guest cottages as B and B.
- 4) By allowing the use of guest cottages one increases the likelihood that there will be more B and B in the False bay area . From a traffic point of view this is desirable as the guests can walk to their destination. It also keeps the tourists at the north end of the island a long observed but seldom voiced objective.
- 5) An increased density of tourists staying in false bay will increase the viability of other service industries and the Saturday market.

Point 2: In consideration of a second Kitchen:

Pro:

-Guests will likely do their own cooking for all meals . If we let them know ingredients for a meal can be purchased on Island then this will increase the viability of the Local store and the Sat market .

- when they go to the food store they will be drawn into the area offering prepared foods . Perhaps they will be more inclined to buy pre prepared meals

-When you can do your own cooking it increases the ability to stay longer . Prepared meals on island are limited and this is likely a disincentive to stay more than a few days when you can not cook your own food.

- A separate kitchen allows the hosts to live their lives without an invasion of privacy , same for the guest.

Pro or Con depending on how you look at it :

Second kitchens will likely lead to increased use of the local B and B . This is a direct increase in density for the false bay area.

Point 3:

-I suggest we first examine outcomes we want during each season for False Bay . Then..... examine any proposals to see if they achieve our goals .

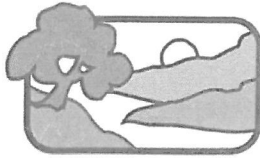
For consideration

Yours

Richard Smith

Richard.j.smith@hc-sc.gc.ca

604 666 5788



Islands Trust

FEEDBACK FORM

March 29, 2014

A. Please give us your feedback for the False Bay Master Plan as it relates to: (1) Density and Land Use; and (2) B & B Secondary Kitchens Ideas? Issues? Concerns? PLEASE DROP COMPLETED FORM IN BOX(S) PROVIDED.

B. Please Let us know how you enjoyed the community meeting. What is interesting? Informative? What could we do to improve the next one which is coming up on April 26th?

C. THANK YOU for your thoughts and for attending this meeting! There will still be further opportunities for you to submit feedback by calling your local trustees (Susan - 8589 and Peter - 8785); or e-mailing falsebay@islandstrust.bc.ca You could also send us a letter to 700 North Road, Gabriola Island, VOR 1X3. Please note that we do require your views in WRITING if you want them recorded for the record.

As a member of this community i am very opposed to the False Bay Master Plan we need new enterprises and ways to create jobs and income on this Island.

The B+B seems to be ~~a major~~ an issue that everyone agrees on. Although i would like to see that people can also rent a cabin for longer periods of time to generate an income.

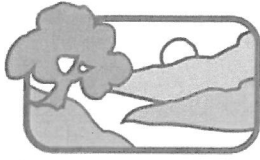
As far as parking i feel that those vehicles should be towed and taken away. Keith has offered to tow. Send out a notice to everyone on IS with 3 months notice and get rid of them. People off IS or summer residence can leave their vehicles on their property & take a taxi to the ferry or use friends & over

I think this meeting was informative and well run.

I do have another huge concern and am not sure how to go about presenting or suggesting what we can do as a community and that is that we have RATS on this Island which never used to exist! many people are concerned + some just turn away. I am willing to speak something for the community to help this see something

Thank you -

Nandyn Doran



Islands Trust

FEEDBACK FORM

March 29, 2014

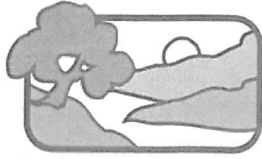
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Scrap False Bay master plan. Deal with parking issue for all of us. Allow B & B second kitchen & rent full time and short term rentals of govt cabin. Deal with the Island as a whole.

Jean Durbin
😊 good job



Islands Trust

FEEDBACK FORM

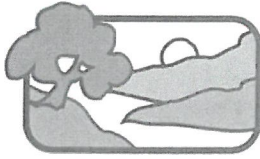
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On the ~~proposed~~ subdivision of
Allen Collings + Lebigman Kewbrycki
Heldon bay rd cannot handle the increased
traffic, the road is ~~too~~ ^{too} ~~narrow~~ ^{narrow} and has
blind corners. Until a rightway is gazetted
through the Johnston Land and brought up
to Dept of Highway standards the subdivision
should not be approved
Mike Mc Donald



Islands Trust

FEEDBACK FORM

March 29, 2014

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I think people living here or wanting to, should be discouraged from thinking about maximum development, especially given limited water opportunities, fire protection, limited ferry system and small obstructed road. My neighborhood will be impacted soon by these strains.

Yours truly
Ronaldo Gordon 2014

From: "Rodney Wiebe" <rwiebe6@shaw.ca>
Date: March 30, 2014 10:13:36 PM PDT
To: <webmaster@lasqueti.ca>
Cc: "'katherine woodrow'" <larrikat@telus.net>
Subject: Parking and hunting issues

Peter:

As you may know my wife and I own a 69 acre parcel of Lasqueti fronting the main road directly across from the Cemetery, between Ross Thompson and the Bergens. I am a fairly avid hunter and angler. In the twelve years we have owned our piece and in the years prior when I used to visit my old school days friend, Craig McFeely I think I have taken maybe a half dozen deer. Over the thirty plus years I have hunted there I've taken maybe a dozen sheep. These are appreciated food items for me and my family. I see them as sustenance that doesn't just occupy the freezer but provides a connection to the natural world that is as valid as a sunset or a ravens call.

That's my introduction. Obviously, I appreciate the hunting, angling and outdoor opportunities I have everywhere I go in British Columbia as a resident hunter and I am curious about the upcoming agenda for the next Community Information Meeting on Lasqueti. My understanding is that there was a scary incident near a residence in the False Bay area so there is to be a proposal for a no shooting/hunting, (they are not the same thing by the way), bylaw for the False Bay area.

Am I correct in this perception? Is there expected to be a broader discussion of hunting on Crown land on Lasqueti too? Will there be any background material for review prior to the meeting? Is there common knowledge of the current regulation re setbacks from buildings and residences for the discharge of firearms in the Wildlife Act?

If you could address at least some of these questions it would be much appreciated.

Thanks, Rw

Rodney Wiebe

PO Box 34, Nanoose Bay, BC, V9P 9J9
Home 250-468-7686 Cell 250-240-7685

rwiebe6@shaw.ca

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----- Original Message -----

Subject: Discharge of Firearms & Parking Problems

Date: Mon, 7 Apr 2014 14:11:49 -0700

From: katherine woodrow <larrikat@telus.net>

To: Peter Johnston <pjohnston@islandstrust.bc.ca>

Dear Peter Johnston,

I have little information, none first-hand about Lasqueti Island's firearms incidents, so please judge my input here accordingly. However, I am a long-gun owner and hunter familiar with our gun control laws. I have first-hand knowledge of parking problems accumulated over 38 years of driving my vehicles of Lasqueti's roads.

FIREARMS FIRST:

There are laws and procedures already in place to regulate discharge of firearms in False Bay, on all of Lasqueti, and all of Canada.

In order to possess or handle a firearm or buy ammunition, a person must be 18yrs of age and have a Federal Firearms Possession-Acquisition Licence. Was the suspect 18 or more? If not, was he/she accompanied by an adult who has his/her PAL?

There are laws governing the safe storage of firearms. Was the firearm locked up under the care of a PAL holder? And is it locked up now? If reported to authorities, these issues would be investigated and the thing put to bed. Was it reported? And was the alleged second incident of a hunter who allegedly carelessly discharged a firearm on private land, or near a dwelling reported to authorities?

If unreported, our present laws go unenforced and are thereby rendered ineffective. Some seem to want it both ways—freedom without enforcement. I like freedom too, but there are times excesses add to problems. Complainants should first make their reports to authorities, then put the topic to the community. Where's the balance here? Did someone take the youth to the woodshed? Well, according to today's values child abuse is a serious offence, and it's an offence if a witness chooses not to report it. Still, witnesses are rarely if ever charged and prosecuted for failing to report. Similarly, all incidents of dangerous use of firearms should be reported. The consequences of choosing not to report could be tragic. Is individual freedom so precious? I hope not.

If Lasqueti's incidents went unreported and complainants are asking for a meeting and solutions, then they appear to be requesting a form of vigilante action which is unacceptable. On the other hand, if reports were made and all involved are working in compliance with existing laws, then you and the community have my support.

PARKING

A community that chooses freedom in excess, is a community open to abuses and balance is needed. Parking and driving privileges are being flagrantly abused. My vehicle on Lasqueti is licenced when I drive it on public roads. It's parked off-road. Some openly drive public roads without current decals and without liability insurance exposing the uninsured driver & community members to unacceptable risks. Some selfishly park on the paved portion of roadside for long periods causing a problem for all.

It's more than just a simple parking problem. A count of licence plates comparing valid with invalid decals indicates the divide that exists within the community regarding owners' choices. And the divide seems to be growing with each passing year. In irresponsible hands, a vehicle can be just as dangerous as a gun. Again, enforcement of existing laws is a proven tool. Without enforcement and penalties for existing laws violated, not much change can occur.

Why is it that caring, loving people --Lasqueti's uninsured drivers with expired plates-- choose to publicly display their lack of concern for themselves and others? The problem likely developed years ago with one, two, a few, and expanded to far more as enforcement waned. Some minimal level of enforcement is essential to keep us all in compliance. So, I ask the community to please try to return some level of enforcement of existing laws to Lasqueti to cut the chaos. Strike a committee to first act to apply existing laws, monitor the result, and later re-visit. You'll need to seek assistance from your MP James Lunney because RCMP budgets are tight and costs to police Lasqueti are high. Remind him of the annual fall funding available years ago for police and choppers.

Thank you.

Larri Woodrow

--38 years a Lasqueti lover

>

>

From: DICK VARNEY [mailto:dvarney@shaw.ca]
Sent: April-21-14 11:32 AM
To: False Bay
Subject: road parking

Thank you for being able to include this in your discussion.

Dick Varney

False Bay PARKING and log sales off island.

In connection with parking at False Bay, there is the issue of the cease of operation of the private log dump in False Bay. This past winter I (Dick Varney) was informed that the new owner of the log dump (Ted McFealey) was not going to allow me or anyone to use the log dump for its licenced use.

I then proceeded to investigate alternatives including the public ramp. The two main problems with the public ramp is that the ramp, as cuts through the rock at the top of the tidal area, this road cut is not wide enough for a wheel loader to carry long logs from a truck onto a barge. (There is also a difference of height between the tire and the tracked parts of tidal portion of the ramp that also restricts the ramp for being used to loading logs onto a barge.) The other main problem is that the corner (Main Road to Weldon Road is not wide enough for a logging truck (carrying long logs) to make the turn with cars parked where they are now allowed to park across from Welden Road. There is not enough tail swing room for long logs because of parked cars & trucks. There is a possible solution for the ramp restrictions, but only by temporarily removing parked vehicles can a long load make the swing around this corner. Allowing parking close to this corner restricts truck swing into Weldon road. [Another ramp restriction is the need for log storage since no one is presently allowed to store logs on the highway right of way – without log storage the scale of a logging operation becomes larger than what I understand as sustainable for a quarter section of land.]

Another possibility for a log loading area was suggested to be at the old Tucker Bay boat dock area. I walked this area and discovered that there was not enough room for long log loading from this area of Tucker Bay. I also looked at my property in Long Bay and this spot would need better road widths at Gline Road corner, along Gline Road at the sharp corner, permission for barges to rest on the foreshore to load, and other minor conditions.

This is a perfect solution for islanders who do not want to see logs removed from the island, but does not recognize our Community Plan intention, the rate of tree growth on the island, or the economics of sustainable family forest farming. There have been no logs shipped off the island since 2002. Since 1890 about the same area has been logged on the island every 20 years. I believe Arne Baartz figured out that the island grows enough wood to build and heat over 125 new homes per year.

I have been farming my forests for over 30 years in a sustainable way. This has included shipping logs off the island four different times. I have also been selling logs and firewood locally when I can. My forests have more log volume on them today, than when I first acquired the land.

Transportation around tight corners on the roads is a difficulty. I do not see that without some political help to overcome the local transportation of logs problems, sustainable family forest owners will be forced to subdivide/liquidate their properties when they find they cannot sell their major crop, their trees. Another way of saying this is that present condition of not being able to ship logs off the island will force faster parcelation (or often on Lasqueti multiple ownership to 10 acres/household) of large properties.

Dick Varney



STAFF REPORT

Date: April 23, 2014

File Number 6500-02 - RAR

To: Lasqueti Island Local Trust Committee
For meeting of May 1, 2014

From: Linda Prowse
Planner 2
Local Planning Services

CC: Courtney Simpson, Regional Planning Manager

**Re: Lasqueti Island Riparian Areas Regulation Compliance – Summary
Report, 2014**

PURPOSE:

Riparian Areas Regulation (RAR) compliance is the top priority on the Lasqueti Island Local Trust Committee work program. The purpose of this report is as follows:

- A. to summarize Watershed Assessment on Lasqueti Island
- B. to outline the Local Trust Committee RAR Compliance Method and proposed Land Use Bylaw wording
- C. to recommend next steps

BACKGROUND:

At the February 27, 2014 Local Trust Committee meeting, staff presented a Project Charter, Communication Plan, and draft community information meeting documents. The Local Trust Committee suggested a number of changes to these documents and staff has attached an updated RAR Compliance Project Charter and updated Consultation Plan, along with some DRAFT Community Information Meeting documents.

Previously, the LTC received a first staff report on this project at their February 28, 2013 meeting, a memorandum regarding the first Madrone report at their May 2, 2013 meeting and a comprehensive report outlining options for RAR compliance specific to Lasqueti at their October 17, 2013 meeting. At the October 17, 2013 meeting the LTC passed the following resolution:

LA-031-2013

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee endorse a setback and screening regulation for streamside protection in RAR-applicable watersheds as Lasqueti Island's preferred option to comply with the Riparian Areas Regulation.

CARRIED

The Riparian Areas Regulation defines fish habitat as all aquatic and terrestrial areas that affect fish life processes. Fish habitat includes the area directly adjacent to a stream (i.e. the riparian area) because it provides food, nutrients, and other functions vital to fish survival. **If a watercourse provides fish habitat or feeds into one, it is subject to the RAR.**

Through information from the Ministry of Forests, Lands and Natural Resources Operations and two separate studies by Madrone Environmental Services in 2013 and 2014, it has been determined that of the 22 watersheds on Lasqueti Island, 12 are applicable to the RAR and there remain 2 watersheds that require further investigation.

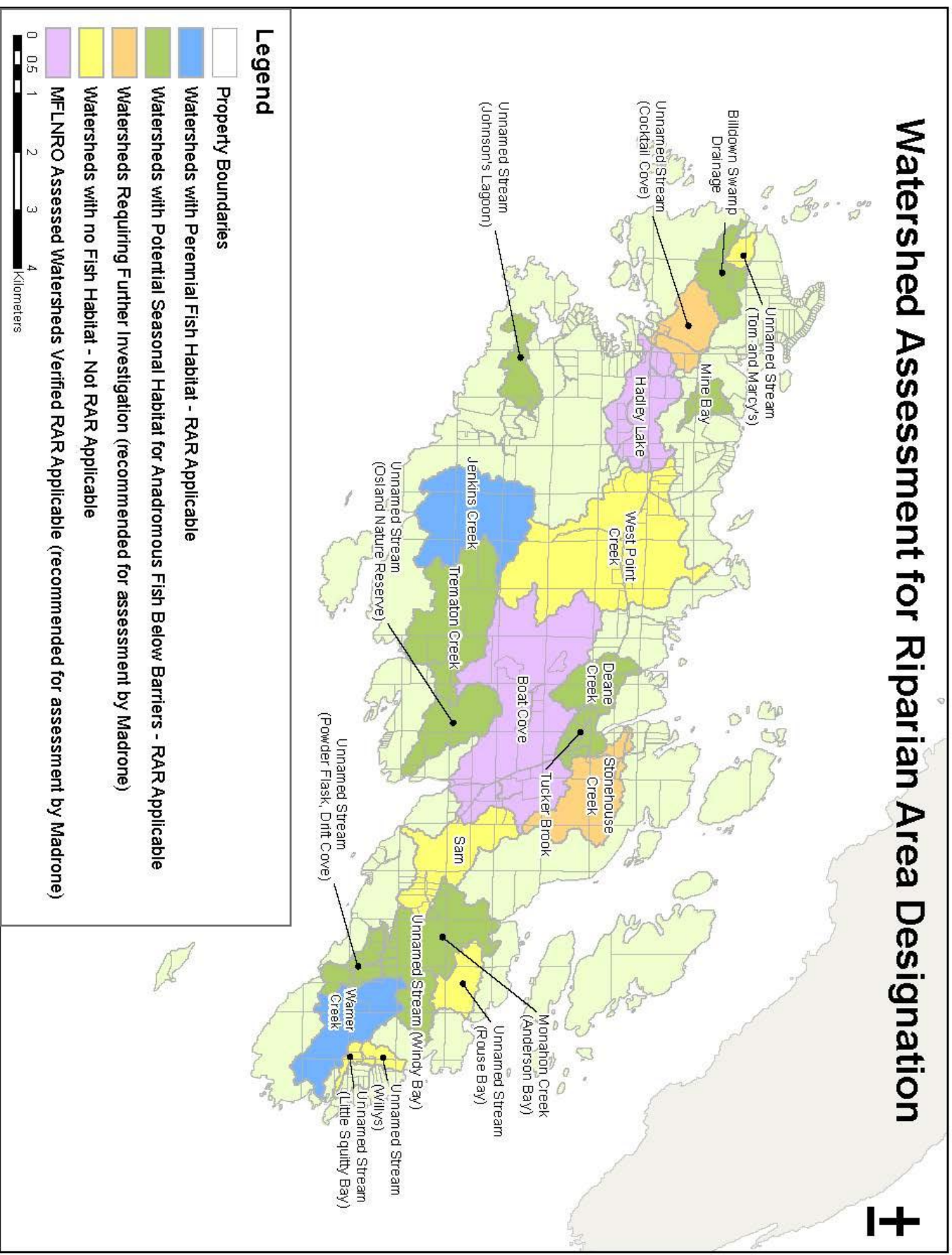
In March **2013**, Madrone Environmental Services was contracted to determine which watersheds on Lasqueti possess fish habitat making them subject to the RAR. The Islands Trust provided a watershed map from the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) to Madrone, and this map noted that of the 22 watersheds on Lasqueti, only 3 were designated as RAR watersheds. The other 19 watersheds were designated as “unverified”, and these “unverified watersheds” were the subject of the 2013 Madrone Report, to see if these watersheds should be designated as “RAR applicable” using RAR methodology assessment.

It is important to note that although the Ministry of Forests, Lands and Natural Resource Operations designated three watersheds (Hadley Creek, Boat Cove and Sam Creek) as RAR applicable due to the presence of fish habitat, the 2013 Madrone Report recommends that further investigation of Ministry designated watersheds be conducted as information provided by local residents indicates otherwise. Sam Creek has been further investigated and was deemed NOT RAR applicable, and further investigation of Hadley Creek and Boat Cove should be considered.

In March, **2014**, Madrone Environmental Services was again contracted, this time to follow up on assessing Mine Bay and Johnson’s Lagoon. Johnson’s Lagoon could not be assessed as Madrone field staff was not given permission from the land owner to walk the property, which also happened in 2013. The Islands Trust then instructed Madrone to instead, assess Sam Creek to determine if the MFLNRO had inaccurately designated this watershed as RAR applicable. This 2014 report did assess Mine Bay and Sam Creek Watersheds.

On the following page is a Watershed Designation Map showing a breakdown of the watersheds under the categories “Watersheds with Perennial Fish Habitat – RAR Applicable”, “Watersheds with Potential Barriers to Fish – RAR Applicable”, “Watersheds Requiring Further Investigation”, “Watersheds with No Fish Habitat – NOT RAR Applicable”, and “MFLNRO Assessed Watersheds Verified as RAR applicable. Following the map is a brief description of these categories, and a listing of the watersheds that fall under each.

Watershed Assessment for Riparian Area Designation



1. Watersheds with Fish Habitat

The “Watersheds with Fish Habitat” category is broken down as follows:

1.1 Watersheds with PERENNIAL Fish Habitat (RAR Applicable)

This category includes watersheds that were determined to have the characteristics required to support fish on a perennial or seasonal basis due to the lack of barrier and adequate flow regimes.

- Jenkins Creek
- Wamer Creek

1.2 Watersheds with POTENTIAL SEASONAL HABITAT for Anadromous Fish Below Barriers (RAR Applicable)

These watersheds display fish habitat, however they possess features that may be a barrier to fish such as a log jam at the outlet, or potentially discontinuous water flows during critical seasons. Regardless, these streams were determined to have fish habitat so are deemed RAR Applicable:

- Billdown Swamp Drainage (Fisher, Toy Bay)
- Trematon Creek
- Unnamed Stream (Osland Nature Reserve)
- Unnamed stream (Powder Flask, Driftwood Cove)
- Unnamed Stream (Windy Bay)
- Monahan Creek (Anderson Bay)
- Tucker Brook (Long Bay)
- Deane Creek (Tucker Bay)
- Unnamed Stream (Mine Bay)
- Unnamed Stream (Johnson’s Lagoon)

2. Watersheds Requiring Further Investigation (POSSIBLY RAR Applicable)

Permission was not granted to access one of the watersheds. The other two watersheds had barriers at the tidewater, but need further investigation to determine whether perennial fish habitat is available.

- Unnamed Stream (Cocktail Cove)
- Stonehouse Creek

Although further investigation of these watersheds is suggested, the 2013 report was noted to say that:

- Johnson’s Lagoon – “Due to the low gradient nature and lack of a barrier, it is likely this stream would provide fish habitat if water flow requirements were met”
- Cocktail Cove – “It is uncertain whether a resident fish population could be supported in the swamp as unfavourable habitat conditions (i.e. high temperature

and low oxygen) would likely exist. If suitable perennial habitat does not exist, then this watershed would not provide fish habitat.” – Madrone recommends further assessment of this creek in late summer.

- Stonehouse Creek – “Habitat features observed within the stream corridor include; deep pools, closed tree canopy and undercut banks, ideal for supporting fish. If water was available year round, this stream would be able to support resident fish.” Madrone recommends further assessment of this creek in late summer.

3. Watersheds with No Fish Habitat (NOT RAR Applicable)

These four watersheds either have streams with a permanent barrier or they lack stream characteristics. In addition, none of these streams had headwaters that could provide perennial habitat. These streams are being referred to by their geographic location or name of the current property owner as they do not have gazette names.

- Tom and Marcy's
- Willy's
- Rouse Bay
- Little Squitty Bay
- West Point Creek
- Sam Creek

4. MFLNRO (Ministry of Forests, Lands and Natural Resource Operations) Assessed Watersheds Verified RAR Applicable

Boat Cove and Hadley Lake watersheds are deemed as being RAR Applicable by MFLNRO. However, further investigation of these watersheds should be considered.

COMMUNITY INFORMATION MEETINGS:

Over the winter, 2013/14, staff was directed as follows:

LA-032-2013

It was MOVED and SECONDED,

that staff be directed to prepare an information package for distribution to community residents and property owners and to be used at neighbourhood meetings as well as preparing a Project Charter and Communications Plan.

CARRIED

Some information for community distribution via neighbourhood meetings was provided to local trustees, however there were no neighbourhood meetings requested or held.

STAFF COMMENTS:

1. Ombudsperson Report on the Riparian Areas Regulation – March 2014

The BC Ombudsperson has recently released a report “Striking a Balance: the challenges of using a professional reliance model in environmental protection – British Columbia’s *Riparian Areas Regulation*”. There are 25 recommendations in the report for the Ministry of Forests, Lands and Natural Resources Operations, and all except one have been accepted by them. Many of these recommendations will be of interest to the Lasqueti LTC and Lasqueti residents as overall, as they are aimed at improving fairness and transparency.

Of particular interest to the LTC to inform discussion around the timeline for the RAR implementation project, is the following two recommendations:

The Ministry of Forests, Lands and Natural Resource Operations review, by October 1, 2014, local government implementation of and compliance with the Riparian Areas Regulation and report publicly on the results of that review.

The Ministry of Forests, Lands and Natural Resource Operations work with local governments to bring them into compliance with the Riparian Areas Regulation (RAR). If the ministry is not able to achieve full compliance by local governments with the RAR, the ministry should, by October 1, 2015, develop a mechanism to allow the ministry to require local government compliance with the RAR.

2. Land Use Bylaw Amendment Using Setback and Screening Regulation for RAR Compliance

The Lasqueti Island Local Trust Committee has endorsed a setback and screening regulation for streamside protection in RAR-applicable watersheds as Lasqueti Island’s preferred option to comply with the Riparian Areas Regulation.

In October 17, 2013, the LTC received example wording for setback and screening regulations for streamside protection. Below is a copy of this sample wording which includes a number of exceptions to the RAR not previously presented to the LTC. This text below could be considered for adoption as part of the Lasqueti Land Use Bylaw to become compliant with the RAR.

“Setbacks and Screening for streams, as defined in the British Columbia *Riparian Areas Regulation*

(1) The following freshwater features, located on properties designated as ‘RAR Applicable’ as noted on Schedule A (NOTE: Schedule A will be the map on page 3 of this report, updated as required), being

- (a) a watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook;
- (c) a ditch (NOTE – “ditch” must be defined), spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b),

must be screened from development, as defined in the British Columbia *Riparian Areas Regulation*, through the retention of all existing vegetation in the form of;

- (a) A 30 meter strip on both sides of the stream, measured from the high water mark,
- (b) for a ravine less than 60 meters wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 meters beyond the top of the ravine bank, and
- (c) for a ravine 60 meters wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 meters beyond the top of the ravine bank;

Applications to vary (1) above will require a report from a qualified environmental professional conducted according to the Riparian Areas Regulation methodology.

Notwithstanding (1) above, the following land use activities are permitted in the stream screening area (NOTE these are the proposed exceptions to RAR):

- all uses that are not residential, commercial or industrial or accessory to such a use
- Hydroelectric facilities and forestry, parks, institutional development and development on federal and First Nations lands
- the placement of impermanent or movable structures, such as benches, tables and garden ornaments
- renovations, alterations, maintenance, reconstruction or repair to a pre-existing permanent building or structure on an existing foundation or footprint to an extent it does not alter or increase the footprint.
- interior or structural exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure on an existing foundation or footprint to an extent that does not alter, extend or increase the footprint
- repair or replacement of a septic field on the same spot
- the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property
- With the exception of nesting trees protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 meters from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, the roots/stumps are left in the ground, and the cutting does not result in land alteration
- gardening and yard maintenance activities, not involving the cosmetic application of pesticides, within a pre-existing *landscaped area* ("*landscaped area*" means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobbles, pavers and decorative concrete) , including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land

- manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices
- pruning of not more than two trees in one growing season and that is conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone
- ecological restoration or enhancement projects undertaken or authorized by a public body
- work that is authorized by Fisheries and Oceans Canada by permit under Section 35 of the *Fisheries Act*
- emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - forest fire, flood and erosion protection works
 - protection, repair or placement of public utilities,
 - clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow, and
 - repairs to bridges and safety fences carried out in accordance with the *Water Act*
- farm operations and agricultural uses as defined in the *Farm Practices Protection (Right to Farm) Act*
- The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 meters on either side of the fence, or 1.5 meters on either side of the fence in agricultural areas
- The construction of a private trail if all of the following apply;
 - The trail is 1 meter wide or less;
 - No native trees are removed;
 - The surface of the trail is pervious (for example, soil, gravel or wood chips)
 - The trail is designed to prevent soil erosion where slopes occur; and
 - Where the trail parallels the stream, the trail is more than 5 meters away from the high water mark of a stream.
- Disturbance of soils more than 15 meters from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 meters squared
- The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse if all of the following apply:
 - The building is located a minimum of 15 metres from the high water mark of the stream, and
 - The total total area of small accessory building is less than 10 meters squared

Setbacks for all other freshwater features

For all other streams, creeks, lakes, wetlands, and watercourses, the minimum setback for buildings and structures, except for a fence or access stairway, is 30 metres.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee."

3. Bylaw Processing Timeline

The current project charter assumes a Community Information Meeting with a draft bylaw. However, it would be possible to give First Reading to a bylaw at the July 3rd LTC meeting, increasing chances of bylaw adoption before the 2014 general local trustee elections in November, 2014.

OPTIONS:

The Local Trust Committee has a budget of \$6500 for RAR related expenditures for the 2014-15 fiscal year. Some of this funding could be used to complete the summer assessment of the two remaining watersheds requiring further investigation, as recommended in the 2013 Madrone report. Specifically, Cocktail Cove and Stonehouse Creek are recommended for further investigation to assess for RAR applicability. Further investigation of Boat Cove and Hadley Lake watersheds should also be considered, as recommended in the 2013 Madrone Report.

As for Johnson's Lagoon (also recommended requiring further investigation in the 2013 Madrone report), the March 27, 2014 Madrone report states that "based on discussions with the landowner during the 2013 field visit, it is believed that the watercourse follows a low-gradient course before any barriers exist. As such, it is likely that this watershed provides fish habitat."

Staff recommends classifying Johnson's Lagoon as being "RAR applicable" given these statements in the Madrone reports, and given that landowner permission will more than likely not be granted in the future for entrance onto this property. NOTE that the map on page 3 of this report reflects that Johnson's Lagoon IS RAR applicable.

The watershed map will form part of the amendment bylaw, and will be updated as further information about the watersheds are received.

The LTC is requested to consider the following options:

- a) Consider Cocktail Cove, Stonehouse Creek, Boat Cove and Hadley Lake to be RAR-applicable and proceed with drafting a bylaw as outlined in this staff report.
- b) Defer bylaw drafting and undertake further assessment of Cocktail Cove, Stonehouse Creek, Boat Cove and Hadley Lake to determine if they are RAR-applicable.
- c) Draft a bylaw that excludes Cocktail Cove, Stonehouse Creek, Boat Cove and Hadley Lake at the same time proceed with further assessment of these watersheds, and if they are determined to be RAR-applicable, add them to the bylaw at a later date.

RECOMMENDATIONS

- (1) THAT the Lasqueti Island Local Trust Committee instruct staff to arrange a Riparian Areas Regulation Community Meeting for the end of July, 2014.
- (2) THAT staff enter into a contract with Madrone Environmental to have an assessment done on Stonehouse Creek and Cocktail Cove watersheds in September, 2014 to determine if these two watersheds provide fish habitat making them RAR applicable; and to see if Boat Cove and Hadley Lake could also be assessed using the 2014-15 Riparian Areas Regulation budget.
- (3) THAT staff draft a land use bylaw amendment using the setback and screening option to become compliant with the Riparian Areas Regulation, excluding Stonehouse Creek, Cocktail Cove, Boat Cove and Hadley Lake at this time.

Prepared and Submitted by:

Linda Prowse

April 23, 2014

Linda Prowse, Planner 2

Date

Concurred in by:

Courtney Simpson

April 24, 2014

Courtney Simpson, MCIP, RPP
Regional Planning Manager

Date

Attachments

1. Project Charter updated April 23, 2014
2. Riparian Areas Regulation Communication Plan dated April 23, 2014

Lasqueti Island Riparian Areas Regulation Compliance Project Charter

Date: April 23, 2014

Purpose To amend the Lasqueti Island Land Use Bylaw with setback and screening regulations to implement the provincial *Riparian Areas Regulation*.

Background In 2013, Madrone Environmental Services Ltd. was contracted to assess Lasqueti watersheds to determine which watersheds are subject to the provincial *Riparian Areas Regulation*. The March 31, 2013 report broke down the watersheds into the following categories: (1) Watersheds with perennial Fish habitat; (2) Watersheds with Potential Seasonal Habitat for Anadromous Fish below barriers; (3) Watersheds Requiring Further Investigation; (4) Watersheds with no Fish Habitat. Further assessment of three watersheds is required in the 2013-14 fiscal year, and an additional assessment of THREE watersheds in the 2014-15 fiscal year. In addition, at the October 17, 2013 LTC meeting, the LTC decided to endorse the setback/screening method of coming into RAR compliance rather than going the Development Permit Area route.

Objectives

- Have all Lasqueti watersheds assessed to determine RAR applicability
- Ongoing notification and effective engagement with property owners and residents.

Scope & Deliverables

- Review all Lasqueti watersheds to determine RAR applicability
- Review setback and screening option and draft bylaw amendment implementing this option to become RAR compliant
- Inform/notify community via newsletter(s), neighbourhood meetings, and community information meeting(s) and public hearing

Workplan Overview

Deliverable/Milestone	Date
General education with community via neighbourhood meetings	Winter/13-14
LTC directs staff to arrange a CIM for end of July/14 and asks staff to draft an LUB amendment	May 1, 2014
Staff report presented with draft LUB amendment. Firm up CIM date and time and place	July 3, 2014
CIM takes place end of July	July, 2014
Staff presents report summarizing CIM and presenting draft bylaw for possible changes, LTC considers 1st reading and referrals	August 28, 2014
Further mapping of outstanding watersheds	September, 2014
RPM Approval: <i>Courtney Simpson</i> Date:	LTC Endorsement: Resolution # : Date:

Project Team

Lasqueti Island LTC	
Linda Prowse, Planner	Project Manager
Marnie Eggen, Planner	Project Manager (as of June)

Budget

Budget Source: RAR Project (	
Item	Cost
Assessment-2 watersheds	2000 (done 13/14)
Assessment-remaining 2 watersheds	5500
Legislative process	1000
Total	8500

Attachment No. 2 – Consultation Plan updated April 23, 2014

RIPARIAN AREAS REGULATION COMPLIANCE **(Setback and Screening Land Use Bylaw Amendment)** **COMMUNITY CONSULTATION PLAN**

GOALS of Project COMMUNITY Communication

- *To describe the process, timeline and opportunities for input to property owners*
- *To empower property owners to have their say and demonstrate that they are being heard and their comments are valued*
- *To provide accurate, balanced and objective information*
- *To obtain feedback and ideas and incorporate this in the decision making process as much as possible*

Communication Action Plan – Updated April 23, 2014

Method	Key content / purpose	Cost	Target Date
<i>Website updates</i>	All project documents and meeting notices to website for community information	\$0	ongoing
<i>Local Trustees Conduct Neighbourhood meetings</i>	Educational outreach to the community and obtaining preliminary comments	\$0	Winter 2013/2014
<i>Ongoing articles in the Our Isle and Times from Local Trustees</i>	Use monthly trustee reports giving description of the timeline and process and providing updates. Solicit further comments and ideas from community.	\$300	Winter 2013-2014
<i>Staff presents project charter, communications plan, and draft CIM flier and CIM handouts</i>	Project Charter and communications plan keep everyone on track, and information flier informs the community about the project and upcoming CIM.	\$0	February 27, 2014
<i>Madrone conducts further assessments of watersheds to establish RAR applicability</i>	The March 31/13 Madrone report notes some watersheds require further investigation to establish RAR applicability. Madrone provides a second report giving further information about RAR applicability to two other watersheds.	\$2000	March 25, 2014
<i>Staff presents staff report and recommends that a CIM be prepared for July, 2014 and that staff draft an LUB amendment</i>	Staff to present the March 25, 2014 Madrone report and a summary staff report recommending staff prepare for a summer CIM.	\$0	May 1, 2014
<i>Staff presents staff report along with draft LUB amendment</i>	Draft bylaw can be taken to the CIM (along with other explanatory documents) for community comments.	\$0	July 3, 2014

Method	Key content / purpose	Cost	Target Date
<i>Hold CIM</i>	Consultation with community to obtain input to be considered and potential changes to draft bylaw.	\$25	End of July, 2014
<i>Staff presents report summarizing CIM input and presenting draft LUB amendment. LTC gives bylaw first reading and refers to First Nations, APC and agencies.</i>	Community input considered for incorporation into draft bylaw.	\$0	August 28, 2014
<i>Madrone conduct field assessment of Cocktail Cove and Stonehouse Creek watersheds</i>	This will determine if these two watersheds are RAR applicable. The amendment bylaw map showing RAR applicable watersheds can be amended if needed.	(up to \$6500	September 30, 2014
<i>Public hearing</i>	Legislated public hearing process. It is recommended that this step and other legislative processes after a public hearing commence after the November, 2014 local trustee elections. It is also recommended that a possible second CIM be held just prior to the public hearing.	\$1000	2015

LASQUETI COMMUNITY MEETING RIPARIAN AREAS REGULATION

A Community Meeting has been scheduled for Lasqueti residents and property owners to comment and ask questions about potential changes to the Lasqueti Island Land Use Bylaw to comply with the Riparian Areas Regulation. If you cannot attend the meeting in person, please submit comments by regular mail (700 North Road, Gabriola Island, BC VOR 1X3), email (lasqueti@islandstrust.bc.ca) or call your local trustees (Peter—333-8785; Susan 333-8589).

COMMUNITY MEETING

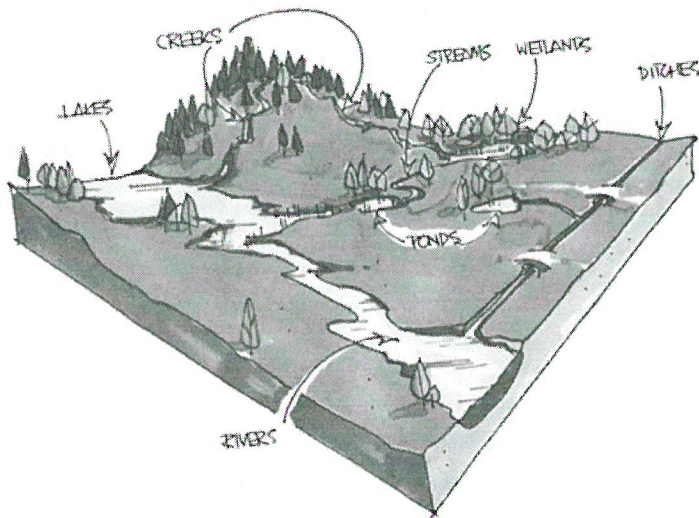
(Date)

Start time: 11:30 am

Lasqueti Community Hall

On the reverse and attached is general information about the Ministry of Environment Riparian Areas Regulation that all local governments, including the Lasqueti Island Local Trust Committee, are required to follow.

Developing Near ... Riparian Areas



RIPARIAN AREAS are the areas adjacent to streams, lakes and wetlands. These areas support many plants and animals, provide important refuges and migration routes for birds and wildlife, and, most critically, provide fish habitat.

These ecosystems are extremely sensitive to disturbances and development. Even modest changes in water flow may result in significant changes to the physical and biological functioning of these ecosystems.

In addition, riparian areas play a key role in maintaining the natural hydrologic cycle of a watershed by stabilizing stream channels, reducing erosion, filtering sediment, capturing runoff and precipitation, and recharging aquifers that store groundwater.

The Development Variance Permit Process

Lasqueti Island Local Trust Committee is considering using setback and screening regulations to meet its obligations under the *Riparian Areas Regulation*. This approach means that if you are undertaking a "development" activity (defined in the legislation) within 30 metres of a water feature (e.g. stream, wetland) within a watershed assessed as "RAR Applicable", you will be expected to submit a development variance permit application to the Islands Trust. A permit to vary the setback and screening regulations around a water feature will require submission of a report from a Qualified Environmental Professional (QEP) that assesses the potential impact of the proposed activity on the riparian area and determines the size of a Streamside Protection Enhancement Area (SPEA). The QEP will detail any conditions to which development is expected to adhere for protection of the subject water feature and these will be made conditions of the permit. The permit is granted at the discretion of the Local Trust Committee.

The Lasqueti Island Local Trust Committee is required to adhere to the provincial Riparian Areas Regulation. This means amending its land use bylaw to ensure development within 30 metres of fish habitat—as defined by the Riparian Areas Regulation—is controlled. Using setback and screening regulations is the approach endorsed by the Lasqueti Local Trust Committee to bring the island's Land Use Bylaw into compliance.

Lasqueti Island Local Trust Committee



IslandsTrust

FACT SHEET

Riparian Areas Regulation



Islands Trust

Some key facts about the RAR

- The RAR is a provincial regulation and there is not a choice in whether it gets implemented; only in how this is done.
- Setback and screening regulations can be included in the Land Use Bylaw to obtain RAR compliance.
- The RAR applies to the riparian areas generally defined as being within 30 m of a watercourse that is deemed to have fish habitat.
- There does not need to be fish present in a stream for the RAR to apply, only fish habitat.
- Any development beyond 30 m from a stream would be exempt from RAR.
- There are a number of development exceptions when the RAR does not apply
- RAR applies only to residential, commercial or industrial activities and ancillary activities within a RAR applicable area.

What is the Riparian Areas Regulation?

The Riparian Areas Regulation is a provincial regulation, enacted under s. 12 of the Fish Protection Act, which requires local governments to protect riparian areas. Riparian areas are the areas bordering on streams, lakes and wetlands that link water to land. The RAR applies to new residential, commercial and industrial development on land under local government jurisdiction. The regulations prohibit a local government from approving or allowing a development to proceed in a riparian assessment area (RAA) unless the local government is notified by the province that the developer has provided an assessment report by a qualified environmental professional (QEP). The QEP report certifies that the development can be carried out without damaging fish habitat.

Who is a Qualified Environmental Professional (QEP)?

A Qualified Environmental Professional is an applied scientist or technologist. He or she must be registered and in good standing in British Columbia with an appropriate professional organization, acting under the association's code of ethics and subject to disciplinary action by that association. The applicable professionals are Professional Biologists, Geoscientists, Foresters, Agrologists, and Technicians in the ASTTBC. To be able to certify that they are qualified to conduct the assessment methodology, the individuals must detail their area of expertise in the report, and their expertise must be relevant to the content of the report. The individual is considered a Qualified Environmental Professional only for that portion of the assessment that is within their area of expertise.

Where does the RAR apply and how is it interpreted?

The RAR applies to a “Riparian Assessment Area” (RAA), which is defined in the RAR to mean any area within 30 metres of a “stream”. A “stream” is defined in RAR to include a watercourse, whether it usually contains water year round or not, that provides fish habitat. Watercourses include ponds, lakes, rivers, creeks and brooks as well as some ditches, springs, and wetlands if they are connected by surface flow to fish habitat.

Local governments may allow development within 30 m of the stream provided the prescribed riparian assessment methods have been followed. The riparian assessment method requires a QEP to provide an opinion in an Assessment Report. In the assessment, the QEP will establish, on a site specific basis, which areas within the 30 m RAA can be developed. The QEP may also provide recommendations on mitigation or enhancement measures specific to the development proposal. Remaining areas that may not be developed are identified as a Streamside Protection and Enhancement Area (SPEA).

What type of development is subject to the RAR?

The types of development that are subject to a riparian area assessment are residential, commercial and industrial. Development is not limited to buildings; for example, land clearing within 30 meters of a stream for a driveway or for a trail that requires a development permit should not occur prior to submission of an Assessment Report.

Development **not** subject to assessment includes: permits issued for repair or reconstruction of existing structures, pre-existing buildings or structures, agricultural activities, mining activities, hydroelectric facilities and forestry, parks, institutional development, and development on federal and First Nations lands.

The RAR DOES apply to the following activities:

- Construction of buildings and structures;
- Creation of non-structural impervious or semi-pervious surfaces (e.g. parking lots, patios);
- Removal, alteration, disruption or destruction of vegetation;
- Disturbance of soils;
- Development of some recreational facilities (e.g. parks, trails, golf courses); and,
- Development of new services (e.g. roads).

The RAR does NOT apply to the following activities:

- Development outside a riparian assessment area;
- Farming activities (ALR or zoned) or institutional development;
- Existing permanent structures, roads, and other development;
- Reconstruction or repair of permanent structures if the structure remains on its existing foundation; and
- Developments that have been approved but not yet built.

Do local governments have any new powers under the RAR?

The Regulation does not give local governments any additional powers for streamside protection. Rather, it requires local governments to use their existing land use planning and management powers under the *Local Government Act* to improve the protection of fish habitat.



Islands Trust

EXAMPLES OF “DEVELOPMENT” EXCEPTIONS Riparian Areas Regulation

- all uses that are not residential, commercial or industrial or accessory to such a use
- Hydroelectric facilities and forestry, parks, institutional development and development on federal and First Nations lands
- the placement of impermanent or movable structures, such as benches, tables and garden ornaments
- renovations, alterations, maintenance, reconstruction or repair to a pre-existing permanent building or structure on an existing foundation or footprint to an extent it does not alter or increase the footprint
- interior or structural exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure on an existing foundation or footprint to an extent that does not alter, extend or increase the footprint
- repair or replacement of a septic field on the same spot
- the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property
- With the exception of nesting trees protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 meters from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, the roots/stumps are left in the ground, and the cutting does not result in land alteration
- gardening and yard maintenance activities, not involving the cosmetic application of pesticides, within a pre-existing *landscaped area* ("*landscaped area*" means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobbles, pavers and decorative concrete) , including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land
- manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices
- pruning of not more than two trees in one growing season and that is conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the lift pruning of lower limbs

to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone

- ecological restoration or enhancement projects undertaken or authorized by a public body
- work that is authorized by Fisheries and Oceans Canada by permit under Section 35 of the *Fisheries Act*
- emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - forest fire, flood and erosion protection works
 - protection, repair or placement of public utilities,
 - clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow, and
 - repairs to bridges and safety fences carried out in accordance with the *Water Act*
- farm operations and agricultural uses as defined in the *Farm Practices Protection (Right to Farm) Act*
- The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 meters on either side of the fence, or 1.5 meters on either side of the fence in agricultural areas
- The construction of a private trail if all of the following apply;
 - The trail is 1 meter wide or less;
 - No native trees are removed;
 - The surface of the trail is pervious (for example, soil, gravel or wood chips);
 - The trail is designed to prevent soil erosion where slopes occur; and
 - Where the trail parallels the stream, the trail is more than 5 meters away from the high water mark of a stream
- Disturbance of soils more than 15 meters from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 meters squared
- The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse if all of the following apply:
 - The building is located a minimum of 15 metres from the high water mark of the stream, and
 - The total area of small accessory building is less than 10 meters squared



LASQUETI ISLAND WATERSHED ASSESSMENT FOR PRESENCE OF FISH HABITAT

MINE BAY AND SAM CREEK WATERSHEDS ADDENDUM

Prepared for:

**Ms. Linda Prowse
Lasqueti Island Planner
Islands Trust Northern Office
700 North Road, Gabriola Island, BC, VOR 1X3**

Prepared by:

**Justin Lange, B.Sc., R.P.Bio.
MADRONE ENVIRONMENTAL SERVICES LTD.
1081 Canada Avenue, Duncan, BC, V9L 1V2**

March 27, 2014

Dossier 14.0044

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Lasqueti Island – Watershed Assessment for Presence of Fish Habitat – Mine Bay and Sam Creek Watersheds

1.0 INTRODUCTION

In March of 2013, Madrone Environmental Services Ltd. (Madrone) was retained by the Islands Trust (IT) to assess and identify watersheds on Lasqueti Island that may be subject to the provincial Riparian Areas Regulation (RAR) process. During the 2013 site visit, 19 watersheds were assessed using RAR methodology. However, due to a lack of landowner permission, two sites, Mine Bay and Johnson's Cove could not be accessed. Madrone recommended that these two sites be assessed once land owner contact had been made. Following up on this recommendation in late 2013, IT requested that Madrone complete the necessary field checks to determine whether these two watersheds would be subject to the RAR.

During the landowner contact phase, it was determined that Madrone was not permitted to complete the assessments at Johnson's Cove. However, local knowledge of Sam Creek watershed suggested that this watershed was inaccurately determined as RAR applicable by the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) due to an impassable barrier at tidewater and no perennial habitat above the barrier. IT recommended that Madrone assess Sam Creek to determine whether this designation was incorrect. As such, both Mine Bay and Sam Creek watersheds were field assessed in March 2014.

This report is meant as an addendum to the document submitted to IT in 2013, which details the methodology, results and recommendations for the assessed watersheds. The methodology for the assessments conducted in the Mine Bay and Sam Creek watersheds are the same as described in the original report: *Lasqueti Island Watershed Assessment for Presence of Fish Habitat*, by Jennifer Morgen, M.Sc., A.Sc.T., B.I.T., March 31st 2013.

2.0 METHODOLOGY

2.1 Background Research

Background research was carried out using the Fisheries Information Summary System (FISS) (<http://www.env.gov.bc.ca/fish/fiss/index.html>) and Habitat Wizard (http://webmaps.gov.bc.ca/imf5/imf.jsp?site=moe_habwizdatabases) to determine whether any documented stream information existed for Mine Bay and Sam Creek. In addition, base maps that were previously provided by IT were also reviewed prior to initiating the field assessment.

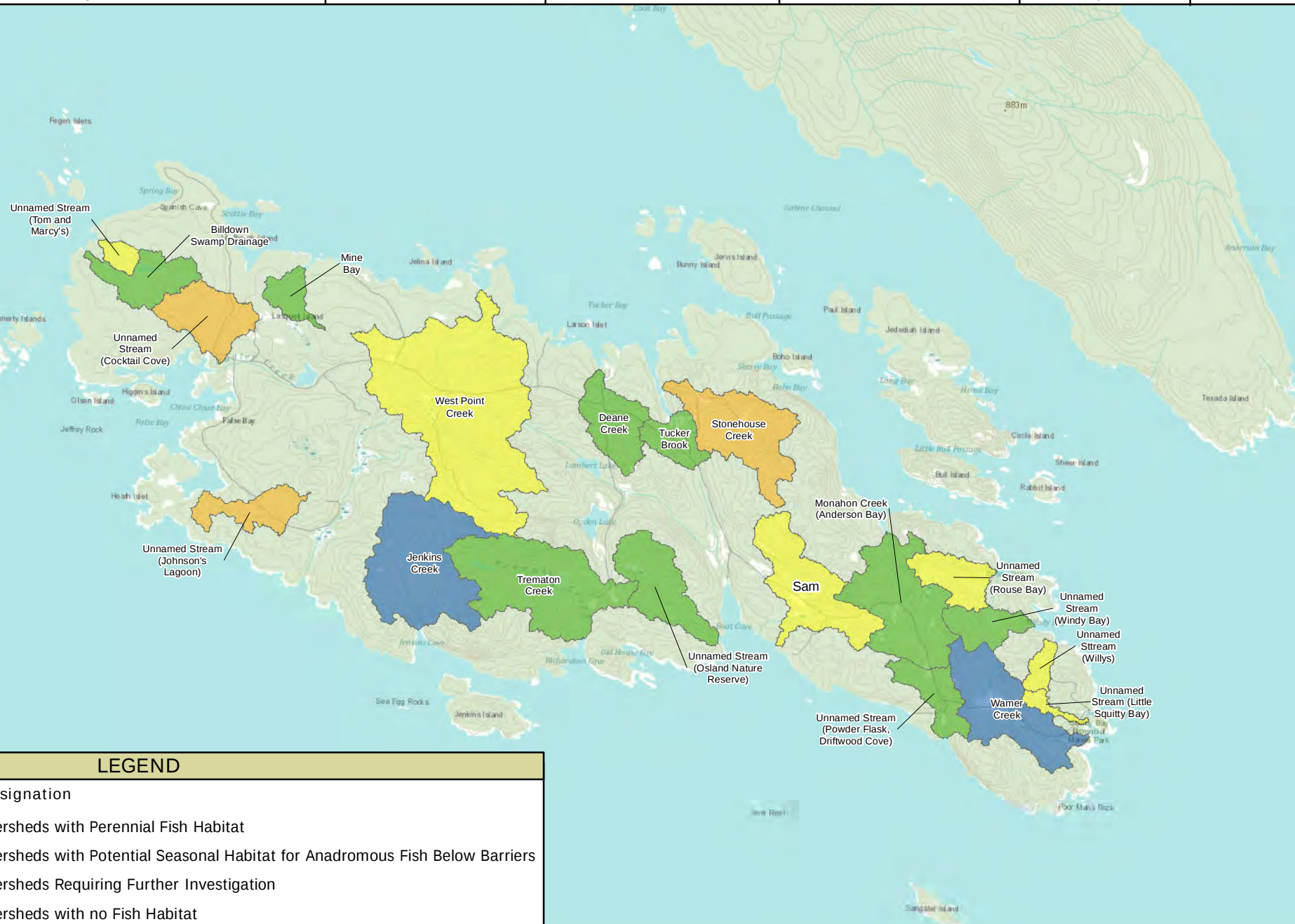
Local stream names were adopted from the *Lasqueti Island Water Allocation Plan* (Bryden and Barnett, 1992) and assigned to the assessed streams. If a stream was not listed in the 1992 report, stream names were developed based on local knowledge, or other identifiers such as the bay in to which the stream drains.

2.2 Assessment Area

Mine Bay and Sam Creek Watersheds defined the study area (Figure 1). Watershed boundaries were provided, however for the purposes of this assessment, focus was given to the outlet of the main-stem drainage within each watershed. Applicability of the RAR process was determined by the presence of a permanent, insurmountable barrier at tidewater.



PROJECT: Watershed Assessment for Riparian Area Designation		LOCATION: Lasqueti Island, B.C.	CLIENT: Islands Trust	DOSSIER NO: 14.0044	
ASSESSED BY: Justin Lange B.Sc., R.P.Bio.	FIELD VISIT: March 15, 2014	MAP SCALE: 1:80,000	MAPPING DATE: March 27, 2014	DRAWN BY: Erin Philip	



LEGEND

Watershed Designation

- Watersheds with Perennial Fish Habitat
- Watersheds with Potential Seasonal Habitat for Anadromous Fish Below Barriers
- Watersheds Requiring Further Investigation
- Watersheds with no Fish Habitat

0 500 1,000 2,000 3,000
m.

Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, 63
IRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), and the GIS User Community

2.3 Landowner Contact

The main-stem drainage outlets for both the Mine Bay Watershed and Sam Creek Watershed intersect with private properties. Prior to initiating the field based portion of the assessment, the landowners were contacted by telephone. Due to the fact Doug Hopwood, R.P.F. (local resident) was involved as a field assistant; he assumed the lead role of contacting the property owners. Each landowner was advised of the objectives of the project and asked for access permission.

2.4 Field Assessment

Assessment of both streams was completed on March 15th 2014 by Justin Lange, B.Sc., R.P.Bio., (Madrone) with assistance from Doug Hopwood. During the field assessment, focus was given to the outlet of each stream (*i.e.*, area where the stream flows into the marine environment). Information was collected with respect to with respect to stream gradient, flow regime, channel morphology (*i.e.*, riffle-pool/cascade-pool or step-pool) and potential for fish to enter and inhabit the stream. The timing of the field assessment was such that it corresponded with moderate stream flows, due to rainfall events in the days leading up to the fieldwork. This allowed for ideal conditions to observe connectivity with the marine environment.

3.0 RESULTS

3.1 Documented Fish Distribution Data

The background research phase (Habitat Wizard and FISS, 2014) did not reveal any documented fish distribution data for Mine Bay of Sam Creek. While background research can be useful in determining the known distribution of fish, it cannot be used to confirm that fish do not occur in a given water course. If there is no barrier at tidewater preventing fish access, or there is perennial habitat available for resident fish upstream of a barrier, a stream is considered as providing potential fish habitat.

3.2 Mine Bay Watershed

The main outlet drainage for the Mine Bay Watershed enters the marine environment on the northern side of Lasqueti Island, approximately 1,500 m east of Scottie Bay. At tidewater, the stream flows through and under mine tailings that were discarded in the area when an old copper mine was in operation. Recently, the property owner excavated a channel to establish connectivity during high tides. The bankfull width of the channel is 3.50 m and the gradient 2% to 4%. Upstream of the excavated channel,

the habitat is more consistent with the natural, estuarine habitat. Organic (*i.e.*, decomposing leaves and woody debris) substrate dominates and large woody debris (LWD) has accumulated as a result of tidal inundation. At the time of the assessment, the property owner indicated that the stream flows subsurface at the outlet for most of the year and only connects to the ocean via surface flow when high stream flows correspond with maximum yearly tides (*i.e.*, greater than 16 feet).

Upstream of the estuarine environment, the stream remains relatively undisturbed. The morphology of the stream is most consistent with that of a riffle-pool system. On average the channel ranges between 0.8 m and 1.0 m and has a gradient of 4% to 5%. The stream bed is composed mainly of small alluvium (*i.e.*, pea gravel), however pockets of organic substrate was documented. Based on anecdotal evidence and the fact water flow was at moderate levels, even after recent rain, it appears the stream likely possesses a seasonal flow regime and only contains water through the winter and early spring (*i.e.*, during significant rainfall events or snowmelt). However, there will be seasonal variation based on weather patterns.

Riparian vegetation consists of continuous mature forest with Douglas-fir (*Pseudotsuga menziesii*) and western redcedar (*Thuja plicata*) dominating. Red alder (*Alnus rubra*) was also documented as being a component of the tree layer, albeit minimal. Dominant shrub and herb species within the riparian zone of the stream include oceanspray (*Holodiscus discolor*), salal (*Gaultheria shallon*) and sword fern (*Polystichum munitum*). This vegetation is providing biological function in the form of bank stability, shade, nutrients and LWD.

Overall, the stream possesses mediocre fish habitat attributes. As such, it is designated as a “Watershed with Potential Seasonal Habitat for Anadromous Fish Below Barriers”. Suitable sized spawning substrate exists for salmonids, however, deep pool habitat units are lacking. Based on the fact refuge habitat is lacking and there is a seasonal flow regime, it is highly unlikely that the stream will support a population of fish.

3.3 Sam Creek Watershed

The main drainage for the Sam Creek Watershed (referred to as Sam Creek) enter the ocean at the southeastern end of Lasqueti Island, near Boat Cove. At tidewater, the stream flows over a vertical bedrock ledge, approximately 12 m to 14 m in height. Immediately upstream of the bedrock cascade, the stream is confined between two bedrock outcrops. The gradient of the channel is 2% to 4% and the bankfull width

between 1.0 m and 1.5 m for a distance of approximately 30 m to 40 m. Approximately 50 m upstream of tidewater, the stream flows over a bedrock bluff with a series of vertical falls that range in height between 10 m and 15 m (refer to photos). Due to the extensive beaver activity along the stream, it is likely that water flow is on a perennial basis.

Riparian vegetation is limited due to the harsh growing conditions (*i.e.*, abundance of bedrock) in the vicinity of the stream. The forest within the riparian zone is mature and composed mainly of Douglas-fir (*Pseudotsuga menziesii*) and arbutus (*Arbutus menziesii*). The understorey shrub and herb layers are sparse and dominated by salmonberry (*Rubus spectabilis*), salal and common rush (*Juncus effusus*).

Overall, fish habitat attributes within Sam Creek are poor. Although the stream likely contains perennial flow, there is a lack of spawning habitat, pool habitat and upstream migration by anadromous salmonids is prevented by the bedrock cascades at and immediately upstream of tidewater. Also, the likelihood of Sam Creek supporting a resident population of fish is very low. In order to support a resident population of fish, pool habitat units are required for rearing by juveniles and gravels must be present for spawning. Due to the fact these features are lacking within Sam Creek and there is no potential for upstream migration of fish from the ocean, this watershed has been designated a “Watershed with No Fish Habitat”.

4.0 DISCUSSION

Upon completion of the field assessment, it was determined that the main drainage of the Mine Bay Watershed would be applicable to the RAR process as it meets the definition of a stream. Despite the fact that background research returned no documented fish distribution for the target watershed, the field assessment confirmed that there is no definitive barrier to prevent anadromous salmonids from entering the stream during periods of high flow. At tidewater the stream channel is low gradient. Based on the ephemeral flow regime, the stream would be best suited to support fish species with shorter rearing periods (*i.e.*, pink salmon – *Oncorhynchus gorbuscha*). Shortly after emerging from the gravel, pink salmon fry migrate back out to sea. The occurrence of resident fish or anadromous species that rely on freshwater habitat for extended periods of time would be less likely to use the stream.

In the case of Sam Creek, discussions with local residents indicated that the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) had previously designated the watershed as being applicable to the RAR. Observations at the time of

the assessment supported the premise that salmonids could not enter the stream. Overall, the habitat is of poor quality and the series of bedrock cascades within the lower reach of the stream represent permanent barriers to upstream fish migration. In addition, there is no evidence to support that a resident population of salmonids has been introduced to the watershed. As a result, the Sam Creek Watershed is not applicable under the RAR process as the main outflow drainage (Sam Creek) does not meet the definition of a stream under the RAR.

To date, only one watershed, Johnson's Lagoon, has not been assessed for presence of fish habitat. However, based on discussions with the landowner during the 2013 field visit, it is believed that the watercourse follows a low-gradient course before any barriers exist. As such, it is likely that this watershed provides fish habitat.

The recommended next step for the local government (Islands Trust) is to map all drainages (*i.e.*, main-stem and tributaries) within each of the watersheds. We recommend that each of the drainages be traversed with a Trimble GPS unit. In doing so, an exact location of the streams would be determined. This information could be used to prepare Development Permit Areas or adopt the Riparian Areas Regulation.

If you have any questions or comments about the stream mapping process, please do not hesitate in contacting the undersigned.

Prepared by:

A handwritten signature in blue ink, "Justin Lange", is written over a circular blue ink seal. The seal contains the text "COLLEGE OF APPLIED BIOLOGICAL SCIENCES" around the top edge, "Justin Lange" in the center, "R.P. Bio" and "2406" below the name, and "CAB" at the bottom.

Justin Lange, B. Sc., R.P.Bio.

Madrone Environmental Services Ltd.



5.0 REFERENCES

Bryden, G. and Barnett, L. 1992. Lasqueti Island Water Allocation Plan. Ministry of Environment, Lands and Parks, Vancouver Island Region. Nanaimo, BC.



APPENDIX I – PHOTOS

Mine Bay Creek



Photo 1. Looking north at Mine Bay from the outlet of Mine Bay Creek.



Photo 2. Looking upstream (south) at Mine Bay Creek from the natural boundary of the estuarine environment. Note the linear morphology of the channel, an indication that it was excavated. The red arrow indicates the point where the stream flows subsurface.



Photo 3. Looking upstream at the upper limit of tidal influence for Mine Bay Creek.



Photo 4. Channel morphology of Mine Bay Creek, upstream of the tidal influence. Note the well-defined stream channel.



Photo 5. Upper reaches of Mine Bay Creek. It should be noted that this portion of the stream was not discernable in some areas as it flows through dense sword fern.

Sam Creek



Photo 6. A photo looking down from the top of the bedrock cascade located at the interface between the freshwater and marine environments. This feature represents an insurmountable barrier for upstream fish migration.



Photo 7. Looking upstream at Sam Creek from the top of the bedrock cascade. It should be noted that the stream bed is composed mainly of bedrock.



Photo 8. A photo depicting the morphology of Sam Creek, approximately 50 m upstream of the tidal boundary. This bedrock cascade feature, which is near vertical represents an additional fish barrier.



Islands Trust

Top Priorities

Lasqueti Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Riparian Areas Regulation Compliance . Watershed Assessment and Bylaw Enactment		Aug-17-2011	Linda Prowse		On Going
2	False Bay Parking and Master Plan		Jun-30-2011	Linda Prowse		On Going
3	Update Official Community Plan with Intertidal zone policies using specific recommendations from the Forage Fish team and the Greenshores and Eelgrass Project		Jan-12-2012	Linda Prowse	Dec-13-2012	On Going



Projects

Lasqueti Island

No.	Description	Activity	Received/Initiated	Status
1	Draft a protocol agreement with Sliammon First Nation. Work with RPM and TAS.		Jun-20-2008	On Going
1	Lasqueti Crown Lands - TAS informed LTC this is currently on hold until Protocol Agreement is finalized.		Feb-16-2007	On Going
1	Update the Lasqueti Official Community Plan by: 1. adding policy requiring all marinas applying for rezoning or a development permit to provide pump out facilities; and 2. adding advocacy policy encouraging neighbouring local governments to require that marinas servicing vessels traveling within the Trust Area install pump-out facilities when applying for rezoning or a development permit (Recommendations from Trust Council to all LTC's)			On Going
1	Update Official Community Plan and Land Use Bylaw to include provisions for food security. (Direction from Trust Council - December, 2010)		Mar-03-2011	On Going
1	Enter into an informal discussion and take part in a cultural exchange with the Sliammon First Nation		Sep-02-2010	On Going
1	Consider Procedures Bylaw amendment to allow the Local Trust Committee to hold electronic meetings when needed.		Feb-28-2013	On Going
1	Non-conforming housing.		Feb-28-2013	On Going

Islands Trust
 LTC EXP SUMMARY REPORT F2014
 Invoices posted to Month ending March 2014

640 Lasqueti	Invoices posted to Month ending March 2014	Budget	Spent	Balance
65000-640	LTC "Trustee Expenses"	1,500.00	0.00	1,500.00
LTC Local				
65200-640	LTC - Local Exp - LTC Meeting Expenses	1,000.00	938.91	61.09
65210-640	LTC - Local Exp - APC Meeting Expenses	500.00	10.00	490.00
65220-640	LTC - Local Exp - Communications	500.00	222.00	278.00
65230-640	LTC - Local Exp - Special Projects	2,000.00	0.00	2,000.00
65240-640	LTC - Local Exp - Miscellaneous	250.00	0.00	250.00
TOTAL LTC Local Expense		<u>4,250.00</u>	<u>1,170.91</u>	<u>3,079.09</u>
Projects				
TOTAL Project Expenses		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Lasqueti Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	July 11, 2013	LA-020-2013	APC member Agenda Package	It was MOVED and SECONDED , that on request by an Advisory Planning Commission member, that they receive a Lasqueti Island Local Trust Committee Agenda package at no charge.
2.	February 27, 2014	LA-2014-004	Annual Lasqueti Stewardship Award	It was MOVED and SECONDED That the Lasqueti Local Trust Committee establishes a standing resolution for an "Annual Lasqueti Environmental and Community Stewardship Award" to be presented annually by way of voluntary nominations up to a maximum of two (2) awards to show public recognition.



Memorandum

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northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date April 16, 2014

File Number 3030-1

(For meeting to be held on May 1, 2014)

To Lasqueti Island Local Trust Committee

From Linda Prowse
Planner
Local Planning Services

Re Lasqueti Island Local Trust Committee – Contribution for Islands Trust Annual Report for April 1, 2013- March 31, 2014

Each local trust committee is being asked to provide a short description of the Top Priority project work, noting corresponding sections of the Trust Council Strategic Plan, that has been done for the **April 1, 2013 – March 31, 2014 fiscal year** to be included in the Islands Trust Annual Report. Below is the proposed wording to be approved or amended and approved by the Lasqueti Island Local Trust Committee.

“The Lasqueti Island Local Trust Committee held five regular business meetings and one Community Information meeting on Lasqueti Island.

With regards to the Local Trust Committee Work Program top priorities, the Local Trust Committee accomplished the following:

- (1) Riparian Areas Regulation Compliance – The Local Trust Committee approved a Project Charter and Communication Plan. A second watershed assessment report was completed, supplementing the report that was done the previous year. The Local Trust Committee endorsed using a setback and screening regulation approach to become compliant with the Riparian Areas Regulation, and is planning a Community Information meeting for the summer. (*Strategic Plan 1.3 – Protect Fish Habitat by Implementing Riparian Areas Regulation*)
- (2) False Bay Master Plan – The Local Trust Committee approved a Project Charter and Communication Plan. A Community Information meeting was held in regards to topics – Land use/Density and Bed and Breakfasts having secondary kitchens. A second Community Information meeting relating to Parking and Hunting has been planned for later in April, 2014.

(3) Update Official Community Plan with Intertidal zone policies using specific recommendations from the Forage Fish team and the Greenshores and Eelgrass Project – Eelgrass Mapping was completed for Lasqueti Island (*Strategic Plan 1.1 Encourage voluntary Stewardship of the Natural Environment and, 2. Protect Coastal and Marine Ecosystems*) .

RECOMMENDATION:

That the Lasqueti Island Local Trust Committee approves the annual report submission in this memo dated April 16, 2014 to be included in the Islands Trust Annual Report for April 1, 2013 – March 31, 2014.

Cc: Courtney Simpson, Regional Planning Manager
David Marlor, Director of Local Planning



Memorandum

Date March 19, 2014

To Local Trust Committees
Planning Staff
Bowen Island Municipality

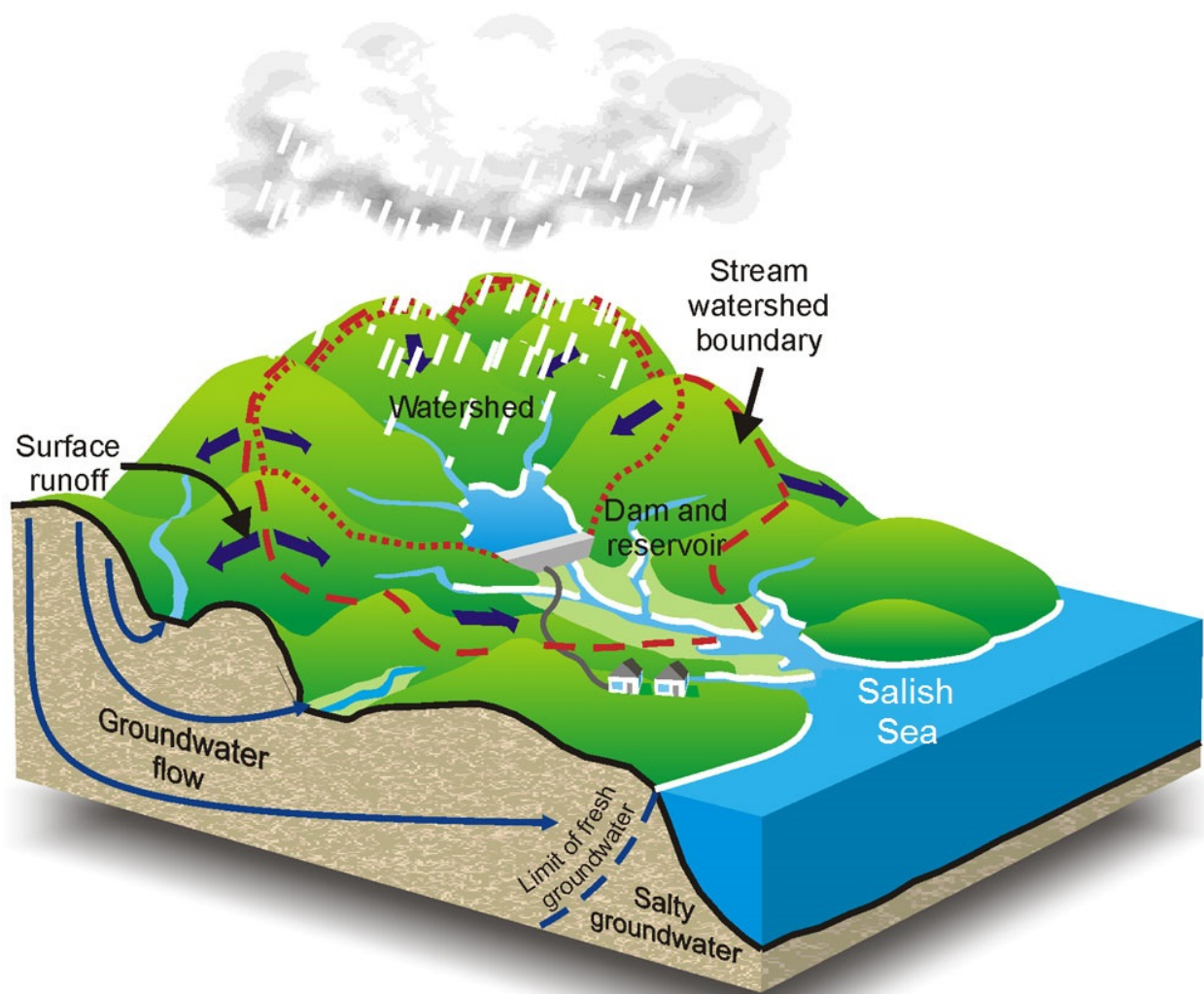
From Local Planning Committee

Re *Gulf Islands Groundwater Protection - A Regulatory Toolkit*

At its meeting on March 4-6, 2014, the Islands Trust Council passed a resolution requesting that the attached toolkit be circulated to all Local Trust Committees, planning staff and Bowen Island Municipality so that they are aware of some of the options available for the protection of groundwater.

This toolkit addresses options for the islands to consider in order to safeguard their water supplies now and into the future. The intent of this toolkit is to enable Local Trust Committees, planning staff and Bowen Island Municipality to choose the correct tool for the project at hand that suits their island.

Attachment: *Gulf Islands Groundwater Protection - A Regulatory Toolkit*



Gulf Islands Groundwater Protection

A Regulatory Toolkit

Prepared by Kris Nichols, LPC Island Planner

January 30, 2014



Islands Trust

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Introduction

Islanders are taking voluntary actions to steward and conserve water, island organizations educate and manage their water resources, and the Islands Trust has a strong focus on the importance of voluntary actions to protect water quality and quantity. A sample can be viewed here: <http://www.islandstrust.bc.ca/trust-council/projects/water-resource-information-for-islanders.aspx>.

This project discussion paper is only about what regulatory options are available if islanders and trustees want to proceed down the regulatory route; it is not the only route to protect groundwater quality and quantity.

The Islands Trust Local Planning Committee (LPC) has on their work program the development of water quality and quantity toolkit and development of a model bylaw. This report includes a toolkit, a model Development Permit Area (DPA) bylaw and a model Development Approval Information Area (DAI) Provisions that will assist all Local Trust Committees (LTC) in addressing the issue of water conservation.

This report addresses options for the islands to consider in order to safe guard their water supplies now and into the future. The protection of a safe adequate water source will remain a priority for the Islands and will become increasingly important as the Islands continue to develop. Reaching the full potential of water conservation requires comprehensive and long-term strategic planning.

There is an ever increasing need to balance the water supply requirements for area growth against future sustainability and environmental needs. The issue of water quality and quantity has been a long standing issue on the Gulf Islands. Local Trust Committees (LTC) have approached the issue differently from no action to developing development permit area guidelines and specific water conservation bylaws or subdivision servicing regulations. However, it is believed that to plan for the future of the Islands is to include the protection of water – groundwater and surface water. Groundwater is inextricably linked to the amount of surface water which many island ecosystems and habitats rely on which is another reason why an island's groundwater supply should be protected and sustainably used.

Background

In British Columbia, water is owned by the Crown and not by individual land owners. Surface water is regulated by the *Water Act*. British Columbia is the last jurisdiction in Canada without groundwater legislation or licensing (i.e. protection). The intent of the Province in the near future is to integrate groundwater and surface water allocation. The Province is working to finalize the new *Water Sustainability Act* (see: <http://www.livingwatersmart.ca/water-act/>)

which would require all existing and new large groundwater users to apply for and obtain a water licence (e.g. waterworks, community wells, industrial and agricultural users). This proposed legislation will replace the *Water Act*. The proposed legislation would not include individual residential well users, but it would in high risk areas (priority areas) where for instance aquifers are under stress due to over use. To establish the Islands Trust as a priority area would be beneficial, but this cannot be established until the new legislation is in place. This would enable closer evaluation with the province on providing regulation for the protection of aquifers/ground water. Something all islands would benefit from.

An aquifer is the area underground where spaces between gravel, sand, clay, or rock fill with water. Water stored underground is called groundwater. There are different types of aquifers. When water is found in cracks and pores in the rock, we call this a 'bedrock' aquifer. When water is found in the spaces between sand and gravel, we call this a 'sand and gravel', or 'unconsolidated' aquifer.

There are two types of aquifers that exist in the Gulf Islands: sand and gravel layers and fractured bedrock. Fractured bedrock provides the primary source of freshwater for the majority of the island residents. Fractures in the bedrock located below the water table are filled with water and tapped by wells. The density of fractures and proximity to major faults determine the water yield from individual wells.

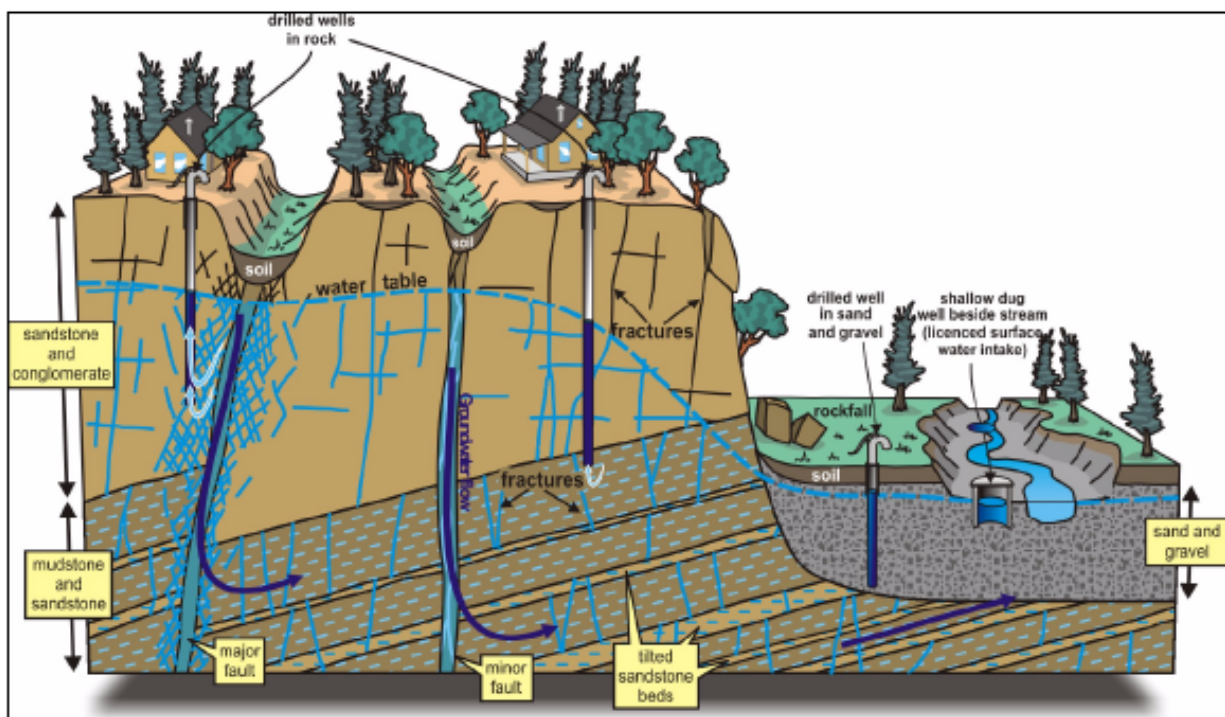


Figure 1. Ground water fills cracks and pores below the water table.

Source: Natural Resources Canada (http://ngwd-bdnes.cits.nrcan.gc.ca/service/api_ngwds:def/en/brief/pr_i03_mj.html)

Development pressures will continue to raise concerns over adequate quantity and quality of water on the Islands. The drinking water in the Gulf Islands comes from a variety of sources – private water systems, improvement districts, regional district water systems, individual wells, surface water all which rely on a safe supply of groundwater from aquifers. There are specialized systems that do not rely on groundwater such as rainwater catchment and desalinization. A few residents rely on bottled/trucked water.

Sustainable practices are required to conserve and protect fresh groundwater sources. There is currently no system to understand the cumulative impacts of individual wells drilled. There are a number of issues that impact the quality and quantity of groundwater such as saline intrusion, land use impacts (i.e. types and amount of uses), well interference, surface contamination, topography, recharge rates, soils, vegetation cover, geology, proximity to the sea, liquid waste (i.e. septic system) and seasonal water shortage. Climate change may also have an impact on groundwater supplies. The protection of existing groundwater supplies is significantly easier than finding alternative water sources on the islands. Groundwater also plays an important role in maintaining base flows in rivers and streams, which are critical in providing wildlife habitat and maintaining fish spawning areas and wetlands.

The Islands Trust has an important role to play in groundwater protection. It controls long-range development (Official Community Plans) and land use planning, zoning, development permit areas, bylaw enforcement, subdivision servicing bylaws. The Regional Districts and the Ministry of Transportation and Infrastructure (MoTI) have jurisdiction for water utilities and subdivision approvals, respectively. Island Health (formerly VIHA) has jurisdiction, through registered installers, for the approval of septic fields.

In addition to land use controls, there are several water conservation practices (e.g. low flow toilets, showers, rainwater collection, etc.) for residential home owners that should be encouraged to promote the sustainable use of water. Much of what will make the difference will not necessarily come from regulations, but from the community and its water use practices.

The Islands Trust decisions about how and where land is developed impacts groundwater quality and quantity. Therefore, the Island communities expect that the Islands Trust will manage land development to protect both water quality and quantity of groundwater. Often local government policy on groundwater is often unmanaged and unmeasured. With improved information, the Islands Trust can improve its impact on water quality and quantity. Even low density development can impact the rate of groundwater extraction through the use of wells and the ability of water to infiltrate into aquifers with development in recharge areas. Islands Trust communities have very few alternative sources of water than what they are currently using. Groundwater protection should be an overarching priority informing all land use decisions.

What is the Islands Trust Doing Currently?

The Islands Trust has recognized the significance of protecting the groundwater. Some islands have addressed water protection through development permit areas such as Salt Spring Island with its Development Permit Area 5 for the protection of Community Well Capture Zones or Galiano Island with its Development Permit Area 4 which addresses the protection Elevated Groundwater Catchment Areas. Some Islands such as Saturna Islands have specific requirements for areas of the island that have gone through studies around their groundwater. On the East Point area of Saturna Island where there is limited water quality and quantity the zoning bylaw requires that the lots contain a cistern for the storage of water. Galiano Island also has a similar bylaw requirement for areas identified as Water Management Areas and the requirement for extra cistern water storage.

In Gabriola's OCP they recognize the importance of groundwater by stating that, "there are known problems with inadequate soil percolation for septic disposal and groundwater supply because of the complex nature of groundwater flow through fractures in the bedrock. " Their OCP also "does not support the further creation of small lot residential areas except as permitted through density averaging provisions of this plan." The OCP also has a number of Water Supply Advocacy Policies that present a number of requests to the Ministry of Health and the Ministry of the Environment.

What Information is Available to Islands Trust Staff Currently?

Currently, staff have a number of sources of information that are available to them. In-house, staff have access to mapping (TAPIS) which indicates intrinsic vulnerability mapping for aquifers and various ecosystem mapping. The aquifer mapping relates specifically too how vulnerable the aquifer may be to contaminants primarily and therefore is useful for identifying land uses (industrial vs. residential). In general the islands are rural in nature with primarily large lots (> 1 acre) and therefore the vulnerability mapping has limited applicability. Both of these are valuable in determining areas where some groundwater issues may occur. Some islands as indicated previously may have specific development permits areas that can also be shown on TAPIS as well as specific zoning.

Some islands have also done advanced studies beyond what is available from the Islands Trust in general. Some have done studies for specific areas such as Saturna's East Point which was used to prescribe certain bylaw regulations (i.e. cistern requirement). Gabriola Island being part of the Regional District of Nanaimo has some of the best mapping related to groundwater and aquifers available as a result of programs the RDN has initiated.

There are several other sources of information that are available and can be used in evaluating water quality and quantity. One good source is the provincial well database on the Ministry of

Environment's website: http://www.env.gov.bc.ca/wsd/data_searches/wells/. It should be noted that unless the well is being monitored the information being provide by this well data base is a snapshot in time.

The Trust Area Services (TAS) is currently putting together an Islands Trust Water Resource Education Materials Project which will identify existing education materials by creating an inventory; to identify information gaps and if necessary develop options to address these gaps. There is a great deal of literature available on water conservation initiatives which are as important in the protection of water quality and quantity as protecting the source. Ensuring a sustainable use of the water source is beneficial. Utilizing sustainable practices is no longer a fad, but the norm.

See: <http://www.islandstrust.bc.ca/trust-council/advocacy/groundwater-regulation-advocacy.aspx>

Local Government Jurisdiction

The Islands Trust role in groundwater sustainability is limited to land use powers to:

- Ensure that rainwater is returned to streams and aquifers;
- Protect headwaters, riparian areas and other vulnerable aquifer recharge areas;
- Prevent groundwater contamination by limiting and regulating potentially polluting uses over aquifers and in groundwater recharge areas through zoning;
- Direct development to appropriate locations where the sufficiency of groundwater for domestic or commercial uses has been thoroughly assessed on a watershed scale before development occurs;
- Regulate storage and application of fertilizers and compost;
- Obtain information about the location of existing and new wells (including geothermal wells) when new development occurs; and
- Develop well protection plans.

The following will outline tools that will present some options in addressing the objectives listed in Table 1. The tools are for the development of Official Community Plans (OCP), Land Use Bylaws (LUB), Development Permit Areas (DPA), Development Approval Information (DAI) Bylaws and water conservation tools.

Official Community Plan

(*Local Government Act*, Part 26, Division 2)

Purpose: to establish a vision and policies for community development.

- Guides how and where new development occurs
- Directs LTCs and staff to undertake groundwater protection measures
- Raise awareness within a community of groundwater issues and areas of concern
- Establishes and contains the guidelines for development permit areas.

To ensure that policies and land use designations are most effective they should be based on data collection and mapping of recharge areas, local aquifers and areas of limited or critical supply. OCPs can contain explicit policies for groundwater protection.

Given that new bylaws cannot be in direct conflict with the OCP, it permits the ability for the OCP to contain policies on groundwater sustainability that will set the foundation for other bylaws (i.e. zoning) to contain specific and enforceable standards. OCPs can also establish policies around groundwater protection that can influence how development applications are reviewed/evaluated, for instance requirements placed on subdivisions.

Some examples of effective OCP policy areas for aquifer and groundwater protection:

- Protect aquifers by establishing development permit areas that require buffer zones and site specific attention through permitting prior to development.
- Designate aquifer protection zone(s) and development permit areas for which studies may be required.
- Commit the Local Trust Committee to an integrated water management planning approach that will coordinate action on the community water supply, rainwater management, green infrastructure and government regulations (e.g. RAR)
- Specify site design that maintains natural hydrologic cycles, including performance based measures such as managing rain water on site and not net increase in post development flows.
- Encourage cluster development that minimizes impervious surfaces and other impacts across the landscape.
- Direct LTCs to encourage communities to practice water conservation and protection.

It is important that OCPs are interpreted such that policy has an impact and considered in all land use decisions. The policies in the OCP are in many instances only as good as the subsequent bylaws.

Land Use Bylaw - Zoning

(Local Government Act, Part 26, Division 7)

Purpose: to regulate what, and where and how much of, activities may occur on specific parcels of land.

- Regulates use and density of property to direct development away from groundwater-limited or aquifer recharge areas
- Can limit lots sizes to reduce density in groundwater scarce areas
- Can prohibit potentially polluting uses in areas where aquifers must be protected.
- Sets standards on aspects of development that will have an impact on the water resources on the site or in an area (e.g. setbacks from riparian areas)
- Can encourage groundwater sensitive development by clustering development through rezoning and possibly utilizing density bonus provisions.
- Can leverage habitat protection or water-efficient amenities when rezoning.

Zoning permits the Local Trust Committee (LTC) to regulate the use and density and development standards (e.g. height, setbacks) through creating specific zones. Zoning for aquifer/groundwater protection would direct specific developments away from groundwater sensitive or aquifer recharge areas or prohibiting potential contaminating uses.

For instance, zoning can protect groundwater by keeping rural aquifer areas as rural zoning with low density and low risk uses. Zoning can regulate development by:

- Directing development to appropriate locations;
- Requiring development to be setback from riparian areas;
- Limiting the total impermeable site coverage;

- Establishing appropriate lot sizes;
- Limiting density;
- Requiring appropriate drainage; and
- Prohibiting potentially polluting uses in areas where aquifers must be protected.

Local Trust Committees (LTC) should review the zoning in areas that are important for aquifer protection and adjacent to riparian areas to ensure that no polluting land uses are permitted. In those areas that require aquifer/groundwater protection a form of aquifer zoning is recommended. The intent being to apply it to aquifer recharge areas, well capture zone areas and watersheds particularly ones that are relied upon for potable water. This zoning could have particular characteristics for:

- Maintaining large lots
- Increased setbacks from watercourses
- Lessened lot coverage requirements to encourage clustering of development and lessening road construction
- Amount of impervious lot coverage

Impermeable Site Coverage

It is not uncommon for zoning bylaws to address the total impermeable site coverage in a zone. This limits the amount of runoff generated. To exceed this site coverage, a development variance permit would be required.

New zoning bylaws increasingly contrast between “actual” and “effective” impermeability of a site.

Actual impermeability means the amount of the site covered by surfaces through which water will not infiltrate. This is what is generally addressed in many zoning bylaws.

Effective impermeability relates to how much of the total rainfall on a site is infiltrated into the ground. This can be enhanced through storm water detention, bio-filtration and ensuring that drainage occurs onsite.

For example where some sites may have 60% actual impervious meaning that water does not penetrate 60% of the site, but by utilizing techniques to ensure that water drainage remains on the site it may be possible to have an effective permeability significantly less than the actual impermeability. This could be achieved by a combination of drainage standards implemented through subdivision servicing bylaws and zoning regulations.

Although tough to measure, there would be benefits to ensuring actual impermeability is lessened and effective impermeability is increased.

Protecting Groundwater

The clustering of development on a portion of a site is a form of groundwater-sensitive development. There is a possibility voluntary amenity provision such as water efficient infrastructure by including it as part of a rezoning or amenity density bonus. The applicant

would have to choose an amenity density bonus zoning option that includes amenities that protect groundwater.

An amenity density bonus would permit an applicant to apply for increased density on a site in return for providing the LTC with an amenity. Some examples of LTC amenities could be:

- Building design that conserves water;
- Water efficient landscaping;
- Enhancement of riparian habitat;
- Dedication of wetlands; and
- Preservation of streams and other unique environmental attributes.

It may also be possible for an LTC to require cash-in-lieu amenity provided that the zoning bylaw specifies which cash-in-lieu contribution are favored (i.e. for what?).

Development Permit Area (DPA) Designation

To require applicants for development to obtain a permit that specifies conditions to protect groundwater/aquifers.

Development Permit Areas (DPAs) are areas designated in an OCP (in some cases a zoning bylaw) to which particular guidelines apply. A DPA may be designated for the protection of the natural environment or to promote water efficiency/conservation that will address watershed health. (see *Local Government Act* s. 919.1(i)) In order for the DPA to be effective it is important for the DPA to integrate surface water along with groundwater considerations. Generally, DPAs prohibit site disturbance before development approval which gives the LTC time to evaluate the development against established DPA guidelines. The DPA may include requirements for such things as landscaping, the siting of buildings, and the type and placement of trees and vegetation.

Some examples of guidelines are:

- Mandate replanting and rehabilitation of disturbed areas
- Erosion and sediment control (site specific plan)
- Environmental impact assessments/hydrologic studies to satisfaction of the Local Trust Committee
- Consistency between pre and post development hydrology
- Vegetation as per landscape plan
- Incorporate standards from other levels of government (e.g. Riparian Areas Regulation)
- Limits as to the amount of impermeable surfaces
- Specify areas that must remain clear of development

It is best to have a DPA as a companion tool with zone-specific requirements for groundwater protection as DPAs cannot be used to limit the amount of development permitted on a site. Nor can they address building construction standards that are addressed through the respective regional district building permit process.

DPAs do permit the LTC to monitor environmental conditions as the development progresses and for a limited amount of time post development. This is done through the collection of a security to ensure that works to complete permit conditions are finalized. If this is not done, then the intent is to use the funds/security to complete the conditions. Therefore, the security is returned only if the conditions are met.

See Appendix 1 - Development Permit Area Model Bylaw

In addition to having a stand-alone DP for groundwater/aquifer protection there are options where various guidelines could be implemented within existing DP areas for such land uses as industrial. The following guidelines are taken from the Regional District of Nanaimo's Area A OCP (Cedar Development Permit Area).

Groundwater Protection

- 1. The use or disposal of substances or contaminants that may be harmful to area aquifers shall be discouraged and wherever practical, steps shall be taken to ensure the proper disposal of such contaminants.*
- 2. The RDN may require an applicant to submit a rain water management plan prepared by a professional engineer which must ensure that any run off, rain water, or other liquid from any of the proposed land uses, buildings and impervious surfaces does not negatively impact groundwater quality. The plan must include recommendations on how to minimize the risk of deleterious substances entering the groundwater. The RDN should require the applicant to implement the report's recommendations in the proposed development.*
- 3. The RDN shall require that drainage from all impervious surfaces and areas where vehicles and machinery are stored, cleaned, operated, and maintained be directed through an appropriately sized and engineered sedimentation, oil, water and grease separator or other engineered solution to the satisfaction of the RDN. The engineer must provide an appropriate maintenance schedule.*
- 4. The RDN may require the applicant to enter into a Section 219 covenant registering on title the maintenance schedule and a commitment to maintain the sedimentation, oil, water and grease separator as per the engineer's recommendations.*
- 5. Developments that are found to pose detrimental impacts on either the quality or quantity of groundwater shall not be supported.*

Development Approval Information Areas (DAI) Bylaw

Development Approval Information (DAI) Areas Bylaws are to establish areas in which local governments may request additional information from applicants for zoning, development permits, or temporary use permits. The purpose of a DAI is to enable the LTC to obtain expert assessment of the impact of a development on the community at the expense of the applicant.

A DAI bylaw enables the development of site specific information to inform decision making and the ability to require specialized information (e.g. impact assessments, etc.).

The requirement for a detailed assessment may be triggered by an application for a rezoning, a development permit or a temporary use permit. The information required is usually in the form of a professional report and would be used by staff and the LTC in determining permit conditions.

In the case of groundwater the LTC could request a hydrological assessment of:

- The availability of groundwater;
- Cumulative effects of groundwater use;
- Other environmental impacts.

The intent of establishing this DAI is to ensure that potential negative impacts of proposed major developments are identified and documented as part of the development review process and to provide the LTC with complete information to properly assess and mitigate conditions caused by that development. Where reports identify negative impacts, the LTC will require mitigation by the applicant as part of a development permit to improve the proposal and minimize potential negative impacts on hydrology, the environment, and the neighbourhood.

In order for a LTC to establish a DAI bylaw in an OCP it must prepare a bylaw that sets out what information the LTC may require and specific policies and procedures to be followed. DAI may be valuable in that if a bylaw is established and concerns are raised about specific developments specific information can be requested that can go beyond DPAs guideline requirements.

See Appendix 2 - Development Approval Information Model Provisions

Subdivision Servicing Bylaws

The intent of these bylaws is to establish standards for the subdivision of land that maximizes infiltration of water and minimizes impervious surfaces and evaluates the sustainability of new groundwater withdrawal from a specific aquifer.

Subdivision servicing bylaws set the standards by which works and services must be constructed when land is divided into new parcels. Standards that support groundwater quality and supply can be included in subdivision servicing bylaws. They can require each proposed lot to have a reliable source of potable water, and can establish infiltration, drainage and permeability standards. Subdivision servicing standards can direct development to mimic natural hydrology by requiring rainwater infiltration and limiting impervious surfaces. If an LTC has established a wellhead protection area that is regulated by zoning or a development permit area, the requirements could also be included in a subdivision servicing bylaw.

Land developments generally have two water supply options generally a stand-alone water source (surface or well) or a community water system. Of course, on the islands there are other water source options that do not involved groundwater/aquifers such as rainwater collection or desalinization.

Approvals are based on one time “proof of water” evaluations that generally do not give consideration to long-term ground water consideration such as impacts of future development or cumulative impacts of developments over time in a watershed. Most bylaws will contain requirements that each new parcel created have a potable water source and a specific flow rate depending on the type of development proposed. However, this “proof of water” focuses on yield and quality of each well and not the sustainability and protection of the aquifer system as a whole. Some LTCs do require an evaluation of long term sustainability and a qualified professional’s hydrology report especially where a development will be drawing on the aquifer in a greater quantity than single family development (e.g. higher density development, commercial uses, etc.). On-going monitoring should be implemented in sensitive aquifers or groundwater-limited areas.

There may also be instances when “proof of water” is not required with some subdivisions such as the creating of large lots (> 20 acres) or boundary adjustments where sources of water have historically been proven.

Community water approvals (>3 connections) are dealt with through the provincial government (i.e. Vancouver Island Health Authority). If lots are to connect to a community system, the LTC has an option to require that unused wells (if any) be closed in accordance with the Ground Water Protection Regulation (GWPR) by establishing a well closure bylaw thereby protecting the groundwater/aquifer and possible contamination. Given that Island Health is involved in these community wells it may be possible to ensure monitoring is done, however, there are not that many community wells on the islands.

Water Conservation Tools – General Information

In addition to regulatory requirements that an LTC can implement, there are a number of water conservation tools that should be encouraged on the islands. These are less regulatory and more voluntary in nature. Given the groundwater source the islands are reliant on it is important that each resident does their own part to lessen the water demand. The protection of a quantity and quality of water should not be solely reliant on regulatory processes. Education and awareness is also a big part of what is needed in the sustainable use of water on the Islands – a resource used by all. Water conservation practices should become common place for all residents and visitors to the Gulf Islands.

The Trust Programs Committee has initiated a site to educate islanders about water issues and options to promote sustainable use or reuse of water. The intent is that educational materials will be regularly posted on the Islands Trust website as a resource and part of the necessary community outreach. <http://www.islandstrust.bc.ca/trust-council/projects/water-resource-information-for-islanders.aspx>



Source: Regional District of Nanaimo. For indoor and outdoor tips: <http://www.rdn.bc.ca/cms.asp?wpID=877> , <http://www.rdn.bc.ca/cms.asp?wpID=878> and <http://www.rdn.bc.ca/cms.asp?wpID=2155>

Overview

The intent of this toolkit is to provide a variety of tools (options) that will enable LTCs and planners to choose the correct tool for the project at hand that suits their island. The tools presented will aim to achieve the actions presented in Table 1. The following table outlines five objectives for groundwater protection and possible actions that local government can take.

Groundwater Protection Objectives and Actions:

#	Objective	Description	Local Government Actions
1	Minimize impacts on water sources	Streams depend on groundwater, especially during low-flow (baseflow) conditions. Groundwater pumping from many aquifers connected to surface water bodies can deplete or capture surface water flows. Retaining sufficient groundwater retains the health of fish-bearing streams and the security of community water supplies.	• Establish watershed protection zones supported by containment boundaries to preserve hydrologic function between aquifers and surface water sources • Establish well protection areas to capture zones to protect drinking water • Prohibit potentially polluting uses in critical aquifer recharge areas as well as capture or wellhead protection areas. • Understand composition of underlying aquifers
2	Sustain aquifers at healthy levels	Prevent over-use of aquifers and impacts on natural aquifer recharge to promote a healthy water balance. If this does not happen, the aquifer goes into decline and eventual depletion. Maintaining and monitoring water levels promotes healthy habitat and sustainable water supply.	• Plan land uses based on sustainable yield, not site-specific reports on proof of water. • Commit to integrated watershed management planning to coordinate action on community water supply, rainwater management, green infrastructure, and other regulations (e.g. Riparian Areas Regulation requirements) • Require all new development to provide evidence of a sustainable water source as a condition of subdivision or through the development permit process. • Monitor aquifer quality and quantity in partnership with other levels of government.
3	Maximize infiltration	Rainwater and snowmelt infiltration is key to aquifer recharge. Infiltration rates are affected by soil permeability, the amount of topsoil, and the rate that water moves across a landscape (as affected by vegetation, slope, etc.)	• Prohibit or limit development in groundwater recharge areas. • Protect sensitive ecosystems (e.g. wetlands) by establishing development permit areas that require buffer zones and special permitting before development takes place • Preserve baseflows in fish-bearing streams by maximizing groundwater recharge. • Infiltrate virtually all rainwater by limiting effective imperviousness to less than a specific percent. This includes maintaining extensive natural areas above recharge zones. • Implement cluster development through rezoning to maximize land available for

			infiltration. • Maintain native soils and vegetation (e.g. trees and other absorbent landscaping) • Establish landscaping standards for soil depth and type of landscape materials • Promote engineered infiltration systems such as infiltration ponds, vegetated swales, bioswales (i.e. grassy or vegetated areas besides roads and parking areas) or splash pads of gravel or other hard material • Create bioretention areas • Use permeable paving • Require alternative design standards and best management practices that maintain ecosystem functions (e.g. reducing impervious surfaces) • Use green roofs • Specify site design that causes no net increase in post-development flows • Maximum wetland recharge
4	Reduce groundwater use	The less the resource is extracted, the better the chances are that the system will maintain its natural balance. Each aquifer has a carrying capacity that should be considered before intensive use.	• Minimize leakage and waste within public water distribution systems (i.e. regional systems, improvement districts, etc.) • Reduce peak and annual demand for groundwater through water demand management approaches • In groundwater limited areas, limit development and require other water sources (i.e. rainwater and cisterns) • Enact restrictions on outdoor water use where a community water system is used • Promote use of native vegetation and landscaping to minimize water irrigation demand • Promote awareness for low flow devices to be installed in all new developments • Encourage individuals and non-government organizations to practice water conservation and protection
5	Protect groundwater quality	Protecting quality is critical to promoting healthy habitat and ensuring the safety and security of the potable water supply.	• Map and understand the vulnerability of aquifers • Minimize risks from point and non-point (i.e. from a diffuse source such as agricultural runoff, roads) source contaminants by prohibiting or regulating uses that could contaminate fish-bearing streams or aquifer recharge areas, capture zones or wellhead protection areas • Design sites to prevent increases in post-development flows that can pick up contaminants

			• Develop and implement a wellhead protection plan • Establish a local water quality testing program • Adopt a well closure bylaw • Plan developments to protect groundwater recharge areas
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Table 1: Primary Source: Groundwater Bylaws Toolkit (2009)

Information Note: Well Protection Toolkit

A set of voluntary guidelines developed by the Ministry of Environment to assist communities in developing well protection plans to prevent contamination of their well water supply. A well protection plan contains practical, protective measures to minimize and prevent undesirable impacts from land use activities on the source of water for the community well.

See:

http://www.env.gov.bc.ca/wsd/plan_protect_sustain/groundwater/wells/well_protection/acrobat.html

APPENDIX 1: Development Permit Area X – Groundwater Protection DPA

2.1 Designation

All lands shown on Schedule _X_ as being a groundwater protection area are designated as a development permit area.

Alternately may be designated based on an elevation

2.2 Authority

The Groundwater Protection Development Permit Area is designated a development permit area pursuant to Section 919.1(1)(a) of the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity and Section 919.1(i) of the Local Government Act for the establishment of objectives to promote water conservation.

Legislative basis of designation

2.3 Special Conditions and 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, other persons and organizations and the government of British Columbia.”

It is Provincial legislation in Section 877(1)(d) of the Local Government Act that an official community plan must include statements and map designations for the area covered by the Plan respecting restrictions on the use of land that is environmentally sensitive to development.

It is policy of the Islands Trust Council that Local Trust Committees 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

The [Groundwater Study prepared by...] concluded that ... and recommended the measures in order to preserve and protect groundwater resources:

Note: insert reference to professional report supporting designation of DPA (if applicable) and summarize key conclusions and recommendations

The Objectives of the development permit area are:

- to protect and sustain access to a reliable and safe supply of drinking water for private wells
- to protect and sustain the quality and supply of surface and groundwater necessary to the provision of ecological services
- to mitigate the impacts of development on sub-surface water supplies

2.4 Development Approval Information

The area is also designated an area for which development approval information (DAI) may be required according to Section 920.01(1)(c) of the *Local Government Act*. The designation of these areas for this purpose is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impact of the proposed activity or development on the community or the natural environment.

See DAI for impact assessment report requirements

2.5 Applicability

A development permit is required for the subdivision of land, construction of a new residence or commercial or industrial building, land alteration, or the cutting of trees in excess of the number exempted below.

2.6 Exemptions

The following activities are exempt from any requirement for a development permit:

- a) Repair, maintenance, alteration, additions to, or reconstruction of existing lawful buildings, structures or utilities, including those that are lawfully non-conforming (a building permit may still be required)
- b) Construction of a dwelling or subdivision of land that is, or will be, serviced by a community water system.
- c) Construction of a dwelling where the dwelling:
 - a) Is not to be connected to a groundwater source; and,
 - b) Is entirely serviced with water through stored and treated rain water which meets or exceeds Canadian Drinking Water Standards.
- d) Development on land that is subject to a conservation covenant under section 219(4) of the *Land Title Act* in relation to natural, environmental, wildlife or plant life value relating to the land, granted to the Local Trust Committee or a covenantee designated under section 219(3)(c) of the *Land Title Act*.
- e) 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.

This is based on the DPA being intended to address impacts of individual wells
A report from an engineer or other qualified professional may be required to satisfy the Islands Trust/Regional District that the proposed rainwater system has adequate capacity to meet the year-round water demands of the dwelling being proposed and that water will be stored and treated to meet potable water standards.

- f) The placement of temporary buildings or structures
- g) All vegetation removal except for cutting and removal of more than 5 trees (with a trunk diameter greater than 20 centimetres measured 1.5 metres above the ground) within a 12-month period on any one lot. From other RD bylaws and steep slope DPA, could be revised based on specific recommendations
- h) Removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property.
- i) Farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2), (3), (4) and (5) of the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation.
- j) Forest management activities, as defined in the Private Managed Forest Land Regulation, on land classified as managed forest land under the *Private Managed Forest Land Act*.
- k) Land alteration that does not alter the natural contours of the land. Intended to ensure cut and fill or blasting requires a permit. Language could be revised to be more specific based on recommendations
- l) The construction of an accessory building or structure with a lot coverage of less than 100m², provided the accessory building or structure is not connected to a supply of water. Exempts small non-plumbed buildings, lot coverage could be altered based on specific recommendations
- m) Construction of fences.
- n) Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property including:
 - i. Forest fire, flood and erosion protection works;
 - ii. Protection, repair or replacement of public facilities;
 - iii. Clearing of an obstruction from a bridge, culvert, dock wharf or stream; or
 - iv. Bridge repairs.
- o) Works undertaken by a local government or a body established by a local government.

2.7 Guidelines

1. In general, development should minimize negative impacts on the quality and quantity of subsurface water supplies.
2. Where a qualified professional hydrogeologist or engineer has made recommendations for mitigation measures, the LTC may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of groundwater supply quality or quantity consistent with the measures and recommendations described in the report. Authorizes LTC to implement conditions of professional report

3. Where the a qualified professional hydro-geologist or engineer's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a hydro-geologist or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
4. Where an application involves the subdivision of land, layout of the subdivision should be designed to:
 - a) replicate the function of a naturally vegetated watershed;
 - b) maintain the hydraulic regime of surface and groundwater pre-development flow rates;
 - c) not interfere with groundwater recharge;
 - d) not introduce or remove material where it would cause erosion of or the filling in of natural watercourses or wetlands.
5. The LTC may require the applicant to install a groundwater monitoring device in at least one well within each proposed subdivision. The LTC may require an agreement to be registered on title to allow a designated person or agency to access the property to collect the data from the device.

Appropriate where there is an agency or community group able to monitor wells
6. Where rainwater management is recommended by the report, rainwater should be retained on-site and managed using methods such as vegetated swales, rain gardens, or other methods which allow rainwater to return to the ground.
7. Where rainwater harvesting is recommended by the report for the construction of a new dwelling unit:
 - a) Dwelling units should be sited to allow for the optimal placement of a gravity fed rainwater collection tank which collects rainwater from the roof leaders of the dwelling unit which capture the majority of the rainwater flows.
 - b) Dwelling units should be designed to maximize opportunities for rainwater catchment from all roof surfaces.
 - c) Impervious surfaces should be minimized. The use of impervious paved driveways shall be discouraged.

Revise to read all buildings where commercial, industrial or institutional buildings are permitted by zoning

- d) The LTC may require that all new dwelling units include an external rainwater harvesting system such which includes the following:
 - i. External equipment for collecting and distributing rainwater from the dwelling unit roof;
 - ii. A storage tank(s) with a minimum storage capacity of 18,000 litres which is designed for rainwater collection and is rated for potable use;
 - iii. A pumping system;
 - iv. An overflow handling system.
- e) All external pipe, plumbing fixtures, and hose bibs where rainwater is used shall be clearly marked with “Non-Potable Water Do Not Drink”.
- f) Where external rainwater harvesting equipment is required as a condition of the permit, the LTC shall encourage the applicant to install dedicated plumbing lines within proposed dwelling units to make use of stored rainwater for flushing toilets and other non-potable uses.
- 8. Where tree removal which is not exempt from the requirement for a permit:
 - a) Removal of trees from steep slopes should only be allowed where necessary and where replacement vegetation / erosion control measures are established. Plans delineating extent of vegetation / tree removal and location of proposed construction, excavation and / or blasting, may be required.
 - b) All development should be undertaken and completed in such a manner as to prevent the release of sediment to any watercourse. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.
 - c) Existing, native trees should be retained wherever possible and trees to be retained near development should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
 - d) If the area has been previously cleared of trees, or is cleared during the process of development, replanting

requirements may be specified in the development permit. Areas of undisturbed bedrock exposed to the surface or natural sparsely vegetated areas should not require planting.

- e) Tree species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and should be selected for erosion control and/or wildlife habitat values as needed. Suitably adapted, non-invasive, non-native trees may also be considered acceptable.
 - f) All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead trees should be replaced at the owner's expense in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.
- 9. Roads, driveways, trails and pathways should follow the contours of the land and appropriately manage drainage.
 - 10. Parking areas should be located and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, bio-filtration trenches or swales, unpaved or permeable all-weather surfaces should be considered for this purpose.
 - 11. The Local Trust Committee may consider variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area.

APPENDIX 2: Model DAI Bylaw Provisions

1. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the Local Government Act for protection of the natural environment, its ecosystem and biological diversity and Section 919.1(1)(i) for the establishment of objectives to promote water conservation, for the purpose of requiring development permits for Groundwater Protection, the report shall consist of a hydrogeological assessment report containing the following information:
 - a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, the development permit area boundary, existing buildings and structures, roads and driveways, topographic features, and significant features identified in the site inventory. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included where development would occur on slopes exceeding 20% grade.
 - b. A map showing the ownership and locations of all currently used water wells, springs and surface water features within a minimum radius of 1.0 km from the development site.
 - c. A site inventory, providing information on existing pre-development conditions, current on-site and adjacent land uses, slope stability, erosional processes, hydrology, surface water bodies, and topography.
 - d. A background analysis that includes the following known information on the site:
 - A description of the hydrogeological system and setting, including the type of aquifer, aquifer boundaries, local surficial and bedrock geology, physical hydrogeology, local surface water features, estimated recharge area and conditions and climate;
 - A conceptual model of groundwater occurrence and groundwater-surface interaction;
 - A description of existing users within 1.0 km of the development site;
 - A preliminary pre-development water budget;
 - Water quality, including characterization of natural groundwater quality, potability, as well as possibility of contamination;
 - Methodology and, if applicable, uncertainties and limitations of the report.
 - e. A description of the proposed work, detailing construction, cut and fill, blasting, road, driveway or utility line construction, vegetation clearing, water supply requirements, alteration to hydrological systems, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.

- f. An impact assessment consisting of:
 - Cumulative effects analysis;
 - Impact to existing groundwater users, identification of the potential groundwater protection issues in the area and risk of saline intrusion;
 - Impact to surface water where applicable;
 - Other potential impact implications.
- g. Conclusions and recommendations consisting of:
 - A summary of results and impact assessment;
 - An unqualified statement that the proposed development will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity; or
 - Where such a statement cannot categorically be made, specific recommendations on well and aquifer protection measures which would result in the requirement being met.
- h. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.