



A NOTICE OF A BUSINESS MEETING OF **THE THETIS ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:45 AM on Wednesday, October 3, 2012 at Thetis Island Community Centre
(Forbes Hall) North Cove Road, Thetis Island, BC

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		10:45 am
2.	APPROVAL OF AGENDA		
3.	TOWN HALL SESSION (10 MINUTES)		
4.	MINUTES		10:55 am
4.1	Local Trust Committee Meeting Minutes of August 1, 2012- <i>for adoption</i>	1-9	
4.2	Local Trust Committee Special Meeting Minutes of September 1, 2012- <i>for adoption</i>	10-14	
4.2	Section 26 Resolutions Without Meeting - <i>none</i>		
4.3	Advisory Planning Commission Draft Meeting Minutes dated July 27, 2012- <i>attached</i>	15-16	
5.	BUSINESS ARISING FROM MINUTES		11:00 am
5.1	Follow-up Action List dated September 24, 2012 - <i>attached</i>	17-18	
5.2	Protocol Agreement with Cowichan Valley Regional District – <i>verbal update</i>		
6.	DELEGATIONS – <i>none declared</i>		
7.	CORRESPONDENCE		
	<i>Correspondence specific to an active development application and/or project will be received by the Thetis Island Local Trust Committee when that application and/or project is on the agenda for consideration.</i>		
7.1	Letter dated August 22, 2012 from BC Hydro Regarding Funding Available for Electric Beautification Projects - <i>attached</i>	19-22	
8.	APPLICATIONS AND PERMITS		11:05 am
8.1	TH-ALR-2012.1 (Torchbearers Capernwray Canada Society) Staff Report dated September 29, 2012 - <i>attached</i>	23-36	
9.	LOCAL TRUST COMMITTEE PROEJCTS		11:30 am
9.1	Associated Islands Community Plan		
9.1.1	Staff Report dated September, 2012 – <i>to be distributed</i>		
9.1.2	Email dated August 20, 2012 from Judy Shaw, Ruxton Island Property Owners Association regarding Noise Bylaw - <i>attached</i>	37-39	
9.1.3	Email dated September 4, 2012 from Jesse McNeill regarding Ruxton Island Swamp Modifications - <i>attached</i>	40-42	

9.2	Thetis Island Sustainability Guide Memorandum dated September 7, 2012 - <i>attached</i>	43	
9.3	Riparian Areas Regulation Compliance Staff Report dated September 7, 2012 - <i>attached</i>	44-53	
	BREAK		12:30 pm
	RECONVENE – MOVE TO MAIN HALL		1:00 pm
10.	REPORTS		
10.1	Work Program Reports Top Priorities and Projects Report dated September 24 , 2012- <i>attached</i>	54-55	
10.2	Applications Log Report dated September 24, 2012 - <i>attached</i>	56-58	
10.3	Trustee and Local Expenses 10.3.1 Expenses posted to July 31, 2012 – <i>attached</i> 10.3.2 Expenses posted to August 31, 2012 – <i>attached</i>	59 60	
10.4	Chair’s Report		
10.5	Trustees’ Report		
10.6	Advisory Planning Commission Report		
11.	NEW BUSINESS		1:15 pm
11.1	Roads Assessment for Neighbourhood Zero Emissions Vehicles – <i>for discussion</i>		
11.2	Sea Level Rise Objectives and Policies – <i>for discussion</i>		
11.3	Local Trust Committee Meeting Schedule 2013 Memorandum dated September 10, 2012 – <i>attached for discussion</i>	61	
11.4	Islands Trust Fund Board Referral Briefing and Five Year Plan - <i>attached</i>	62-77	
11.5	Islands Trust Briefing Note dated September 18, 2012 from Clare Frater, Trust Area Policy Analyst, regarding BC Hydro Woodpole Test and Treat Program – 2012 - <i>attached</i>	78-98	
11.6	November 21, 2012 Meeting Start Time Change to 10:45 am – <i>for discussion</i>		
11.7	Letter of Support for Thetis Island Nature Conservancy’s Grant Application – <i>for discussion</i>		
11.8	Local Trust Committee Budget Request for 2012/2013 Memorandum dated September 20, 2012 – <i>to be distributed</i>		
12.	BYLAWS		
13.	ISLANDS TRUST WEBSITE		
13.1	Thetis Page - <i>attached</i>	99-100	
14.	TOWN HALL DISCUSSION (10 MINUTES – TIME PERMITTING)		
15.	NEXT MEETING DATE Wednesday, November 21, 2012 at 1:30 pm at Thetis Island Community Centre (Forbes Hall) North Cove Road, Thetis Island, BC		
17.	ADJOURNMENT		1:45 pm

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

DRAFT

**MINUTES OF THE THETIS ISLAND LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD AT 1:30 P.M. ON WEDNESDAY, AUGUST 1, 2012
AT THE THETIS ISLAND COMMUNITY CENTRE
FORBES HALL, MAIN ROOM,
NORTH COVE ROAD
THETIS ISLAND, BC**

PRESENT

Ken Hancock	Chair
Peter Luckham	Local Trustee
Sue French	Local Trustee
Courtney Simpson	Island Planner
Marnie Eggen	Planner 1
Miles Drew	Bylaw Enforcement Coordinator
Janice Young	Recorder

There were eleven (11) members of the public in attendance.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 1:31pm. He made opening remarks, acknowledged Thetis Island as traditional territory of the Coast Salish people and expressed appreciation; welcomed the members of the public; and introduced himself, Local Trustees Sue French and Peter Luckham, Islands Trust Planners Courtney Simpson and Marnie Eggen, Bylaw Enforcement Coordinator Miles Drew, and Recorder Janice Young

2. APPROVAL OF AGENDA

The agenda was adopted by consensus.

3. TOWN HALL

Dan Giesbrecht of Ruxton Island expressed thanks for posted results of the Associated Islands Survey and suggested that the deadline for submitting responses to the survey be extended, especially the part regarding a vision for the future, and that at the end of the process a pamphlet or reference guide be made available as a sort of road map of how and where to begin for building and construction.

Judy Shaw of Ruxton Island also expressed thanks for the posted results of the Associated Island Survey, and has reminded many people to submit their responses. In

regards to the outcome, she pointed out that people would interpret the results in different ways, and that it is not necessarily true that people who live closer to the island care more. Judy also asked about what data the Advisory Planning Commission would receive and that the terms of reference regarding communication be clarified.

Chair Hancock and Planner Simpson spoke to the Advisory Planning Commission Term of Reference. Survey results will be available to the Ruxton Island Advisory Planning Commission and feedback on the open-ended question in the survey can still be submitted.

Ernie Hunter of Thetis Island asked about the Advisory Planning Commission, public attendance and input.

Chair Hancock responded that an Advisory Planning Commission meeting is not intended to be a forum for public input, but that a Town Hall item can be included if the Advisory Planning Commission so desires.

4. MINUTES

4.1 Local Trust Committee Special Meeting Minutes of May 23, 2012

The minutes were adopted by consensus with the following amendments:

- Item 2. Approval of Agenda - First bullet, line three – change “arial” to “aerial”.
- Item 9. Local Trust Committee Projects - Line below 9.1.6 – change “fight” to “flight”.

4.2 Section 26 Resolutions Without Meeting Log Dated July 23, 2012

Received.

4.3 Advisory Planning Commission Draft Meeting Minutes Dated June 29, 2012

Received.

Discussion followed regarding clarification of protocol for Advisory Planning Commission meetings and minutes.

TH-041-2012

It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee direct staff to contact the Advisory Planning Commission Chair regarding meeting procedures.

CARRIED

5. **BUSINESS ARISING FROM MINUTES**

5.1 *Follow-up Action List dated July 23, 2012*

Presented by Planner Simpson; discussion followed.

5.2 *Signs for Islets*

Presented by Trustee Luckham who explained that these islets are Crown lands and restricting access is not within the jurisdiction of the Local Trust Committee; there is, however, support for this campaign to post signs under the Islands Trust Banner to preserve and protect these lands, but more work has to be done speaking to the correct Provincial bodies to get approval and/or partnership for signage
Discussion followed.

Thanks were extended to Trustee Luckham for work on this issue.

5.3 *Meeting with Lyackson First Nation*

Discussion regarding information sharing between Lyackson First Nation and other Valdes Island residents - to be re-visited during item 11.2.

5.4 *Protocol Agreement with the Cowichan Valley Regional District*

5.4.1 *Staff Report dated July 24, 2012*

Presented by Planner Simpson; discussion followed.

TH-042-2012

It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee add "Develop Cooperation Agreements with the Cowichan Valley Regional District" to the Top Priority list and remove item 8 from the Projects list; move priority number 3 to number 1 on the Projects list; inform the Regional Planning Manager of its intent to proceed with cooperation agreements; and request a detailed report on policy issues related to the agreement identified in his Staff Report July 24, 2012

CARRIED

5.4.2 *Scheduling Annual Meeting*

Discussion followed.

TH-043-2012

It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee request staff to defer the annual meeting with Cowichan Valley Regional District until we receive a new report from the Regional Planning Manager regarding Protocol Agreement.

CARRIED

6. DELEGATIONS

None.

7. CORRESPONDENCE

None.

8. APPLICATIONS AND PERMITS

8.1 TH-SUB-2010.2 (Lindberg for Velez – 49 Harbour Road) – Memorandum dated July 23, 2012.

Presented by Planner Eggen; discussion followed.

TH-044-2012

It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee endorse the finalized Covenant Prohibiting Residential Use of Common Property for a proposed two lot strata subdivision on Lot 1, District Lot 1, Thetis Island, Cowichan District, Plan 5327, Except Part in Plan 2609RW; and appoint Chair Hancock, that on behalf of the Local Trust Committee, be a signatory on the Covenant.

CARRIED

8.2 TH-DVP-2010.1 (Tricomali Holdings Ltd. – 204 Pilkey Point Road) - Staff Report dated June 19, 2012

Presented by Planner Simpson; response by applicant Daniel Wickham; comments by Bylaw Enforcement Coordinator Drew; comments and discussion followed.

TH-045-2012

It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee defer decision on permit TH-DVP-2010.1 at this time and advise staff to bring this application back to the Local Trust Committee after response from the Lyackson and Penelakut First Nations.

CARRIED

9. **LOCAL TRUST COMMITTEE PROJECTS**

9.1 *Associated Islands Community Plan*

9.1.1 *Survey Results Summary July, 2012*

Received; discussion followed including comments from the Ruxton Islanders in attendance.

9.1.2 *Ruxton Island Advisory Planning Commission Terms of Reference – Memorandum dated July 23, 2012*

Received, discussion followed.

TH-046-2012 It was **MOVED** and **SECONDED** that the Thetis Island Local Trust Committee endorse the Ruxton Island Advisory Planning Commission Terms of Reference.

CARRIED

9.2 *Thetis Island Sustainability Guide – Deferred to next meeting*

At 4:05 pm Planners Simpson and Eggen and Bylaw Enforcement Coordinator Drew left the meeting to catch the 4:20 ferry sailing.

At 4:20 pm it was decided by consensus to proceed to item 14 and go in-camera.

14. **CLOSED MEETING**

TH-047-2012 The Thetis Island Local Trust Committee closes the next part of the August 1, 2012 business meeting to discuss matters pursuant to Section 90(1)(a) of the Community Charter to consider appointments to the Ruxton Island Advisory Planning Commission and that staff be invited to attend this meeting.

CARRIED

15. **RECALL TO ORDER** – Rise and Report from Closed Meeting

Chair Hancock reported the appointees to the Ruxton Island Advisory Planning Commission as follows - Roger Kimmerly, Dennis Rutherford, Dan Geisbrecht, Larry Ross, Gina Couchman, Michael Higgins and David Paterson – with the possibility that Judy Shaw consider becoming the Minute Taker.

Letters will be sent out to all who applied, with thanks to all.

10. **REPORTS**

10.1 *Work Program Reports- Top Priorities and Projects Report dated July 23, 2012*

Received .

10.2 *Applications Log Report dated July 23, 2012*

Received.

10.3 *Trustee and Local Expenses*

10.3.1 Expenses posted to May 31, 2012

10.3.2 Expenses posted to June 30, 2012

Received.

10.4 *Chair's Report*

None.

10.5 *Trustees' Report*

Trustee French expressed delight that a Thetis Island Nature Conservancy has begun.

Trustee Luckham added that the Trust Fund strategic plan is very supportive of the Thetis Island Nature Conservancy.

10.6 *Advisory Planning Commission Report*

None

11. NEW BUSINESS

11.1 *Referral of Galiano Island Bylaw*

11.1.1 Official Community Plan Bylaw No. 235

11.1.2 Land Use Bylaw No. 236

Received; discussion followed.

TH-048-2012 It was **MOVED** and **SECONDED** that with regards to Galiano Bylaws 235 and 236 that our interests are unaffected.

CARRIED

11.2 *Valdes Island Woodlot Licence W2043*

11.2.1 *Background Correspondence*

11.2.2 *Plan*

11.2.3 *Map*

Received; discussion followed.

11.3 *Start Times for Local Trust Committee Business Meetings*

Discussion regarding start times for Local Trust Committee business meetings.

TH-049-2012 It was **MOVED** and **SECONDED** that the next regular business meeting of the Thetis Island Local Trust Committee, on October 3, 2012, begin at 10:45 am, subject to confirmation of hall availability.

CARRIED

11.4 *Amendments to the Liquor Control and Licensing Regulation Affecting the Licensing of Theatres from the Liquor Control and Licensing Branch dated April 11, 2012.*

Received.

12. BYLAWS

None.

13. ISLANDS TRUST WEBSITE

13.1 Thetis Page

Discussion followed, and it was decided to add all Ruxton Island information.

14. CLOSED MEETING

moved to earlier in agenda

15. RECALL TO ORDER

moved to earlier in agenda

16. TOWN HALL DISCUSSION

Ernie Hunter of Thetis Island expressed concern that the Islands Trust be careful about “teaching lessons”.

17. NEXT MEETING DATE

- 17.1 Special Business Meeting: Saturday, September 1, 2012 at 1:00 p.m. at Naylor Bay, Ruxton Island, BC (Outdoors on the Road Right-of-Way)
- 17.2 Regular Business Meeting: Wednesday, October 3, 2012 at 10:45 a.m. at Thetis Island Community Centre (Forbes Hall) North Cove Road, Thetis Island, BC.

18. ADJOURNMENT

TH-050-2012 It was **MOVED** and **SECONDED** that the August 1, 2012 meeting of the Thetis Island Local Trust Committee adjourn at 5:25 p.m.

CARRIED

Chair

Recorder

DRAFT

**MINUTES OF THE THETIS ISLAND LOCAL TRUST COMMITTEE
SPECIAL MEETING
TO HOLD A
COMMUNITY INFORMATION MEETING
HELD AT 1:00PM ON SATURDAY, SEPTEMBER 1, 2012
AT NAYLOR BAY, RUXTON ISLAND, BC**

PRESENT:

Ken Hancock	Chair
Peter Luckham	Local Trustee
Sue French	Local Trustee
Courtney Simpson	Island Planner
Stephanie Cottell	Recorder

There were thirty (30) members of the public in attendance.

1. CALL TO ORDER

There was a 30-minute opportunity between 1-1:30 pm for attendees to look over information that had been brought by Planner Simpson. Chair Hancock called the meeting to order at 1:31 pm. He introduced the Local Trust Committee and staff, and welcomed and thanked community members for attending the meeting. Chair Hancock also introduced the newly appointed members of the Ruxton Island Advisory Planning Commission.

2. APPROVAL OF THE AGENDA

Chair Hancock reviewed and explained the agenda, purpose, and objectives of the Community Information meeting.

3. OPENING REMARKS

Chair Hancock thanked those who had responded to the recent survey of the residents and owners of the Thetis Island Local Trust Area Associated Islands. Planner Simpson was invited to begin her presentation. .

4. ASSOCIATED ISLANDS COMMUNITY PLAN REVIEW PRESENTATION

Planner Simpson shared her presentation about the recent survey results and next steps for the Official Community Plan review process.

5. QUESTIONS AND ANSWERS

Kelly Duncan asked about the adequacy of the current bylaw which was established in 1982.

Planner Simpson referred to her copy, which outlined very basic bylaws.

Russ Irish asked how they were controlled.

Planner Simpson noted that bylaw enforcement is complaint-driven.

Evelyn Keith requested that people state their names when making comments and asking questions.

Ab Barry spoke to issues such as a community dock, fire protection, well contamination, and specifically how to obtain funding to meet these needs. He felt that a focus on sustainability (especially food) was not relevant to Ruxton due to its primarily recreational character.

Bob Youths spoke to the presence of some full time residents.

Chair Hancock responded regarding complications in governance, different jurisdictions for scenarios such as docks and fire protection. However, he indicated that support with an Official Community Plan for such initiatives is helpful when approaching other governing bodies such as a Regional District.

Judy Shaw asked if the timeline included other opportunities for community forums, feedback, and discussion.

Planner Simpson indicated another face to face meeting planned for next summer (2013).

Mike Higgins spoke to the fact that some tax payers were missed in the survey.

Chair Hancock responded that part of the purpose of the survey was to assess how best to communicate with residents and owners. He requested that those who were missed please inform the Islands Trust of a better method of communication.

Dana Mellorr mentioned that a survey letter was reissued to her, but no survey was included in the envelope.

Planner Simpson apologized for the oversight.

Eckhart Raff asked about the legal position of the Island Trust. He also asked why the lots were tax assessed as residential rather than recreational.

Planner Simpson explained the jurisdiction of the Islands Trust. She indicated that the Islands Trust is not responsible for how properties are assessed for tax purposes, .

Bob Youths noted that though building permits are required, no one actually comes to oversee development.

David Paterson, as an Advisory Planning Commission member, asked why the Local Trust

Committee directs the questions and tasks to the Advisory Planning Commission, when it is the residents and owners who have the questions.

Chair Hancock briefly outlined the typical operation of an Advisory Planning Commission, and explained that the Terms of Reference can be adjusted if necessary.

Rod Keith had concerns that the process has left out the groundwork. He asked what mechanism will take place to gather and listen to each owner's concerns and input?

Chair Hancock spoke to the Local Trust Committee's legislated obligation to hear from everyone who wishes to participate. The Advisory Planning Commission is only one aspect that informs the process. Input will continue to be gathered in other ways.

Rita Theschuck questioned how people can be prevented from flooding the survey responses to promote their perspective or agenda, to limit the surveys to one response per lot, especially in voting circumstances.

Planner Simpson responded that IP addresses can be useful if it appears that the owners of a lot are responding more than once. She stressed that this online method would never be used as a forum for voting but is one among many methods used to gather information.

Russ Irish requested the Islands Trust website address and it was provided.

Rita Theschuck asked under what policies the Islands Trust operates.

Chair Hancock provided background and description of how the Islands Trust operates.

Russ Irish asked for more clarification about what distinguishes the Islands Trust from a Regional District.

Chair Hancock described the role and relationship of the Islands Trust and the Regional Districts.

Trustee Luckham noted that it was beneficial to have such a local representation, such as the locally elected Trustees.

Bruce Batchelor asked about enforcement of policies.

Chair Hancock summarized the bylaw enforcement process.

Judy Shaw commented that a Bylaw Enforcement Officer could be called to look into building heights, setbacks, etc.

Russ Irish asked about the purpose of the Official Community Plan.

Chair Hancock explained the two bylaws; the Official Community Plan Bylaw and the associated Land Use Bylaw.

Russ Irish commented about the effect on existing non-conforming buildings and land uses.

Dan Geisbrecht spoke to this being the first time any level of government has approached the Ruxton Island community.

Planner Simpson commented on the Islands Trust's desire to limit changes to the current bylaws.

Russ Irish questioned how the Official Community Plan would help address concerns such as fire protection.

Chair Hancock explained how advocacy policies within the plan can help support such initiatives.

Russ Irish asked how the community could get together to work on these broader objectives.

Chair Hancock referred to community groups and clubs, resident associations, and such that could be mechanisms for grant applications, etc.

Diane Gjesdal asked for more information about the function of the Advisory Planning Commission.

Chair Hancock responded that the role of the Advisory Planning Commission was to deliberate on questions and tasks provided to them by the Local Trust Committee.

Ann Hughes commented on the unique situation of the community, having no ferry service, etc; she questioned how the Island's Trust can effectively address of this community.

Chair Hancock spoke to the other associated Islands within the Trust area and how each have their differences.

Marilyn Fuller suggested that the Property Owners Association minutes that have been sent regularly to the Islands Trust could be a useful source of information and input.

Planner Simpson agreed and thanked Marilyn for drawing them to her attention.

Chair Hancock ended the question period and requested final comments from the Local Trustees.

Trustee French provided information about the Regional District Area G Director Mel Dory as a helpful resource for the community. She commented on how pleased she was to see such a great turnout and reiterated to please provide the best contact information and keep the feedback flowing.

Trustee Luckham spoke to how the Official Community Plan review process is the creation of a visionary document by the lot owners themselves based on what they want development to look like in their community.

6. **NEXT MEETING DATE**

The next meeting date was not discussed.

7. **ADJOURNMENT**

The Local Trust Committee adjourned the meeting by consensus adjourned at 2:50 pm.

Recorder

Chair

Draft

**BUSINESS MEETING OF THE
THETIS ISLAND ADVISORY PLANNING COMMISSION (APC)
FRIDAY, JULY 27 2012 10:00 AM
THETIS ISLAND COMMUNITY CENTER, FORBES HALL, LIBRARY
292 NORTH COVE ROAD, THETIS ISLAND**

PRESENT

Laurel March - Chair
Wilf Sheuer - Deputy Chair
Patrick Mooney – Co-Secretary
Mary Forbes – Co-Secretary
Anne-Marie Koeppen – Co-Secretary
David Steen - Commissioner
Janice Young - Islands Trust Minute Taker

REGRETS

Noah Bond

No members of the public in attendance.

1. CALL TO ORDER

Chair March called the meeting to order at 10:00 a.m.

2. APPROVAL OF AGENDA

The agenda was approved by consensus.

3. APPROVAL OF MINUTES OF JUNE 29, 2012 ADVISORY PLANNING COMMISSION MEETING

It was **MOVED** and **SECONDED** that the Advisory Planning Commission adopt the minutes of the June 29, 2012 meeting.

CARRIED

4. BUSINESS ARISING FROM MINUTES

Chair March expended thanks to outgoing Chair, David Steen, for two years of dedicated service to the Advisory Planning Commission (APC).

The APC reviewed the roles of the executive as outlined in Bylaw No. 91 and further discussed the duties of the Secretary. It was decided that the duties of the Secretary would be shared by Mary Forbes (set out notices to the public), Anne-Marie Koeppen (hall bookings) and Patrick Mooney (keeper of the binder).

Discussion followed regarding role of the APC and responsibilities of its members.

Discussion regarding approach to minutes, and that the APC minutes capture and reflect the salient points of discussion so the LTC has the most complete picture around any concerns.

Discussion regarding timely approval of minutes. The APC decided that minutes will be approved at the next scheduled meeting (unless an urgency prevails).

5. SETTING OF MEETING SCHEDULE

Discussion regarding meeting time and day, and the APC agreed, following directive from the Local Trust Committee, to meet on the last Friday of each month at 10am, with flexibility of meeting time to accommodate as many APC members as possible. To have a truly representative APC, evening meetings will be considered.

6. NEXT MEETING DATE

The next scheduled meeting time for the APC is Friday, August 31, at 10am. This will be confirmed two weeks prior to meeting.

7. ADJOURNMENT

Meeting was adjourned at 11:30 am.

Chair

Recorder



Islands Trust

Follow Up Action Report w/ Target Date

Thetis Island Feb-09-2011

No.	Activity	Responsibility	Target Date	Status
1	Draft sign for Ragged Islet and possibly Esmeralda Islet, get approval from TAS for use of logo, and install signs. Trustee Luckham to arrange with staff.	Peter Luckham	Mar-23-2011	On Going

Feb-08-2012

No.	Activity	Responsibility	Target Date	Status
1	Develop recommendations for a joint proactive enforcement strategy with the CVRD.	Miles Drew	Aug-01-2012	On Going

Apr-18-2012

No.	Activity	Responsibility	Target Date	Status
1	Staff to report back with a bylaw amendment to remove OCP section 4.1 policy 8 regarding RAR and replace with another policy to state there are non RAR-applicable watercourses on Thetis Island.	Courtney Simpson	May-23-2012	Done

May-23-2012

No.	Activity	Responsibility	Target Date	Status
1	Report to LTC on use of neighbourhood mediation on Thetis.	Miles Drew	Aug-01-2012	On Going
1	Create a web presence on the Thetis webpage for the Bylaw Enforcement Notification System	Courtney Simpson	Aug-01-2012	On Going
1	Insert photos in Sustainability Guide where needed, photos to be arranged by local trustees. Get quote on price for printing 50-100 copies.	Marnie Eggen Courtney Simpson	Aug-01-2012	Done
1	Add Thetis Sustainability Guidelines to next meeting agenda with CVRD	Courtney Simpson	Oct-31-2012	On Going

Aug-01-2012

No.	Activity	Responsibility	Target Date	Status
1	Add to webpage: - Ruxton APC appointments and terms of reference - Notice of special meeting on Sept 1 and agenda placed prominently	Courtney Simpson	Aug-10-2012	Done
1	LTC requests a detailed report on the policy issues related to the protocol agreement with the CVRD identified in the RPM's report of July 24, 2012.	Courtney Simpson	Oct-03-2012	On Going
1	Move "Ratification of protocol agreement with CVRD" from projects list to number 3 on top priorities list, and move "Shoreline DPA" from top priorities list to first priority on projects list.	Courtney Simpson	Oct-03-2012	Done
1	Defer decision on TH-DVP-2010.1 (Trincomali Holdings) until responses from Lyackson and Penelaut First Nations are received.	Courtney Simpson	Oct-03-2012	On Going

FOR GENERATIONS

Customer Projects
Phone: (250)755-4733
Cell: (250)668-7674
Fax: (250)755-7910

August 22, 2012

Islands Trust – Thetis Island
700 North Road
Gabriola Island, BC V0R 1X3

Dear Trustees:

Subject: Funding Available for Electric Beautification Projects

Annually, BC Hydro budgets one million dollars for municipal beautification projects. Municipalities wanting to place existing overhead distribution lines underground to address environmental concerns, improve visual aesthetics or accommodate community redevelopment projects are welcome to apply for funding.

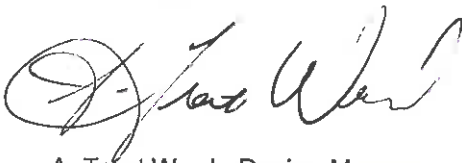
Funding is available for one-third of the BC Hydro beautification project estimated cost and the original scope. The attachment describes our program in more detail.

If you are considering a beautification projects, an application form (attached) must be returned by October 1st with a description of the project, a map showing the extent of the project and an explanation of the project's objectives.

After receiving your application, we will prepare a "ballpark" estimate of cost for your municipality to consider. The municipality will be asked to confirm intent to fund two-thirds of the project's estimated cost and to confirm that the telephone utility has been advised of the project details. This confirmation must be received at BC Hydro by November 15th to be reviewed by our VP, Field Operations and the successful applicants will be notified by January 31. All accepted projects must begin within the fiscal year that they are approved and be completed within 12 months.

I would be pleased to answer any questions you may have about the program. If you would like to be considered for funding in 2013, please submit your application no later than October 1, 2012.

Yours truly,



A. Trent Ward, Design Manager
Distribution Engineering & Design
Central Vancouver Island

cc: Telus

Enclosures

Beautification Projects

Introduction

The purpose of BC Hydro's participation in Beautification Projects is to cooperate with municipal governments in achieving their objectives related to environmental concerns and visual aesthetics. This pamphlet summarizes BC Hydro's policy and describes the principal considerations that should be included in a proposal for participation by BC Hydro.

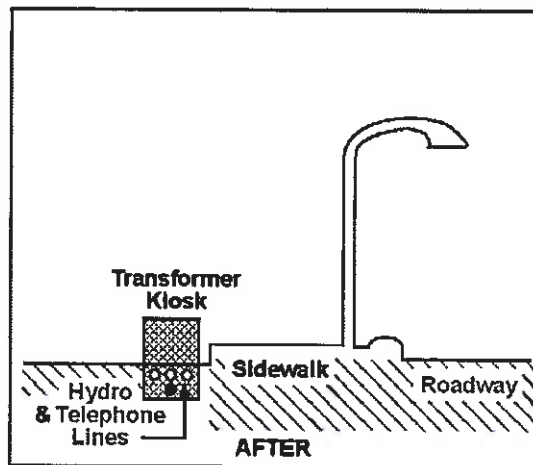
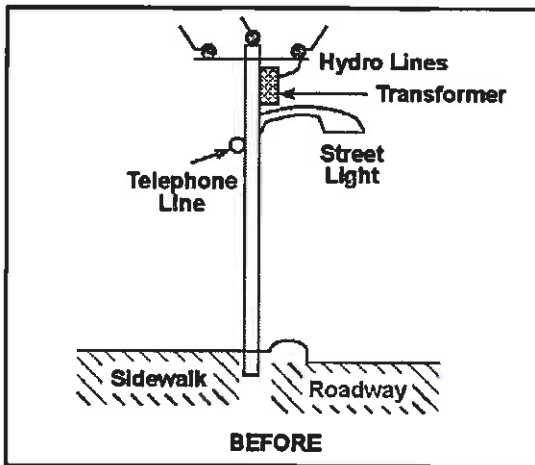


Figure 1:

A typical overhead electrical service before the work, and how underground service is typically arranged after the work.

The example includes an instance where a transformer, street light and telephone line are involved.

Funding Objective

Municipal governments may request BC Hydro to share 1/3 of the cost to convert overhead distribution lines to underground.

The municipal objective will be one or more of the following:

- a) to minimize or eliminate environmental concerns;
- b) to improve visual aesthetics;
- c) to accommodate a public redevelopment project.

In addition, consideration will be given to:

- a) confirmed financing of remaining two-thirds;
- b) projects which also provide benefits to BC Hydro.

BC Hydro Funding

BC Hydro's budget for Beautification Project participation is fixed annually (April 1 to March 31). Applications must be received by October 1 for BC Hydro's upcoming fiscal year.

Applications which collectively exceed BC Hydro's budget must be reapplied for the following year.

Construction of Beautification Projects must begin within the fiscal year BC Hydro has committed its share, and the applicant's intention must be to complete the project within 12 months.

BC Hydro participation is not contingent on provincial participation. Applications for provincial funding under the Revenue Sharing Act are at the discretion of municipalities.

NOTE 1: Municipalities must deal directly with Telephone Companies and other third parties to negotiate the costs of undergrounding their facilities on the same poles.

NOTE 2: Payment must be made to BC Hydro in advance of construction.

Cost Sharing

Cost sharing is based on estimated cost & original project scope.

This includes work on:

- a) physical plant and equipment owned and maintained by BC Hydro;
- b) temporary overhead lines needed during the conversion;
- c) restoration of roads, lawns, etc to a condition similar to that prevailing prior to the project.

Shared costs exclude work on:

- a) ornamental street lighting systems;
- b) physical plant and equipment not owned and maintained by BC Hydro;
- c) customer requests for alterations to service wiring or wiring within buildings;
- d) converting overhead private-property lines to underground;
- e) restoration of land beyond the level existing before the project began;
- f) provisions for telephone or other third-party requirements (municipalities must deal directly with such third parties).

Application to BC Hydro

Proposals for Beautification participation should be forwarded to BC Hydro's Area Office nearest you. The deadline for proposals is October 1.

Proposals need to be in writing and include a complete description of the project, location maps and the Municipality's reasons for the project.

Beautification Project Application Timeline

October 1	The deadline for a Municipality to submit an application to BC Hydro.
October 15	BC Hydro provides "ballpark" estimate to Municipality.
November 15	The applicant provides confirmation to BC Hydro that they wish to proceed with the project, Municipal funding is available, and the Municipality has notified Telus of project details.
January 31	BC Hydro notifies the successful applicants.

Application for Beautification Project Participation



Name of Municipality or City: _____

Location of Proposed Project: _____

Site Plan Attached: ☐ Yes ☐ No

Reason For Project: _____

Name and Position of responsible person completing this application:

Name (*please print*)

Phone Number

Position

Signature



STAFF REPORT

Date: September 20, 2012

File No.: TH-ALR-2012.1
(Torchbearers Capernwray)

To: Thetis Island local Trust Committee
For meeting of October 3, 2012

From: Courtney Simpson, Island Planner

CC: Chris Jackson, Regional Planning Manager

Re: Capernwray Harbour Bible School and Conference Centre

Owner: Torchbearers Capernwray Canada Society
Applicant: Doug Snyder, Information Officer
Location: Preedy Harbour, Thetis Island

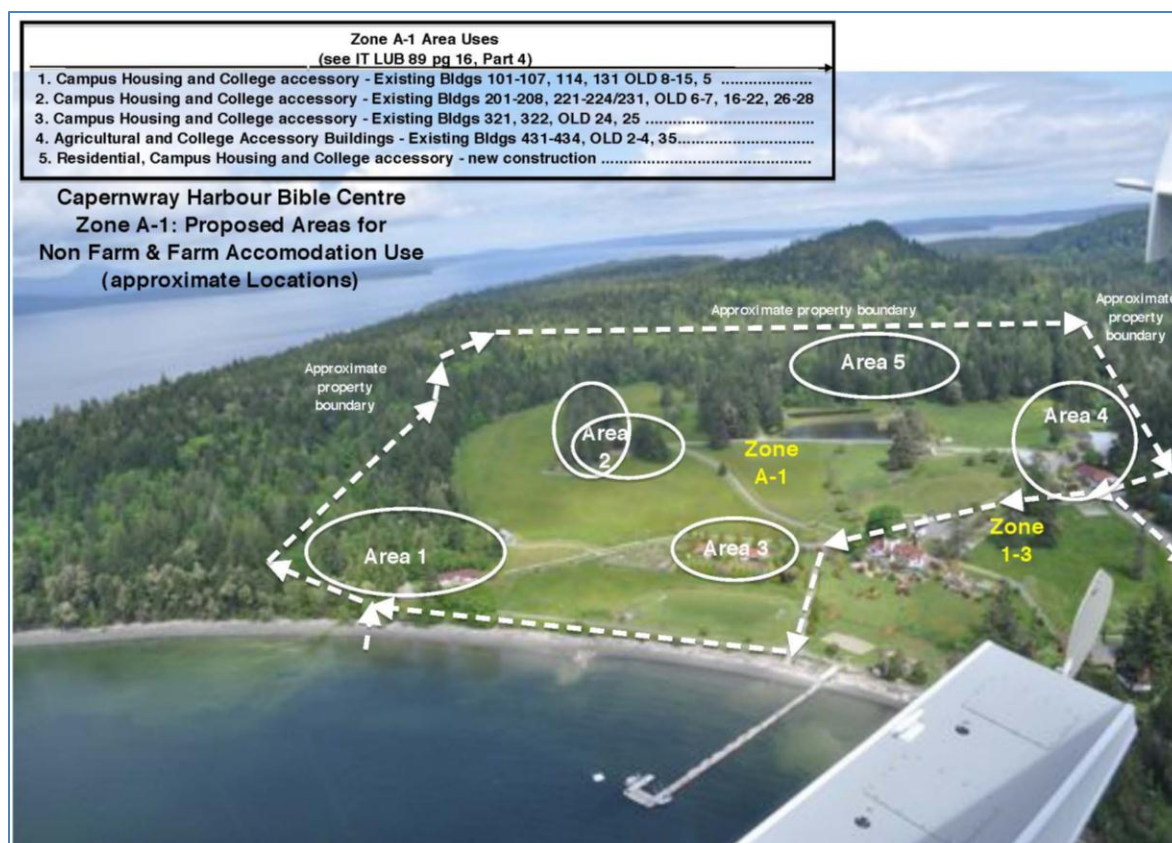
THE PROPOSAL:

This is a non-farm use application seeking approval from the Agricultural Land Commission (ALC) for renovations and upkeep of existing facilities at the Capernwray Harbour Bible School and Conference Centre, and siting of new facilities in a currently undeveloped, forested area.

There is a 1998 non-farm use approval for the continued use of portions of the property for a bible school facility, but this approval was limited to existing structures identified on a site plan or those "in reasonable compliance with" the site plan.

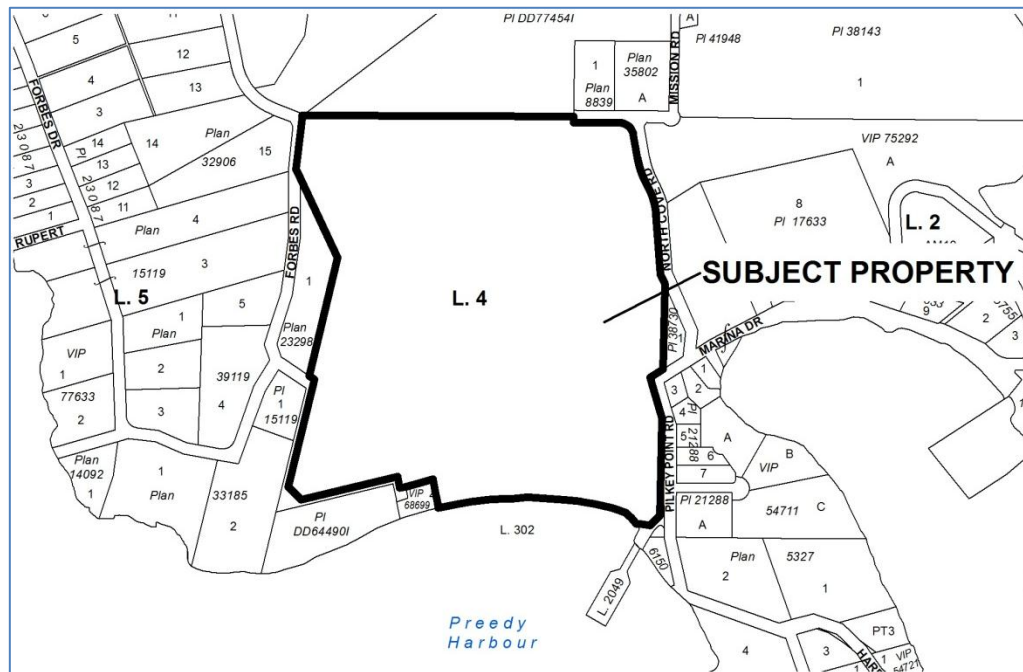
The current application seeks to establish a new area for residential buildings in a forested area that was not part of the 1998 application. The applicant also seeks a new approval from the ALC for the other existing non-farm use areas to enable incremental renovations and replacement of old facilities without requiring a non-farm use application each time. Although future work in currently developed areas may be "in reasonable compliance with" the existing resolution, the applicant wishes to remove the possible ambiguity with a new, more detailed resolution from the ALC.

The two figures below show the location of the new "Area 5" for a new development cluster.



SITE CONTEXT:

The subject property is located on Thetis Island at Preedy Harbour on the south-west side of the island. The figures below show the location and an aerial view indicating current uses.



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The following are “commitments of Trust Council” to do with agriculture in the Islands Trust Policy Statement:

4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.

4.1.2 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.

4.1.3 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.

There are additional “directive policies” on the subject of agriculture that direct content in official community plans and land use bylaw.

Thetis Island Official Community Plan, 2011

There are no Official Community Plan (OCP) objectives or policies that speak specifically to non-farm use. Objective 1 in section 2.5 Agriculture Land Use is:

To preserve agricultural land for current and future use.

Policy 9 is an advocacy policy that states:

Agricultural operations are encouraged to

- a) Collect, store and use rainwater for irrigation*
- b) Ensure that surface and groundwater supplies are not contaminated by agricultural activities*
- c) Minimize the use of pesticides*
- d) Use techniques that maintain soil quality, reduce pollution, and minimize erosion*
- e) Use organic techniques*

Thetis Island Land Use Bylaw, 2011

The subject property is currently split-zoned Institutional 3 and Agriculture. This non-farm use application only pertains to the Agriculture zoned portion of the property. The zoning regulations in Part 4 of the bylaw specifically allow a maximum total floor area of all buildings and portions of buildings used for campus housing of 2174 square metres for this portion of the lot. This maximum floor area for “campus housing” buildings is in addition to one single family dwelling, one guest cottage, and one dwelling unit for a caretaker or individual employed in an agriculture use on the same lot.

The total floor area of existing campus housing buildings is 1200 square metres. This leaves 974 square metres for additional campus housing buildings (10484 square feet).

The lot coverage permitted in the LUB is 10%, and the current build-out represents only 1.3% coverage. The proposed new area for development is not expected to exceed the lot coverage.

Setback regulations for the zone for buildings and structures that are not for agriculture use are:

7.5 metres from front and rear lot lines

3.0 metres from an interior side lot line

4.5 metres from an exterior side lot line.

The proposed location of the new development is closest to an exterior side lot line at the north of the property, and although it is noted that development will have to comply with setbacks, the plans show there is a reasonable amount of space to build what is proposed and comply with the setbacks.

Islands Trust Fund:

No referral to the Islands Trust Fund will be required.

Regional Conservation Plan:

N/A

Sensitive Ecosystems and Hazard Areas:

The only sensitive ecosystem identified on the subject property is a woodland ecosystem on a small, north-west portion of the lot. This area is well away from the new area proposed for residential development, or the currently developed sites.

Archaeological Sites:

There is an identified archaeological site on the foreshore of the subject property. If any development is proposed on or within 50 metres of the archaeological site, the property owner should contact the BC Archaeology Branch and a Heritage Alteration Permit may be required. This could apply to any work on the dock or part of Area 1 identified on the site plan in Attachment 3. The new area proposed for residential development is not near this archaeological site.

Covenants:

N/A

Climate Change Mitigation and Adaptation

This proposal is supported by Climate Change Adaptation and Mitigation Policy e in OCP Section 5:

The Local Trust Committee should consider support for new forms of housing that include clustering and zero emission housing, provided that there is no change in the existing buildout or subdivision potential.

The current and proposed development on the subject property clusters buildings, leaving both agricultural land and forest in larger, continuous areas.

COMMUNITY INFORMATION MEETING(S):

A community information meeting is not required or recommended for this application. As the Land Use Bylaw enables the proposed development, the community consultation that was recently undertaken for the new OCP and LUB included focus on the revised regulations for this property that were broadly accepted by the community.

STAFF COMMENTS:

This proposal should be evaluated against OCP objective 1 in section 2.5 Agriculture Land Use "To preserve agricultural land for current and future use". The applicant has provided an addendum to their application (Attachment 5) in which they describe the historical and current agricultural use of the property and provide their view of the implications of the proposal.

The property is actively farmed for food consumption at the Centre with excess sold on Thetis Island. The purpose of the new area for development is to support the Bible School and Conference Centre use, and is not intended to directly enhance agriculture. The applicant has demonstrated how they do not expect there to be any negative impact on agriculture, and that through this proposed development they will enhance the long-term viability of the Centre, thus ensuring the property continues to be actively farmed.

The proposed new area for development is in a forested area of the property, not currently farmed. Currently 55% of the property in the A-1 zone is forested. The owners have no plans to expand agricultural production by clearing any of the forested area. The forest is used for recreational trails, and covers that part of the land that is most uneven and sloped.

Locating the new development in the forested area is preferable to locating it on farm land, which would reduce the land in cultivation. It would be most preferable to locate the new development adjacent to an area already developed for campus housing so that more of the forest is left contiguous for future farmland development, or for the ecosystem services the forest provides. This would more closely meet the OCP objective "to preserve agricultural land for current and future use". It is understood, however, that a separated area for this new housing is better for the operation of the Centre by providing a more private residential area for staff.

In the absence of more specific and directive policies for agriculture use or non-farm use applications, the impact on current and future agriculture from this proposal appears to be minimal.

RECOMMENDATIONS:

Based on the above considerations, Staff recommends that the Thetis Island Local Trust Committee forward application TH-ALR-2012.1 to the Agricultural Land Commission.

Prepared and Submitted by:

Courtney Simpson

Courtney Simpson, MCIP
Registered Professional Planner

September 20, 2012

Date

Attachments:

1. Application Cover Letter
2. Application Form
3. Site Plan
4. List of current buildings/structures
5. Addendum to the application



Charles Fordham
Canadian Director

Lawrence Jensen
Capernway Harbour
Assistant Director

Chris Thomas
Torchbearers International
General Director

Susanne Fordham
Bible School
Registrar

Chris Fordham
Conference Coordinator



Torchbearers Capernway Canada Society
298 Foster Point Road
Thetis Island, BC V0R 2Y0
April 3, 2012

Courtney Campbell, Islands Trust Island Planner

Subject: ALC Application by Landowner –
Torchbearers Capernway Canada Society

Torchbearers Capernway Canada Society (TCCS) is a federally incorporated charity which has 2 physical sites within Canada, one of which being Capernway Harbour Bible Centre (CHBC) on Thetis Island BC. Charlie Fordham is both the President of TCCS as well as the Director of the CHBC site. As such he is the legal signatory for all matters pertaining to the property. Doug Snyder is the designated staff contact for any matters pertaining to this application. Doug can be reached at dsnyder@capernway.ca or 250-246-2624.

Based on the recent ALC approval of the new Islands Trust Land Use Bylaw number 89, 2011 for Thetis Island, which includes a revised section for the A-1 Zone, we are seeking to revise the existing ALC Resolution #572/98 (Application #J-32165) approving non farm use on the Capernway Harbour Bible Centre (CHBC) site on Thetis Island.

The attached application seeks to enable renovation and upkeep of existing facilities along with the building of new facilities, while at the same time eliminating the need for numerous approvals as we proceed with incremental changes over the years to come.

The previous Application #J-32165 dealt with individual buildings and their footprints. This application includes the concept of creating defined areas pre-approved for non farm use. These areas would basically cover the areas currently containing buildings, plus one additional area where no buildings currently exist.

We are proposing 5 areas which are described on our Site Plan (chart A.) and visually shown on the additional aerial photos provided with the application. The aerial photo charts provided show the following

- C. a westward view of the property showing locations of existing buildings
- D. an eastward view of the property showing locations of existing buildings
- E. a full property view showing the locations of the 5 proposed areas
- F. a close-up view of the proposed location for area 5, which contains no existing buildings, but is anticipated for new building construction.

If approved by ALC, these areas would allow CHBC to tear down, relocate, build new or renovate buildings as long as they remain located within the boundaries of the areas defined and meet the requirements of the Islands Trust Land Use Bylaws. Our request is that no project by project approval by ALC be necessary as long as we are making changes within an approved area, rather that the Islands Trust approval would suffice.

Thank you for your attention to our application.

Charles Fordham
Director

Douglas C. Snyder
Information Officer

cc. Chris Fordham, Business Manager

ATTACHMENT 2



APPLICATION BY LAND OWNER

NOTE: The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

TYPE OF APPLICATION (Check appropriate box)

- ☐ **EXCLUSION**
under Sec. 30(1) of the Agricultural Land Commission Act
- ☐ **SUBDIVISION** in the ALR
under Sec. 21(2) of the Agricultural Land Commission Act
- ☐ **INCLUSION**
under Sec. 17(3) of the Agricultural Land Commission Act
- ☒ **Non-farm USE** in the ALR
under Sec. 20(3) of the Agricultural Land Commission Act

APPLICANT

Registered Owner: Torchbearers Capernwray Canada Society		Agent:	
Address: 299 Foster Pt Road		Address:	
PO Box 1-10			
Thetis Island	Postal Code V0R 2Y0		Postal Code
Tel. (home) n/a	(work) 250-246-9440	Tel.	
Fax 250-246-3201		Fax	
E-mail chbc@capernwray.ca		E-mail	

LOCAL GOVERNMENT JURISDICTION (Indicate name of Regional District or Municipality)

Islands Trust (Thetis Island)

LAND UNDER APPLICATION (Show land on plan or sketch)

Title Number	Size of Each Parcel (Ha.)	Date of Purchase	
		Month	Year
EV100986 (PID 002-734-150) (Zone A-1)	34.2	Nov	1985

OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY

(Show information on plan or sketch)

If you have interests in other lands within this community complete the following:

Title Number(s): Remainder EV100986 (Zone I-3); R101457

PROPOSAL (Please describe and show on plan or sketch)

Within the A-1 Zone portion of the Capernwray Harbour Bible Centre Property, that 5 areas, designated for non farm use, be established (see Areas 1-5 on the attached Chart A. CHBC Site Plan). All buildings for agriculture accommodation, campus housing, and associated accessory uses will be located within these 5 areas. Buildings within these areas can be torn down, relocated, renovated or built new without requiring specific, individual review and approval by the ALC.

Area 1 contains existing buildings and is used for Campus Housing and College Accessory uses.

Area 2 contains existing buildings and is used for Campus Housing and College Accessory uses.

Area 3 contains existing buildings and is used for Campus Housing and College Accessory uses.

Area 4 contains existing buildings and is used for College Accessory and Agriculture Accessory uses.

Area 5 contains no existing buildings and the plan is to use it for Agriculture Accommodation plus Campus Housing, with related accessory buildings as required (maximum of 4 accommodation buildings are anticipated).

No additional impact on surrounding areas other than a light gravel access road exiting north from Area 5.

CURRENT USE OF LAND (Show information on plan or sketch)

List all existing uses on the parcel(s) and describe all buildings

See listing of current buildings by area with existing uses on chart "B. Current Use of Land - CHBC Building List for A-1 Zone" as well as chart "A. CHBC Site Plan".

USES ON ADJACENT LOTS (Show information on plan or sketch) See chart A. CHBC Site Plan

North Forest (Zone R-1), School (S-2), Community Centre (S-2)

East Residential properties (R-1), Agriculture (A-1)

South Ocean (W-4), Cemetery (S-1)

West Residential Properties (R-1), Resort (C-2)

DECLARATION

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the *Agricultural Land Commission Act* and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

Date

Signature of Owner or Agent

Print Name

Date

Signature of Owner or Agent

Print Name

Date

Signature of Owner or Agent

Print Name

Please ensure the following documents are enclosed with your application:

- Application fee payable to the Local Government
- Certificate of Title or Title Search Print
- Agent authorization (if using agent)
- Map or sketch showing proposal & adjacent uses
- Proof of Notice of Application *(See instructions)
- Photographs (optional)

Application by a Land Owner

2

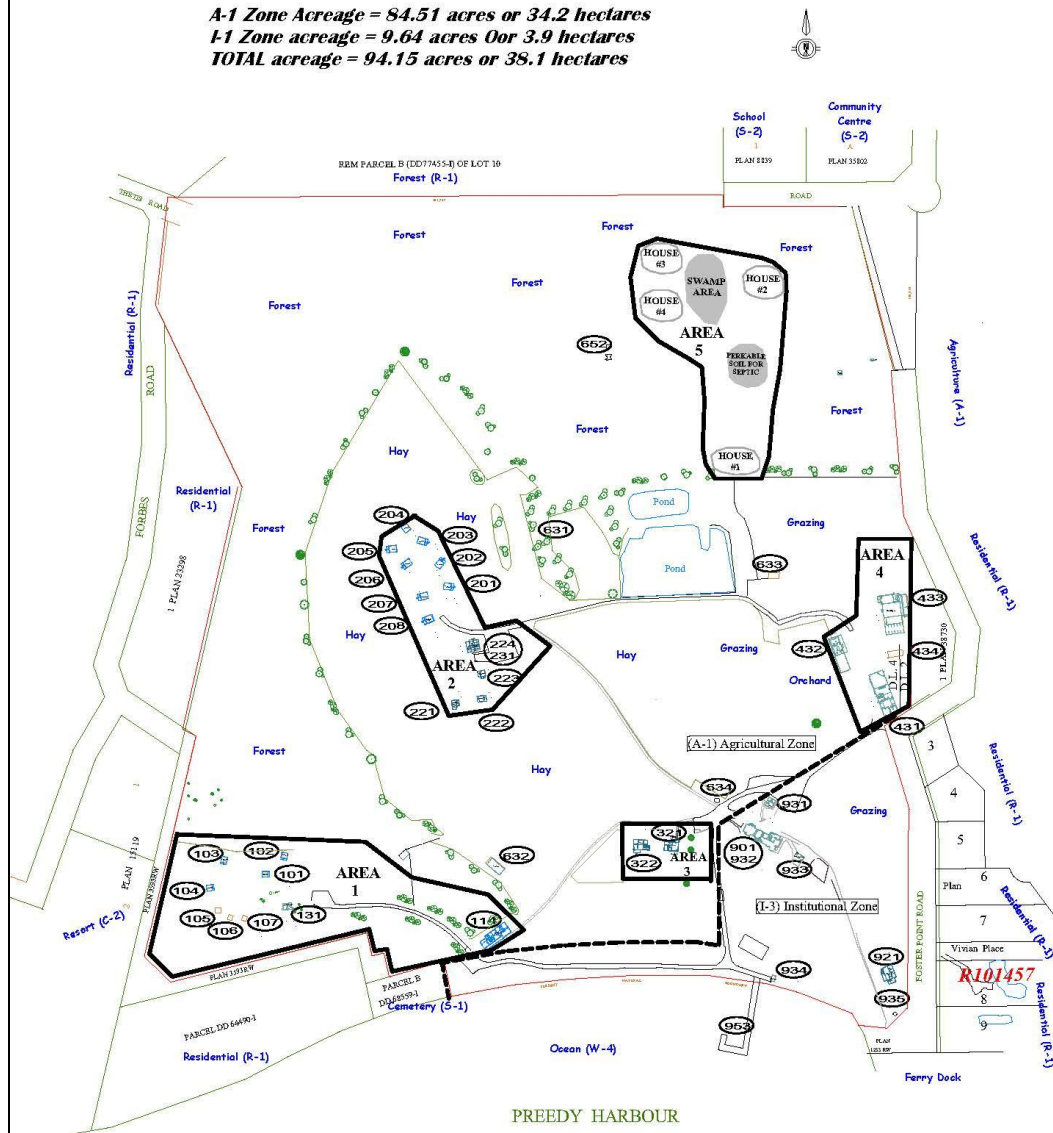
2003

**SITE PLAN OF CAPERNWRAY HARBOUR BIBLE CENTRE (PID: 002-734-150)
LOT 4, THETIS ISLAND, COWICHAN DISTRICT, EXCEPT PARCEL A (DD774531),
AND THAT PART IN RED ON DD644901 AND EXCEPT THOSE PARTS IN
PLANS 5745, 6149, 6150, 32591, 1233RW, 3593RW, VIP68699 AND VIP75292.**

A-1 Zone Acreage = 84.51 acres or 34.2 hectares

I-1 Zone acreage = 9.64 acres or 3.9 hectares

TOTAL acreage = 94.15 acres or 38.1 hectares



B. CHBC Current Use of Land

* see Island Trust Land Use Bylaw # 89 for definitions

USES

Agriculture

Agriculture accomodation and accessory buildings

Campus Housing *

College Accessory *

List of Current Buildings/Structures

NEW	(see Site Plan for locations)		OLD
<u>Area-Bldg#</u>	<u>Bldg Name</u>	<u>Current Uses</u>	<u>Bldg#</u>
101	Cottage J	Campus Housing	9
102	Cottage K	Campus Housing	10
103	Cottage L	Campus Housing	8
104	Cottage M	Campus Housing	11
105	Cottage N	Campus Housing	12
106	Cottage P	Campus Housing	13
107	Cottage Q	Campus Housing	14
114	Preedy Lodge	Campus Housing	5
131	Hamlet Wash House	College Accessory	15
201	Cottage A	Campus Housing	16
202	Cottage B	Campus Housing	17
203	Cottage C	Campus Housing	18
204	Cottage D	Campus Housing	19
205	Cottage E	Campus Housing	7
206	Cottage F	Campus Housing	20
207	Cottage G	Campus Housing	21
208	Cottage H	Campus Housing	22
221	Gingerbread	Campus Housing	26
222	Oceanview	Campus Housing	27
223	Shady Nook	Campus Housing	28
224	Treehouse	Campus Housing	6
231	Treehouse Laundry	College Accessory	6a
321	La Maison	Campus Housing	24
322	Mountainview	Campus Housing	25
431	Lecture Hall/Loft/Shop	College Accessory	2
432	Orchard Room/Storage/Wood Shop	College Accessory	4
433	Barn/DePutter	Agriculture/College Acc	3
434	Tractor Shed	Agriculture/College Acc	35
5nn	no buildings at present	Campus Housing & College Accessory	
631	Boat Storage	College Accessory	36
632	Greenhouse	Agriculture Accessory	33
633	Pump Station	College Accessory	34
634	Gazebo 1	College Accessory	38
652	Climbing Tower	College Accessory	37

last printed 30/07/2012 @ 3:57 PM

page 1 of 1

Addendum to the June 26, 2012 Application for Non-Farm Use
Torchbearers Capernwray Canada Society
Capernwray Harbour Bible School and Conferencing Centre
Thetis Island, BC

Agricultural activity is a key contributor to our operation as a Bible School and Conferencing Centre. It not only is a source of food for our students and guests, but it also provides an environment and experience that reinforces our Christian teaching.

As explained in the full application, our request is to be able to establish 5 areas in the A-1 Zone of the property within which buildings may be built, and if buildings already exist, that they may be torn down or renovated as required without the need for a prior approval from the ALC. This will contribute significantly to our long term viability, and thus to keeping the current large block of land intact. As long as we are on the property, we are committed 1) to remaining within the ALR, and 2) to continuing to contribute to the goals of (a) the Islands Trust on Thetis Island and (b) the Thetis Island residents themselves. Currently the farm manager and a farm worker live with their families off the property. The establishment of Area 5 specifically will establish where the 3 agriculture support buildings described in Islands Trust Bylaw 89, Section 4.3 a)-c) will be located so that these families can move onto the property to live in 2 of them. This also supports our ability to remain a viable working farm in the long term.

The purpose of this addendum is to provide more detail on the agricultural activities on the property along with the implications of establishing the 5 areas. It contains a definition of our agricultural goals, the history of agricultural use of this land, our current farm products and their markets, how the current land is distributed by agricultural use, what the implications of the Forest is since it represents 55% of the A-1 Zone, and finally the impact on farming in the proposed areas.

Agricultural Goals

1. Sustainable farming use with good stewardship practice
2. Remaining within the ALR
3. Sourcing of food for local consumption
4. Continuing to have our Bible School students participate in agricultural activities in order to reinforce classroom teaching about the spiritual principles of planting, cultivating and harvesting and about work habits and relationships.
5. Capturing and using groundwater for irrigation
6. Protecting forest areas
7. Supporting the goals of the Islands Trust for protection of the environment, as well as it's Food Security initiative

History of Land Use for Agriculture *

<u>Year</u>	<u>Owner</u>	<u>Agricultural activity, if any</u>
1886	Henry Severn	- Bought lots 4-10
1888	Mr. & Mrs. H. Burchell	- Established self-sustaining farm - Cows, pigs, sheep, orchard and sawmill. - Mixed farming on 130 acres, the rest for a poultry plant. - Used farm to teach UK students poultry farming
1926	Mr. Hans Hunter	- sheep, horses, other livestock (source: "The Lives behind the Headstones")
?	Jack Storey	- Subdivided, no record of farming
?	Alberti's	- Intended to establish cattle ranch, but didn't happen
1953	Marine Medical Mission (North American Indian Mission)	- Cattle for milk and meat, chickens (some for eggs), hay
1979	Torchbearers Capernwray Canada	- Is the current owner - Has incrementally developed it's farming activity to the level described below

* Source: TCCS website

Addendum to the June 26, 2012 Application for Non-Farm Use

- The Director of the Centre, therefore the owner of the agricultural production has lived off site since 1986. The availability of Area 5 will allow he and his wife to move onto the property.
- A farm worker also lives off site with his family. He too could move into Area 5.
- Other staff workers living on site can move into Area 5 thus allowing their existing residences to be used for paying guests thus enhancing the viability of the continued operation.

Implications of the Areas proposed by the current application

Area 1-3

- previously approved as part of ALC Resolution #572/98 (our application# J-32165)
- can contain accommodation and accessory buildings as allowed by Islands Trust Bylaw 89 section 4.3 d).
- Areas 1 and 2 are within the forested area, so there is no impact on farming operations
- It is anticipated that at some point in the future for safety and capital improvement reasons, the buildings contained within each area will require renovation, tear down and rebuild, or building new.

Area 4

- previously approved as part of ALC Resolution #572/98 (our application# J-32165)
- contains accessory buildings, some of which are used to support the farming operation as allowed by Islands Trust Bylaw 89, section 4.3 d).
- there will be no impact on current farming operations by establishing the Area

Area 5

- not covered by the previous application
- it's purpose will be to house the director, staff and their families
- will allow construction of accommodation and associated accessory buildings allowed by the A-1 Zone Island Trust Bylaws 89, see section 4.3 a) – c). Two of the 3 buildings allowed will be built to enable the Director and one farm worker (and their families) to live on site. The other allowed building is a guest cottage.
- In addition, this area may include one other accommodation building (with related accessory buildings) to enable staff to move from existing buildings that could be used to generate more guest revenue thus supporting our long term viability.
- Is within the forested area. This will only be selectively cleared and logged to the extent necessary for construction. Any resulting lumber will be used onsite for construction or sold locally.
- If construction proceeds in this Area, a swampy section of the Area will be landscaped to channel and capture surface water into a pond to be used for irrigation purposes.

From: Judy Shaw [<mailto:questshaw@hotmail.com>]
Sent: August-20-12 11:36 AM
To: Peter Luckham; Sue French; Courtney Simpson
Cc: Bruce Batchelor
Subject: RIPOA noise bylaw motion

Hi All,

Attached is a letter informing you of the Ruxton Island Property Owners Association motion requesting that a noise bylaw be considered in the planning process. There was concern over a possible construction of a large wind generator though others wondered about enforcement.

Cheers,
Judy Shaw

Ruxton Island

Aug. 20, 2012

Thetis Islands Trust

Gabriola Island

Dear Trustees,

The following motion was carried at the annual general meeting of the Ruxton Island Property Owners Association (RIPOA):

MOTION: "That RIPOA will communicate to the Islands Trust the request to consider a noise bylaw during the planning process."

Sincerely,

Judy Shaw

President RIPOA

Ruxton Island

Aug. 20, 2012

Thetis Islands Trust

Gabriola Island

Dear Trustees,

The following motion was carried at the annual general meeting of the Ruxton Island Property Owners Association (RIPOA):

MOTION: "That RIPOA will communicate to the Islands Trust the request to consider a noise bylaw during the planning process."

Sincerely,

Judy Shaw

President RIPOA

From: Jesse McNeill [mailto:jessemcneill.music@gmail.com]
Sent: September-04-12 5:30 PM
To: Courtney Simpson
Subject: Ruxton Island Swamp Modifications

Hi Courtney,

I was told that you were the person to contact in regards to a planned modification of the swamp on Ruxton Island. I've written a letter to the CVRD and have attached a copy of that letter to you in this email. I heard back from the CVRD recently, and someone has told them that the swamp or pond, is actually a natural lake, which is not at all true. Please help me in conserving what little natural wildlife we have left.

Thanks very much,
Jesse McNeill

Hi, I'd just like to make a statement about the proposed modifications to a pond on Ruxton Island and the signs that have been placed there.

I'm just a young person, but I've been on Ruxton since birth, which currently represents 20 years. My parents built our place there 15 years before I was born, which brings us to 35 years of semi-permanent residency on the island.

Ruxton has a property owners association, which represents a mere 20% of the island. Every year, the association meets and discusses various issues concerning legitimate things like fire prevention, road maintenance, etc. (I believe Island's Trust was present a couple of years ago, in fact.) Towards the end of the meeting, issues are brought forward that specific island owners would like addressed. In the past couple of years, an issue that continues to be brought forward by an elderly gentleman is the swamp that is in the center of the island. This gentleman told the meeting that he did a bit of internet research and read somewhere that an ideal wetland is 50% water, 50% land. (Our pond ratio is currently something like 30%-70%.) He thinks that the island owners should agree to modify the pond to create that ideal wetland. He has even tried to purchase a parcel of land in order to build a dam. He formed a 4-6 person organization that is rallying various district officials to potentially gain permission to perform modifications to the pond. The organization has placed signs at either end of the "Pond Trail" that push the objectives of the organization. The signs are reminiscent of propaganda, and I find them very distasteful. If the signs provided information on more than one side of the pond issue then perhaps residents would feel as though they have options, instead of essentially being told that "this is what is happening on the island, and this is what our (and your) goal is". Most outrageous of all, there is a very large community notice board right by where he planted his signs. Had the gentleman chosen to post his sign where everyone else does, his opinion could have easily been showcased and others could have posted reactions and questions.

If I may, I'd like to provide a bit of background information on the pond to perhaps paint a more accurate picture as to why I would strongly object to this proposal.

My father and I are friends of a man from De Coursy Island named John Naylor. Mr. Naylor grew up on Ruxton Island and his parent's original home still stands at the end of the bay that bears his family name. My father and I spoke to John about the pond issue and he was very surprised. When he was a child, he used to walk on the wetland in his gumboots to pick cranberries from the little island at it's center.

As I child, I remember the pond as having a great deal more water than land. When I was around 6 or 7 years old, a ship capsized behind the island and large parachuted flares were deployed in search of the floating crew. One of these flares ended up on the little island in the middle of the pond, so my father and I launched a little boat and paddled to the middle to retrieve it. The reason why the

pond had so much water in the mid 90's was because the pond was the home of beavers who had built a dam. Around 2002 to 2004, newer residents of the island decided the beavers were a problem and so they were killed. The dam they built slowly disintegrated and the pond has been gradually returning to it's naturally semi-solid state ever since. This pond has fluctuated naturally for years and there is no reason for us to interfere.

The main issue that bothers me here, is that there are certain people on the island who think it is their right to modify nature, supposedly for it's betterment. I do not understand how anyone could possibly think that our beautiful, natural swamp could be better off in any other condition than it's natural state. Another part of the proposal has been to build small pits near the pond for fire prevention, which is a different story. If people on the East side of the island need those water pits for fire safety then go ahead, but keep them small and the environmental impact to a bare minimum.

I love Ruxton Island very much and I will do everything within my power to protect it from people who intent to modify it for no real reason. More importantly, (and I can't stress this enough), the property owner's association and the water conservation society do NOT in any way represent the real interests of the island or it's residents. I intend to be on Ruxton until the day I die, and I would love to be able to pass the property on to MY children as part of their family legacy. I would love for them to enjoy it as I do, and I will not rest until I am sure the island is safe.

Thanks very much for reading this, and I look forward to hearing your thoughts shortly. I realize that an issue like this is small potatoes to a organization like yourselves, but this is very important to me and I would love some help, feedback and reassurance that the swamp will not be touched.

Thanks,
Jesse McNeill
Lot 70, Ruxton Island

or
1879 Bostrom rd.
Yellow Point



Memorandum

700 North Road Gabriola Island BC V0R 1X3

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

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

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

Date September 7, 2012 File Number 5500 – 02

To Thetis Island Local Trust Committee

From Courtney Simpson
Island Planner
Northern Office

Re Printing Thetis Sustainability Guidelines

The Thetis Island Local Trust Committee (LTC) asked staff to provide quotes for the cost of printing 50 and 100 copies of the Thetis Island Sustainability Guide.

Modelled after the quality and look of paper used by the Islands Trust Fund publication *The Heron*, below are the estimated costs:

50 - \$248.00

100 - \$397.00

The LTC should pass a resolution instructing staff on how many copies to have printed.



STAFF REPORT

Date: September 7, 2012

File No.: 6500-20
(Riparian Areas Regulation)

To: Thetis Island Local Trust Committee
For meeting of October 3, 2012

From: Courtney Simpson, Island Planner

CC: Chris Jackson, Regional Planning Manager

Re: Riparian Areas Regulation Compliance

BACKGROUND:

To become compliant with the provincial *Riparian Areas Regulation* (RAR), the Islands Trust contracted with Mimulus Biological Consultants to map streams in the one watershed on Thetis Island identified by the Ministry of Environment as being applicable to the RAR, as their information showed it was fish-bearing or potentially fish-bearing. The March, 2011 Mimulus report concludes that the mapped streams meet the definition of a *stream* under the RAR.

The majority of the watershed applicable to RAR on Thetis Island is on the Meadow Valley Strata property. The Thetis Island Local Trust Committee (LTC) received a report at their July 16, 2011 meeting recommending that staff proceed with drafting a development permit area for the streams in the watershed in order to become compliant with the RAR. Staff planned to first meet with the Meadow Valley property owners to discuss options for incorporating the strata's future plans as exemptions to avoid the need for numerous development permits. Staff met with Meadow Valley property owners on July 22, 2011. Two options were discussed at this meeting:

1. Pursuing an exemption from the RAR by Meadow Valley Properties hiring a biologist to determine if there is a lack of current or potential fish presence or habitat and if so, applying for this exemption from the province; or
2. Not pursuing exemption but designing development permit area guidelines where all current and planned activities that a biologist deems to not be harmful to fish or fish habitat are exempt from requiring a development permit, with any additional activities requiring one – a biologist would have to provide a RAR assessment of the plan for the property to determine what activities can be exempt from requiring a development permit.

The owner-developer of Meadow Valley Properties, Mr. Ian Ralston, contracted with Aquaparian Environmental Consulting Ltd to conduct a fish presence/absence study with the aim of demonstrating that the watershed is not applicable to the RAR. The report from Aquaparian dated December, 2011 concludes that "the watercourse does not support fish and therefore is not protected under the RAR".

The Ministry of Environment has corresponded with Mr. Ralston, Aquaparian and the Islands Trust explaining how it disagrees with the conclusions in the Aquaparian report and considers

the stream to still be applicable to the RAR because there is a potential for fish presence. Our understanding of the Ministry of Environment's authority related to RAR has changed since the July 22, 2011 meeting with the Meadow Valley property owners, and while the Ministry of Environment's position is relevant information, they do not have the authority to declare a stream applicable or not applicable to the RAR; that is the authority of the individual Qualified Environmental Professional (QEP). In this case, there are two QEP's who have undertaken different studies with different goals but who believe they both have made the proper assessment of whether or not the watercourses are *streams* as defined in the RAR; one concludes they are the other that they are not.

It appears to now be up to the Thetis Island Local Trust Committee to decide whether to amend their bylaws with the belief that these *streams* are applicable to the RAR, or to proceed with the belief that they are not applicable to the RAR. At their April 18, 2012 meeting the LTC passed the following resolutions:

*It was **MOVED** and **SECONDED** that, based on the Local Trust Committee review of the reports by Mimulus and Aquaparian, the Thetis Island Local Trust Committee considers the Thetis Island Trust Area Riparian Areas Regulation compliant.*

CARRIED
Chair Hancock opposed

*It was **MOVED** and **SECONDED** that the Local Trust Committee direct staff to prepare for the next meeting a draft amendment for the Thetis Island Official Community Plan, Section 8, Policy 4.1, to reflect the Local Trust Committee's decision the Thetis Island Local Trust Area is Riparian Areas Regulation compliant.*

CARRIED
Chair Hancock opposed

STAFF COMMENTS:

Staff received legal advice on this issue and recommends that the LTC proceed under the belief that the streams mapped by Mimulus are applicable to the RAR. Attached is a legal opinion that has been released to the public and although it speaks to a Mayne Island situation is relevant to Thetis Island. It describes that the presence or absence of fish alone is not relevant to whether or not a local government must amend its bylaws to protect riparian areas.

It is the understanding of staff that the Aquaparian report incorrectly interprets the RAR; a stream is applicable to the RAR if fish are present or potentially present, and based on the absence of barriers to fish as described in the Mimulus report, the stream is fish accessible.

The aim of the RAR is to protect fish and fish habitat. The Meadow Valley Strata has been designed and developed with similar goals in mind and property owners have said that this is part of what has attracted them to live there. However the protection for the streams under Meadow Valley Strata is not as extensive as that provided by the RAR. For example, structures could be built closer to the streams and clearing and land alteration could occur closer to the

streams, without a QEP report to assess the impact on it and recommend measures to mitigate the impact.

Staff recommends that the second option discussed at the July 22, 2011 meeting with Meadow Valley Strata is now pursued, that would aim to design a development permit area that respects Meadow Valley Strata's work to date on protecting the riparian area. It would involve hiring a QEP to conduct a RAR assessment for the property so that exemptions could be included in the development permit area for as many future planned development activities on the property as possible. The goal would be for a development permit to not be required for any development (land alteration, construction, etc) that Meadow Valley can foresee in the future, by having a QEP address those specific development activities in their report.

Further, staff recommends that the LTC direct staff to request funds from the Scientific Studies budget for this work.

RECOMMENDATIONS:

Based on the above considerations, Staff recommends that the Thetis Island Local Trust Committee:

1. Proceed no further with draft bylaw No. 92; and
2. Direct staff to request funds from the Scientific Studies budget for a RAR assessment of planned development on the Meadow Valley Strata property, Thetis Island.

Prepared and Submitted by:

Courtney Simpson

Courtney Simpson, MCIP
Registered Professional Planner

September 24, 2012

Date

Attachments:

1. Draft bylaw No. 92
2. Islands Trust Legal Opinion: Mayne Island Riparian Areas Regulation Implementation
3. Letter from Courtney Campbell, Island Planner to Ian Ralston, Trax Developments Ltd dated September 27, 2011

DRAFT

THETIS ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 92

A BYLAW TO AMEND THETIS ISLAND OFFICIAL COMMUNITY PLAN, 2011

WHEREAS the Thetis Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Thetis Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS the Thetis Island Local Trust Committee wishes to amend the Official Community Plan Bylaw No. 88, 2011 to change Surface Water Resources Policy 8 to state that the Thetis Island Local Trust Area is compliant with the Riparian Areas Regulation;

AND WHEREAS the Thetis Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Thetis Island Local Trust Committee enacts in open meeting assembled as follows:

1. Bylaw No. 88, cited as "Thetis Island Official Community Plan, 2011" is amended by deleting policy 8 of section 4.1 [Natural Resources] and replacing it with the following text:

“There are no streams on Thetis Island that are subject to the Riparian Areas Regulation of the Fish Protection Act.”

2. This Bylaw may be cited as "Thetis Island Official Community Plan, 2011, Amendment No. 1, 2012".

READ A FIRST TIME THIS _____th DAY OF _____, 201_____

PUBLIC HEARING HELD THIS th DAY OF , 201

READ A SECOND TIME THIS _____th DAY OF _____, 201_____

READ A THIRD TIME THIS _____th DAY OF _____, 201__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____
th DAY OF _____, 201

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT THIS _____th DAY OF _____, 201

ADOPTED THIS _____th DAY OF _____, 201

SECRETARY

CHAIRPERSON

ATTACHMENT 2



ISLANDS TRUST LEGAL OPINION: MAYNE ISLAND RIPARIAN AREAS REGULATION IMPLEMENTATION

Due to uncertainty concerning the applicability of the provincial Riparian Areas Regulation to several watercourses on Mayne Island, the Islands Trust has obtained an opinion from Young, Anderson, its legal counsel. The Executive Committee of Islands Trust has authorized the release of this legal opinion. The following points provide a summary of Islands Trust's understanding of the applicability of the RAR based on this legal advice:

- The presence or absence of fish alone is not relevant to whether or not a local government must amend its bylaws to protect riparian areas.
- The RAR requires local governments to implement measures on streams where fish may not be present: the legislation has as its object both the protection of streams where fish are present and the restoration of riparian habitat that potentially supports fish life.
- The question of fish-presence is relevant to the determination of the width of the Streamside Protection and Enhancement Area (SPEA) (i.e. the "setback"), not to whether a stream is subject to the RAR.
- The first report obtained by the LTC (the 'Reimer' report) provided the necessary information for the LTC to proceed with amending its bylaws to implement the RAR. The second report (the 'Swell' report) concurred with this conclusion.
- The *Fish Protection Act* and the RAR do not provide Ministry staff with administrative discretion to determine whether or not a watercourse is a "stream" as defined in the RAR.
- Concerns of landowners regarding the application of the RAR to streams without fish present are an issue with the provincial legislation and regulation.
- The *Fish Protection Act* requires that the LTC amend its bylaws to implement Riparian Area protection measures on the streams.

REPLY TO: VANCOUVER OFFICE

VIA EMAIL: rkojima@islandstrust.bc.ca

January 30, 2012

Robert Kojima
Regional Planning Manager
Islands Trust
200 - 1627 Fort Street
Victoria, BC V8R 1H8

Dear Mr. Kojima:

Re: Mayne Island RAR Implementation
Our File No. 0002 -0172

You have requested that we review various reports and correspondence that the Islands Trust has received regarding the presence of fish-bearing or potentially fish-bearing streams on Mayne Island, as part of the local trust committee's consideration of bylaw amendments required to comply with s. 12 of the *Fish Protection Act*.

In summary, the Islands Trust has received two separate reports by qualified environmental professionals (QEPs) as defined in the Riparian Areas Regulation, to the effect that there are three streams on Mayne Island that fall within the scope of s. 12 of the *Fish Protection Act* and the Riparian Areas Regulation. It has also received reports prepared by QEPs on behalf of the Mayne Island Landowners Coalition to the effect that there is no evidence of fish presence in any of the three streams. Finally, it has received a June 3, 2011 letter from the Ministry of Environment purporting to determine that Campbell Creek, one of the three streams, is not subject to s. 12 or the RAR, and a copy of a November 18, 2011 e-mail from the Minister of Environment to Murray Coell, MLA for Saanich North and the Islands, commenting on and confirming the conclusions set out in the MOE letter.

1. Relevance of the Presence of Fish

In our view, the presence of fish in these streams is not relevant to the question of whether the local trust committee has an obligation to enact riparian area protection measures under s. 12 of the *Fish Protection Act* in relation to them. It is clear from the Riparian Areas Regulation that "streams" that require local government measures under s. 12 include streams in which fish are

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201 - 1456 St Paul Street Kelowna BC V1Y 2E6 | tel: 250 712 1130 | fax: 250 712 1180

Q:\00002\0172\Kojima-Ltr-Bb-Rar Implementation Docx

Jan 30, 2012 3:48 PM/MW

not present. For example, s. 6(2) of the RAR in describing the width of streamside protection and enhancement areas includes a methodology for determining SPEA width in relation to non-fish-bearing streams as well as for fish-bearing streams. (This is likely the reason that the Assessment Methods published by MOE for the use of QEPs contains a methodology for determining the presence of fish.) Section 6(1) of the RAR directs that the identification of SPEAs take into account both existing and potential vegetation, and companion amendments to the *Local Government Act* in 1997 enabled local governments to impose development permit conditions for riparian areas that deal with the restoration and enhancement of degraded riparian habitat, as distinct from the protection of intact riparian habitat. Thus it seems clear that the *Fish Protection Act* and the RAR have as their object both the protection of riparian habitat that presently supports fish life, and the restoration and enhancement of riparian habitat that potentially supports fish life, and it is in that context that we conclude that the local trust committee's duties under s. 12 don't depend on the initial presence of fish in a stream.

Because of the conclusion we have reached on this point, we will not comment on whether the reports prepared for the Landowners Coalition correctly applied the MOE's suggested methods for determining the presence of fish.

2. Reimer Report

It is our view that the 2007 Reimer report provided a sufficient basis for the local trust committee to proceed with the implementation of riparian area protection measures. Neither of the Landowners Coalition reports detracts from that basis, because the presence of fish is not necessary to qualify a watercourse for protection under the *Fish Protection Act*. If the Islands Trust had received one or more reports indicating that none of the topographical features on Mayne Island constituted a "stream" as defined in the RAR, there would have been an issue as to whether s. 12 of the *Fish Protection Act* had any application on Mayne Island, but the Landowners Coalition reports do not address that issue. The authors of the Swell Environmental Consulting Ltd. report dated February 16, 2010, which essentially confirms the conclusions in the Reimer report of 2007, concluded the report by suggesting that the Mayne Island landowners commission another QEP report on the topic of fish absence, perhaps implying that the results of such a study could be relevant to the question of whether any of the watercourses on Mayne Island are streams requiring protection under the RAR. We don't believe such a suggestion to be correct; under the RAR, the presence or absence of fish is only relevant to the width of streamside protection and enhancement areas for watercourses that are subject to the Regulation.

3. MOE Correspondence

As for the June 3, 2011 correspondence from Marlene Caskey, indicating a consensus among Ms. Caskey, Dave Clough (one of the QEPs who had been retained by the Landowners Coalition) and other government fisheries biologists that Campbell Creek be "identified" as "non-fish-

bearing” due to the presence of a natural barrier near its mouth, and therefore not an “RAR stream”, the letter is in our view misconceived to the extent that it was intended to suggest that riparian area protection measures are not required on Campbell Creek. There is no room in the application of s. 12 of the *Fish Protection Act* for the exercise of discretion by Ministry of Environment officials as to whether a particular watercourse is a “stream” as defined in the RAR. At most, this letter could be taken as some kind of representation by the Province that it will not assert in future that the Mayne Island Local Trust Committee is in contravention of s. 12 of the *Fish Protection Act* by virtue of not having undertaken riparian area protection measures in respect of this watercourse. The wording of s. 12 and the “policy directive” that the Province has issued (in the form of the Riparian Areas Regulation) determine, of their own force, what streams in the Mayne Island local trust area require protection by the local trust committee, leaving no room for administrative-level interpretations by MOE staff. In this regard, it seems to us that the June 3, 2011 letter represents another aspect of the problem with the administration of the RAR that the Court of Appeal identified in *Yanke v. Salmon Arm (District)*, 2011 BCCA 309, which dealt with the MOE/DFO “letter of advice” routine in relation to construction of buildings within identified SPEAS. The Court of Appeal referred to “dissonance between the statutory provisions and the regulatory framework that is actually applied”, in finding the Ministry’s “letter of advice” procedure to be without any basis in law. In the present circumstances, while they may certainly provide information in a resource capacity, we don’t think that MOE staff members have any statutorily mandated role to play in determining whether or not any particular watercourse requires protection under the *Fish Protection Act* and the RAR.

For completeness, we will also note that the Minister of Environment’s November 18, 2011 e-mail message adds nothing to the legal validity or significance of Ms. Caskey’s purported determination that there is no need for the local trust committee to implement riparian area protection measures in respect of Campbell Creek. The message merely adds another layer of defence that the Islands Trust and the local trust committee may raise in the event that they are alleged to be out of compliance with s. 12 of the *Fish Protection Act* by having failed to implement such measures for Campbell Creek. As far as we can tell from the information provided in all four of the reports we have reviewed, Campbell Creek is a “stream” in respect of which a “riparian assessment area” can be identified. According to s. 4 of the RAR the local trust committee cannot lawfully approve or allow development to proceed in respect of the riparian assessment area of Campbell Creek unless the development is authorized by permit under s. 35 of the *Fisheries Act* (Canada) or the requisite QEP report has been provided to the MOE and DFO and the local trust committee has been so notified.

4. Conclusion

It may be that local landowners do not consider it worthwhile to enact riparian protection or restoration requirements, in relation to watercourses that do not currently provide fish habitat. That is a value-based position that may quite legitimately be taken in a policy discussion as to

whether s. 12 of the *Fish Protection Act* *should* apply to the Mayne Island local trust area, or whether riparian assessment areas *should* be so broadly defined in the RAR as to include areas adjacent to non-fish-bearing streams. Since neither of those policy matters is within the local trust committee's jurisdiction, the local trust committee may wish to suggest to the Landowners Coalition that it direct its advocacy efforts to legislators at the provincial level. In the meantime, s. 12 requires the local trust committee to implement riparian area protection measures, in our view in respect of all three watercourses identified in the Reimer report of 2007.

Sincerely,

YOUNG ANDERSON



Bill Buholzer

buholzer@younganderson.ca

BB/mw

ATTACHMENT 3



700 North Road, Gabriola Island, BC V0R 1X3
Telephone 250. 247-2063 Fax 250. 247-7514

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Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

September 27, 2011

File Number: TH/04-1

VIA EMAIL TO: ipr@traxdev.com

Ian Ralston
Trax Developments Ltd
Box 9-6
Thetis Island, BC V0R 2Y0

Dear Ian Ralston:

Re: Riparian Areas Regulation Implementation for Ralston Watershed

I am writing to follow up on the July 22, 2011 meeting with you and several Meadow Valley Strata property owners. The Thetis Island Local Trust Committee is obliged, by provincial legislation, to amend their bylaws to implement the Riparian Areas Regulation (RAR) and we would like to know what your next steps are as we endeavour to work together on this issue.

At the July 22 meeting, we discussed two main options:

1. Pursuing an exemption from the RAR by Meadow Valley Properties hiring a biologist to determine if there is a lack of current or potential fish presence or habitat and if so, applying for this exemption from the province; or
2. Not pursuing exemption but designing development permit area guidelines where all current and planned activities that a biologist deems to not be harmful to fish or fish habitat are exempt from requiring a development permit, with any additional activities requiring one – a biologist would have to provide a RAR assessment of your plan for the property to determine what activities can be exempt from requiring a development permit.

We have since received a copy of a proposal from Mimulus Biological Consultants to you for a fish presence/absence assessment of Ralston Watershed. We would like to know if you have decided to hire these consultants to do this work, or if you require anything more from Islands Trust staff or from the Thetis Island Local Trust Committee. If you have decided to not pursue this option please let us know so that we can work with you to proceed with drafting a development permit area.

Sincerely,

Courtney Campbell
Island Planner
ccampbell@islandstrust.bc.ca
250. 247-2209

pc: Thetis Island Local Trust Committee
Chris Jackson, Regional Planning Manager

Preserving Island communities, culture and environment

Bowen Denman Hornby Gabriola Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis



Islands Trust

Top Priorities

Thetis Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Associated Islands OCP and LUB Creation	Develop new OCP and LUB to replace Ruxton Island Zoning Bylaw, 1982, CVRD Bylaw 110, and to include other islands with no zoning. Scope does not include Valdes Island.	Sep-07-2011	Courtney Simpson	Nov-15-2014	On Going
2	Riparian Areas Regulation Implementation	Amend OCP to comply with RAR for the one watershed identified as applicable to RAR, using the stream mapping by Mimulus Biological Consultants.	Sep-07-2011	Courtney Simpson	Nov-15-2014	On Going
3	Ratification of protocol agreement with the Cowichan Valley Regional District	Director of Local Planning Services to move forward. Meeting to be held between CVRD board and Thetis LTC	Feb-06-2009	Chris Jackson	Dec-31-2012	On Going



Projects

Thetis Island

No.	Description	Activity	Received/Initiated	Status
1	Shoreline Development Permit Area	Community outreach, education and engagement on draft DPA.	Sep-07-2011	On Going
2	Protocol Agreement or Memorandum of Understanding with Penelakut First Nation	Sent letter to newly elected Chief and Council to see if they are interested in continuing the work on a protocol that was started with former Cheif Lisa Shaver.	Feb-06-2009	On Going
2	Joint proactive enforcement with CVRD		Jul-28-2010	On Going
4	Revise Protocol Agreement with Lyackson First Nation	As of August, 2010 draft with Lyackson for review by their community.	Feb-06-2009	On Going
5	Development Approval Information Bylaw		May-25-2011	On Going
6	Potential LUB amendments:	- short-term vacation rentals of principle dwellings in the R-2 zone - rainwater storage requirements	Sep-07-2011	On Going
7	Sustainability Guidelines for Thetis Island	Discuss collaboration with Cowichan Valley Regional District Building Department, finalize draft, and make a plan for distribution.	Sep-07-2011	On Going
9	Housekeeping Amendmends to LUB	4.3(d) amend to say: In addition to s. 4.3(a), (b), and (c)...	May-24-2012	On Going



Applications w/ Status - Thetis Island Status: Open

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
TH-ALR-2012.1	Torchbearers Capernwray Canada Society Planner: Courtney Simpson	Jun-29-2012	298 Foster Point Road, Thetis Island Non Farm Use Application For existing and new Bible Centre uses

Planning Status

Status Date: Sep-24-2012

Staff report on October 3, 2012 agenda

Status Date: Jul-23-2012

Planner reviewing file

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
TH-DVP-2010.1	Trincomali Holdings Ltd Planner: Courtney Simpson	Aug-17-2010	Seawall Construction

Planning Status

Status Date: Aug-01-2012

LTC direction to defer decision until response from Lyackson and Penelakut First Nations

Status Date: Jun-19-2012

Staff report prepared

Status Date: Apr-02-2012

Distributed DVP notice to property owners within 100m

Subdivision

File Number	Applicant Name	Date Received	Purpose
TH-SUB-1998.1	TRAX DEVELOPMENT LTD C/O WRIGHT FOCUS ENGINEERING LTD Planner: Courtney Simpson	Sep-25-1998	Phased Strata Subdivision "Meadow Valley Properties" phased strata to create 21 strata lots from 4 parent parcels

Planning Status

Status Date: Jul-08-2011

PLA extended to June 8 2012

Status Date: Jun-23-2011

Indicated RAR requirement in response to request for PLA extension

Status Date: Jun-17-2010

12-month extension to PLA

File Number	Applicant Name	Date Received	Purpose
TH-SUB-2010.1	Williamson & Associates Professional Surveyors Planner: Linda Prowse	Feb-24-2010	Subdivide to create 2 lots

Planning Status

Status Date: Feb-07-2012

Preliminary Layout not approved notice received - There are a number of conditions the applicant has not complied with. Ministry notes if conditions are not complied with, the file will be closed in 1 year.

Status Date: Jan-10-2012

MOTI will be recommending NON PLA to the Provincial Approving Officer, as there has not been any attempt by the applicant to remedy the concerns of the Environmental Health Officer regarding sewage disposal for this subdivision proposal.

Status Date: Apr-19-2011

Referral Response sent to MOTI and applicant

File Number	Applicant Name	Date Received	Purpose
TH-SUB-2010.2	G.W. Lindberg Land Surveying Inc.	Dec-20-2010	Create 2 parcels

Planner: Marnie Eggen

Planning Status

Status Date: Sep-07-2012

Final letter sent to MOTI

Status Date: Aug-01-2012

Resolved to endorse strata covenant

Status Date: May-23-2012

LTC resolved to defer endorsement of strata covenant until review of geotech draft covenant

From: Nicole Ranger
Sent: August-09-12 9:48 AM
To: Thetis Island Local Trust Committee; Theresa Warren; Becky McErlean
Cc: Cindy Shelest
Subject: Thetis LTC Expenses - July 31/12

Islands Trust
LTC EXP SUMMARY REPORT F2012
 Invoices posted to July 31, 2012

670 Thetis	Invoices posted to July 31, 2012	Budget	Spent	Balance
65000	LTC "Trustee Expenses"	1,100.00	231.86	868.14
65200	LTC Local Exp LTC Meeting Expenses	1,200.00	238.86	961.14
65210	LTC Local Exp APC Meeting Expenses	600.00	-	600.00
65220	LTC Local Exp Communications	500.00	-	500.00
65230	LTC Local Exp Special Projects	500.00	-	500.00
65240	LTC Local Exp Miscellaneous	200.00	-	200.00
TOTAL LTC Local Expense		3,000.00	238.86	2,761.14
72300	Project OCP update	5,000.00	-	-
72310	Project Associated Islands OCP/LUB update	5,000.00	243.99	4,756.01

Thanks,

Nicole Ranger
 Finance Clerk

From: Nancy Roggers
Sent: September-06-12 3:28 PM
To: Courtney Simpson; Ken Hancock; Peter Luckham; Sue French; Becky McErlean
Cc: Cindy Shelest
Subject: Thetis LTC expense report - Aug/12

Islands Trust
LTC EXP SUMMARY REPORT F2012
 Invoices posted to August 31, 2012

670 Thetis	Invoices posted to August 31, 2012	Budget	Spent	Balance
65000	LTC "Trustee Expenses"	1,100.00	231.86	868.14
65200	LTC Local Exp LTC Meeting Expenses	1,200.00	418.69	781.31
65210	LTC Local Exp APC Meeting Expenses	600.00	104.12	495.88
65220	LTC Local Exp Communications	500.00	-	500.00
65230	LTC Local Exp Special Projects	500.00	-	500.00
65240	LTC Local Exp Miscellaneous	200.00	-	200.00
TOTAL LTC Local Expense		3,000.00		2,761.14
73001-670-2009	Thetis OCP/LUB	5,000.00	-	5,000.00
73001-670-2010	Thetis (Ruxton Island) Associated OCP/LUB	5,000.00	243.99	4,756.01
73001-670-3008	Thetis RAR	2,000.00		2,000.00

Thanks!

Nancy Roggers
 Finance Officer

Islands Trust
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 Victoria, B.C. V8R 1H8
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 Fax: (250) 405-5155
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Memorandum

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Date September 10, 2012 File Number 3040-20

To Thetis Island Local Trust Committee
For meeting of October 2, 2012

From Courtney Simpson
Island Planner
Northern Office

Re Thetis Local Trust Committee meeting schedule, 2013

Local Trust Committees in the Northern Region are being asked to endorse 2013 meeting dates now, with final 2013 meeting schedules for adoption once Trust Council and Trust Council Committee meeting dates are finalized.

It is important that trustees check their schedules and propose any changes necessary now, so that meetings can be adequately spaced and staff workloads balanced. Late changes to meeting dates are always difficult to schedule.

Wednesday, February 6, 2013

Wednesday, April 17, 2013

Wednesday, May 22, 2013

Wednesday, July 24, 2013

Wednesday, September 18, 2013

Wednesday, November 21, 2013

Additionally, staff suggests that meetings begin at 10:45 am. In the winter during "Soup's On" the meetings would have to be in the library from 10:45-1:00 and then could move to the main hall. Staff would prefer this arrangement to choosing a different day of the week, but both of these options can be discussed.

Staff is requesting a resolution to endorse the above meeting dates.

From: Jennifer Eliason
Sent: August-02-12 1:50 PM
To: Robert Kojima; Chris Jackson; Leah Hartley; Courtney Simpson
Cc: David Marlor; Lisa Gordon
Subject: Trust Fund Board referral of ITF Five-Year Plan

Hello Regional Planning Managers,

Please find attached a briefing and draft of the Islands Trust Fund Five-Year Plan 2013-2017. Our *Islands Trust Fund and Local Planning Services Coordination* policy and memoranda of agreement between the Trust Fund Board and all LTCs and IMs dictate that any new or revised version of the Islands Trust Fund Five Year Plan be referred to the LTCs/IMs for comment. Could you please provide these documents to the relevant planners to ensure it is brought to the next local trust committee meeting for each area? We are asking for responses by September 30th, but would appreciate receiving them as soon as possible. We do not require a resolution of the LTC or endorsement, but do ask that any comments provided are those of the LTC (not individual trustee responses). The Plan itself is quite straightforward, and reflects the Board's current policies and the Regional Conservation Plan. If you or the planners have any questions, or would like additional information, please do not hesitate to contact me.

With thanks,

Jennifer Eliason
Manager
Islands Trust Fund
200-1627 Fort St.
Victoria, BC V8R 1H8

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A conservancy for Canada's islands in the Salish Sea.

ISLANDS TRUST FUND BRIEFING

DATE: August 2, 2012

TOPIC: ISLANDS TRUST FUND FIVE YEAR PLAN 2013-2017

DIRECTED TO: All Local Trust Committees and Bowen Island Municipality

COPIES TO: Lisa Gordon, Director, Trust Area Services
David Marlor, Director, Local Planning Services
Kathy Lalonde, Interim CAO, Bowen Island Municipality

DESCRIPTION OF ISSUE: The *Islands Trust Act* requires that the Trust Fund Board prepare and submit to the Minister, at least once every 5 years, a plan for the trust fund respecting policies on acquisition, management, and disposal of property, investment of money, goals for major acquisitions, and other matters as required.

Islands Trust Policy 3.3.ii) *Islands Trust Fund and Local Planning Services Coordination* (TFB Policy 96010) requires the Plan to be referred to every LTC and Island Municipality for comment (not endorsement). The Trust Fund Board will also be submitting the Plan to Trust Council for endorsement at its September 2012 meeting.

BACKGROUND: The Islands Trust Fund Plan is administrative in nature, and explains current Trust Fund Board policies on land acquisition, management and disposition of land, and investment of funds. It also summarizes the Regional Conservation Plan.

It is important to distinguish between the Islands Trust Fund Five-Year Plan which requires Ministerial approval under the *Islands Trust Act*, and the Regional Conservation Plan, which provides science-based operational direction to the Trust Fund Board and its staff. The documents are complementary, but serve different functions.

DESIRED OUTCOME: The Trust Fund Board seeks comments from local trust committees / Bowen Island Municipality (LTCs/BIM) on the content of the plan. Comments should be received no later than **September 30, 2012**, although earlier comment is appreciated.

ATTACHMENT(S): Draft Islands Trust Fund Five-Year Plan 2013-2017

FOLLOW-UP: LTC and BIM comments are due to **Jennifer Eliason, Manager of the Islands Trust Fund** jeliason@islandstrust.bc.ca by **September 30, 2012**.

While we do not require a resolution of the LTC/IM, we would appreciate any comments provided being those of the LTC/IM (not individual trustee/councilor responses). A final version of the Islands Trust Fund Board Five-Year Plan 2013-2017 will be submitted to the Minister of Community, Sport and Cultural Development in October 2012.

PREPARED BY: Jennifer Eliason, Manager, Islands Trust Fund

REVIEWED BY: Lisa Gordon, Director of Trust Area Services

ISLANDS TRUST FUND

FIVE-YEAR PLAN

2013-2017

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Appendices

- A) List of properties protected by the Trust Fund Board**
- B) List of Trust Fund Board policies**

1. The Trust Fund Board Mandate, Vision and Mission

The Legislated Mandate of the Trust Fund Board

In 1974 the Province of British Columbia recognized the islands between Vancouver Island and the mainland as a special place within the province where the unique beauty, rural character and diverse ecosystems should be protected for future generations. Through the *Islands Trust Act*, the province established the Islands Trust, a local government, with the following mandate (known as the Object of Islands Trust):

To preserve and protect the trust area and its unique amenities and environment 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.

In 1990, through the enactment of a section of *Islands Trust Act*, the Islands Trust Fund was established as a conservation land trust to assist in carrying out the “preserve and protect” mandate. Part 6 of the *Islands Trust Act* establishes the corporate status, responsibilities, and governance structure of the Trust Fund Board.

Under the *Islands Trust Act* (Section 44)

- (1) the Trust Fund Board must prepare and submit to the Minister, at least once every five years, a plan for the Trust Fund respecting
 - a) policies on acquisition, management and disposal of property of the trust fund,
 - b) policies on investment of money of the trust fund,
 - c) goals for major acquisitions of property by the trust fund, and
 - d) other matters as required by the Minister of Community Services.
- (2) The Trust Fund Board must not, without the prior approval of the Minister, acquire, hold or dispose of land except in accordance with a trust fund plan under subsection (1) that has been approved by the Minister.

The Trust Fund Board is one of fifteen corporate entities* charged to uphold the Object of the Islands Trust. It is responsible for the actions of the Islands Trust Fund and since 1990 has protected almost 1,075 hectares of land as nature reserves, nature sanctuaries or conservation covenants.

The **vision of the Islands Trust Fund** is that the islands and waters of the Strait of Georgia and Howe Sound will be a vibrant tapestry of culture and ecology

* The Corporate entities charged to uphold the Object of the Islands Trust include the Trust Council, twelve local trust committees, one island municipality and the Trust Fund Board.

where humans live and work in harmony with the natural world. This special place will have a network of protected areas that preserve in perpetuity the native species and natural systems of the islands. Engaged residents and conservation partners will work together to protect large natural areas and key wildlife habitat. Viable ecosystems will flourish alongside healthy island communities.

The **mission of the Islands Trust Fund** is to protect special places by encouraging, undertaking, and assisting in voluntary conservation initiatives within the Islands Trust Area.

The Coastal Douglas-fir zone is one of B.C.'s rarest biogeoclimatic zones and is of great conservation concern. Many of the ecosystems of this zone are globally rare. In 2007, scientists advised the provincial government that the Coastal Douglas-fir zone is at high risk of disappearing. In 2010, the Forest Practices Board found that the amount of Crown land available for ecosystem protection was insufficient to maintain the viability of the Coastal Douglas-fir zone. It wrote "private landowners, federal and local governments, and non-government conservation agencies will have to fill the gap".

The Islands Trust Area holds 46% of British Columbia's Coastal Douglas-fir zone, the largest percentage of any local government jurisdiction in the province. The Islands Trust Fund's work encouraging and assisting private landowners to protect ecologically valuable land in this zone is vital to the government's efforts to protect these important and imperiled ecosystems.

The undeniable beauty of the Islands Trust Area attracts visitors and residents to this region each year. More than 65% of the Islands Trust Area is privately owned, and over 3.3 million people live in the surrounding areas. The pressure to develop and change the natural landscape in the islands is tremendous. Biodiversity here is exposed to some of the highest threat levels in British Columbia. The conservation work of the Islands Trust Fund is critical in ensuring that the natural beauty that draws so many to the region is not lost.

2. Trust Fund Board Successes

Protected Lands

Since its inception in 1990, the Trust Fund Board has protected over 1000 hectares of ecologically-significant natural area on the islands. As of July 2012, the Trust Fund Board has acquired 21 properties, and worked with private landowners to register 63 conservation covenants for a total of 84 protected areas, covering 1,074 hectares (2,654 acres).

See Appendix A for a list of properties.

Collaboration

The Trust Fund Board supports and enhances the capacity of the local island-based conservancy groups through funding grants, partnership projects and facilitating education opportunities. The Trust Fund Board's Opportunity Fund is funded by private donations and has provided more than \$40,000 in grants to local conservancies, helping protect more than 300 additional hectares of land¹ since it was developed in 2005.

Strategic Planning

In 2010 the Trust Fund Board approved a new Regional Conservation Plan. The 2011-2015 Regional Conservations Plan was developed using the most up-to-date information on sensitive ecosystems, species at risk and the current threats to their survival. Island communities and conservation experts throughout the region were consulted during the development of the plan, resulting in a guide that sets a course for protecting island landscapes through collaboration and cooperation.

Private Land Stewardship

The Trust Fund Board's innovative financial incentive program for private landowners to place conservation covenants on their properties, the Natural Area Protection Tax Exemption Program (NAPTEP), is now available in 12 local trust areas. The program provides a permanent 65% reduction on property taxes on the portion of an eligible property protected by a conservation covenant. Many local governments in BC are now interested in seeing a program like NAPTEP expanded throughout the Province.

Growth and Organizational Stability

Other accomplishments in the last five years include the establishment of a Covenant Management and Defence Fund to help provide for the long-term stewardship needs of covenant lands, the protection of two parcels of Crown land in Howe Sound (Mt. Artaban Nature Reserve on Gambier Island and Fairy Fen Nature Reserve on Bowen Island) and the development of two geographically-restricted funds dedicated to land acquisition, the Lasqueti Island Acquisition Fund and the Gambier Island Acquisition Fund.

The Trust Fund Board also launched a new logo and website in 2012, revitalizing the image of the Islands Trust Fund as an important conservation organization, connected to, yet distinct from, the Islands Trust.

¹ Opportunity fund grants have been awarded to the Salt Spring Island Conservancy, Galiano Conservancy Association, Mayne Island Conservancy Society, Lasqueti Island Nature Conservancy, and TLC The Land Conservancy of BC.

3. Trust Fund Board Strategic Direction (2013-2017)

Organizational Development

Over the past several years, the Trust Fund Board has given increased attention to anticipating and addressing the long-term funding needs of the Islands Trust Fund, to ensure adequate funding exists into the future to meet its stewardship commitments. The Trust Fund Board's Long-term Funding Committee worked for two years, with the assistance of a consultant, to develop a strategy to address this need. Refinement and implementation of this strategy continues to be a focus of interest for the Board, with a current emphasis on building community and donor support. Current efforts to raise the organizations profile include a new logo and website, launched in 2012.

Stakeholder research undertaken in 2010 as part of the development of a communications strategy clearly identified the name *Islands Trust Fund* as a source of confusion and an impediment to effective fundraising and organizational development. This confirmed for the Trust Fund Board that changing the name and corporate structure, as set out in the *Islands Trust Act*, would be necessary to fully realize the organization's potential. Several prospective names were reviewed by the Board, and after thoughtful consideration and focus group testing, the name *Islands Trust Conservancy* was selected. The name maintains the connection to the Islands Trust, but better reflects the land conservation function of the organization. The Board is currently seeking legislative change to make the required changes.

The requested legislative amendments put forward by the Trust Fund Board would simplify the corporate structure of the organization under the name *Islands Trust Conservancy* and would greatly assist efforts to develop the brand, communicate and fundraise effectively, and improve operational efficiencies.

Regional Conservation Plan

In December 2010, the Trust Fund Board approved a new five-year Regional Conservation Plan (2011-2015). The Regional Conservation Plan is a tool used by the Islands Trust Fund to focus its resources – staff, board, financial – on areas with the highest biodiversity values and greatest need for conservation. It can also be used by Islands Trust decision makers to support ecologically responsible land use planning and has been designed as an information resource for citizens and organizations working towards conservation of biodiversity within the Islands Trust Area.

Based on scientific information and local knowledge, the 2011-2015 Regional Conservation Plan identifies areas of interest for conservation within the Islands Trust Area and strategies for achieving better levels of land conservation. Some of the strategies involve land acquisition and conservation covenants with willing

landowners. Other strategies involve working with partner agencies and local trust committees to increase our knowledge base, encouraging protection of private land within the Islands Trust Area and managing existing conservation lands effectively.

Goals of the 2011-2015 Regional Conservation Plan

To protect biodiversity, the 2011-2015 Regional Conservation Plan focuses the Islands Trust Fund's future conservation efforts on these priorities:

- **Rare and fragile ecosystems** such as cliffs, wetlands, old forests, woodlands, riparian, herbaceous, and freshwater ecosystems
- **Representative ecosystems** - reasonable levels of all ecosystem types
- **At risk species and ecosystems**
- **Nearshore zone areas** such as beaches, bluffs, forage fish habitat, and kelp and eelgrass beds
- **Islets and small islands**

The 2011-2015 Regional Conservation Plan sets out seven long-term goals that reflect the enduring aspirations of the Islands Trust Fund to work with landowners and partner organizations to protect the rich biodiversity of the Islands Trust Area:

Goal 1. Secure* core conservation areas that effectively conserve biodiversity priorities within the Islands Trust Area and within individual local trust areas or island municipalities

- Based on the identified biodiversity priorities, identify 3,000 hectares of priority lands for conservation within the Islands Trust Area
- Develop a strategic plan for the creation of core conservation areas that protect biodiversity priorities, including a proposed budget/financing plan
- Implement the recommendations of the core conservation area strategic plan, including acquiring sufficient funding, with the aim of securing, through acquisition, bequest, donation or conservation covenant, at least 500 hectares within the timeframe of the 2011-2015 Regional Conservation Plan
- Work with partner organizations to acquire at least 20 hectares of publicly accessible natural park or nature reserve on Thetis Island
- Assist other organizations with efforts to protect lands in the Islands Trust Area that protect the biodiversity priorities identified in the 2011-2015 Regional Conservation Plan

* Land is secured through direct purchase, land donation, bequests, conservation covenant (including through the Natural Area Protection Tax Exemption Program) or through the granting of a Life Estate. It is intended to be a permanent protection of land. The Islands Trust Fund does not acquire land through expropriation.

Goal 2. Investigate the protection of biodiversity priorities on lands outside of core conservation areas, including working landscapes

- Improve mapping of current land uses, especially of areas under active agricultural and forest management. Note areas where Environmental Farm Plans or Ecoforestry Management Plans are in place
- Identify residential neighbourhoods where there are high biodiversity priority areas that are impractical for land securement efforts. In consultation with local conservation organizations and local trust committees/island municipalities, conduct focused landowner contact programs in these areas
- Identify organizations managing working lands that also protect natural values and provide information and links to these organizations on the Islands Trust Fund website
- Research staff and resource requirements of organizations that protect conservation lands that include working landscapes and cultural features. Assess capacity of Islands Trust Fund and prepare a report, for consideration by the Trust Fund Board, detailing requirements (staff & budget) for acquiring and managing working and cultural lands

Goal 3. Work with partner organizations to conserve marine ecosystems and habitats

- Provide support to partners for improved nearshore mapping and data collection projects, including mapping of eelgrass and kelp beds and forage fish habitat, which cover the entire Islands Trust Area
- As nearshore mapping becomes available for the entire Islands Trust Area, work with partner agencies to perform data analyses to identify important habitat areas and provide this information to local trust committees and island municipalities
- Coordinate a reporting system for Trust Area Services and Local Planning Services to provide regular updates on the progress of marine initiatives such as the Green Shores for Homes program and the National Marine Conservation Area

Goal 4. Work with the Islands Trust Council, local trust committees and island municipalities to implement and accentuate Regional Conservation Plan goals and objectives within official community plans and land use bylaws

- Assist local trust committees and island municipalities with obtaining the information required to include provisions for the protection of sensitive ecosystems in official community plans and land use bylaws

- Develop mapped protected area networks based on the biodiversity priorities for each of the thirteen major islands and larger associated islands, as needed
- Assist local trust committees and island municipalities with obtaining the information required to include provisions for the creation of protected area networks in official community plans and land use bylaws
- Assist local trust committees and island municipalities with obtaining the information required to include provisions for the protection of nearshore marine habitats in official community plans and land use bylaws
- Work with Islands Trust Council to encourage incorporation of the goals and objectives of the 2011-2015 Regional Conservation Plan into Islands Trust policies and strategic planning documents
- Work with Local Planning Committee to establish a program for ongoing terrestrial ecosystem and sensitive ecosystem mapping updates

Goal 5. Promote community participation in conservation within the Islands Trust Area through effective stewardship and management of private lands, information sharing and support of conservation education

- Produce and distribute an Islands Trust Fund newsletter (currently, the Heron) at least twice each year
- Contribute two articles per year about the natural history and stewardship of the Islands Trust Area to local papers and newsletters
- Research and develop landowner contact programs that educate about biodiversity priorities and conservation options. Conduct a pilot landowner contact program in an area that is not served by a local conservancy organization. Evaluate the success of this program and explore future opportunities in other areas as appropriate

Goal 6. Support and enhance the work of conservation partners working in the Islands Trust Area

- Provide funding and support for networking opportunities between island conservation groups on an annual basis
- Provide training opportunities to organizations involved in conservation in the Islands Trust Area
- Provide mapping and other data as needed to organizations involved in conservation in the Islands Trust Area

- With proceeds from donations and fundraising revenue, continue to operate the Opportunity Fund as a source of startup funds for land protection projects of partner organizations

Goal 7. Monitor and manage existing Islands Trust Fund conservation areas to maintain and enhance existing biodiversity and cultural features, with the understanding that ecosystems are continuously in a state of change

- Establish a species at risk monitoring program on Islands Trust Fund owned and covenanted lands where known populations of species at risk have been found. Adapt property management based on monitoring program findings
- Where previous populations of species at risk have been identified historically and where areas have high capacity to support species at risk on Islands Trust Fund owned and covenanted lands, conduct inventories to locate species at risk or record their absence
- Establish an invasive species monitoring and removal program for Islands Trust Fund owned and covenanted lands
- Where significant ecosystems exist, as identified by Islands Trust Fund staff, establish ecosystem monitoring programs to monitor their change over time with a view towards managing for maintenance of ecological integrity

Progress is being made in many of these areas. The Regional Conservation Plan is reviewed annually as part of an adaptive management process which can include revising or adding goals, depending on new data or changing circumstances. The full 2011-2015 Regional Conservation Plan is available on-line at www.islandstrustfund.bc.ca

4. Trust Fund Board Policies

The Trust Fund Board is a member of the Land Trust Alliance of BC and, except for practices that are not applicable to a government agency, meets the Standards and Practices of the Canadian Land Trust Alliance.

Below is a summary of Trust Fund Board policies affecting the public interest. A full list of policies can be found in Appendix B.

4.1 Acquisition of Property and Covenants

Under the *Islands Trust Act*, the Trust Fund Board can accept donations and grants of private land, Crown Land, conservation covenants, cash and securities, and other real property in support of the protection of the Islands Trust Area.

The Trust Fund Board is a corporation that is, for all purposes, an agent of the government, and accordingly can issue receipts for income tax purposes for donations and is exempt from paying property taxes on its lands.

The Trust Fund Board is an approved recipient of gifts of land and interests in land through Environment Canada's Ecological Gifts Program.

The Trust Fund Board is not limited to acquiring property for itself. It can, for example, contribute to the acquisition of a property within the Trust Area by another agency or group provided that protection in perpetuity is reasonably assured.

Land donation is the preferred method of protecting land. The Trust Fund Board also accepts donations of conservation covenants, applies for Sponsored Crown Grants and partners in the purchase of exceptional properties within the Islands Trust area. In all cases, the Trust Fund Board will work with Trust Council to ensure that sufficient resources will be available for long-term management of those properties.

The Trust Fund Board will encourage owners of land within ecologically significant areas or with significant characteristics or values identified in the Regional Conservation Plan to protect their land using binding conservation covenants and will work with interested owners to achieve protection of significant areas on all the Islands.

The Trust Fund Board will continue to work with Trust Council to promote and expand the Natural Area Protection Tax Exemption Program (NAPTEP) to the entire Trust Area. The program provides a property tax incentive for property owners who register conservation covenants on their lands to protect the natural features and values of their properties.

As a further measure of protection, wherever possible, the Trust Fund Board will develop and register a conservation covenant on each of its owned lands if an appropriate conservation agency can be found to hold the covenant and if the values on the land warrant the investment of staff time and legal fees.

The Trust Fund Board may refuse to acquire properties with existing conservation covenants that include rent charges². Rent charges will not be included in covenants to be registered on Trust Fund Board owned properties as the Board cannot incur liabilities without Ministerial approval.

² "Rent charge" is similar to a fine and is a charge registered against the land to enable enforcement of a breach of a covenant agreement.

4.2 Management of Property and Covenants

The acquisition of land or registration of conservation covenants does not by itself guarantee the long term protection of the significant features and values. Active management of protected areas is also necessary. The Trust Fund Board's objective in managing its properties is to protect public safety and ecological values. Lands owned by the Trust Fund Board are not parks but are nature reserves and nature sanctuaries, and this concept is considered in both acquisition discussions and management planning initiatives of the Trust Fund Board. The Trust Fund Board's properties are privately insured as nature reserves, and not as public parks.

In order to effectively preserve and protect ecologically significant areas, the Trust Fund Board works cooperatively with landowners, Local Trust Committees, Island Municipalities, Trust Council, other conservation groups, individuals and various levels of government.

Qualified personnel will develop management plans for all lands owned by the Trust Fund Board. Management plans will be used to provide long term direction regarding allowable public use, the reduction of risk to public safety and the reduction of risk to ecological values and other significant features.

When the Trust Fund Board receives donations of land, it will consult with the donor(s) regarding any specific wishes they might have for the property and will take these comments into account in management planning.

Generally, management plans will address the following matters:

- purpose and objectives for the site;
- background information including the site history and local and regional context;
- environmental inventory;
- management issues such as the extent and nature of protection required, appropriate uses and level of use, research guidelines, risk management, special needs at the site;
- strategies and actions to achieve the purpose and objectives for the site and to address management issues and needs; and
- traditional use and protection of cultural sites.

The Trust Fund Board will seek assistance from local community groups to implement management plans and, where appropriate, will request such groups to enter into management agreements with the Board regarding management operations and responsibilities.

The Trust Fund Board will monitor all of its lands and covenanted areas regularly to assess the character and key features of the sites, evaluate the effectiveness of the management program, identify any new issues that need to be addressed by the Board or the management group, and identify and respond to any breaches to the terms of a covenant.

The Trust Fund Board will request, where necessary, that the Local Trust Committee or Island Municipality re-designate and rezone Trust Fund Board lands to the most appropriate designation and zone for nature protection when it is reviewing its Official Community Plan and/or Land Use Bylaw and will work with the Local Trust Committee to determine the most appropriate designation and zone.

Where land or interests in land have been donated through Environment Canada's Ecological Gifts Program, the Trust Fund Board will manage them to maintain the values protected under the program.

4.3 Disposition of Property

The Trust Fund Board intends to maintain its protected areas in perpetuity. However, there are circumstances where the Trust Fund Board will consider transferring property (or interests in a property, such as a conservation covenant) it has acquired to another agency.

If the Trust Fund Board receives an unrestricted donation of land with little or no ecological value, and if no other barriers to disposition exist, the Trust Fund Board may sell the land and use the proceeds to further its conservation objectives.

If the Trust Fund Board receives a proposal to transfer an ecologically significant property (or an interest in land) to another conservation agency, and determines that there is no legal barrier to transfer and that the proposal is worthy of consideration, the Trust Fund Board will direct staff to conduct and prepare a thorough assessment of the proposal for consideration by the Board.

The Trust Fund Board will only dispose of the fee simple title or an interest in ecologically significant land if it can be determined that the recipient agency has the expertise and long-term financial resources to manage the property or interest as well as, or better than, the Board. If the land, or interest in land, was acquired as an Ecological Gift, prior written authorization from Environment Canada must be received before proceeding with a disposition.

When considering a transfer of ecologically significant land, the Trust Fund Board may:

- a. transfer the land on condition that it be used for conservation purposes, or transfer the land as determinable fee simple providing that the land will revert to the Trust Fund Board if the land is no longer being used for the specified purposes.
- b. register a conservation covenant on title to the land before the transfer, to ensure the protection of the land's ecological values, provided an appropriate agency can be found to hold the covenant, and the recipient agency has the legal authority to accept the encumbrance.

4.4 Investment of Funds

Trust Council approves an annual budget for the administrative operations of the Trust Fund Board. This funding covers operating expenses including, but not limited to, board meetings and training, staff salaries and benefits, conservation planning, communications, land and covenant negotiations, and property management costs. However, the operating budget is not intended to be used for direct acquisition of properties (i.e., purchase costs). Accordingly, to buy land or contribute to acquisitions by other agencies, the Trust Fund Board must raise additional funds. The *Islands Trust Act* provides the Board with the ability to raise funds in a variety of ways.

The Trust Fund Board is now routinely suggesting cash endowments with land donations, to ensure that there are funds available to manage the land in perpetuity. The Board invests these endowments only with institutions whose investment policies are consistent with the *Trustee Act*, and whose withdrawal policies allow retrieval of the full investment if required.

4.5 General Accounting

The financial transactions of the Trust Fund Board are carried out using standard accounting procedures and are subject to an annual audit by a recognized financial management company.

To ensure financial accountability, the Trust Fund Board will:

- follow the purchasing policies established by Trust Council,
- direct staff to track all income and expenses and provide the Trust Fund Board with updates at regular board meetings,
- require prior approval from the Islands Trust Fund Manager for expenditures up to and including \$5,000, and

- require prior approval of the Board Chairperson for expenditures in excess of \$5,000 unless a prior resolution from the Board approves a plan, project or policy authorizing such an expenditure.

The Trust Fund Board will not incur any liabilities without the prior approval of the Minister responsible for the Islands Trust.

5. Conclusion

Guided by the Regional Conservation Plan, the Trust Fund Board will continue to pursue its mandate in accordance with its policies and in partnership with island communities as well as local, regional, provincial and national conservation agencies.

The Board will continue to strive for organizational excellence, and to eliminate barriers to its continued success. If the requested legislative amendment is achieved, resulting in a change of name and corporate structure for the organization, the Board hopes to embark on a new era of fundraising and growth. With excellent working relationships with the island-based and regional land trusts and strong connections to local governments, the Trust Fund Board is well positioned to take a lead role in the protection of the ecologically significant areas found in Canada's islands in the Salish Sea.

We look forward to the next five years of conservation successes, inspired by the generosity and perseverance of our island partners and donors, and the endless beauty of fragile island ecosystems.

ISLANDS TRUST BRIEFING

DATE: September 18, 2012

TOPIC: BC Hydro Woodpole Test and Treat Program – 2012

DIRECTED TO: Thetis Island Local Trust Committee

CONFIDENTIAL: NO

DESCRIPTION OF ISSUE:

BC Hydro plans to test and treat wood hydro poles in the Thetis Island Local Trust Committee Area from December 1, 2012 to March 15, 2013. As permitted under their approved Pest Management Plan, BC Hydro may apply wood preservatives to the poles to prevent decay from wood rot or structural damage from insects.

Member of the public with concerns or questions about the wood pole test and treat program should call BC Hydro directly. Contacts for this program include: Raymond Irving, Field Manager (1-250-755-4798), Tara McCormick, Vegetation Specialist (1-250-755-4778) and Terry Giesbrecht, Pole Maintenance Coordinator (1-604-302-5511).

BACKGROUND:

In a September 23, 2003 Letter of Understanding Islands Trust Council, Bowen Island Municipality and BC Hydro agreed to an ongoing consultative process to communicate regarding pesticide use during BC Hydro's Woodpole Test and Treatment (attached).

Basically, the process is as follows:

- 1) Two months prior to beginning its Woodpole Test and Treat Program on any island BC Hydro will notify Islands Trust of its plans, of the areas where wood poles will be tested and treated, and of the Pest Management Plan conditions that will cover sensitive areas within the operational areas.
- 2) Islands Trust staff will forward this information to the relevant local trust committee or Bowen Island Municipality, relevant planning staff and staff of the Islands Trust Fund with a request for additional information about the location of waterbodies, drinking water sources and environmentally sensitive areas in the vicinity of woodpoles to be tested.
- 3) No later than one month prior to the start of the Woodpole Test and Treat Program, planning staff for the relevant local trust committee or Bowen Island Municipality will provide any additional information they may have available regarding the location of waterbodies, drinking water sources or other environmentally sensitive areas in the vicinity of woodpoles to be tested.
- 4) BC Hydro will supply information provided by the Islands Trust or Bowen Island Municipality to the professionally trained woodpole test and treat contractors who will be

completing the current program. Where possible, the information will be placed onto BC Hydro's pole maps so that those conducting the Woodpole Test and Treat program are aware of any areas where caution should be taken or where further contact may be required with selected landowners.

- 5) BC Hydro will place information from the Islands Trust or Bowen Island Municipality onto its mapping data base for future reference.

This program occurs on different islands every year, typically on an eight-year cycle. On August 30, 2012, Lisa Gordon, Trust Area Services Director, received a letter from Tara McCormick, BC Hydro's Vegetation Management Specialist for Vancouver Island, about BC Hydro's plan to continue treating hydro poles in the Islands Trust Area, including poles on Thetis Island from December 1, 2012 through to March 15, 2013. BC Hydro will also be treating poles on Gabriola, Gambier, Keats, and Thetis Islands in 2012/13.

A map of the areas to be treated is attached with an overview of pole and well locations¹. Only cedar poles older than 20 years and non-cedar poles older than 14 years are included in the Test and Treat Program. Wells and waterbodies are protected by adherence to regulated set-back distances (i.e., no-treatment zone distances). Information on the wood preservatives used by BC Hydro is available at:

http://www.bchydro.com/etc/medialib/internet/documents/safety/pdf/WoodPreservatives_Labels_MSDS.Par.0001.File.WoodPreservatives-Labels-MSDS.pdf

In consultation with the Trust Fund Board Ecosystem Protection Specialist, Trust Area Services staff have drafted a response letter to BC Hydro for consideration by the affected local trust committees (attached).

Public notification

BC Hydro will be advertising the program twice during the month of October in the Cowichan Valley Citizen. BC Hydro staff will look into posting it on eSPOKES. Due to financial and staffing constraints, BC Hydro is not planning to attend any public meetings on Thetis Island.

Public participation in flagging of areas of concern

BC Hydro will provide metal pig-tail pins and rolls of orange flagging that community groups can distribute to the public. Residents can use the pins to identify wells (registered and non-registered wells), waterbodies or adjacent organic farms. If required, community groups can request additional pins or flags for distribution from Tara McCormick at BC Hydro via e-mail (Tara.McCormick@bchydro.com).

BC Hydro encourages residents to flag their wells and water courses, to help the field crews identify these features. Prior to treating any wood pole, BC Hydro's certified applicators will check their Geographic Information System (GIS) and complete a site specific assessment of each pole location (in the field and on the map). They will then treat according to the Pest

¹ The blue boxes represent registered wells, the black dots represent hydro poles, the stop signs represent cautions to field crew to read important information, and the fish symbols represents streams. BC Hydro staff are aware that their riparian inventory is not complete.

Management Plan² and the *Integrated Pest Management Act* and Regulations, respecting all documented no-treatment zones.

Residents wishing to use a flag to make applicators aware of adjacent organic farms should write "Organic Farm" on the tag. BC Hydro staff has spoken with staff at the Ministry of Agriculture and understand it is the grower's responsibility to ensure sufficient setback from the utility poles (eight metre buffer) as per the Canadian Organic Production Systems General Principles and Management Standards.³ To increase protection for organic farms, in the case where an applicator crew has to enter the organic farm (either for access through a field or to treat poles along a section of line into an organic farm), boron rods will be used instead of pole fumigant.

ATTACHMENT(S): YES

- 1) September 23, 2003 Letter of Understanding between Islands Trust Council, Bowen Island Municipality and BC Hydro
- 2) August 20, 2012 letter from Tara McCormick, BC Hydro to Lisa Gordon, Director, Trust Area Services re: BC Hydro's 2012 Woodpole Test and Treat program
 - a. BC Hydro Map showing hydro pole locations and geographic boundaries of the Thetis Island 2012 Woodpole Test and Treat program
- 3) Draft response letter from Islands Trust to BC Hydro re: BC Hydro's 2011 Woodpole Test and Treat program on Thetis Island
 - a. Thetis Island Local Trust Committee Area Freshwater and Wet Forest Ecosystems Map (to be sent to BC Hydro with #3)
- 4) PowerPoint presentation provided by BC Hydro

AVAILABLE OPTIONS:

- 1) Receive for information only.
- 2) Direct staff to include changes to the draft response letter from Lisa Gordon, Islands Trust to BC Hydro.

FOLLOW-UP:

Trust Area Services staff will follow-up with BC Hydro as directed by the local trust committees. If no direction is provided, staff will send the drafted response letter without amendment.

PREPARED BY: Clare Frater

REVIEWED BY:

Courtney Simpson, Island Planner

SUBMITTED BY: Clare Frater

²

http://www.bchydro.com/etc/medialib/internet/documents/safety/pdf/safety_pest_management_plan_wood_structures.Par.0001.File.woodpole_pmp_apr09.pdf.

³ <http://www.certifiedorganic.bc.ca/standards/docs/032-0310-2008-eng.pdf>, section 5.1.4.

LETTER OF UNDERSTANDING
between
BC Hydro
and
ISLANDS TRUST COUNCIL and BOWEN ISLAND MUNICIPAL COUNCIL
Concerning
PESTICIDE USE DURING
THE BC HYDRO WOODPOLE TEST AND TREAT PROGRAM

This agreement develops an ongoing consultative process between the Islands Trust Council and Bowen Island Municipal Council with BC Hydro to communicate regarding pesticide use during BC Hydro's Woodpole Test and Treat Program.

1.0 **PURPOSES**

- 1.1 To establish a process for communications.
- 1.2 To maximize protection of the natural environment by sharing information prior to implementation of the Woodpole Test and Treat program in the Islands Trust Area.

2.0 **PRINCIPLES**

- 2.1 It is acknowledged that the Islands Trust has a provincial mandate to preserve and protect the natural environment and unique amenities of the Islands Trust Area, and a responsibility to provide leadership for this purpose.
- 2.2 It is acknowledged that BC Hydro has a mandate to provide an efficient and environmentally-sound supply of electricity to the province and that to fulfil this mandate in island communities, it must maintain the woodpoles used for its distribution lines.
- 2.3 It is acknowledged that Bowen Island Municipality is an island municipality with a responsibility to deliver municipal services and carry out the object of the *Islands Trust Act* within its area of jurisdiction.
- 2.4 It is recognized that the sharing of information about sensitive environments can minimize any potential impacts of woodpole maintenance.

3.0 **BACKGROUND**

- 3.1 BC Hydro has a Remedial Woodpole Test and Treat Program to maintain and prolong the life of the woodpoles used on its distribution lines.
- 3.2 Woodpoles are pressure-treated with a wood preservative prior to installation in order to extend their service life. The groundline region of a woodpole, which is prone to fungal and insect attack, requires retreatment after a period of years in service due to natural degradation properties of wood and wood preservatives.
- 3.3 Wood preservatives extend pole life, reduce replacement costs and service outages, ensure public and worker safety and reduce the cutting of trees for new poles. The use of preservatives extends the service life of woodpoles up to five times (from 10 to 15 years to 35 to 70 years).
- 3.4 The use of woodpole preservatives must adhere strictly to corporate and government regulations to ensure safety and protection of the natural environment.

4.0 INFORMATION NEEDS

- 4.1 Government regulations require that woodpole preservatives not be used within prescribed distances of natural waterbodies and drinking water sources.
- 4.2 Prior to initiating a woodpole test and treat program, BC Hydro consults with a variety of information sources to identify waterbodies and drinking water sources. Once a waterbody or drinking water source is identified, BC Hydro pole maintenance inspectors ensure that preservatives are used in accordance with regulations. In most cases, this means that preservatives are not used on woodpoles near waterbodies or drinking water supplies.
- 4.3 Local communities can assist in the advance identification of waterbodies and drinking water sources, providing a greater level of protection of these resources during the Woodpole Test and Treat Program.

5.0 CONSULTATIVE PROCESS

- 5.1 On an annual basis, BC Hydro will notify the Islands Trust of the proposed schedule for its Woodpole Test and Treat Program in the Islands Trust Area. Islands Trust staff will ensure that the relevant Local Trust Committees (LTCs) or Bowen Island Municipality (BIM) are aware of the proposed program.
- 5.2 Two months prior to beginning its Woodpole Test and Treat Program on any island BC Hydro will notify Islands Trust of its plans, of the woodpoles to be test and treated , and of any the Pest Management Plan conditions that will cover sensitive areas within the operational areas. Islands Trust staff will forward this information to the relevant LTC or BIM, relevant planning staff and staff of the Islands Trust Fund with a request for additional information about the location of waterbodies, drinking water sources and environmentally sensitive areas in the vicinity of woodpoles to be tested.
- 5.3 No later than one month prior to the start of the Woodpole Test and Treat Program, planning staff for the relevant LTC or BIM will provide any additional information they may have available regarding the location of waterbodies, drinking water sources or other environmentally sensitive areas in the vicinity of woodpoles to be tested.
- 5.4 BC Hydro will supply information provided by the Islands Trust or BIM to the professionally trained woodpole test and treat contractors who will be completing the current Program. Where possible, the information will be placed onto BC Hydro's pole maps so that those conducting the Woodpole Test and Treat program are aware of any areas where caution should be taken or where further contact may be required with selective landowners.
- 5.5 BC Hydro will place information from the Islands Trust or BIM onto its mapping data base for future reference.
- 5.6 Responsibility for the coordination of this Agreement by the respective Parties is assigned to the BC Hydro Manager or delegate of the Lower Mainland/Vancouver Island Test and Treat Program, the Islands Trust Director of Trust Area Services and the Chief Administrative Officer of Bowen Island Municipality.
- 5.7 A meeting of respective staff to review any current issues or Agreement matters may be arranged at the request of the responsible staff of either Party.

- 5.8 Where anything is required or permitted to be delivered, or otherwise sent to the Parties, it will be delivered to:

Islands Trust
#200 - 1627 Fort Street
Victoria BC V8R 1H8
Attention: Director of Trust Area Services

BC Hydro (Vancouver Island Region)
400 Madsen Road
Nanaimo, BC V9R 5M3
Attention: Ray Read Regional Vegetation/Pest Biologist, Vancouver Island

and

BC Hydro (Lower Mainland Region)
12322 88 Avenue
Surrey, B.C.
V3W 3J6
Attention: Rene Roddick Regional Vegetation/Pest Biologist, Lower Mainland

Bowen Island Municipality
981 Artisan Lane
Box 279
Bowen Island, B.C.
V0N 1G0
Attention: Chief Administrative Officer

- 5.9 All Parties will bear the full cost of their own requirements to implement this Agreement unless otherwise provided for in this Agreement or otherwise agreed to, in writing, by all Parties.

- 5.10 This Agreement may be amended by agreement, in writing, by the Parties.

6.0 TERMS OF AGREEMENT

- 6.1 It is recognized that all parties will provide reasonable effort within the limits of their resources to implement this agreement on the basis that no party may assign responsibilities to the other.

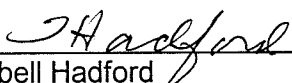
APPROVALS

APPROVED BY THE EXECUTIVE DIRECTOR OF THE ISLANDS TRUST
THIS _____ DAY OF _____, 2003



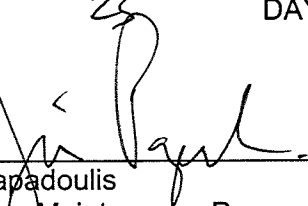
Gordon McIntosh
Executive Director
Islands Trust

APPROVED BY THE CHIEF ADMINISTRATIVE OFFICER OF BOWEN ISLAND MUNICIPALITY
THIS 5th DAY OF August, 2003



Isabell Hadford
Chief Administrative Officer
Bowen Island Municipality

APPROVED BY THE DISTRIBUTION MAINTENANCE PROCESS FOR BC HYDRO
THIS 23 DAY OF SEPTEMBER, 2003



D. Jim Papadoulis
Distribution Maintenance Process
BC HYDRO

G:\EXEC\Council\2003\March\RFD-Briefing\attach BCHYDRO LOU.doc

August 20, 2012

Lisa Gordon
Director, Trust Area Services
Islands Trust
200- 1627 Fort Street
Victoria, BC V8R 1H8

Re: 2012/2013 Test & Treat Program on Gulf Islands

Dear Ms. Gordon,

Following our agreement related to the consultative process, I would like to advise the Islands Trust that BC Hydro is planning on conducting a woodpole test and treat program on Gabriola, Mudge, and Thetis Islands this fall/winter. The program is scheduled to begin in mid-October 2012 and will be completed no later than March 15, 2013. I have enclosed maps of the areas to be treated.

In addition, follow-up work is required on a subset of poles that could not be completed in the F12 program on Salt Spring Island. These poles require bolt remediation before field workers can safely test and treat the poles. Pending the completion of the remediation work (tentatively scheduled for this fall), test and treat crews will complete the subset of approximately 400 poles this winter. I will keep you informed of the status and schedule as remediation occurs.

The test and treat program involves the inspection and maintenance of poles to ensure they are safe for workers and public areas. Poles are assessed and treated by certified applicators to prevent decay from wood rot or structural damage from insects. Public health and environmental values are protected through the maintenance of no-treatment zones around wells and waterbodies.

If you would like to view a copy of our Pest Management Plan, it is available on our website:

http://www.bchydro.com/etc/medialib/internet/documents/safety/pdf/safety_pest_management_plan_wood_structures.Par.0001.File.woodpole_pmp_apr09.pdf

Please contact me should you require additional information, wish to discuss the project, or to provide BC Hydro with additional groundwater or environmentally sensitive areas information.

Sincerely,



Tara McCormick, BSc
Vegetation Management Specialist

Encls: overview maps.

cc: R.Irving, T. Giesbrecht, R. Roddick

BC Hydro F13 Test & Treat Program on the Gulf Islands: Gabriola, Mudge, Thetis, and Salt Spring Islands.

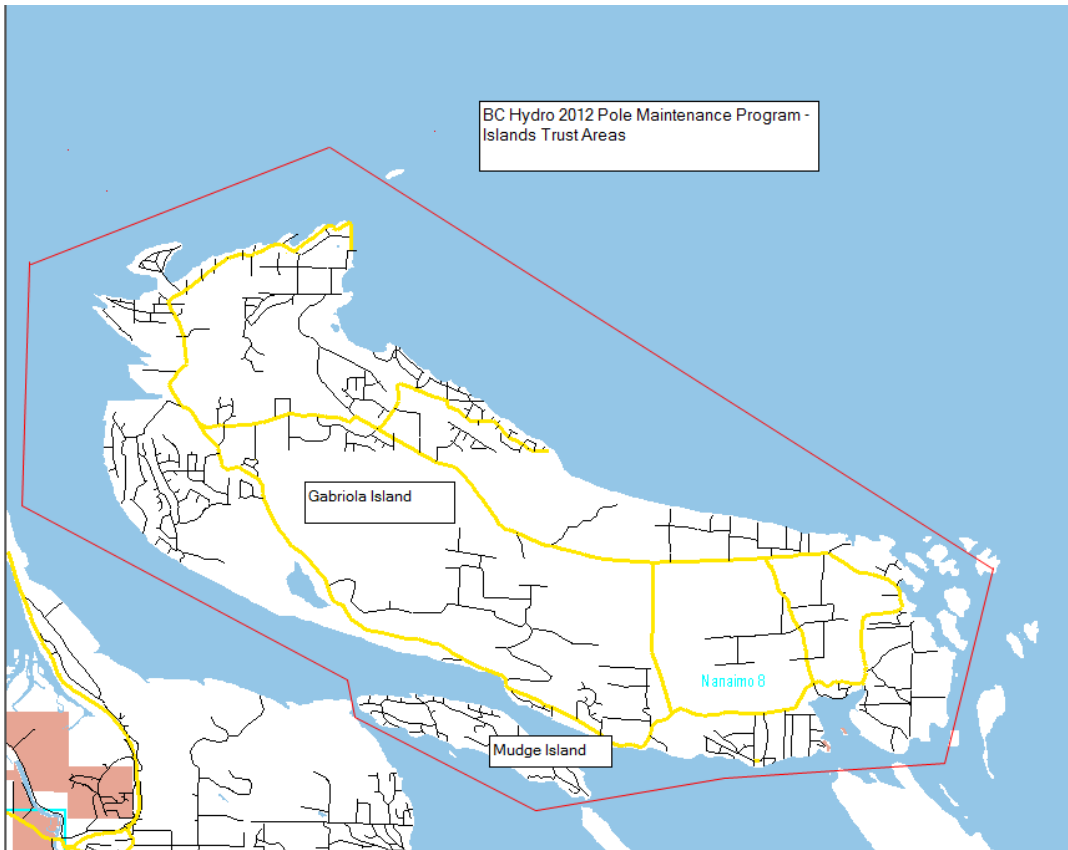


Figure 1. Overview map of Gabriola and Mudge Islands, Islands Trust areas.

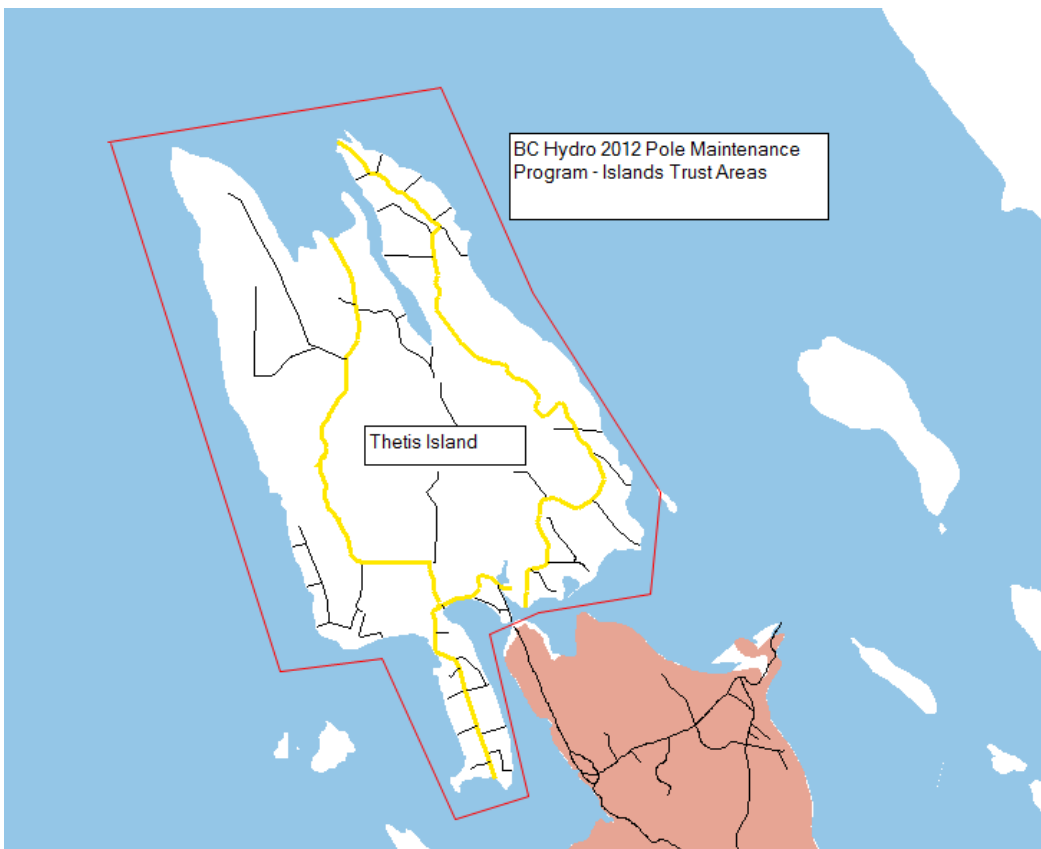


Figure 2. Overview map of Thetis Island, Islands Trust area.

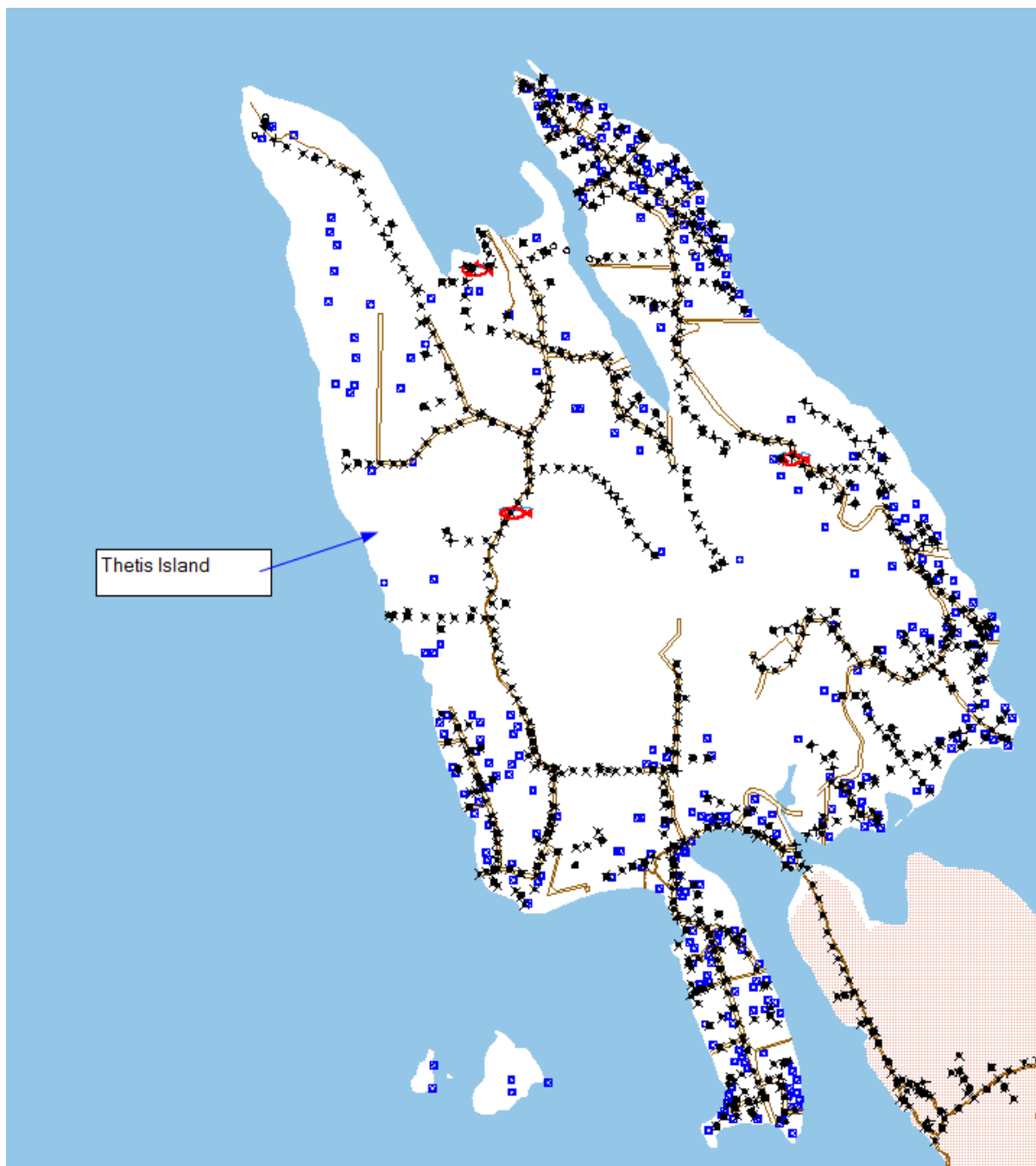


Figure 6. Wood Pole Maintenance: pole locations (black dots) on Thetis Island.



Suite 200-1627 Fort Street, Victoria, BC V8R 1H8
Telephone **250. 405.5151** Fax 250. 405.5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

Email information@islandstrust.bc.ca

Web www.islandstrust.bc.ca

October XX, 2012

File Number: PG/15

DRAFT FOR REVIEW BY SALT SPRING ISLAND, GABRIOLA, AND THETIS LTCS

Via Email: Tara.McCormick@bchydro.com

Tara McCormick, BSc, Certified Arborist
Vegetation Management Specialist - Vancouver Island
BC Hydro
400 Madsen Road
Nanaimo, BC V9R 5M3

Dear Tara McCormick:

Thank you for your August 30, 2012 letter advising us that BC Hydro's proposed 2012/13 Wood Pole Test and Treat program includes locations on Salt Spring, Gabriola, Mudge and Thetis Islands.

As you know, the Islands Trust area has been designated by the Province as a special area both culturally and environmentally through the *Islands Trust Act*. The object of the Islands Trust is:

... to preserve and protect the trust area and its unique amenities and environment 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. [Article 3, Islands Trust Act]

We appreciate any assistance you can provide in meeting this object while BC Hydro proceeds with its Wood Pole Test and Treat program.

We hope that the attached maps showing the locations of nearby freshwater and wet forest ecosystems will help guide the treatment program to protect vulnerable species and ecosystems. These maps were derived from Terrestrial Ecosystem Mapping completed by the Province of British Columbia and the Islands Trust in 2008, and watershed mapping completed by the Islands Trust in 2009.

Known waterbodies are indicated in deep blue (lakes and ponds) and pale blue (wetlands), with fish bearing watersheds indicated in very pale blue. We have also added wet forest ecosystems (green) as many of these areas contain small wetlands that may not have been picked up at the scale of the mapping. We can provide this mapping digitally upon request.

Page 2

Based on the Letter of Understanding between BC Hydro and Islands Trust, we understand that you will relay the map information to the contractors delivering the current program, and that, where possible, the information will be included in BC Hydro's pole maps so that those conducting the Wood Pole Test and Treat program are aware of areas where extra caution is required. We also understand and appreciate that BC Hydro will include the information from the Islands Trust in its mapping database for future reference.

We encourage your staff and contractors to continue their practice of visually inspecting the area around treatment sites to identify sensitive areas and unregistered wells. Where there is doubt about effects of treatment on ecological features and proximity of wells, we would support the least toxic treatment available or non-treatment of poles. While we understand that BC Hydro uses particular caution around fish-bearing waterbodies, we strongly encourage you to extend these practices to non-fish-bearing waterbodies as many of these contain insects, reptiles and amphibians that are considered rare by the BC Conservation Data Centre. These species include red-legged frog, western painted turtle, sharp-tailed snake and several rare species of butterflies, damselflies and dragonflies.

In the case of Gabriola Island in particular, our Ecosystem Protection Specialist alerted us to an endangered plant near one of the poles to be treated this year. Accordingly, Islands Trust staff conveyed advice to you from members of the Garry Oak Ecosystem Recovery Team's Plants at Risk Recovery Implementation Group about suggested preventative actions. In future, we request that BC Hydro not rely on our advice alone, but consult directly with the BC Conservation Data Centre each year to determine if any endangered or threatened species exist near proposed treatment areas and to seek advice on protection strategies, if appropriate. We encourage you to consider the broad range of risks to species at risk created by the test and treat program, including trampling and site disturbance.

In closing, we appreciate BC Hydro's efforts to inform and educate Islands Trust Area residents and elected officials about their Wood Pole Test and Treat program and the measures BC Hydro has in place to protect local ecosystems and groundwater.

We look forward to working with you in future years.

Yours sincerely,

Lisa Gordon
Director, Trust Area Services

Attach:

1. Gabriola Island and Mudge Island Freshwater and Wet Forest Ecosystems Map
2. Salt Spring Island Freshwater and Wet Forest Ecosystems Map
3. Thetis Island Freshwater and Wet Forest Ecosystems Map

pc: Gabriola Island Local Trust Committee, Salt Spring Island Local Trust Committee, Thetis Island Local Trust Committee

Freshwater and Wet Forest Ecosystems

Thetis Island

General Map Description

Wet areas are the veins of the landscape and are collection or transportation areas for nutrients. For this reason, they contain a high diversity of life, are an integral component to the lifecycle of most animal species and support many rare plants. Wetlands, estuaries and streams are also key breeding and rearing grounds for birds, amphibians and insects like butterflies and dragonflies.

Areas of wet soils are highly vulnerable to disturbance, particularly where water levels are changed or soils are compacted or removed. Construction in these areas is costly and can result in moisture and flooding problems for buildings. This map contains the areas most affected by high water levels including wetlands, streams and wet forests. For the purposes of this map, freshwater and wet forest ecosystems are represented by:

- Three sensitive ecosystems: Cliff, Herbaceous and Woodland
- Six Site Series: CDFmm05 (Western redcedar, Douglas-fir, Oregon beaked moss), CDFmm06 (Western redcedar, Grand fir, Foamflower), CDFmm10 (Shorepine, Sphagnum), CDFmm11 (Western redcedar, Skunk cabbage), CDFmm12 (Western redcedar, Vanilla-leaf), CDFmm13 (Western redcedar, Indian-plum) and CDFmm14 (Western redcedar, Slough sedge)
- Stream mapping

Public and Protected Areas

Parks and Protected Areas

Crown Land

Sensitive Ecosystems

Freshwater (FW):

Definition: Freshwater ecosystem includes bodies of water such as lakes and ponds that usually lack floating vegetation.
Importance: Freshwater ecosystems are home to numerous organisms such as fish, amphibians, aquatic plants, and invertebrates. Lakes and ponds play a vital role in the lifecycle of many species.

Wetland (WN):

Definition: Areas that are saturated or inundated with water for long enough periods of time to develop vegetation and biological activity adapted to wet environments. This may result from flooding, fluctuating water tables, tidal influences or poor drainage conditions.
Importance: Wetland ecosystems are sensitive and important because they exhibit rarity, high biodiversity, fragility, specialized habitat, specialized functions and connectivity.

Wet Forest Ecosystems

Fluctuating Water Table Forest (Site Series 12, 13 & 14)

Definition: These forests are found on lower slopes and are composed of plants that can handle variations in water tables. Some are dominated by Red alder, others are dominated by Western redcedar with Sword fern or Slough sedge in the understorey. Berry producing plants, like Salal and Salmonberry, are common and tree canopy is dense with gaps from blowdown because tree rooting depths are limited. Lack of understorey light limits the herb layer.
Importance: These sites are typically found adjacent to stream riparian areas and seepages and provide important buffer zones for these areas. They are also highly susceptible to soil compaction which can limit their ability to hold water and affect their ability to support plants and wildlife.

Wet Forest (Site Series 10 & 11)

Definition: These forests are found in level sites to basin depressions where there is a high water table and often standing water. They may have a sparse tree cover with a dense understorey of Labrador tea and salal or they may be dominated by Western redcedar with a dense understorey of Skunk cabbage, Salal and Salmonberry.
Importance: These forests are often found at the edges of wetlands and form important transition areas between wetlands and drier forests. Species like Salmonberry and Salal provide food and cover for the mammals and birds using the wetlands. They are also highly susceptible to soil compaction which can limit their ability to hold water and affect their ability to support plants and wildlife.

Moisture Receiving Forest (Site Series 05 & 06)

Definition: Typically these forests are found on lower slopes and have deeper soils that retain more moisture. These areas are characterized by Western redcedar, Douglas-fir, Ribbed maple, Grand fir, red alder and hemlock and have sword fern in the understorey.
Importance: These forests are important as convergence zones for water, absorbing, filtering and storing it on the landscape. Lack of moisture receiving forests can result in increased surface runoff which decreases the amount of water retained in aquifers and increases stream flows during winter storms.

Water Courses

Riparian Areas Regulation (RAR) Designated Watershed

Riparian Areas Regulation (RAR) Designated Stream

Year Round Stream

Intermittent Stream

Ditch

Acknowledgements

Project Co-ordination:
Kate Emmings - Islands Trust Fund
Brodie Porter - Local Planning Services, Islands Trust

Terrestrial Ecosystem Mapping:
Madrone Environmental Services Ltd.

Sensitive Ecosystem Mapping:
Carmen Cadrin - Ministry of Environment
Jo-Anne Stacey - Ministry of Environment
Alison Fox - Islands Trust
Kate Emmings - Islands Trust Fund

GIS Mapping Support:
Mark van Bakel - Islands Trust

Scale: 1:10,000
UTM Projection Zone 10 NAD83



Wood Pole Test and Treat Maintenance Program

Gabriola, Mudge, and Thetis Islands

Fall 2012/Winter 2013

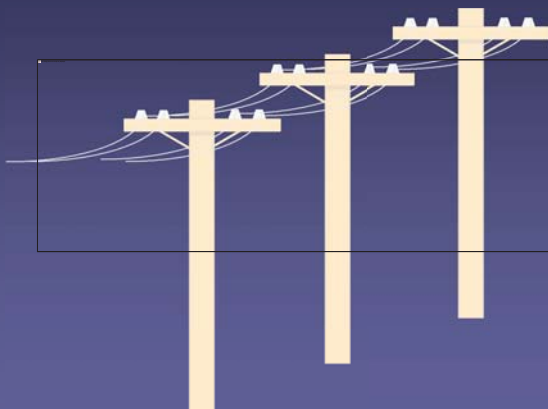
BChydro

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BC Hydro Representatives

- Raymond Irving – Field Manager, 250-755-4798
- Tara McCormick – Vegetation Specialist, 250-755-4778
- Terry Giesbrecht – Pole Maintenance Coordinator, 604-302-5511
- Spencer Nicholson- Pole Maintenance Coordinator, 604-250-9430

BC Hydro Test & Treat Program operates on an 8 year cycle. Approximately 80,000 - 85,000 distribution poles are treated every year across the province



BChydro

Why Do We Treat Poles?

- Safety → public and property safety, and crew safety while working on poles
- Reliability → continuous uninterrupted service to our customers
- Environmental → use of preservatives reduces number of trees to be harvested, minimizes impact of disposal/recycling of used poles, and minimizes ground disturbance
- Financial Responsibility → cost effectiveness of maintenance versus pole renewals

Pole failures

Pole rotted off at groundline



Public Safety Hazard

Work Plan – Gulf Islands

- Program will begin November 1, 2012 - completed by March 15, 2013
- Notification ads will run in local newspapers in October 2012
- Alpine Pole Maintenance Ltd – contractor with local Test and Treat experience on Gulf Islands
- Minimum of 2 certified applicators

Field Work

- Vehicle Id with BC Hydro contractor sign
- Applicator checks for wells and water at each site – maps, physical search, flags
- Approx. number of poles to be assessed for treatment this cycle: 2,720 on Gabriola, 155 on Mudge, and 560 on Thetis
- Pre-job with contractor prior to commencement of work

Pest Management Plan (PMP)

- Wood preservatives → approved and registered for utility wood poles by Health Canada
- Contractors → certified and licensed by the BC Ministry of Environment (MoE)

PMP (cont'd)

- Work → completed under direction of BC Hydro's Pest Management Plan for Wood Structure Maintenance (#105-0976-09/14)
- Work → strict adherence to *Integrated Pest Management Act* and Regulations

Pole Inspection – Above Ground

- Inspectors assess poles above ground for safety and equipment condition:
 - Damage from insects, woodpeckers, vehicles
 - Visible signs of rot
 - Equipment failure/damage
 - Sound, probe and drill to assess for insect/rot/damage

Pole Inspection – Below Ground

- Inspectors assess poles below ground:
 - Look for shell rot
 - Probe and drill to assess pole condition and strength → insect/fungus damage



Drilling Poles



Fumigant placed into drill holes using hand-operated sprayer



Boron Rods



Installing Plugs



Field-Made Pole Bandage



Installing a full bandage



Clean-up

Wood Preservatives

- **Metam sodium fumigant:**
 - liquid preservative placed in drill holes in pole and capped (preservative contained in pole)
 - mixes with moisture inside poles and evaporates into pole within 7 hours
 - Other uses: commonly added to soil for planting preparation in agriculture.

Wood Preservatives (cont'd)

- **Copper naphthenate/sodium fluoride bandage:**
 - wrapped and stapled around pole below ground
 - bandage covered in water-repellent material
 - preservatives bind strongly to the wood pole
 - Other uses: copper naphthenate sold as wood preservative for home use. Natural sources of copper are found in soil. Sodium fluoride is an ingredient used in toothpaste and additive in water systems.

Wood Preservatives (cont'd)

- **Boron/copper rods:**
 - solid rods are placed in drill holes and capped to contain preservative in pole
 - preservative released slowly into pole over a period of 10 years
 - Other uses: natural sources of boron are commonly found in soil. Used in eye wash and soaps.

Human Health Protection

- Field crews check multiple information sources prior to treatment to ensure human health and water are protected:
 - GIS mapping reviewed for locations of registered wells, watersheds, and waterbodies
 - Sensitive ecosystems and waterbody mapping (from Islands Trust) reviewed for additional information

Health Protection (cont'd)

- Information sources reviewed by field crew (cont'd):
 - Field assessment completed prior to treatment on a site-by-site basis (10 meter physical sweep around pole)
 - Flags placed by residents → extra step to identify wells/waterbodies/organic farms (pins provided to residents by BC Hydro)

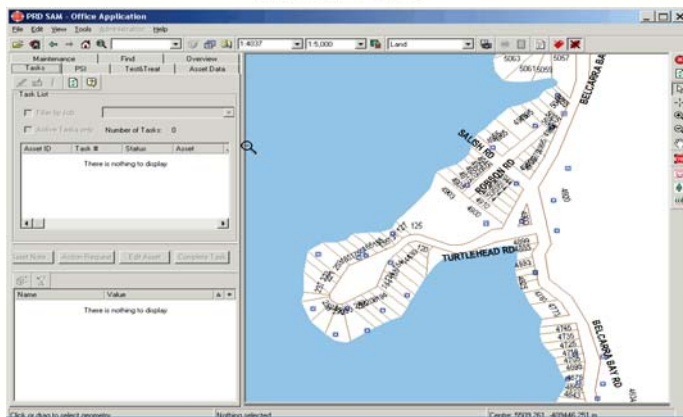
Health Protection (cont'd)

- Contractor certification ensures experienced, knowledgeable, and skilled applicators
- Contract specifications and details reviewed with contractor at pre-job conference
- Biologist/Specialists and Pole Maintenance Coordinator inspect, monitor and provide overall quality control

GIS Mapping System



Well Data



Human Health/Water Protection

No-Treatment Zones

Product	No-Treatment Zone*				
	Fish bearing body of water Fish bearing wet or dry stream	Non fish bearing body of water - wet	Non fish bearing stream - dry	Water well	Point of diversion from water intakes (from any side where land slopes upward)
Liquid internal preservative	3 metres	1 metre	0 metres (do not treat below high water mark) ¹	10 metres	10 metres upslope
External liquid preservative (brush on)	3 metres	1 metre	1 metre	10 metres	10 metres upslope
Groundline bandages	3 metres	1 metre	1 metre	10 metres	10 metres upslope
Boron rods ²	1 metre	0 metres ³	0 metres ³	10 metres	5 metres upslope

* Notes:
¹ Liquid internal preservatives will only be applied to the portion of the pole that is permanently above the waterline.
² The use of boron rods does not have a regulated NTZ requirement because boron is an IPAC Schedule 2 excluded product, however, BChydro has exceeded regulations and committed to NTZs around fish-bearing waterbodies and water consumption sources (wells and intakes).
³ Solid internal preservatives can be used in locations that may be below the water table for portions of the year, provided they are not fish bearing and dry at time of treatment.

Summary

- Regulated pesticide program
- PMP reviewed by MoE (posted on www.bchydro.com)
- Pole maintenance important for public and worker safety
- Public notification ads placed in local newspapers
- Certified applicators complete work

Summary (cont'd)

- Crews search for well/waterbody/watershed on maps and in field
- Pre-job conference prior to work
- Quality assurance by BC Hydro Pole Maintenance Coordinator and Specialist/Biologists
- For more information, call BC Hydro representative



Islands Trust

Preserving **island** communities, culture and environment.

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[Local Trust Committees](#)
[Trust Council](#)
[Islands Trust Fund](#)
[Island Municipalities](#)
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[News and Subscriber Services](#)


Population (2011):

Approximately 340

Size:

1,129 hectares (2,789 acres)

Location:

7 kilometres north of Chemainus on Vancouver Island.

[Land Use Planning](#)
[Related Planning Services](#)
[Related Resources](#)
[Trust Area Mapping](#)
[Related Links](#)

Thetis Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Thetis Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

August 2012

- [Agenda for September 1, 2012 Community Information Meeting on Ruxton posted](#)
- Please note that the October 3, 2012 Thetis Island Local Trust Committee Meeting start time has changed to 10:45 am in the Forbes Hall Library. The meeting will continue as scheduled at 1:30 pm in the main Hall.
- [A Ruxton Island Advisory Planning Commission has been appointed to advise the Local Trust Committee on a new Community Plan.](#)

July 2012

- [Community Information Meeting scheduled for Ruxton Island on September 1st, 2012 regarding the Community Plan project](#)

June 2012

- [The Local Trust Committee launches a Community Plan Review for the Associated Islands with a newsletter and survey mailed to property owners.](#)

February 2012

- [Thetis Island owners have options to provide lasting protection for properties](#)

December 2011

- The Thetis Island Local Trust Committee Adopted [Bylaw No. 88](#) (Official Community Plan) and [Bylaw No. 89](#) (Land Use Bylaw)

Local Trust Committee Projects and Resources

Thetis Island General

- [Thetis Island Community Profile](#)
- [Thetis Island Draft Development Potential Map -August 2009](#)

Thetis Island Standing Resolutions

Community Plan Project for Associated Islands

Including Ruxton, Reid, Pylades, Hudson, Scott, Dayman, Bute and Dunsmuir Islands

Staff reports and project documents:

- [Project Terms of Reference](#)
- [Preliminary Staff Report for April 18, 2012 Meeting](#)
- [Staff Report for May 23, 2012 Meeting](#)
- [DRAFT Community Profile - May, 2012](#)

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- [RAR Stream Identification of the Ralston Creek Watershed, March 2011](#)
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- [DRAFT Marine Shorelands Development Permit Area, April 30, 2011](#)
- [Staff Report re: Marine Shorelands Development Permit Area and Sea Level Rise - January 26, 2011](#)
- [Staff Report re: Marine Shorelands Development Permit area - January 6, 2011](#)
- [Staff Report re: Shoreline Management - November 18, 2010](#)
- [Review of Thetis Island Shoreline Classification and Recommendations for Shoreline Development - March 31, 2010, Archipelago Marine Research Ltd.](#)
- UBC Pilot Study on Thetis Shoreline Classification - maps and presentation boards:
 - [Distribution of Coastline Types](#)
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