



**Thetis Island
Local Trust Committee
Public Hearing Record**

**REGARDING PROPOSED BYLAW NO. 96 CITED AS
“THETIS ISLAND OFFICIAL COMMUNITY PLAN, 2011, AMENDMENT NO. 1, 2015”
REGARDING PROPOSED BYLAW NO. 97 CITED AS “THETIS ISLAND LAND USE BYLAW,
2011, AMENDMENT 1, 2015”**

Date of Meeting: Monday, May 9, 2016
Location: Thetis Island Community Centre (Forbes Hall)
North Cove Road, Thetis Island, BC

Members Present: Susan Morrison, Chair
Peter Luckham, Local Trustee
Ken Hunter, Local Trustee

Staff Present: Marnie Eggen, Planner 2
Sonja Zupanec, Island Planner
Lisa Millard, Recorder

Others: There were approximately thirty one (31) members of the public in attendance

1. CALL TO ORDER

Chair Morrison called the Public Hearing to order at 5:32 pm.

2. INTRODUCTIONS AND OPENING STATEMENT FROM THE CHAIR

Chair Morrison read the Chairperson's Opening Statement and explained that this Public Hearing is being conducted to hear views regarding Proposed Bylaw Nos. 96 and 97. She invited those wishing to speak to sign a speaker's list and to place written submissions into the Public Hearing submission box.

3. REVIEW OF PUBLIC HEARING NOTICE

Planner Eggen reported that a copy of this notice was advertised in two consecutive editions of the Chemainus Ladysmith Chronical on April 27, 2016 and May 4, 2016. A copy of the notice was mailed to 26 property owners on April 19, 2016. The notice was posted on island at the BC Ferries Bulletin Board. All notification requirements under the *Local Government Act* have been completed.

A copy of the proposed bylaw and the public hearing binder have been available for public review at the Islands Trust Northern Office. There is a copy of the complete public hearing binder available during this public hearing.

Proposed Bylaw No. 96, if adopted, will amend the Thetis Island Official Community Plan Bylaw No. 88 by changing the designation of the unsurveyed Crown foreshore or land covered by water being part of the bed of Clam Bay, Cowichan District from undesignated to Mariculture (M) to allow for the use of mariculture activities.

Proposed Bylaw No. 97, if adopted, will amend the Thetis Island Land Use Bylaw No. 89 by changing the zoning classification of the unsurveyed Crown foreshore or land covered by water being part of the bed of Clam Bay, Cowichan District from Water 4 (W-4) to Water 5 (W-5) to allow for the use of mariculture activities.

The Proposed Bylaws were referred to 18 agencies and 7 First Nations.

She reported on submissions that have been received as of the afternoon of May 9, 2016. Nine responses were received; seven indicated that their interests were unaffected, Cowichan Tribes recommended approval, and Lyackson First Nation deferred to Penelakut First Nation. One public submission was received since notification.

Chair Morrison opened the floor for public comments.

4. BYLAW NOS. 96 and 97 SUBMISSIONS FROM THE PUBLIC

Kathryn Kennedy, Thetis Island and Lucy Hayward, Thetis Island provided a historical account of mariculture on Thetis Island. Ms. Kennedy presented a written submission in which she made the following points:

- Pollution, sleep disturbance, lack of beach access, and property devaluation resulted from mariculture in the area in the 1990's.
- It was cleaned up eventually.
- Current issues include inadequate mapping of the subject area, past evidence of effluent pollution in the area, and the impact on recreational and navigational access.
- Recreational marine use, navigation, and the marine environment need to be protected.

Arthur Gooding, Thetis Island presented a written submission in which he made the following points:

- The area of the mariculture expansion is in a navigation channel and the Ministry of Transportation and Infrastructure state that there is a public right of navigation in Canada.
- The area known as the "Cut" was dredged 75 years ago and again 35 years ago and will most likely need to be dredged again in the future in order to maintain a navigable channel. Therefore if there are mariculture operations on both sides of the channel any dredged materials will need to be removed off site instead of placed on the shoreline.
- He does not believe expanded mariculture and marine navigation are compatible in this area.

Public Hearing Record
Received for Information
By Local Trust Committee

Ian Brown, Thetis Island expressed concerns about the operation negatively affecting property values and the scale of the proposal.

David Steen, Thetis Island indicated that he is not opposed to mariculture but is opposed to the expansion of mariculture in the region. His concerns also included:

- That the expansion of mariculture on Denman Island has had negative impacts such as vehicles on beaches, water channels being diverted, and pollution.
- Geoduck operations allow PVC pipes to be placed vertically in the ocean bed and the use of nets has negative impacts on marine life.
- His association with the group Gulf Island Alliance mandates environmental protection of the Gulf Islands and local Trustees are also mandated to protect the Gulf Islands. He is concerned about environmental impacts of the increased growth of mariculture in the area.

Glen Anderson, Thetis Island stated:

- He is not in favor of changing the Water Zone to W-5 from W-4.
- The expansion of mariculture in the region will compromise the opportunity to dredge the channel within the subject area.
- The area should be protected as a navigable channel.

Richard Strachan, Thetis Island stated the following concerns:

- Loss of current marine navigational access.
- Pollution and marine hazards caused by PVC tubing, experimental marine farming, dislodged netting and debris.
- Existing limitations on mussel and clam harvesting due to pollution.

Gary Geddes, Thetis Island made the following comments:

- He appreciated the Penelakut First Nation's positive response to the public's concerns regarding the removal of the lagoon and moving the lease boundaries to allow for continued recreational use.
- The use of netting and tubing within the specified area is irrelevant as it is not allowed.
- The issue of future dredging of the channel may be relevant and he suggested that this concern be addressed with Penelakut Seafoods Ltd. directly.
- He is in favor of the application

Sandy Lotis, Thetis Island stated her concern about increased pollution.

Ann Erikson, Thetis Island stated her support of the application and indicated:

- The application is for an extension of the mariculture techniques that are already in use in the existing tenure.
- The harvesting is done by hand picking.
- There is no application for geoduck cultivation and the area has been deemed unsuitable for it.
- Penelakut Seafoods Ltd. listened to, and addressed, the Thetis Island resident's concerns brought up approximately one year ago.
- Netting is not allowed and won't be used.

Bill Dickie, Thetis Island stated that:

- He was a Trustee for a period of ten years.
- In that time he has heard multiple concerns throughout the Trust Region from the public in regards to public access becoming limited due to mariculture operations.
- He expressed concern that public access will be further limited in the area between the existing mariculture tenure and the subject area and suggested that a 10 meter corridor between the two leases be designated as public access.
- This designation would ensure that public access remained in place and would prevent exclusive use of the access corridor by the mariculture operation.

Veronica Shelford, Thetis Island indicated that her concern is in regard to the potential for industrialization and access in 'the cut'.

Richard DeMarco, Thetis Island stated his concerns as follows:

- A mariculture tenure in front of his property has been unused for 20 years but was renewed one month ago despite letters of protest.
- There is potential for the tenure to change ownership and that local mariculture may become industrialized.
- He is not confident the area will remain protected.

Tess DeMarco, Thetis Island stated that she opposes expansion of the existing tenure.

Kathryn Kennedy, Thetis Island indicated that:

- She is very concerned about potential for netting.
- The area is already polluted and additional mariculture might increase pollution.
- She is concerned about recreational and navigational uses being impacted.

Deb Wilson, Thetis Island provided a written submission in which she stated:

- She does not support the rezoning application.
- She is concerned about the potential for future use of predator netting.
- The channel should remain navigable.
- Additional mariculture in the area will prevent future dredging.

17. ADJOURNEMENT

Chair Morrison asked three times if there were any in the audience who wished to comment or provide written submissions and hearing none she declared the public hearing closed at 6:19 pm.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE PUBLIC HEARING HELD.

Lisa Millard, Recorder