



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, FEBRUARY 16, 2016 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

AGENDA

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Public Participation**
- 4. Delegations**
- 5. Minutes**
 - A. Regular Council Meeting – February 2, 2016 (Page 3)
RECOMMENDATION: THAT the Regular Council Meeting Minutes of February 2, 2016 be approved as circulated.
- 6. Business Arising from the Minutes**
 - A. Action Items Report (Page 7)
- 7. Unfinished Business**
- 8. Reports**
 - A. Staff
 - i. Public Works Manager Update – February 10, 2016 (Page 9)
RECOMMENDATION: THAT the Information Report, “Public Works Manager Update – February 10, 2016” be received.
 - ii. Public Works Manager – Key Performance Indicators – Solid Waste Statistics 2015 vs 2014 (Page 13)
RECOMMENDATION: THAT the Information Report, “Key Performance Indicators – Solid Waste Statistics 2015 vs 2014” be received.
 - iii. Public Works Manager – Key Performance Indicators – Water Consumption Rates 2015 vs 2014 (Page 15)
RECOMMENDATION: THAT the Information Report, “Key Performance Indicators – Water Consumption Rates 2015 vs 2014” be received.
 - B. Mayor
 - C. Council
 - i. Councillor McLaughlin
 - a) Fees and Charges Discussion

Agenda – Regular Meeting of Council – February 16, 2016

Village of Lions Bay

Page 2 of 2

- b) Library
- c) Canada Day Celebration

- ii. Councillor Waterson

- a) Level of Service Policy (Page 17)
 - b) Financial Sustainability/Viability Report
 - c) 2016 Grant Opportunities

- D. Committees

- E. Emergency Services

- i. LBFD Monthly Report (Page 19)
 - ii. RCMP Monthly Report (Page 21)

9. Resolutions

- A. CAO Forum

RECOMMENDATION: THAT Council approve the reimbursement of registration, accommodation, food and travel expenses for CAO DeJong to attend the CAO Forum in Kelowna from February 24th to 26th, 2016.

10. Bylaws

- A. Village of Lions Bay Water Parcel Tax Bylaw No. 130, Repeal Bylaw No. 498, 2016 – Adoption (Page 23)

RECOMMENDATION: THAT Village of Lions Bay Water Parcel Tax Bylaw No. 130, Repeal Bylaw No. 498, 2016 be adopted.

- B. Utility User Rate Amendment Bylaws No. 499, 500, and 501 – Adoption (Page 27)

RECOMMENDATION: THAT the following bylaws be adopted:

- (a) Water Rates and Regulations Bylaw No. 2, 1971, Amendment Bylaw No. 499, 2016;
 - (b) Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 500, 2016;
 - (c) Sewer User Rates Bylaw No. 122, 1984, Amendment Bylaw No. 501, 2016.

11. Correspondence

- A. List of Correspondence to February 11, 2016 (Page 39)

12. New Business**13. Public Questions & Comments****14. Closed Council Meeting**

THAT the meeting be closed to the public under the authority of the Community Charter, section 90(1) (a), (c), (e), (i), and (l); and section 90(2)(b).

15. Reporting Out From Closed Portion of Meeting**16. Adjournment**



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, FEBRUARY 2, 2016 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

MINUTES

In Attendance:

Council: Mayor Karl Buhr
Councillor Fred Bain
Councillor Jim Hughes
Councillor Ron McLaughlin
Councillor Helen Waterson

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Office Coordinator Shawna Gilroy (Recorder)

Public: 6

1. Call to Order

Mayor Buhr called the meeting to order at 7:15 p.m.

2. Approval of Agenda

Moved/Seconded

THAT Section 90(1) (a), (e), (f) and (l) be added to the closed portion of the meeting, and the agenda be approved.

CARRIED

3. Public Participation

A. Mr. Tony Cox

On behalf of the Historical Society, Mr. Cox discussed the plaque on the outside of the Community Hall which they feel does not properly reflect the work by the previous Council, and proposed that the Historical Society compensate half to produce a secondary plaque reflecting the previous Council.

B. Mr. Michael Broughton

Mr. Broughton discussed a marijuana dispensary called "Budzilla" which has apparently been making inquiries about locating in the commercial building in Lions Bay. He strongly opposed the idea regarding the dispensary due to several issues such as residential uses above the commercial spaces and the frequenting of the store by children, and noted that the strata for

the commercial building had met and passed a resolution that such a business would not be appropriate. He also noted Vancouver's application guidelines for such businesses and suggested that the Village may want to review them.

C. Ms. Tina Schneider

On behalf of the Volleyball Program, Ms. Schneider noted serious concerns with the increase in rental rates of the Community Hall and the detrimental impact on the volleyball program.

Councillor Waterson and CFO Rooke joined the meeting at 7:27 p.m.

4. Delegations

None

5. Minutes

A. Regular Council Meeting – January 19, 2016

Moved/Seconded

THAT the Regular Council Meeting Minutes of January 19, 2016 be approved.

CARRIED

B. Parking Plan Committee Meeting – January 7, 2016

Moved/Seconded

THAT the Parking Plan Committee Meeting Minutes of January 7, 2016 be received for information.

CARRIED

C. Infrastructure Committee Meeting – December 14, 2015

Moved/Seconded

THAT the Infrastructure Committee Meeting Minutes of December 14, 2015 be received for information.

CARRIED

6. Business Arising from the Minutes

A. Action Items Report

Council reviewed the action items report.

The Mayor stated that under the authority of Section 141 of the *Community Charter* that the Trees, Views and Landscapes Standing Committee is dissolved and its duties and personnel's subsumed into the committee established by bylaw: the Village of Lions Bay Tree Bylaw No. 393, 2007.

7. Unfinished Business

None

8. Reports

A. Staff

i. CAO – Hall Floor Report

Moved/Seconded

THAT staff proceed with getting the Community Hall flooring repaired (as opposed to replaced) using the most appropriate methodology.

CARRIED

B. Mayor

None

C. Council

None

D. Committees

The Chair of each Committee provided Council with a verbal update on the latest meetings.

E. Emergency Services

None

9. Resolutions

None

10. Bylaws

A. Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985, Repeal Bylaw No. 498, 2016 – First, Second, Third Reading

Moved/Seconded

THAT Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985, Repeal Bylaw No. 498, 2016 be given first, second and third reading.

CARRIED

B. Utility User Rate Amendment Bylaws No. 499, 500 and 501, 2016 – First, Second, Third Reading

Moved/Seconded

THAT the following bylaws be read a first, second and third time:

- (a) Water Rates and Regulations Bylaw No. 2, 1971, Amendment Bylaw No. 499, 2016;
- (b) Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 500, 2016;
- (c) Sewer User Rates Bylaw No. 122, 1984, Amendment Bylaw No. 501, 2016.

CARRIED

C. Official Community Plan Amendment Bylaw No. 493, 2015 – Adoption

Moved/Seconded

THAT the Official Community Plan Amendment Bylaw No. 493, 2015 be adopted.

CARRIED

11. Correspondence

Council reviewed the correspondence up to January 28, 2016.

Moved/Seconded

THAT the correspondence be received for information.

CARRIED

12. New Business

A. Appointment of Alternate to Mayor's Council

This item was removed as requiring no action.

13. Public Questions & Comments

None

14. Closed Council Meeting

Moved/Seconded

THAT the meeting be closed to the public under the authority of the Community Charter, section 90(1) (a), (e), (f), (i) and (l), and 90(2) (b).

CARRIED

The meeting was closed to the public at 8:12 p.m.

The meeting was re-opened to the public at 9:44 p.m.

15. Reporting Out From Closed Portion of Meeting

Council endorsed the staff recommendation to update and amend the Purchasing Policy to accommodate emergency projects requiring funding.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:44 p.m.

 Mayor

 Corporate Officer

Date Adopted by Council:	
--------------------------	--



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council		
Title	Action Items Report		
Author	S. Gilroy	Reviewed By:	
Date	February 4, 2016	Version	
Issued for	February 16, 2016 Regular Council Meeting		

For Council's review, these are the action items carried over from all previous Council meetings, including the most recent meeting.

#	Meeting Date	Action Item Details
1	September 1, 2015	<i>4B – Delegations – Mr. David Shore</i> (No fixed deadline) Staff to craft a report to evaluate the existing suite of bylaws to see if a loophole exists against residential zoning; Council to then look at changing bylaws to close loopholes.
2	October 6, 2015	<i>8Ai – Reports – CAO</i> Item 9 – Emergency Planning Committee to be struck and the emergency siren to be deferred to that time.
3	November 17, 2015 (ongoing)	<i>8Di – Reports – Trees, Views & Landscapes Committee – Tree Application #63</i> Staff to bring forward the Terms of Reference for the Trees, Views & Landscapes Committee.
4	December 15, 2015	<i>8Ci – Reports – Emergency Preparedness & Business Continuity Report</i> Mayor Buhr to speak to CN regarding safety aspects of rail traffic through the village.
5	December 15, 2015 (amended)	<i>10A – Bylaws – Fees & Charges Bylaw No. 497 – First and Second Reading</i> CAO DeJong to review the Fees Bylaw No. 497 before it comes to third reading.

Intentionally Blank



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	Public Works Manager Update – February 10, 2016		
Author	Nikii Hoglund	Reviewed By:	Peter DeJong
Date	February 10, 2016	Version	
Issued for	February 16, 2016 Council Meeting		

Recommendation:

THAT the Information Report, “Public Works Manager Update – February 10 2016” be received.

Attachments:

(1) Public Works Manager’s Priorities as at Feb 10, 2016.

Key Information:

Attached is the Public Works Manager’s active high-level priorities to date to provide a broad overview of tasks and functions currently in progress, with status updates noted.

Attachment 1 is by no means a comprehensive list of active tasks, but instead a high-level overview of key priorities that must be completed in addition to the myriad of activities that are generated during (or associated with) the day-to-day operational oversight of the Public Works department.

Considerable effort has been focussed in January and February, 2016 with respect to the following:

- providing direct oversight and considerable follow-up with AECOM with regard to the Infrastructure Master Plan;
- liaising with Disaster Financial Assistance (DFA) with regard to the DFA-funded emergency recovery works associated with the rock stack wall at Magnesia water intake;



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

- liaising with Emergency Management BC (EMBC) and Provincial Emergency Program (PEP) with regard to an emergent debris slide that has cut off access to the Harvey water intake;
- administrative oversight of the New Build Canada Fund (NBCF) - funded works at Magnesia and another capital project completed by a contractor in January;
- liaising with Vancouver Coastal Health to ensure the backup plan to provide a seamless water supply to the Village in the event that Harvey intake was compromised at the same time that the Magnesia reservoir tank was offline obtained regulatory approval; and meeting with various residents as part and parcel of an efficient handover of duties to the newly hired CAO.

Follow Up Action:

Ongoing

Communication Plan:

None

Start	Deadline	Priority (1 high to 5 low)	Portfolio	Administrative Classification	Task, Status and Notes (as at Feb 10, 2016)	Primary	Other
22-Jul-14		4	Government	Administration	Work with CAO and Finance to create a "preferred vendors" strategy and implementation recommendations to Council - nothing exists at present. Not yet started work with geoscientist once 3-4 months of quantifiable and verifiable data exists for rainfall amounts at intake locations to revisit and revise the safe working procedures due to unstable terrain upslope - at present they are set to the highest level to ensure Village crews are safe. This has been put on hold until it can be determined whether the Phase 4/5 Road (Alberta creek intake feasibility) will have to be added to the list. Discussions with VCH on April 9 indicate Alberta Creek is not feasible. COMPLETE. GEOPACIFIC REPORT DATED JAN 27 RECOMMENDS CURRENT SAFE WORK PROCEDURES SHOULD REMAIN IN EFFECT	NH, PR	
20-Apr-15		2	Government	Administration		NH	GeoPacific
23-Jun-14		2 & 3	Infrastructure	Infrastructure	INBCF projects at Harvey and Magnesia for Intake Road Upgrades and Magnesia PRV Bypass have been awarded - the Magnesia portion was put out to tender on BC Bid on August 5, with a closing date of August 21. TENDER PKG COMPLETE. Recommendation report included in Sept 1 Council package. Meeting with CREUS for progress to date on NBCF projects undertaken November 26. NEW TASK BELOW SUPERSEDES THIS ONE	NH	CREUS
22-Oct-14		3	Government	Regulatory	Work with FLNRO/MOTI with regard to levels of service/expectations/roles/responsibilities and Village adherence to Acts and Legislation with regard to Crown Lands, and leases. Various phone conversations/emails in 2014. First face-to-face meeting took place January 14. Meeting with MOTI on Feb 2 re: trees on MOTI ROW. Ongoing with regard to leases. NEW TASK BELOW SUPERSEDES THIS ONE.	NH, MK	FLNRO, EMBC
15-Sep-14			Government	Administration	Work with CAO, Fire Chief, and Council to create a comprehensive Village parking strategy. Original recommendation report written in September 2014, but was put on hold pending public input. INFORMATION FORWARDED TO PARKING COMMITTEE. NO FURTHER ACTION REQUIRED. COMPLETE	NH, AO, MK	
17-Jul-14		4	Government	Administration	Work with CAO to draft and present to Council various much-needed bylaw updates and new permits (such as road use and business licence). Ongoing	NH, MK, PD	
6-Aug-14		4	Government	Administration	Research and incorporate "best practices" into all newly defined work programs and track progress - as time permits	NH	
13-Aug-14		3	Infrastructure	Administration	Research and obtain quotations from CCTV sewer/drainage companies and vendors to ascertain whether equipment should be purchased to inspect drainage and sewer pipe infrastructure in-house or via a contractor. Capital project sheet put forward in 2016	NH	
3-Nov-14			Government	Administration	Work with CAO to write and present to Council OR create an RFP for numerous plans that do not currently exist that the Village must have to put forward various grant funding requests. Initial emphasis: watershed management plan, and water conservation plan; OUTDOOR WATER USE BYLAW COMPLETED 2015; Strategic planning session upcoming.	NH, MK, PD	
3-Jul-14		4	Infrastructure	Administration	Work with MetroVancouver for PSAB contaminated site inventory; and landfill inventory and closure status assessment study - one item remaining. ACCOUNTING PROCESS COMPLETED. Remaining action item outstanding	NH, PD	MetroVancouver
3-Jul-14		4	Infrastructure	Administration	Work with MetroVancouver with regard to regional GHG credits/carbon credits. Not yet started Start creating asset registers and condition assessments - the Village currently does not have an accurate or up-to-date register for many of its infrastructure assets. SOME CONDITION ASSESSMENT COMPLETE THROUGH IMP. SOME ASSET REPLACEMENT COST (HIGH LEVEL) COMPLETE THROUGH IMP. Remainder not yet started	NH, PD	MetroVancouver
27-Apr-15		3	Infrastructure	Administration	Purchase and install MAIS work order module; trouble shoot; create procedures and protocols and put into everyday use. PURCHASE COMPLETE. Implementation not yet started	NH	Finance
27-Apr-15		2	Government	Administration	Liaise with Mayor and Cllr Waterson re: various signage design; arrange for mockup/manufacture/installation. TRAIL MAINTAINED BY VOLUNTEER SIGNS COMPLETE. EXTREME FIRE HAZARD SIGNS COMPLETED. Permanent water conservation signage mock up expected week of July 20. VARIOUS ITERATIONS COMPLETE. Final mockup requested on August 5; ongoing due to vacation schedule at DWV sign shop. Permanent water conservation signs on hold pending IC input into final design	NH	IC, Council
26-Jun-15	15-Jul	2	Administration	Administration	Liaise with District of West Vancouver, Metro Vancouver, and Squamish-Lillooet Regional District re: water tanker fill stations for emergency plan. INITIAL CONTACT COMPLETE. Ongoing negotiation is underway with SLRD and Metro; West Vancouver cannot commit. RESPONSE TO QUESTIONS POSED BY SLRD COMPLETE. Follow-up is ongoing	NH, PD	
15-Jun-15		2	Administration	Administration		NH, PD	
4-Jun-15		2	Administration	Administration	Liaise with EMBC, VCH, FLNRO re: drought plan and water shortage plan that dovetails into their plans. ongoing	NH, PD	EMBC, FLNRO, VCH, MOTI

Start	Deadline	Priority (1 high to 5 low)	Portfolio	Administrative Classification	Task Status and Notes (as at Feb 10, 2016)	Primary	Other
		2	Government	Administration	Collate all locations not able to find water connection valves once GPR is complete and bring forward a report to Council on next steps. GPR COMPLETE. GPR was not an adequate method for our terrain to find missing water connection valves. No new valves were found. A complete list of all outstanding valves will be collated by the first week of December. LIST COMPLETE - 70 WATER SERVICE CONNECTIONS ON LIST. Capital project sheet put forward for Village Survey in 2016	NH	
17-Jul-15		1	Infrastructure	Administration	Contract Management of Infrastructure Master Plan - AECOM formally asked for another extension of time; a draft IMP was delivered later than the extension deadline and was unacceptable; AECOM were issued with a default in performance requiring correction; considerable followup was undertaken; a revised draft was provided; an initial meeting to provide feedback on the new draft was undertaken, and a follow-up meeting is scheduled for February 11	NH	AECOM, PD
17-Aug-15		1	Administration	Administration	New CAO - Initial meetings undertaken in January and continue. Handover of key tasks in progress COMPLETED HANDOVER OF ENCROACHMENT FILES. Further handover to Peter will be ongoing	NH	PD
7-Jul-15		3	Infrastructure	Administration	Radios - Liaise with Ecomm and organize a pilot project with their radios to determine whether they might have better coverage at the water intakes. Initial meeting July 22. COMPLETE. Radios will be delivered August 31. Pilot project COMPLETE - radio coverage is considerably improved. A capital business case will be written to include Public Works radios on the current Ecomm contract (with Fire). COMPLETE. Budget implications included in operating budget in 2016 and 5YP by Finance in 2016	NH	Ecomm
16-Nov-15		2	Administration	Infrastructure	Write minor works contract for Markic Development (successful bidder for the Highway Tank Structure Removal Project). COMPLETE. Structure removal will commence the week of January 4, 2016. STRUCTURE REMOVAL COMPLETE. Deficiency list has been provided to the contractor; second coat of paint will be scheduled in late spring. Ongoing.	NH	Markic Dev
2-Dec-15		1	Infrastructure	Administration	Emergency Works at Magnesia Phase 3 - Final project wrap up with DFA - in conjunction with Finance, write reports, fill in forms, follow up with answers to questions posed by DFA for the emergency rock stack wall works undertaken at Magnesia. In progress - ongoing liaison	NH, HC	CREUS, PD
20-Jan-16		1	Infrastructure	Administration	Response to debris since at Harvey Creek intake road - inform Council and key staff; organize Geotechnical assessment of landslide; liaise with EMBC and FLNRO; research past history with MOTI and the original construction of the access road; organize engineering firm to obtain quotes for response; collate quotations and provide direction with regard to engineering firms recommendations from ITT issued under EMBC guidelines and Village policy all COMPLETE. EAF to be completed in conjunction with Finance and CAO Feb 11. Further followup and award of contract once confirmation EMBC will accept EAF. ongoing	NH	PD, MOTI, EMBC, FLNRO, Finance
1-Dec-15		1	Infrastructure	Administration	Magnesia NBCF projects; liaising with CREUS as part and parcel of Village oversight; ensuring progress payments and associated construction paperwork to date is complete and accurate; updating records; ALL COMPLETE. Bypass installation portion of project COMPLETE. PRV installation portion of project COMPLETE. Bypass commissioning COMPLETE. Liaise with VCH and organize site inspections accordingly COMPLETE. Remainder of works ongoing	NH	CREUS, NBCF
20-Jan-16		1	Infrastructure	Administration	Organize approvals from VCH with regard to how Magnesia Creek could provide water seamlessly to the Village in the event that Harvey intake was compromised at the same time that Magnesia reservoir tank was offline COMPLETE	NH	VCH
26-Jan-16		1	Government	Administration	Create templates for business cases associated with 2016 capital budget requests; populate same; ensure all were complete and background included by Finance and various Council and Committee deadlines COMPLETE. Budget process ongoing	NH	
various		1	Government	Administration	Meetings with residents re: various encroachments and rights of way, rezoning requests; with appropriate follow-up and handover to the newly appointed CAO. COMPLETE	NH, VARIOUS, PD	
28-Jan-16	31-Mar-16	2	Government	Administration	Write annual water report and submit to VCH; follow-up on various outstanding items from VCH site visits organized in January	NH	VCH
28-Jan-16		1	Infrastructure	Administration	Organize quotations for removal of various trees noted as hazardous along the Centennial Trail per Village policy; answer questions; award contract; and organize the work. COMPLETE. WORK SCHEDULED FOR FEB 11	NH	SILVERBACK



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	Key Performance Indicators – Solid Waste Statistics 2015 vs 2014		
Author	Nikii Hoglund	Reviewed By:	Peter DeJong
Date	February 10, 2016	Version	
Issued for	February 16, 2016 Council Meeting		

Recommendation:

THAT the Information Report, “Key Performance Indicators – Solid Waste Statistics 2015 vs 2014” be received.

Attachments:

None

Key Information:

The Village of Lions Bay is one of a number of municipalities that had to meet aggressive solid waste reduction goals by 2015 and 2020 that were outlined by the regional government of Metro Vancouver within their Integrated Solid Waste and Resource Management Plan (ISWRMP) in 2010. Goals within this plan that directly affect all municipalities within the regional auspices of Metro Vancouver are as follows:

1. Minimize waste generation – with associated regional targets to reduce the quantity of waste generated per capita within the region as a whole, to 90% or less of 2010 volumes by 2020; and
2. Maximize reuse, recycling, and material recovery – with targets for municipal solid waste diversion (i.e. diverting that which can be recycled, reused, or recovered from the garbage stream to programs aimed at diversion as opposed to waste) set at 70% by 2015 and 80% by 2020 (from a regional average of 55% in 2010); assuming there will be sustained markets for diverted materials.

To help ensure that these targets were met, Metro Vancouver implemented a ban on organics (food waste) in the garbage stream on January 1, 2015 as an added incentive for municipalities to divert food waste to not incur fines associated with having a banned



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

material in their garbage stream, and also increased garbage tipping fees while leaving green waste tipping fees at a reduced rate.

Village Staff and resident volunteers organized informational campaigns, sent out information via ePosts, held public information meetings, and put up signage to inform residents of the new changes, and to help the Village ensure garbage costs were kept to a minimum, and diversion rates were increased.

In 2014, the Village's diversion rates were 49.8% - 5.2% below Metro Vancouver's average diversion rates. Total waste generated by the Village was 522,740 kilograms; and 50.2% of that waste was put directly into the garbage stream.

In 2015, diversion rates skyrocketed to 71.1% - 1.1% above Metro Vancouver's targets for overall diversion rates in 2015. Total waste generated by the Village went up slightly to 523,547 kilograms; however only 28.9% of that waste was put into the garbage stream.

Follow Up Action:

Staff will continue to build on the success noted in this report and continue to liaise with Metro Vancouver and resident volunteer groups to ensure that new campaigns to further increase diversion are adopted as readily and easily by the Village's residents as the organics diversion campaigns of late 2014 and early 2015 were.

Communication Plan:

Staff will include the information in this report in the 2015 Annual Report provide statistics to Metro Vancouver, and provide information in an upcoming ePost.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	Key Performance Indicators – Water Consumption rates 2015 vs 2014		
Author	Nikii Hoglund	Reviewed By:	Peter DeJong
Date	February 11, 2016	Version	
Issued for	February 16, 2016 Council Meeting		

Recommendation:

THAT the Information Report, “Key Performance Indicators – Water Consumption Rates 2015 vs 2014” be received.

Attachments:

None

Key Information:

The Village of Lions Bay is one of a number of municipalities that was dramatically affected by climate change in 2015. Many Village operational and policy changes were enacted during the year in an effort to ensure potable water remained in the system for both residential and firefighting use during drought conditions for a significant portion of the year. The Village’s first Outdoor Water Use Bylaw (OWUB) came into effect, and significant resources were focussed on the careful monitoring, reduction, and reuse of water within the Village, in addition to building on operational programs that were first implemented in mid-to-late 2014 that concentrated on finding and actively ensuring leaks on both the public and private property were fixed expediently. In 2015, 29 leaks on private property and 2 leaks on Village property were identified, monitored, and repaired.

The Village’s Staff, Council, Infrastructure Committee, and resident volunteers organized informational campaigns, sent out information via ePosts, held public information meetings, and put up signage to inform residents of the new OWUB, and to help the Village ensure water consumption was kept to a minimum, especially during the summer months.

In 2014, the Village’s total water consumption was 772,300.85 m³ (or approximately 204,020,299.72 USG).



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

In 2015, the Village's total water consumption was 437,433.27 m³ (or approximately 115,557,644.22 USG) – considerably lower than 2014. Table 1 provides a month by month comparison, with average Village daily consumption rates (USG) below.

Table 1. Average Consumption Rates 2014 vs 2015

	2014	2015	% CHANGE	
JANUARY	536,542	381,273	29%	DECREASE
FEBRUARY	515,735	382,268	26%	DECREASE
MARCH	508,453	391,763	23%	DECREASE
APRIL	540,650	390,755	28%	DECREASE
MAY	610,391	357,663	41%	DECREASE
JUNE	649,326	401,600	38%	DECREASE
JULY	711,684	349,890	51%	DECREASE
AUGUST	702,637	292,394	58%	DECREASE
SEPTEMBER	636,759	254,540	60%	DECREASE
OCTOBER	503,372	273,092	46%	DECREASE
NOVEMBER	497,769	197,812	60%	DECREASE
DECEMBER	415,464	175,062	58%	DECREASE

Follow Up Action: Staff will continue to monitor water supply, respond quickly to changes both internal (within the water system itself) and external (drought, severe weather), and implement conservation measures to ensure that water consumption rates remain as low as possible.

Communication Plan: Staff will include the information in this report in the 2015 Annual Report; and provide information in an upcoming ePost.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council			
Title	Level of Service Policy			
Author	Helen Waterson	Reviewed By:		
Date	Feb 10		Version	
Issued for	CSC Meeting – Feb 16 @ 3pm			

RECOMMENDATION

Following Council's Priorities for 2015-2016, of providing Good Governance by "setting measurable accountabilities for staff and Council" I would like to recommend that we undertake to develop a Level of Service Policy to ensure that service levels are measured and targets are set and met.

I would propose that this policy be put forward by a committee or task force, thereby eliminating any additional strain on our resources.

PURPOSE

A Level of Service Policy allows the municipality to identify what they will do to attempt to meet public expectations and how they will respond to changing needs and conditions, taking into account available resources. This helps to ensure fiscal responsibility and responsiveness to community needs.

One of the main components of a Level of Service Policy is to measure performance, which is important to long-term strategic planning and decision making, and should be integrated into the budgeting process.

Performance management and performance measures can help us develop a continuous system of improvement. Consistent performance measures can help reveal when a program or service is not being delivered properly or effectively, which can result in insufficient services to the public.

CONSIDERATION

Why is Performance Measurement Important for a Municipality?

- 1) Stimulates Productivity and Creativity – used to create new incentives and rewards to stimulate creativity and productivity.
- 2) Improve the Budget Process – can help develop budgets based on realistic costs and benefits and can help monitor and measure whether service levels are met.
- 3) Accountability – reporting to the public improves municipal government accountability to its tax payers as tax payers are provided with a better understanding of how their tax dollar is being spent.
- 4) Enhances Communications - by nature, performance measures necessitate greater communication among taxpayers, Council members, other municipalities, and the Province.
- 5) Focus - results become the focus, leading to a closer review of how service is delivered, how well it is delivered, its costs, and the impacts on the community.
- 6) Improved Service Delivery - Service delivery can be regularly altered or tuned to respond to current taxpayer needs.

Council has the critical role to set service levels:

- Representing the Residents and to consider the well-being and interest of the municipality.
- Developing and evaluating the policies and programs of the municipality.
- Determining which services the municipality provides.
- Ensuring that administrative practices and procedures are in place to implement the decisions of Council.
- Maintaining the financial sustainability of the municipality.

LBFD Monthly Report – January 1st to January 31st 2016**Jan 1st – Jan 31st call outs = 17**

Breakdown of call outs:

8 x MVA – rescue required, 1 x MVA, 1 x Brush/Grass Fire, 1 x Investigation, 1 x Alarms - Residential,
2 x MESA C, 2 x MESA D, 1 x MESA B

Incident Begin Time**Incident Type Description****Within Lions Bay**

01/24/2016 11:49:11	MESA-D
01/23/2016 18:00:56	MESA-C
01/23/2016 16:02:55	MESA-C
01/29/2016 03:21:51	MESA-D
01/10/2016 12:20:00	BRUSH/GRASS FIRE
01/09/2016 11:52:23	INVESTIGATION
01/09/2016 09:43:41	ALARMS - SF RESIDENTIAL
01/05/2016 09:02:52	MESA-B
01/15/2016 20:09:19	MVA

On Highway 99

01/26/2016 18:31:47	MVA - RESCUE REQUIRED
01/23/2016 09:59:34	MVA - RESCUE REQUIRED
01/22/2016 19:14:59	MVA - RESCUE REQUIRED
01/22/2016 08:27:01	MVA - RESCUE REQUIRED
01/16/2016 15:57:39	MVA - RESCUE REQUIRED
01/05/2016 14:01:40	MVA - RESCUE REQUIRED
01/03/2016 14:49:29	MVA - RESCUE REQUIRED
01/31/2016 09:40:44	MVA - RESCUE REQUIRED

MESA is an acronym for Medical Emergency Service Assist. The letter denotes the seriousness of the incident. A is minor and E is serious.

Fundraising:

- On going

Miscellaneous:

- The department has currently 25 members

- Eric Picher was hired by New Westminster Fire Department. He was a senior member of LBFR and will be missed
- 2-3 other FF's are moving on. Replacement recruiting is underway
- PEP claimed thus far for 2016 = \$3,622.50

2016 – approx. total claimed from sources OUTSIDE the village = \$3,622.50



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

Insp. Neil CROSS
OIC Sea to Sky RCMP
1000 Finch Drive
Squamish BC
V8B 0M5

Your File Votre référence
n/a

Administrator - Village of Lions Bay
400 Centre Road
Lions Bay BC
V0N 2E0

Our File Notre référence
n/a

2016-02-02

To whom it may concern,

Lions Bay Activity Report - January 2016

The following is a list describing individual calls for service from the RCMP in and around the area of Lions Bay.

HWY 99 (within limits of Lions Bay)

Traffic - Moving x 12
Collision - Damage Under \$1000 x 1
Collision - Non-fatal Injury x 4
Drive While Disqualified x 1
Impaired Operator of Vehicle x 1
Mischief/Property Damage x 1
Mental Health Act x 1
Transportation Act x 1
Traffic Hazard x 1
Possession of Cannabis x 1

24 calls for service

LIONS BAY VILLAGE

Traffic - Insurance Violation x 1
Theft from Vehicle x 2
Mental Health Act x 1
Missing Persons x 1
Breach of Peace x 1
Assist Other Police Agency x 2
911-False/Abandoned x 1
Suspicious Person x 1

10 calls for service

Total = 34

Should you have any questions, please do not hesitate to contact the Squamish RCMP Detachment at (604)892-6100.

N.M. (Neil) Cross, Inspector
OIC Sea to Sky RCMP
Royal Canadian Mounted Police
1000 Finch Drive Squamish B.C.
PH 604 932-3044

B.G. (Brian) Cumming S/Sgt.
Sea to Sky Detachment-South Zone
Rm. 2856A

/kh



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

Insp. Neil Cross
OIC Sea to Sky RCMP
1000 Finch Drive
Squamish BC V8B 0M5

Your File Votre référence

N/A

Administrator - Village of Lions Bay
400 Centre Road
Lions Bay BC
V0N 2E0

Our File Notre référence

2016-02-02

To Whom it May Concern:

LIONS BAY FALSE ALARM REPORT - January 2016

The following is a list of calls for service from the RCMP in response to alarms:

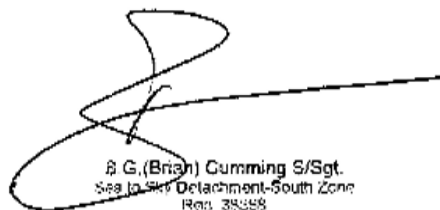
DATE	FILE #	ADDRESS	POLICE ATTENDANCE	HISTORY 2014/15
------	--------	---------	-------------------	-----------------

TOTAL = 0

Should you have any questions, please do not hesitate to contact the Squamish Detachment at (604)892-6100.

Regards

N.M. (Neil) Cross, Inspector
OIC Sea to Sky RCMP
Royal Canadian Mounted Police
1000 Finch Drive Squamish B.C.
Cell: 604-902-2925


S. G. (Brian) Cumming S/Sgt.
Sea to Sky Detachment-South Zone
Rep. 38388

/kh



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision			
Title	Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985, Repeal Bylaw No. 498, 2016			
Author	S. Gilroy	Reviewed By:	P. DeJong	
Date	February 11, 2016		Version	2
Issued for	February 16, 2016 – Regular Council Meeting			

1. Recommendation

THAT Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985, Repeal Bylaw No. 498, 2016 be adopted.

2. Attachments

1. Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985, Repeal Bylaw No. 498, 2016

3. Key Information

A resolution was passed at the December 15, 2015 Regular Council Meeting to proceed with the process of repealing Water Parcel Tax Bylaw No. 130, 1985 in order to consolidate cost recovery for water services within the Village of Lions Bay, and apply a consolidated water rate to all residents of the Village of Lions Bay, including residents of Brunswick Beach.

First, Second and Third Reading were given at the February 2, 2016 Regular Council Meeting.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985, Repeal Bylaw No.498, 2016

Adopted:

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Bylaw No. 498, 2016

Village of Lions Bay Water Parcel Tax Bylaw Repeal

A bylaw to repeal Village of Lions Bay Water Parcel Tax By-law No. 130, 1985

WHEREAS the Village of Lions Bay wishes to consolidate its water cost recoveries under an amended Water Rates and Regulations Bylaw;

NOW THEREFORE the Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as "Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985, Repeal Bylaw No.498, 2016."
2. Village of Lions Bay Water Parcel Tax By-law No. 130, 1985, as amended, is hereby repealed.
3. The following amending bylaws are also hereby repealed:
 - (a) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 489, 2015;
 - (b) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 471, 2014;
 - (c) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 460, 2013;
 - (d) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 388, 2007;
 - (e) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 366, 2005;
 - (f) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 358, 2004;
 - (g) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 348, 2003;
 - (h) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 340, 2002;
 - (i) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 323, 2001;
 - (j) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 311, 2000;
 - (k) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 293, 1999;
 - (l) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 282, 1998;
 - (m) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 263, 1997;
 - (n) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 248, 1996;
 - (o) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 237, 1995;
 - (p) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 224, 1994;
 - (q) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 213, 1993;
 - (r) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 200, 1992;
 - (s) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 191, 1991;
 - (t) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 182, 1990;
 - (u) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 173, 1989;
 - (v) Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 160, 1988.

Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985,
Repeal Bylaw No.498, 2016

Page 3

READ A FIRST TIME

February 2, 2016

READ A SECOND TIME

February 2, 2016

READ A THIRD TIME

February 2, 2016

ADOPTED

Mayor

Corporate Officer

**Certified a true copy of
Village of Lions Bay Water
Parcel Tax Bylaw No. 130, 1985,
Repeal Bylaw No.498, 2016 as adopted.**

Corporate Officer



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision			
Title	Utility User Rate Amendment Bylaws 499, 500 and 501			
Author	P. DeJong	Reviewed By:		
Date	February 11, 2016	Version	2	
Issued for	February 16, 2016 Regular Council Meeting			

1. Recommendation

THAT the following bylaws be adopted:

- (a) Water Rates and Regulations Bylaw No. 2, 1971, Amendment Bylaw No. 499, 2016;
- (b) Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 500, 2016;
- (c) Sewer User Rates Bylaw No. 122, 1984, Amendment Bylaw No. 501, 2016.

2. Attachments

Bylaws 499, 500 and 501 as set out above.

3. Key Information

At the January 19, 2016 Regular Meeting, Council directed staff to prepare utility user rate bylaws for water, sewer and solid waste in accordance with the draft budget indicating the overall amounts required for each service.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Water Rates and Regulations Bylaw No. 2, 1971, Amendment Bylaw No. 499, 2016

Adopted:

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Bylaw No. 499, 2016

Water Rates and Regulations Amendment

A bylaw to amend Water Rates and Regulations By-law No. 2.

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as "Water Rates and Regulations Bylaw No. 2, 1971, Amendment Bylaw No. 499, 2016".
2. Schedule "A" attached to Bylaw No. 2, as amended, is hereby deleted and the attached Schedule "A" is substituted therefore.
3. This bylaw shall take effect upon adoption.

READ A FIRST TIME

February 2, 2016

READ A SECOND TIME

February 2, 2016

READ A THIRD TIME

February 2, 2016

ADOPTED

x

Mayor

Corporate Officer

**Certified a true copy of
Bylaw No. 499, 2016 as adopted.**

Corporate Officer

SCHEDULE "A"**Attached to and forming
part of Bylaw No. 499, 2016****WATER USER RATES****Prompt Payment Discount**

1. Single Family Residence	\$1,418.00 per year	2.0%
2. Condominiums, Apartments	\$1,418.00 per year	2.0%
3. Businesses – café/restaurant	\$3,709.00 per year	2.0%
4. Businesses – marina	\$3,709.00 per year	2.0%
5. Businesses – other	\$976.00 per year	2.0%
6. Schools	\$3,709.00 per year	2.0%



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 500, 2016

Adopted:

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Bylaw No. 500, 2016**Waste Collection Amendment****A bylaw to amend Garbage and Recycling Collection Bylaw No. 455, 2013.**

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as "Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 500, 2016".
2. Schedule "A" attached to Garbage and Recycling Collection Bylaw No. 455, 2013 is hereby deleted and the attached Schedule "A" is substituted therefore.
3. This bylaw shall take effect upon adoption.

READ A FIRST TIME	February 2, 2016
READ A SECOND TIME	February 2, 2016
READ A THIRD TIME	February 2, 2016
ADOPTED	x

Mayor

Corporate Officer

**Certified a true copy of
Bylaw No. 500, 2016 as adopted.**

Corporate Officer

SCHEDULE "A"**Attached to and forming
part of Bylaw No. 500, 2016**

	<u>Maximum Amount</u>	<u>Annual Charge</u>	<u>Discount</u>
<u>Waste & Recycling</u>			
1. Single Family Residences	Garbage: 154L/bi-weekly Recycling: unlimited weekly Green waste: unlimited weekly	\$363.00	3.5%
2. Strata Condominiums (Crosscreek Road)	Common bins/totes	\$350.00	3.5%
3. Schools	Common bin (equivalent to 4 cans)	\$650.00	3.5%
4. Extra garbage containers	\$4.00 each can		
<u>Recycling Only</u>			
1. Store or business premise		\$468.00	3.5%
2. Marina		\$665.00	3.5%
3. Strata Apartments (350 Centre Road)		\$161.00	3.5%



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Sewer User Rates Bylaw No. 122, 1984 Amendment Bylaw No. 501, 2016

Adopted:

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Bylaw No. 501, 2016

Sewer User Rates Amendment

A bylaw to amend Sewer User Rates By-law No. 122, 1984.

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as "Sewer User Rates Bylaw No. 122, 1984, Amendment Bylaw No. 501, 2016".
2. Section 2 of Sewer User Rates By-law No. 122, 1984 is hereby amended as follows:
 - (a) in subsection (a), strike the words "14th of July" and substitute the words "31st day of March of each year";
 - (b) add the words "of each year" to the end of subsection (b); and
 - (c) in subsection (c), strike the words "before the 15th of July" and substitute the words "on or before the 31st day of March of each year".
3. Schedule "A" attached to Bylaw No. 122, 1984, as amended, is hereby deleted and the attached Schedule "A" is substituted therefore.
4. This bylaw shall take effect upon adoption.

READ A FIRST TIME

February 2, 2016

READ A SECOND TIME

February 2, 2016

READ A THIRD TIME

February 2, 2016

ADOPTED

Mayor

Corporate Officer

**Certified a true copy of
Sewer User Rates Bylaw No. 122, 1984,
Amendment Bylaw No. 501, 2016 as adopted.**

Corporate Officer

SCHEDULE "A"

**Attached to and forming
part of Bylaw No. 501, 2016**

SEWER USER RATES**Prompt Payment Discount**

1. Single Family Residence	\$533.60 per year	3.5%
----------------------------	-------------------	------

A true copy of By-Law No. 122
registered in the office of the Inspector
of Municipalities this 18th day of
July 1984.

Deputy
Inspector of Municipalities

MUNICIPALITY OF THE VILLAGE OF
LIONS BAY

By-Law No. 122 - Sewer User Rate

A by-law to provide for the imposition
of a charge against the owner or occupier
of real property for the use of the sewer
system of the municipality.

The Council of the Village of Lions Bay, in open meeting
assembled, enacts as follows:

1. There is hereby imposed and levied a sewer user charge against owner or occupier of land or real property whose property is connected to the sewer system and the clerk shall classify each consumer in accordance with the categories set out in Schedule "A", attached to and forming part of this By-law.
2. (a) The rates shall be due and payable at the office of the Collector, Municipal Office by the 14th of July.
(b) The period the rates cover is from January 1st to December 31st.
(c) A prompt payment discount shall be allowed, as set out in Schedule "A", if payment is made before the 15th of July.
3. Any rate remaining unpaid on the thirty-first of December shall be deemed to be taxes in arrear on the property concerned and shall be forthwith entered on the real property tax roll by the Collector as taxes in arrear.
4. This by-law may be cited as the "Sewer User Rates By-law No. 122,1984".

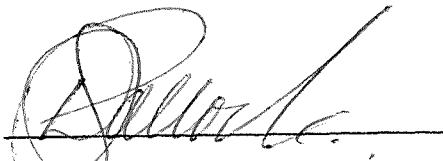
READ a first time this 11th day of May, 1984.

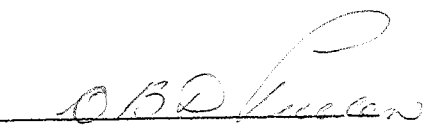
READ a second time this 11th day of May, 1984.

READ a third time this 11th day of May, 1984.

RECEIVED the APPROVAL of the MINISTER OF MUNICIPAL AFFAIRS
this 12th day of June, 1984.

RECONSIDERED and FINALLY PASSED AND ADOPTED
this 9th day of July, 1984.

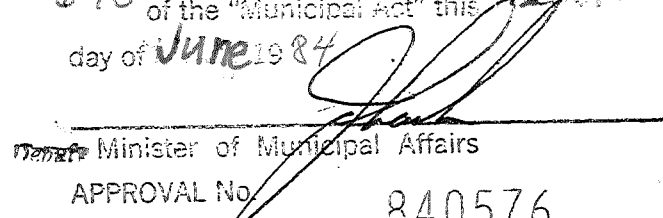

Mayor


Clerk

Certified a true copy of
By-law No. 122 at third
reading.


Clerk

APPROVED pursuant to the provisions of section
640 of the "Municipal Act" this 12th
day of June 1984.


Minister of Municipal Affairs
APPROVAL No. 840576

SCHEDULE "A"

Attached to and forming
part of By-law No. 122

USER RATES

		Prompt Payment <u>discount</u> \$10.00
1.	Single family residence \$110.00	
2.	Multiple Occupancy residence (per unit) \$110.00	\$10.00

VILLAGE OF LIONS BAY

Incoming Correspondence - February 16, 2016

General Correspondence:

G-1: Herring Spawn Assessment Letter

G-2: Downloading of DNA Analysis Costs

Resident Correspondence:

R-1: Hazardous and Unsightly Water Tank

From: [Anton van Walraven](#)
To: [Council @ Lions Bay](#); [Shawna Gilroy](#)
Subject: Letter concerning flawed Herring spawn assessmnet in Howe Sound sent to Federal Ministers
Date: Monday, February 01, 2016 5:12:45 PM
Attachments: [HS_Herring_CC_Letter_Ministers_Tootoo_and_McKennafinal3.pdf](#)
[Email-Correspondence -AVW- DEH Dec 2015.pdf](#)
[JB-HSN-Herring-surveys-150dpi.pdf](#)
[HerringletterSentMuniCouncilLionsBay.pdf](#)

Dear Mayor and Councillors,

Please find our letter addressed to you and a copy of the letter sent to Federal Minister Tootoo and Minister McKenna and footnoted documents attached.

Kind regards,

Anton van Walraven

--

351 Eagles Nest Road
Bowen Island BC V0N 1G1

Concerned
Citizens
Bowen.ca

COPY

Bowen Island, January 6, 2016

The Honourable Hunter Tootoo, M.P.
Minister of Fisheries, Oceans and the Canadian Coast Guard
200 Kent Street - Station 15N100
Ottawa ON K1A 0A6

The Honourable Catherine McKenna, M.P.
Federal Minister of Environment and Climate Change
House of Commons
Ottawa ON K1A 0A6

Dear Ministers:

Re: Incomplete scientific data on Pacific Herring Spawn result in a flawed BC EA Report – ultimately putting the Pacific Herring Spawn in upper Howe Sound and Howe Sound’s revival at risk

We the undersigned are writing to formally request that under the terms of the Canadian Environmental Assessment Act (CEAA) you decline to accept the process and the findings of the B.C. Environmental Assessment (BCEA) Report for the Woodfibre LNG (WFLNG) project in Howe Sound, BC. Our focus in this letter is *specifically* on the occurrence of Pacific Herring and herring spawning, observed for the last 4 years¹, in multiple locations within the marine Project Development Area (PDA) and the destruction of fish and fish habitat the proposed project’s cooling system could cause.

Importantly, the BC Environmental Assessment Office (BC EAO) in its assessment of Woodfibre’s proposed cooling system failed to consider any comprehensive study of Pacific Herring spawn in the PDA and the environmental effects this project’s cooling system will have on Pacific herring and herring habitat because the DFO and consequently the BCEAO had “insufficient information” on this important issue.

Your Assessment Decision Statement, specifically under section 5 (1) (a) (i) of CEAA 2012, is impossible without this important scientific evidence.

¹ *Appendix: Pacific Herring Spawn Surveys – Howe Sound North - John Buchanan*

Howe Sound

Howe Sound, its entrance visible from Vancouver, is Canada's most southerly fjord. This marine area is surrounded by steep coastal mountains and populated by islands. Howe Sound is unique in that this fjord is successfully recovering from severe environmental damage caused by industrial pollution. Over the timeframe of 100 years, toxic effluent from paper milling, copper mining and chemical processing turned Howe Sound into a biological dead-zone.² After spending over \$99,000,000 (with ongoing monitoring expense) of taxpayers' dollars on the Britannia Mine alone³ and due to treatment of effluent streams, closures of industries and cleaning up of industrial processes, we are observing a recovery of Howe Sound's ecosystem and the return of many species, not limited to Pacific Herring, a variety of Salmon stocks, White Sided Dolphins, Orcas and a variety of whales, and the presence of rare glass sponge reefs (Currently protected by DFO in nine areas through out the Sound.).

Howe Sound is now recovering. Like the survival of a canary in a mine, the reappearance of Pacific Herring, being a high fat source and a key link in the food chain, is a harbinger of this renaissance.

We agree with a number of organizations opposed to the choice of Howe Sound, as proposed by the BC Government and industrial proponents, as a suitable location for new industries.

Though there are numerous other problems with both the procedure and findings of the BC EAO, in this letter we argue that Woodfibre LNG may have been aware of Herring spawn present in the PDA and adjacent shoreline areas at the time the application was written and submitted. Yet adequate mitigation measures, to locate the cooling system's seawater intake at a minimum of 2 km away from Herring spawn as required by DFO Guidelines⁴ is not complied with. This may have possible lethal consequences to Herring spawn. No alternative for the type of cooling system was seriously considered and Woodfibre LNG's proposed offset, in case Serious Harm is caused to Herring spawn in the PDA, is known not to work (*DFO, D.E. Hay and P.B. McCarter – 2015*)⁵.

Neither the DFO Pacific Biological Station's Fisheries Protection Program in Nanaimo⁶ nor the BC EAO have referred to the earlier documented knowledge of Herring spawn in the PDA - the Buchanan Herring Spawn Surveys. In fact, there is no comprehensive body of scientific evidence yet assembled of Pacific Herring spawn in Howe Sound.

Only after its application was submitted and made public (January 2015), and presence of Herring spawn in the PDA was raised in public comments and working group questions, did Woodfibre LNG commission Hemmera Envirochem Inc.(Hemmera) to perform Herring spawn surveys within its PDA.⁷

The BC EAO prematurely concluded in the WFLNG Assessment Report that the proposed cooling system with its seawater intake and discharge, only 50 m away from observed Herring spawn, (as

² *Howe Sound Environmental Effects Report Monitoring (EEM) cycle one interpretative report. (Hatfield Consultants Ltd. 1996)*

³ *Cleaning up Britianna Mine site to cost \$99 million (Vancouver Sun, June 2006)*
<http://www.canada.com/vancouver/news/story.html?id=7daaad90-7a09-4fcb-ad94-f44a4557fbdb>

⁴ *Guidelines for Minimizing Entrainment and Impingement of Aquatic organisms at Marine Intakes in B.C. [the Guidelines] (DFO-Fedorenko, 1991)*

⁵ <http://www.pac.dfo-mpo.gc.ca/science/species-especes/pelagic-pelagique/herring-hareng/herspawn/pages/project-eng.html>

⁶ *DFO letter May 6 2015 – Attn. to Ms. Amber Paulson, EAO -*

⁷ *Woodfibre LNG Herring Survey Summary Report – (Hemmera - May 2015)*

opposed to 2 km) was unlikely to cause serious harm, even though DFO had corresponded that ‘Insufficient information has been provided to understand the exact number of [Herring and fish] larvae which may be entrained.’⁸

Absence of comprehensive data on Marine Resources in Howe Sound

There is a lack of baseline information and consistent data concerning Marine Resources in Howe Sound and specifically in regard to consistent and comprehensive Herring spawn survey data. This is noted by many in the scientific community who have worked or work in Howe Sound.⁹ Online DFO Fish Herring spawn data for Howe Sound (*region 280*)¹⁰, has significant time gaps and it is also skewed towards shore areas close to human habitation. Reasons for limited survey data for Herring spawn could be due to Herring spawn ‘disappearing events’ or the fact that Howe Sound’s high levels of pollution were reasons to consider the area to be inconsequential for DFO data gathering. Reasons for the limited number of locations where surveys were done, might be because the surveys were driven by (public) reports of spawn.

In the absence of regular DFO Herring spawn surveys in Howe Sound (probably due to lack of priority, funds and personnel), others started doing research, survey and data collection work.¹¹ For instance, since 1996 the Vancouver Aquarium’s Howe Sound Research Group has been doing research in Howe Sound. Since 2010, John Buchanan has surveyed for Herring spawn in Howe Sound North, including the area around the Woodfibre site, now the proposed PDA. Buchanan documented Herring spawn in 2011, 2012, 2013, 2014, and 2015 directly adjacent to and well within 2 km from the Woodfibre site. This work was never considered in the EA process.

The Buchanan Herring Spawn survey work

We asked Dr. Douglas E. Hay, Adjunct UBC and former DFO researcher if he was willing to review Buchanan’s work. Dr. Hay’s response to Buchanan’s work was as follows:
“Regarding John Buchanan’s Pacific Herring survey work in Howe Sound: there is documented information on spawning and survey dates and relatively precise information on spawning locations. Therefore from these observations, that note the start and points of spawn along the shoreline, the linear length of the spawn can be estimated. These observations are consistent with data in the DFO herring spawn database from “surface” surveys (in contrast to dive surveys). The spawn observations are documented with photos and videos. Although, Mr. Buchanan’s data do not include information on layer and width information, in a form similar to that collected by DFO, the information is, nevertheless, informative and valuable. Therefore this is documented Herring spawn data and information that could be incorporated in DFO’s Herring Spawn database.” (Attached in appendix: E-mail correspondence between Anton van Walraven and Dr. D. E. Hay - Nov - Dec 2015.)

⁸ DFO letter June 26 2015 – Attn. to Ms. Amber Paulson, EAO -

⁹ Howe Sound Science and Knowledge Workshop 27 March 2015 Summary Report

http://futureofhowesound.org/wp-content/uploads/2015/07/Howe_Sound_Science_Knowledge_Workshop_Report_June2015-1.pdf

¹⁰ Section 280, Howe Sound (North & South) Herring Spawn Map and Records- (Ministry of Fisheries and Oceans website: <http://www.pac.dfo-mpo.gc.ca/science/species-especes/pelagique-pelagique/herring-hareng/herspawn/280fig-eng.html>)

¹¹ -the Vancouver Aquarium Howe Sound group has done research in Howe Sound since 1996,
 -Mr. John Buchanan has been surveying North Howe Sound for Herring and Herring spawn, as a personal initiative since, 2010.

-Woodfibre LNG commissioned field studies and surveys in the proposed PDA in 2013, 2014 & 2015.

The Buchanan Herring Spawn survey work data is attached to this letter in Appendix: *Pacific Herring Spawn Surveys – Howe Sound North - John Buchanan*

Woodfibre LNG commissioned Marine resource surveys

WFLNG's, commissioned Desktop review and Field studies, documented in its EA application: *Appendix 5.10-1: Marine Resource Baseline studies and Forage Fish and other fish assessment (application section 5.18)*¹². Desktop review included the limited online DFO Herring Spawn data, and a search of available grey literature. The grey literature review found a local news article about a citizen¹³, clearly identified as Mr. John Buchanan from Squamish - BC, surveying for Herring spawn within and directly adjacent to the PDA.¹⁴ No efforts were made to contact Mr. Buchanan. The incomplete DFO data for Howe Sound was adopted for the assessment, but the results of the grey literature search were not pursued by WFLNG.

WFLNG commissioned Field studies during early Summer 2013, and April and June of 2014. Juvenile and adult Herring were captured within the PDA at locations S5, GN5 and Gn7¹⁵ as summarized in the study: *"The subtidal and intertidal areas of the project area survey serve as a feeding and migratory habitat for marine fish species, such as Pacific herring, saddleback gunnel, sculpins shiner perch, striped perch, pile perch, white-spotted greenlings, blackbelly eelpouts and several species of sole."* And also *"Forage fish species (e.g., Pacific herring, eulachon, surf smelt and Pacific sand lance) are known to spawn in Howe Sound or Squamish River. However, no forage fish spawning habitat is registered within the LAA [PDA]."*¹⁶

In response to concerns raised by stakeholders and the public during the EA review process, WFLNG commissioned Herring Spawn field studies for 2015 and 2016. New Herring spawn was observed in the PDA in 4 out of 5 surveys done during February, March and April 2015, contrary to their earlier findings and consistent with Buchanan's work. Understanding the seriousness of these survey results, WFLNG's consultant Hemmera responded with the following recommendation: *"there is substantial opportunity to improve the Project site for herring spawning through the addition of shallow rocky reefs."*¹⁷

¹² Woodfibre LNG EA application Appendix 5.10-1: Marine Resource Baseline studies 2 of 3 – 10.1 page 154 – 157 Golder Associates Ltd.

¹³ Woodfibre LNG Application for an Environmental Assessment Certificate January 2015 - Section 5.18- Page 22 – Paragraph 2
http://a100.gov.bc.ca/appsdata/epic/documents/p408/d38525/1421092563617_KQQVJ0PJSG1lcH9LDD8L1J0CQhQw7NgD32kZQsvpHsxWNdyq1qCg!1378338455!1421086505978.pdf

¹⁴ Citizens scientist observes herring – The Pique (J. French 2013)
<http://www.piquenewsmagazine.com/whistler/citizen-scientist-observes-herring/Content?mode=print&oid=2452543>

¹⁵ Woodfibre LNG EA application Appendix 5.10-1: Marine Resource Baseline studies 2 of 3 – 10.1 page 154 – 157 Golder Associates Ltd.

¹⁶ Woodfibre LNG EA application Appendix 5.10-1: Marine Resource Baseline studies 2 of 3 – 10.1 page 163 – Golder Associates Ltd..

¹⁷ Woodfibre LNG Herring Survey Summary Report: page 8– (Hemmera - May 2015)

Herring spawn enhancement or reestablishment, not possible nor practical

On the DFO's dedicated webpage to Herring Spawning Areas of British Columbia (DFO, Hay and Carter 2015) it states: *'Moreover, it should be realized that herring "enhancement" or "re-establishment" does not appear to be possible or practical at the present time (Hay and Marliave 1988). Therefore, if herring spawning habitat is lost, we cannot necessarily expect the impacted stocks to spawn in other locations nor can we realistically expect that new spawning habitat can be created.'*¹⁸

The Fisheries Act and DFO Guidelines for marine intakes in B.C.

Since 1975 requirements for fresh water and sea water intakes have been regulated under the Canadian Fisheries Act.

The DFO 'Guidelines for Minimizing Entrainment and Impingement of Aquatic organisms at Marine Intakes in B.C.' (DFO, Fedorenko - 1991)¹⁹ were created with the understanding that *"they are particularly important in the view of large herring spawning populations that are found in the intertidal and subtidal British Columbia (i.e. zones affected by tides and zones below the tidal influence) where potential seawater intakes maybe sited."* (DFO, Fedorenko - 1991)

The importance of keeping marine intakes away from Herring spawn is articulated in DFO's general siting guideline that states: *'Do not site intakes at or near herring spawning areas that show historical spawning over time. Allow a minimum of 2 km between an intake structure and a documented herring spawning area. Distances less than 2 km pose a serious risk to herring and other marine fish larvae which have little or no swimming ability.'* (DFO, Fedorenko - 1991)

The DFO Guidelines continue to be used as intake standards in design processes and as assessment criteria for Regulatory Agencies. For example in WFLNG's report 'Seawater Cooling System Intake Information Request' (Hemmera May 2015), the 'Guidelines' are referenced 6 times. It is also referenced by the BC EAO in the Assessment Report section 5.5.2 page 95.

Woodfibre LNG's proposed seawater cooling system inappropriate

Woodfibre LNG's choice of cooling system was based on the assumption Herring spawn was **NOT** present in the PDA and adjacent shore-line areas. Their assumption was clearly wrong as proven by their own Herring spawn study (Hemmera 2015) and accordingly, their choice of cooling system is totally inappropriate and used only in areas where Herring or Herring spawn are not present.

WFLNG's choice of cooling method is explained in 'Woodfibre LNG Project – Assessment of Alternative Cooling methods' (Woodfibre LNG April 2015).

¹⁸ ' <http://www.pac.dfo-mpo.gc.ca/science/species-especes/pelagic-pelagique/herring-hareng/herspawn/pages/project-eng.html>

¹⁹ Guidelines for Minimizing Entrainment and Impingement of Aquatic organisms at Marine Intakes in B.C.' (DFO, Fedorenko - 1991) http://publications.gc.ca/collections/collection_2007/dfo-mpo/Fs97-4-2098E.pdf

Intake design

The Design Criteria for the water intake are provided in WFLNG's EA Application Appendix 5.16-1 'Conceptual Design of water intake' and are directly adopted from the DFO Guidelines (*DFO, Fedorenko - 1991*) and are applicable only to a location where no historic Herring spawn is present. To be clear, Woodfibre's seawater intake design, as approved by the BCEAO is not appropriate if Herring and Herring spawn are present within 2km of the intake.

The proposed system is an open-loop cooling also known as Once Through Cooling with a capacity of taking in and discharging 408 million liters of seawater per day. It is schematically explained in WFLNG's EA Application Appendix 5.16-1, Appendix 5.10-5 'Conceptual Design of Diffuser', and 'Woodfibre LNG Project: Response to the Seawater Cooling System Intake Information Request' (*Hemmera 2015*).

Discharge

The effluent will be discharged at a dept of 40 meters below zero tide level and is explained in WFLNG's EA Application Appendix 5.10-5 'Conceptual Design of Diffuser'.

The calculated discharge temperature of 10 degrees Celsius above the temperature of seawater at intake is the increase in water discharge temperature as produced by Nuclear Power Plants, and may well effect fish and fish spawn not only in the immediate area, but also possibly throughout upper Howe Sound.²⁰

Serious problems with the Woodfibre proposal as supported by the BC EAO

The Proponent, Woodfibre LNG, has not been ordered to adjust its application to bring it in line with the DFO Guidelines for seawater intakes (*DFO, Fedorenko - 1991*): *Despite these factors:*

1. It is clear that Herring spawn is present in the Project Development Area (PDA). From close inspection of the information provided in the application, it has become clear that Woodfibre LNG has been aware of the possibility of Herring spawn, in and close to the PDA, at the time the application was written and submitted, but was absolutely aware of Herring Spawn in the PDA after it was presented with evidence from its own consultant in May 2015 (*Hemmera – 2015*).
2. The design criteria for WFLNG's Cooling system including, its intake and discharge, are inappropriate for a location where is Herring spawn is present.,
3. DFO has requested an update of the 'appropriateness of mitigation measures taking into consideration discovered and potential herring spawn locations'²¹.
4. The DFO general siting guideline (*DFO, Fedorenko - 1991*) for marine intakes to be located at a minimum of 2 km away from documented Herring spawn was ignored.
5. The proposed offset of project related Serious Harm 'to enhance' and or 'create' is known not to work (*DFO, D.E.Hay and P.B. McCarter – 2015*)²².

²⁰ 'A GIS-approach to assess the impact of two pulp mills (Woodfibre and Port Mellon) on intertidal biodiversity in the Howe Sound region, British Columbia, Canada (*Willems 2004*)

(<http://www.ecotoxicology.ca/Students/WouterThesis.pdf>)

²¹ Letter from DFO to the BC EAO dated May 6 2015

The DFO Pacific Biological Station has failed to review the application thoroughly in regard to Herring Spawn in the PDA and adjacent shore line areas for reasons that are unclear.

1. The first official DFO correspondence to the BC EAO into this matter is dated May 6 2015 just after Woodfibre's survey report reporting Herring spawn in the PDA was published.
2. The Guideline to locate marine intakes at a minimum of 2 km from Herring spawn is not being enforced, even though evidence was provided that Herring spawn was found in the PDA.
3. The off-set of project related Serious Harm proposal by Woodfibre LNG was accepted although DFO's dedicated webpage to Herring Spawning Areas of British Columbia (DFO, Hay and Carter 2015) clearly states these measures do not work.
4. This new Government should not support a project likely to reverse Howe Sound's renaissance by potentially authorizing the kill of Herring, herring spawn, and the many other aquatic organisms recovering in Howe Sound. Unfortunately this is DFO's current position: *"In the event that Serious Harm to fish cannot be mitigated, the proponent may be required to obtain a Fisheries Act Authorization..."* – Mr. Renny Talbot, DFO Senior Fisheries Protection Biologist.

The BC EAO is incomplete in its environmental assessment of the harm to Marine Fish:

1. The BC Environmental Assessment Office has failed to consider information from parties other than DFO (which admits it has incomplete data) and Woodfibre LNG, in regard to Herring spawn within and close to the DPA and its decisions are based on incomplete, flawed data.
2. Conclusions regarding project related Serious Harm are based on admittedly insufficient information and therefore, its conclusions in the Woodfibre LNG Assessment Report Chapter 5.5 Marine Fish and Mammals are premature.

Conclusion

We contend that the EA process by which the project has proceeded to this point and the Environmental Assessment Report is flawed and incomplete. It fails to examine Woodfibre LNG's application carefully, concerning key Pacific Herring spawn, specifically in the PDA, and the proponent's knowledge of Herring spawn in the project development area and adjacent shore line areas. The Woodfibre LNG proposed marine intake violates the 2 km DFO Guideline in regard to Herring Spawn and the consequential environmental damage this method of cooling will cause. Woodfibre LNG has not proposed a serious alternative for the cooling system, one that would be appropriate in the presence of Herring spawn. Under section 35(2) of the Fisheries Act (referencing "serious harm to fish") DFO has failed to clarify whether authorization is required. The proponent has not applied for or been granted that authorization.

We question whether the "environmental effects" mentioned in section 5 of the CEAA 2012 and the "factors" identified in section 19 of the CEAA 2012 have been appropriately addressed.

²² <http://www.pac.dfo-mpo.gc.ca/science/species-especes/pelagic-pelagique/herring-hareng/herspawn/pages/project-eng.html>

We are of the opinion that granting an Environmental Certificate is inconsistent with the overarching goal articulated in the Mandate Letter for the Ministry of Fisheries, Oceans and Canadian Coastguard, the key element of which is:

'Your overarching goal will be to protect our three oceans, coasts, waterways and fisheries and ensure that they remain healthy for future generations. Canada is uniquely blessed with an abundance of freshwater and marine and coastal areas that are ecologically diverse and economically significant. Canada has a responsibility to the world to steward our resources with care.'

We also believe that Howe Sound, with its unique past, present and current renaissance, should become an example of scientific study into ecosystem recovery. Howe Sound, is an incredibly beautiful, wild yet proximate marine recreation area not only for Howe Sound Communities and Metro Vancouver but for Canadian and International Tourism as well.

Rather than stepping backward and allowing Howe Sound to be re-industrialized, move ecologically forward utilizing the mechanism of Marine Area Protection, a top priority outlined in both Ministries Mandate Letters²³.

Your Government's election promises bring added impetus to bear on the scope and weaknesses of the EA process and add to the arguments for review.

Yours truly,

J.H. Anton van Walraven

Thomas E. Rafael

Concerned Citizens Bowen, Bowen Island, Howe Sound - <http://ccbowen.ca/>

351 Eagles Nest Rd
Bowen Island BC V0N 1G1

Email: avwraven@telus.net

Attached appendixes:

-Pacific Herring Spawn Surveys – Howe Sound North - John Buchanan

-Email correspondence between Anton van Walraven and Dr. D.E. Hay – Nov – Dec 2015

CC:

-The Honourable Mary Polak, Minister of Environment of British Columbia

-Ms. Pamela Goldsmith – Jones, M.P., Parliamentary Secretary to the Minister of Foreign Affairs

-Mr. Michael Shepard, Project Assessment Manager, BC EA office

-Telásemkin Siyám Chief Bill Williams, Hereditary Chief Squamish Nation

-Syeta'xtn Councillor Chris Lewis, Spokes person Squamish Nation Council

-Ms. Erin Hanson, Consultation and Accommodation Coordinator, Tsleil-Waututh Nation

-Mr. Renny Talbot, Senior Fisheries Protection Biologist, DFO Pacific Biological Station

²³ *'...to increase the proportion of Canada's marine and coastal areas that are protected – to five percent by 2017, and ten percent by 2020 – supported by new investments in community consultation and science.'*

Subject: RE: Letter quote
From: "Doug Hay" hay.doug@shaw.ca
Date: 12/11/2015 12:51PM
To: Anton van Walraven avwraven@telus.net
CC: "Doug Hay" <hay.doug@shaw.ca>

Thanks. What you wrote is fine - but here is my suggested revision for a quite. Doug

"

Regarding John Buchanan's Pacific Herring survey work in Howe Sound: there is documented information on spawning and survey dates and relatively precise information on spawning locations. Therefore from these observations, that note the start and points of spawn along the shoreline, the linear length of spawn can be estimated. These observations are consistent with data in the DFO herring spawn database from 'surface' surveys (in contrast to dive surveys). The spawn observations are documented with photo's and video's. Although, Mr. Buchanan's data do not include information on layer and width information, in a form similar to that collected by DFO, the information is, nevertheless, informative and valuable. Therefore this is documented Herring spawn data and information that could be incorporated in DFO's Herring Spawn database.

"

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

From: Anton van Walraven [<mailto:avwraven@telus.net>]
Sent: Friday, December 11, 2015 11:26 AM
To: Doug Hay
Subject: Letter quote!

Hi Doug,

Would this quote sum up the extend of our earlier telephone conversation?

"

Regarding John Buchanan's Pacific Herring survey work in Howe Sound:
There are dates, there are locations of the beginning and end points of spawn, therefore there is linear length. It is also documented with photo's and video's. Although, it lacks layer and width information, this is documented Herring Spawn and could be added to DFO's Herring Spawn database.

"

Kind regards,

Anton

--

351 Eagles Nest Road
Bowen Island BC V0N 1G1

Pacific Herring Spawn Surveys

Howe Sound North

2010 – 2015

Surveys, images and documentation
John Buchanan, Squamish BC



Compiled by Anton van Walraven, Concerned Citizens Bowen, Bowen Island BC – November 18 2015

Content

Survey method

Method and equipment used	3
---------------------------	---

2010 Surveys

February 10 2010	5
March 5 2010	7
March 6 2010	11

2011 Surveys

March 25 2011	12
---------------	----

2012 Surveys

February 1 2012	16
February 12 2012	17
February 25 2012	18

2013 Surveys

February 2013	19
---------------	----

2014 Surveys

January 9 2014	25
February 11 2014	26
February 13 2014	28
February 17 2014	32
April 8 2014	37
April 9 2014	38

2015 Surveys

February 1 2015	39
February 22 2015	43
March 16 2015	44
March 23 2015	45
April 30 2015	48
May 16 2015	50

Survey method

- Cruise the shoreline with boat,
- Use binoculars to spot glistening gobs of eggs on seaweed,
- Mark the spots (beginnings and ends) with GPS,
- Take photos and videos.

Equipment used

Boats

2010 - 16 foot canoe

2011 – 2013 - 12 foot aluminum boat powered by a 5hp mercury outboard

2014-2015 - 16 foot fiberglass runabout with 50hp outboard motor

GPS

Garman 62s

Cameras

canon D10

canon sx40

gopro hero 3

pentax wg-11

sony 1000

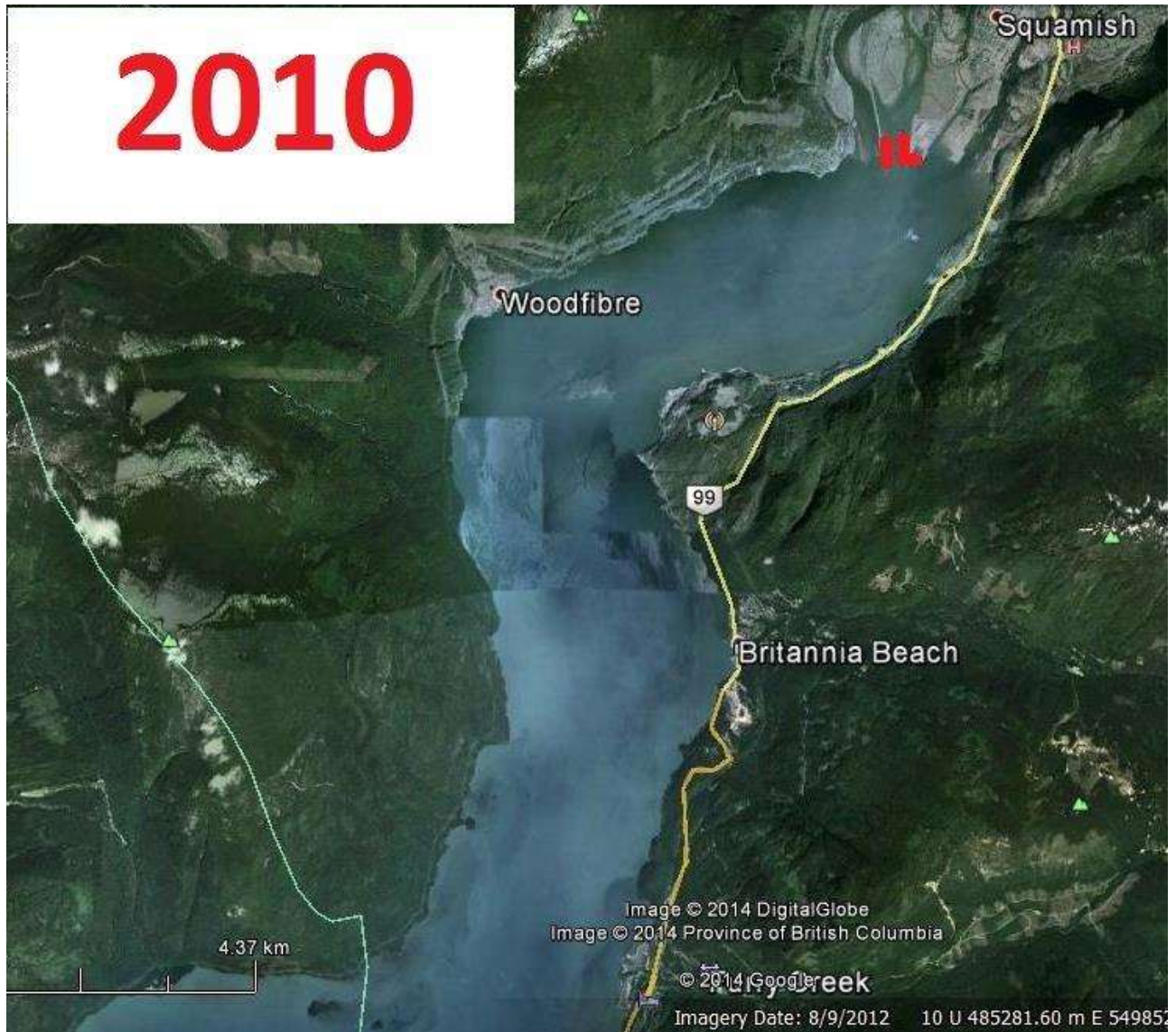
Microscopes

10 x field microscope

Celestron digital lab microscope

2010 Herring Spawn surveys

Photos taken near the Squamish area that support spawning at the Squamish terminals west dock and some activity in the Mamquam blind channel.



2010 Herring Spawn survey images: **February 10 2010**

Photos taken near the Squamish area that support spawning at the Squamish terminals west dock and some activity in the Mamquam blind channel.



Location of Herring Spawn Squamish BC

2010 Herring Spawn survey images: February 10 2010



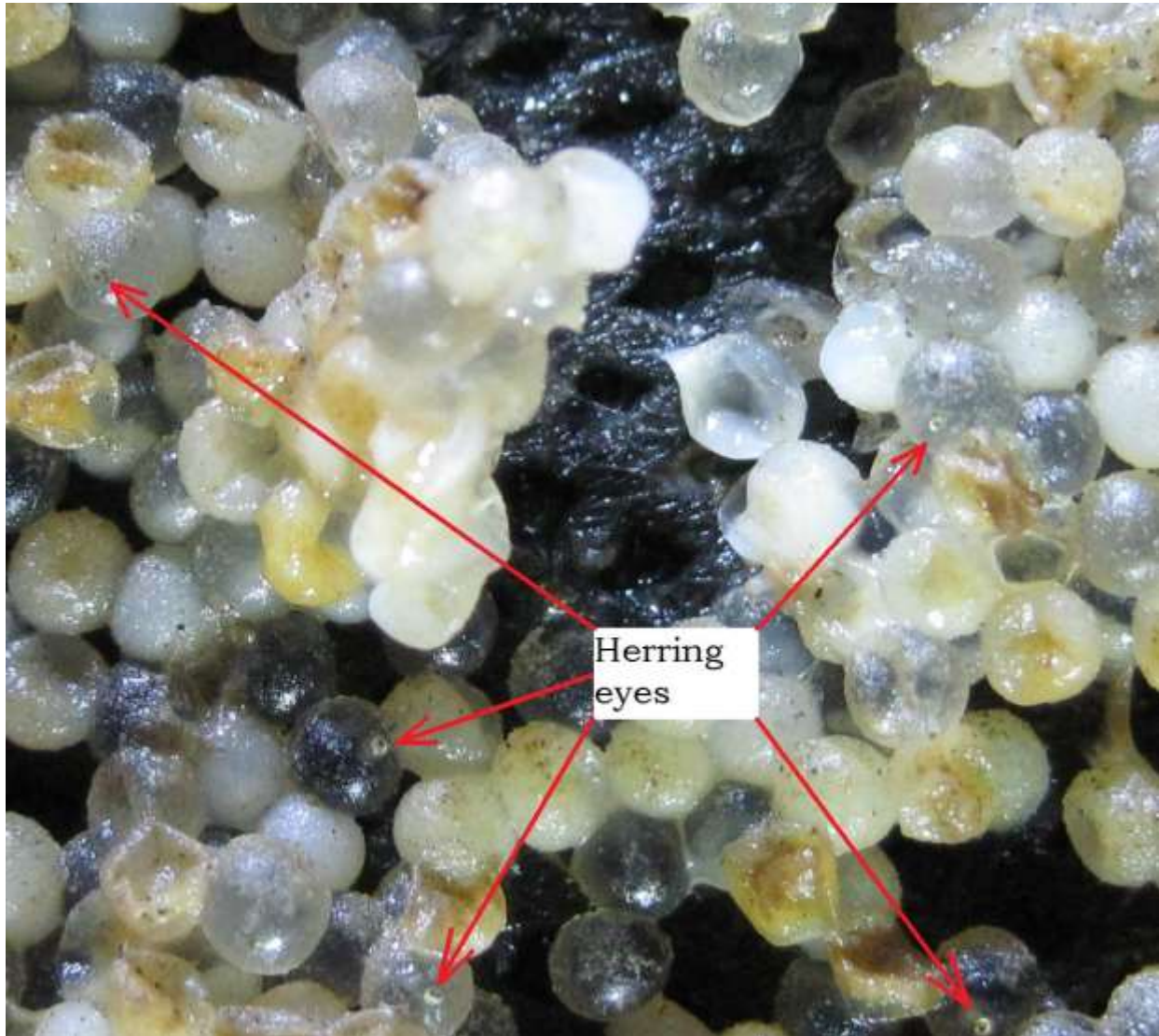
2010-02-10 Herring larvae developing, Squamish Estuary.

2010 Herring Spawn survey images: March 5 2010



2010-03-05 West dock herring eggs

2010 Herring Spawn survey images: March 5 2010



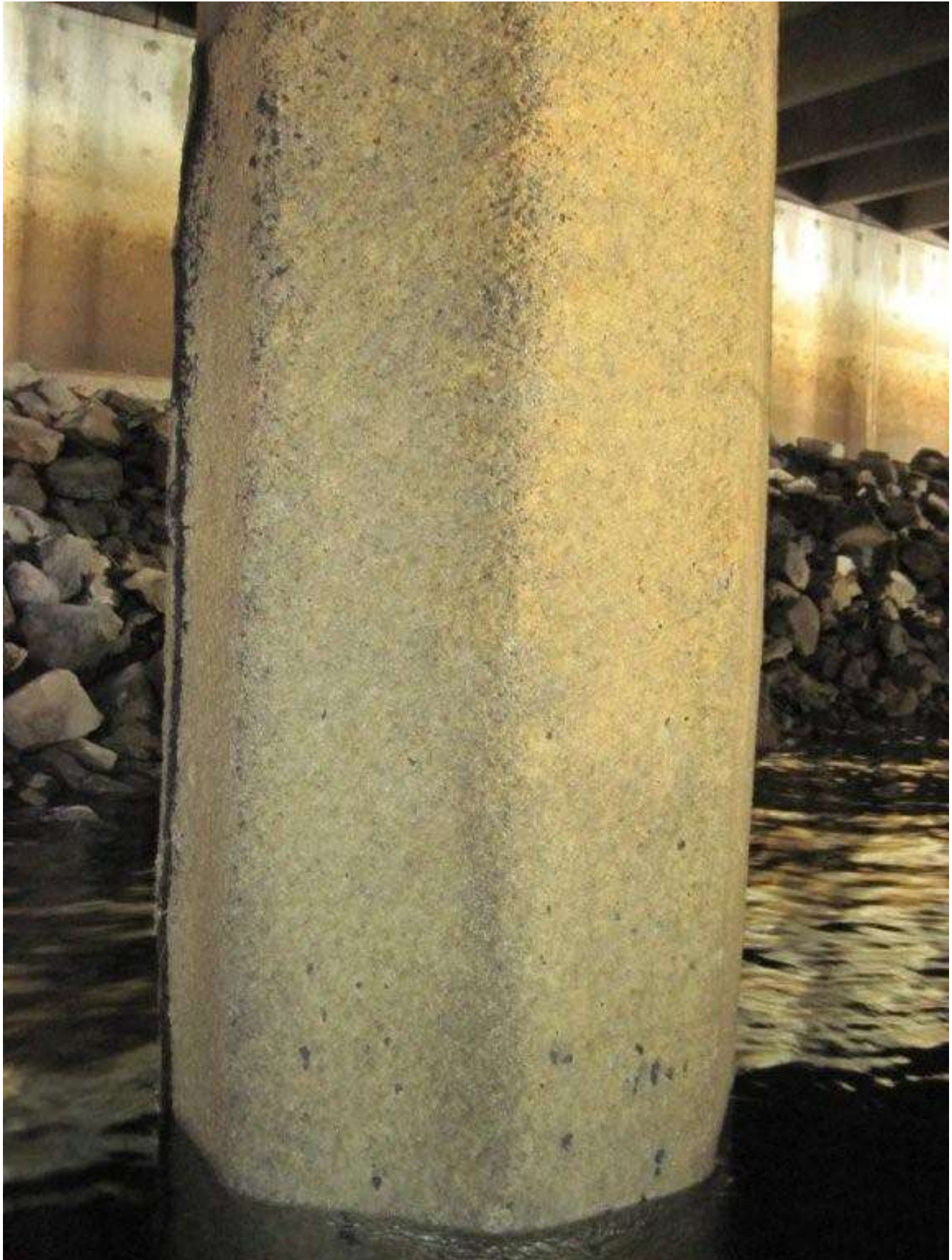
2010-03-05 West dock herring eggs

2010 Herring Spawn survey images: March 5 2010



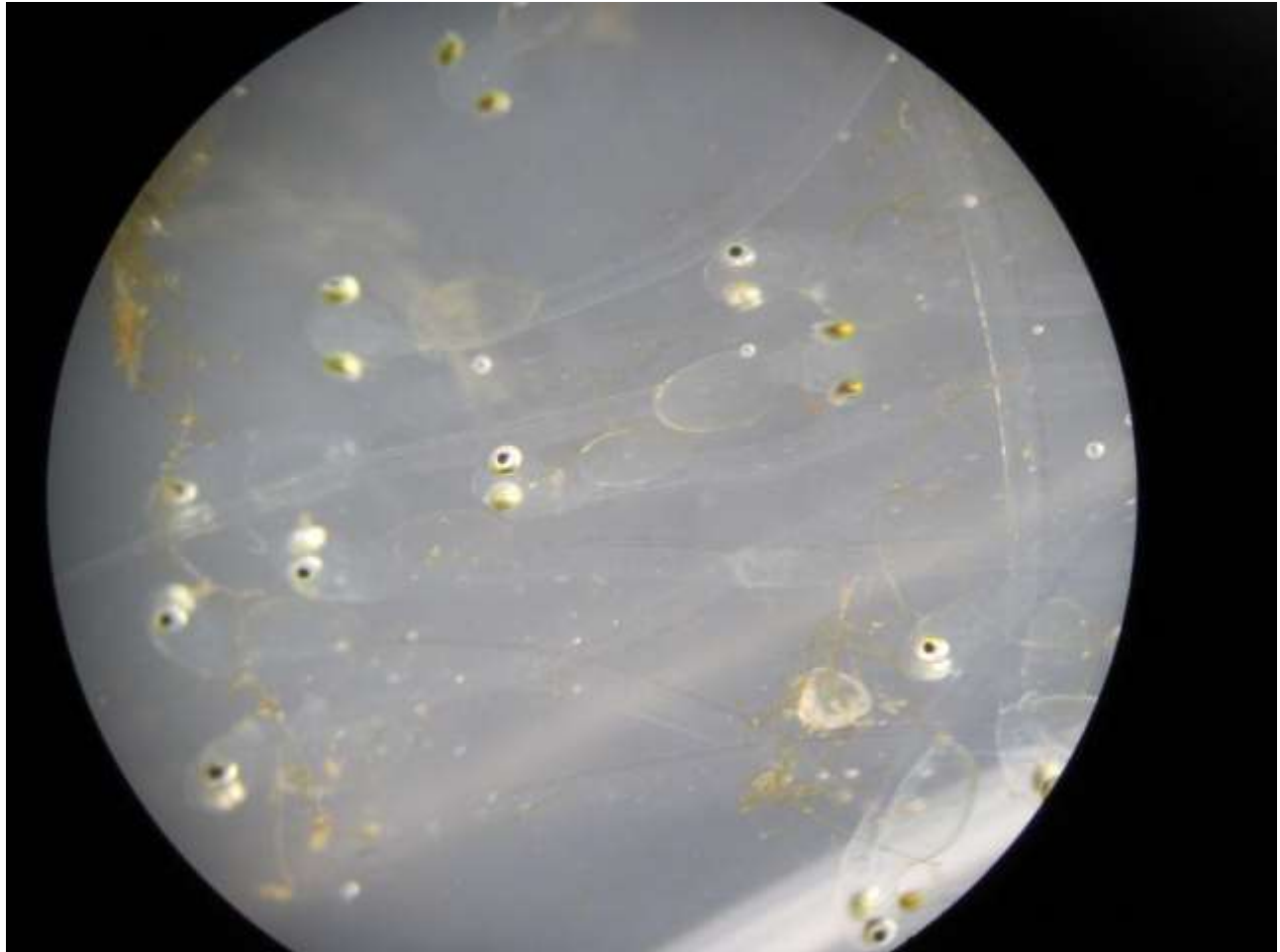
2010-03-05 West dock herring eggs

2010 Herring Spawn survey images: **March 5 2010**



2010-03-05 West dock herring eggs

2010 Herring Spawn survey images: **March 6 2010**



2010-03-06 Herring larvae, Blind channel, Squamish B.C.

2011 Herring Spawn survey report: **March 25 2011**

Friday, March 25, 2011 - 18:30k
Woodfiber B.C.
Elk feeding on Herring Roe; Bladder Kelp.
N.49-39.683
W123-15.41



2011 Herring Spawn survey report: **March 25 2011**

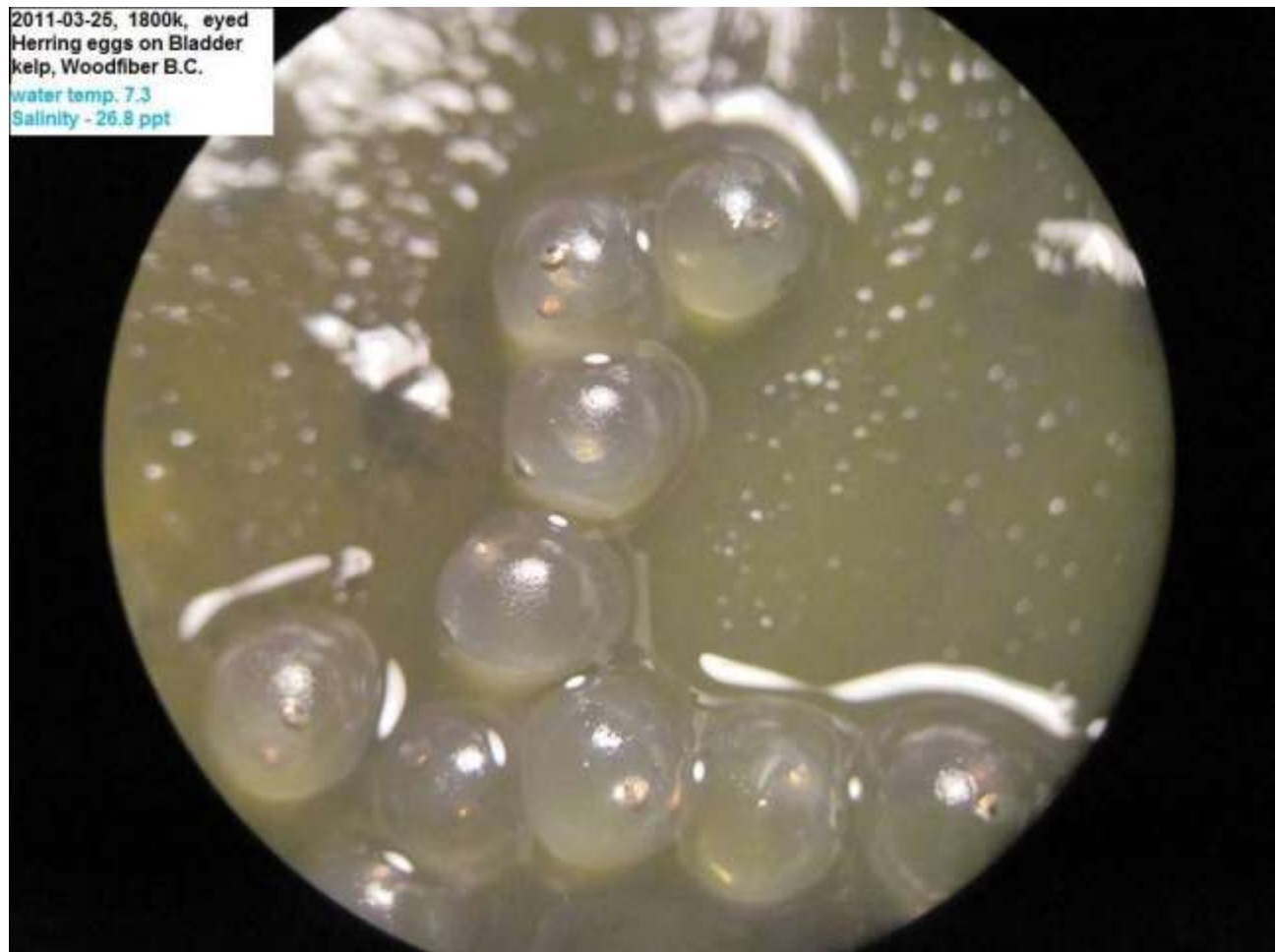
2011-03-25, 1800k, eyed
Herring eggs on Bladder
kelp, Woodfiber B.C.

water temp. 7.3 c.

Salinity - 26.8 ppt



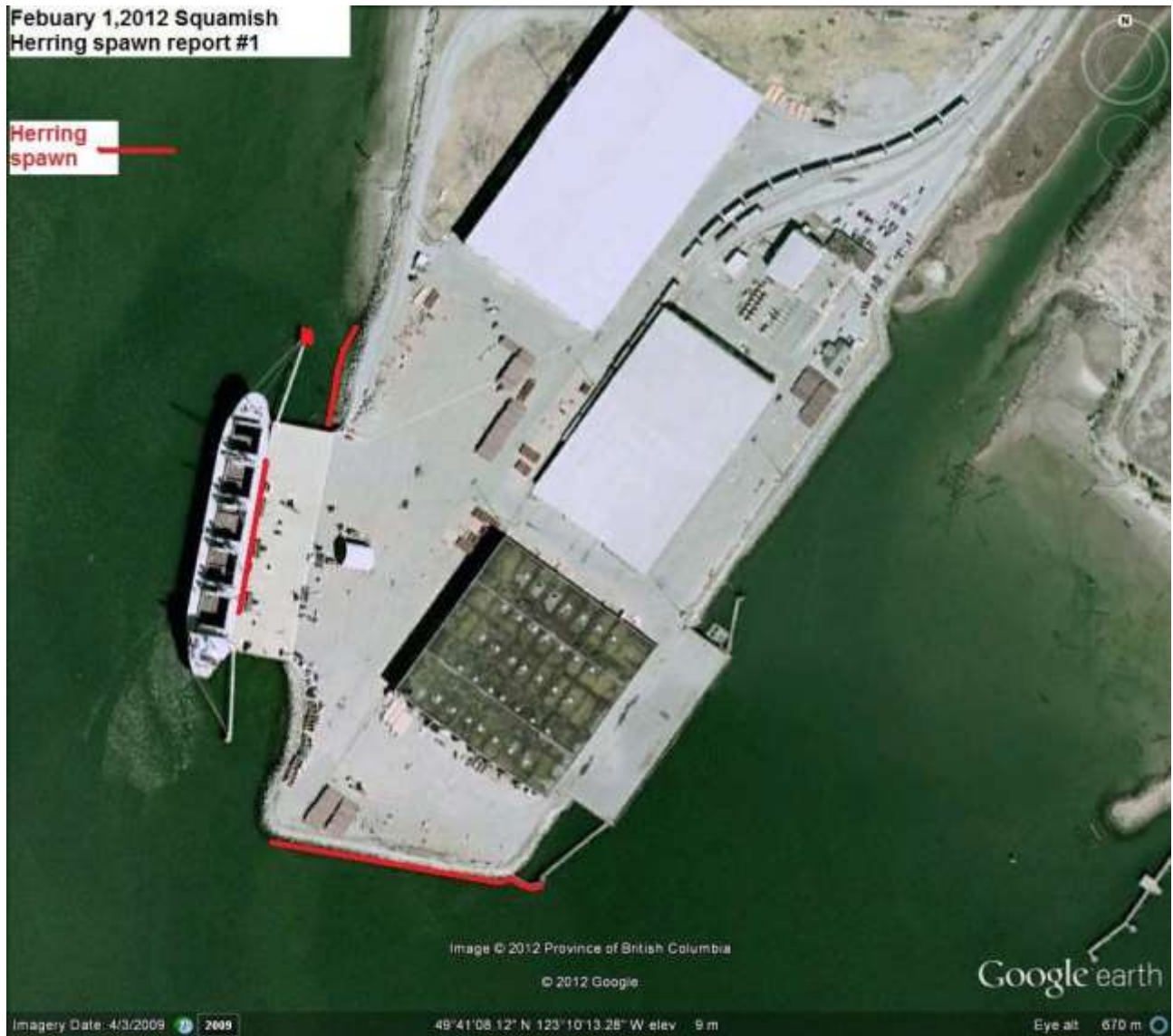
2011 Herring Spawn survey report: **March 25 2011**



2011 Herring Spawn survey report: **March 25 2011**

Friday, March 25, 2011 - 18:30k
Woodfiber B.C.
Elk feeding on Herring Roe; Bladder Kelp.



2012 Herring Spawn survey report #1 : February 1 2012

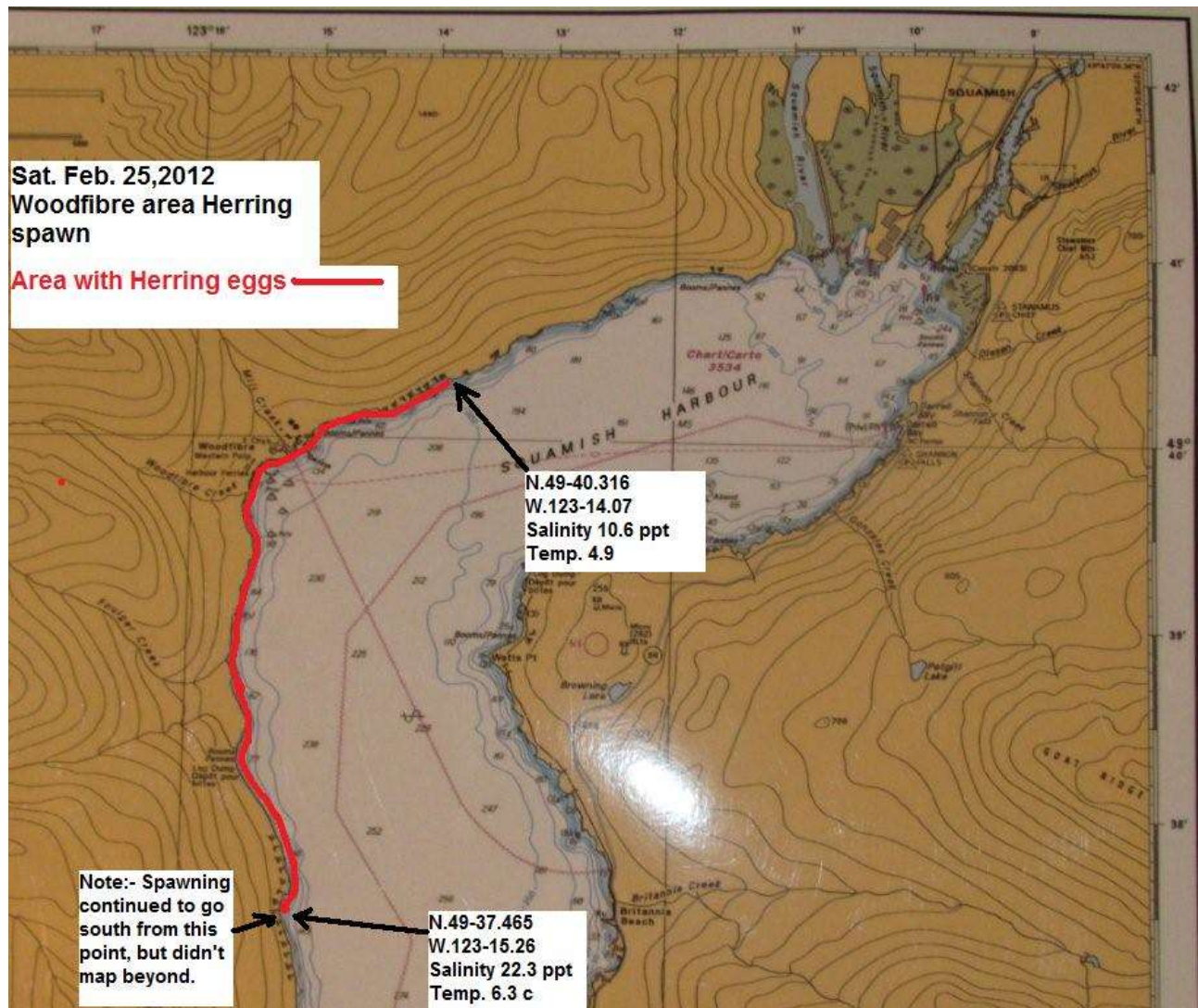
Herring spawn Nexen beach Squamish, B.C.

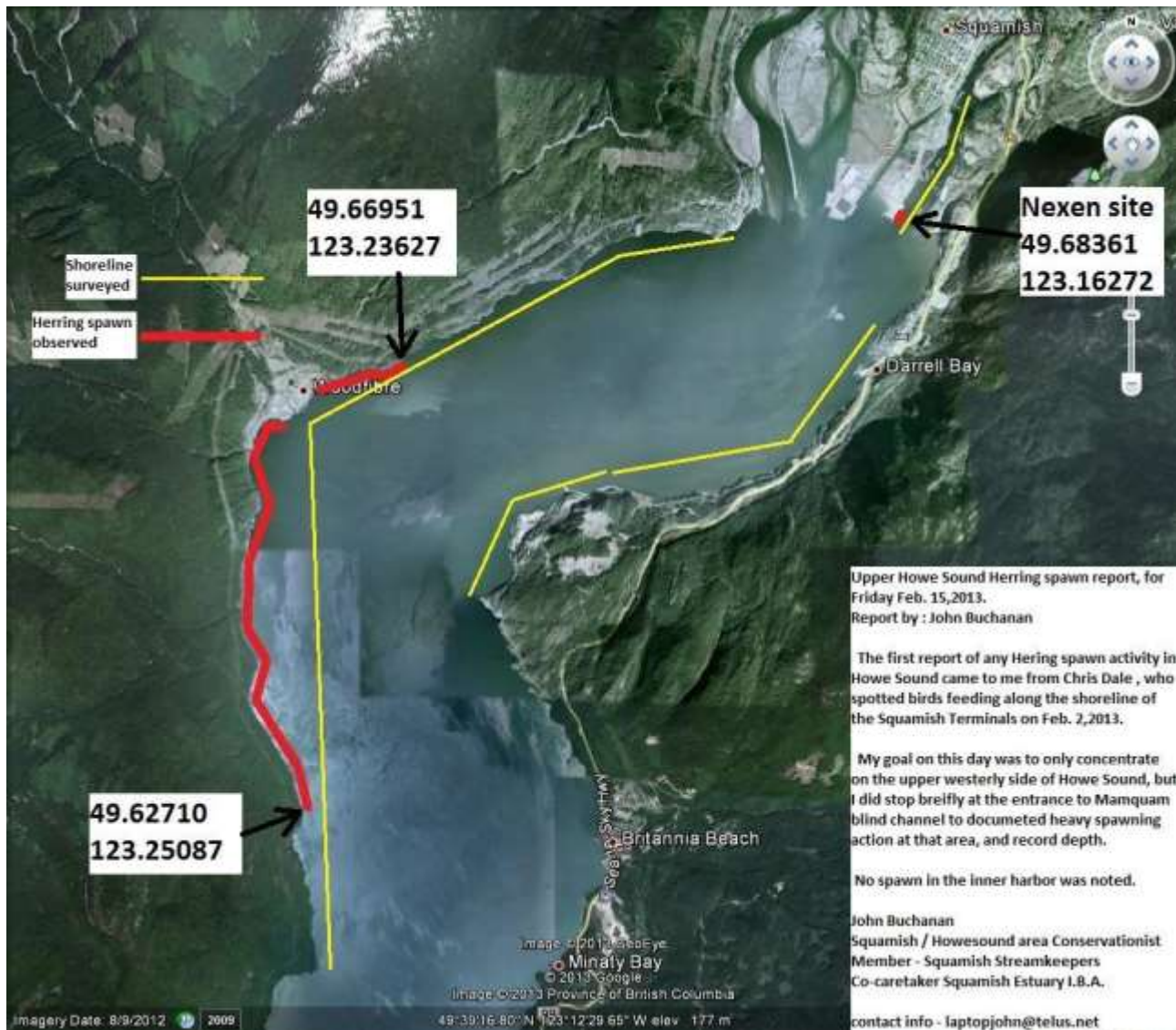
2012 Herring Spawn survey report : **February 12 2012**



Herring spawn Nexen beach Squamish, B.C.

2012 Herring Spawn survey report : February 25 2012



2013 Herring Spawn survey report: **February 15 2013**

2013 Herring Spawn survey report: **February 15 2013**

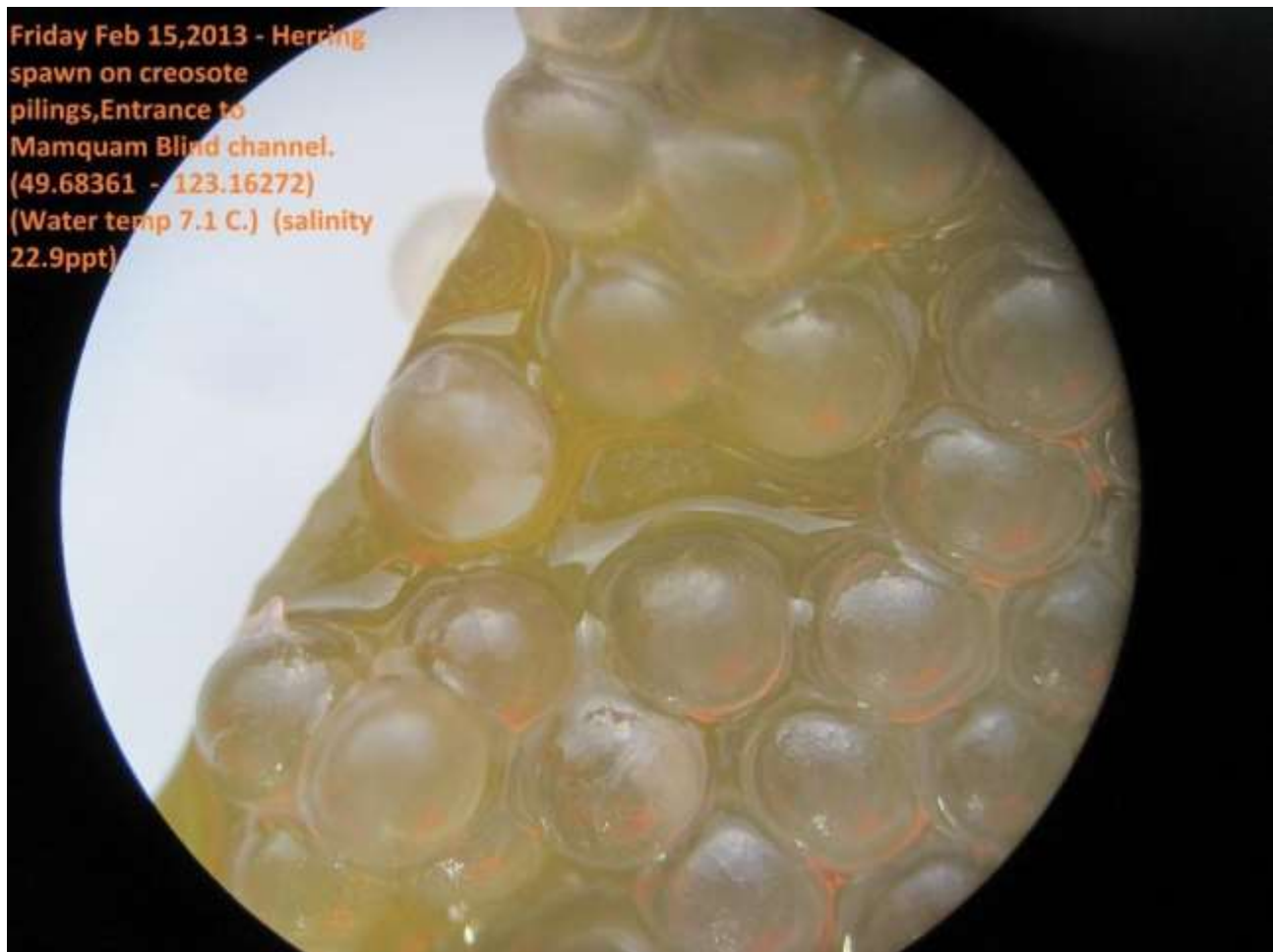
Friday Feb 15, 2013 - Herring spawn on creosote pilings, Entrance to Mamquam Blind channel.
(49.68361 - 123.16272) (Water temp 7.1 C.) (salinity 22.9ppt)



Herring spawn on Creosote pilings, Entrance to Mamquam Blind channel

2013 Herring Spawn survey report: **February 15 2013**

Herring spawn on Creosote pilings, Entrance to Mamquam Blind channel

2013 Herring Spawn survey report: **February 15 2013**

2013 Herring Spawn survey report: **February 15 2013**

Herring Spawn on Bladder Wrack Kelp looking South, old Woodfibre dock in background.



Herring Spawn on Bladder Wrack Kelp looking North, old Woodfibre dock in background.

2013 Herring Spawn survey report: **February 15 2013**



2014 Herring Spawn survey report : **January 9 2014**



Herring on the West side of
Howe Sound Jan. 9, 2014
10u 0484662
utm 5502819

2014 Herring Spawn survey report : **February 11 2014**

Herring report #3

Feb. 11, 2014 Upper Howe Sound

Jan. 19-27, 2014 Spawn █

Feb. 11, 2014 Active spawning in progress █

Tues. Feb. 11, 2014 10:30 a.m.

While approaching Woodfiber, I noticed some Gulls actively feeding on the Shoreline at Cedar creek. Nearer to the shoreline the water was a milky white, and Herring were seen actively swimming through it, and around the bladderwrack in full spawning mode. Caught 3 Herring by jigging, all 7-1/2" in length. Got some incredible video!

John Buchanan
Squamish B.C.
laptopjohn@telus.net

Surface temp. 4deg. C.

Tides Tue 11, 2014

4:45 AM PST / 14.34 ft

9:57 AM PST / 11.12 ft

2:31 PM PST / 13.29 ft



Dead diseased Herring recovered at Cedar creek , Woodfibre B.C

2014 Herring Spawn survey report : **February 11 2014**



Herring caught with jig, at Cedar creek, Woodfibre.

2014 Herring Spawn survey report #3 : February 13 2014

Dead diseased Herring recovered at Cedar creek , Woodfibre B.C

2014 Herring Spawn survey report : **February 13 2014**



Dead diseased Herring recovered at Cedar creek , Woodfibre B.C

2014 Herring Spawn survey report : **February 13 2014**

Email communication:

Woodfiber area, Herring Spawn survey February 13, 2014 report #4

From: laptopjohn@telus.net

To: "Jack Cooley" <jackcooley39@gmail.com>, "Scott" <juggernautpictures@telus.net>, "Ruth Simons" <ruth.simons@futureofhowesound.org>, "Rob Bell-Irving" <rob.bellirving@dfo-mpo.gc.ca>, "Murray J FLNR Watt:EX" <murray.j.watt@gov.bc.ca>, "Caroline Ashekian" <cashekian@squamish.ca>

Cc: "jordan sturdy mla" <jordan.sturdy.mla@leg.bc.ca>, "john weston" <john.weston@parl.gc.ca>

Sent: Friday, February 14, 2014 11:56:15 AM

Subject: Feb. 13,2014 Herring report #4

Scott and I went back out yesterday to see about the chances the spawning was still active and to get some more footage , but the event was over.

1 - We recover one dead Herring near the shore that seemed to have some kind of disease.

2 - I was alarmed to see Cedar creek running brown. This will impact the survival rates of this latest Spawn. The only thing I can think is that the recent logging in that water shed is related to this.

This should be investigated by D.F.O. and ministry of Forests to determine if this is the case.

3. The old ship tied up at Woodfiber is listing to one side. Bilge should be pumped out , but bilge water needs to be treated or hauled away to a treatment facility before discharging into the water.

4. The Mamquam Blind channel shore line is being in filled at the south east side with no safe guards in place. Again very detrimental to the Herring Spawn about to happen.

5. Bilge water has been reportly pumped from a collection of old boats moored in the mamquam Blind in recent days putting visible pollutants into the water.

Seems no shortage of issues here.

I have copied both Jordan Sturdy and John Weston on my latest report to ask that they share this information within their government circle to show the complete lack of environmental enforcement within our region.

Video and photos attached.

John Buchanan

Squamish B.C.

2014 Herring Spawn survey report : February 13 2014**Video reports**

Shoreline infill Mamquam Blind Channel Video

<https://www.youtube.com/watch?v=I2N5sOgWa3E>

Cedar creek video

https://www.youtube.com/watch?v=DIYYG_ICUtw

2014 Herring Spawn survey report #5 : February 17 2014

2014 Herring Spawn survey report #5 : **February 17 2014**



2014 Herring Spawn survey report #5 : **February 17 2014**

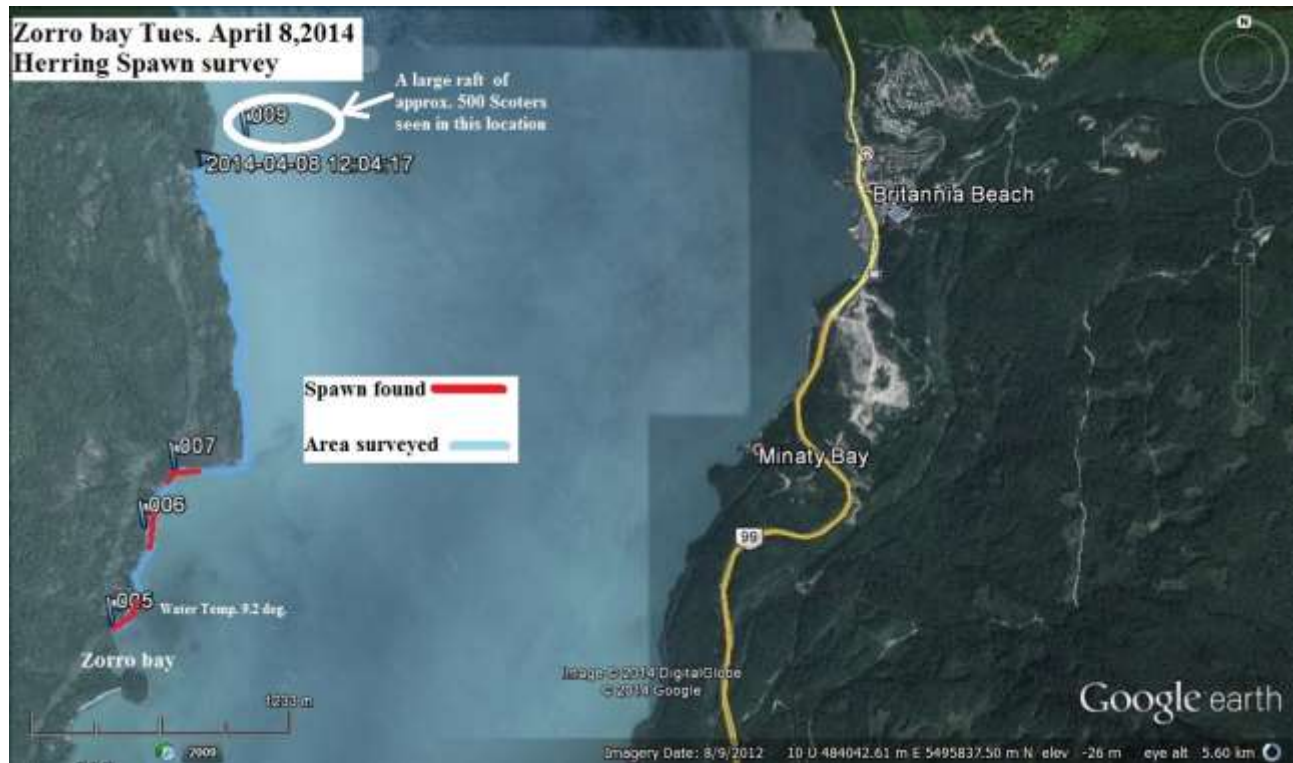


2014 Herring Spawn survey report #5 : **February 17 2014**



2014 Herring Spawn survey report #5 : **February 17 2014**



2014 Herring Spawn survey report: **April 8 2014**

2015 Herring Spawn survey report # 3: **February 1 2015**



Herring found on Nexen beach

2015 Herring Spawn survey reports: February 1 2015



2015 Herring Spawn survey reports: February 1 2015



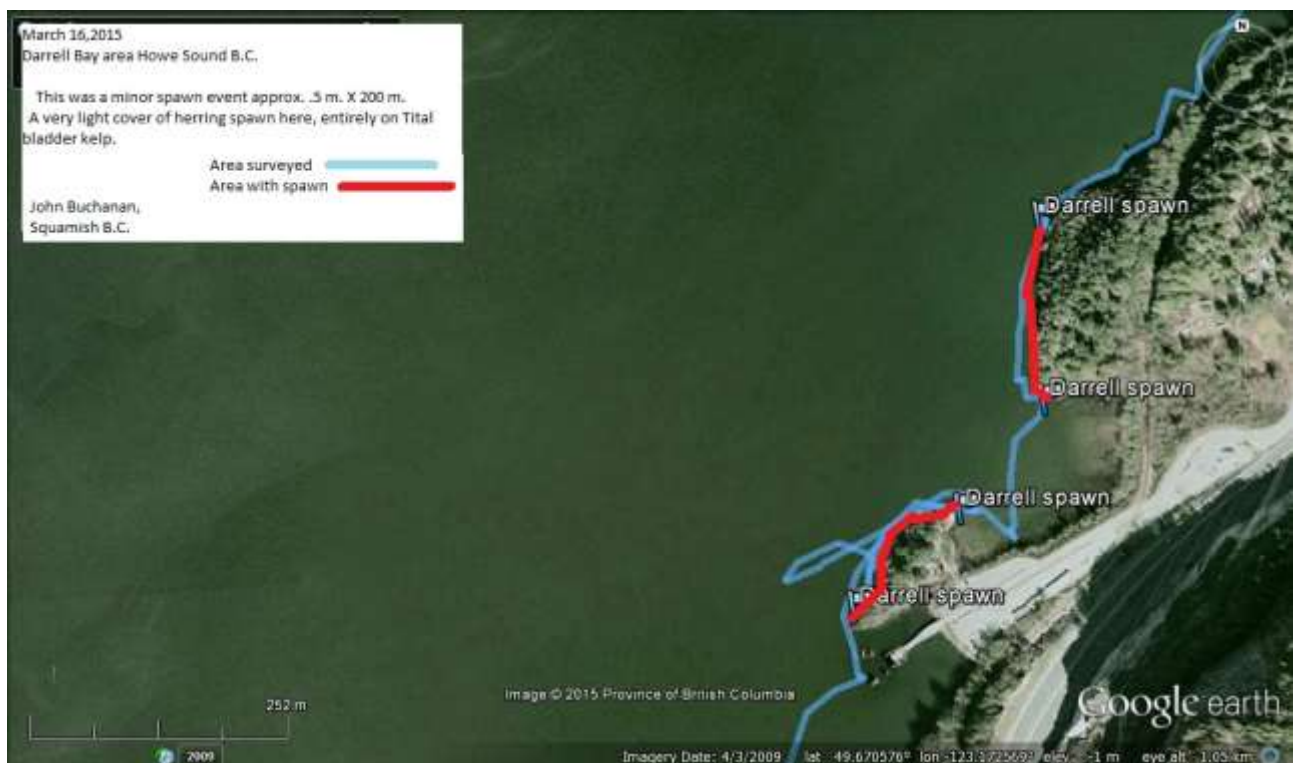
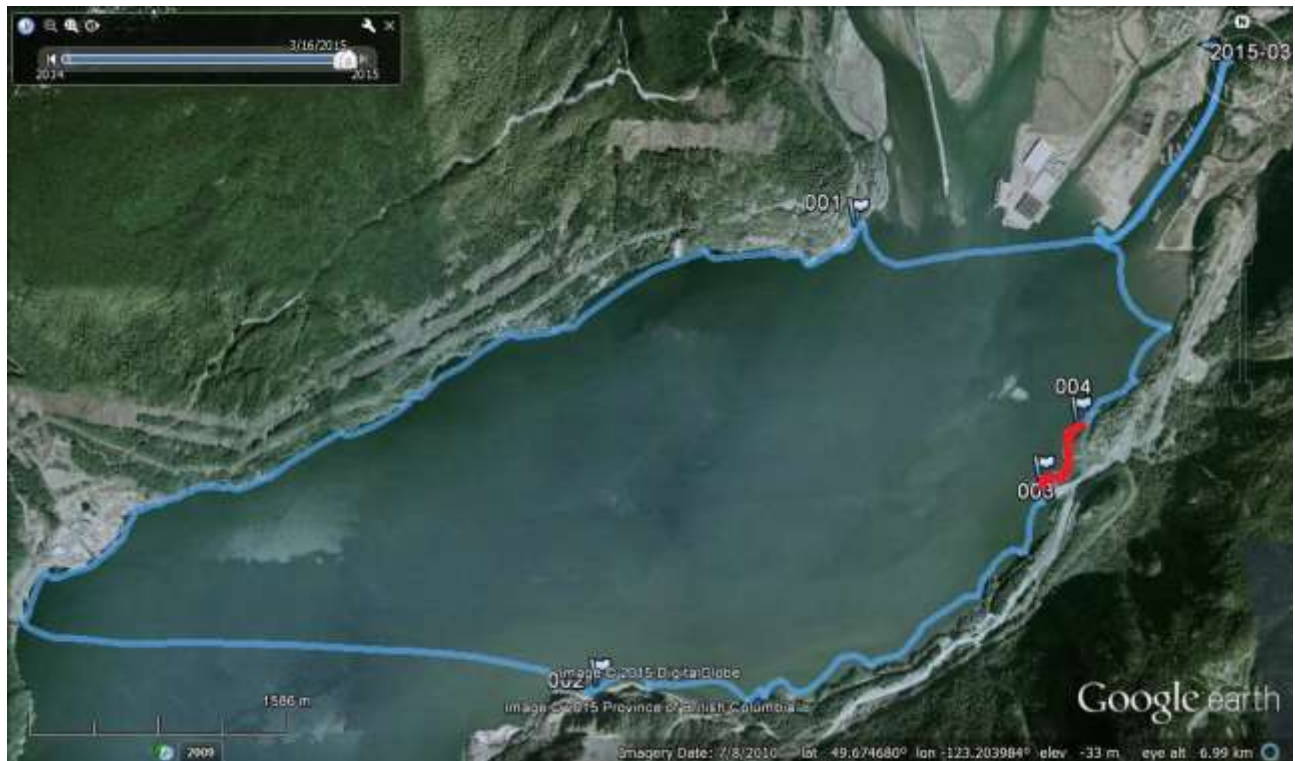
2015 Herring Spawn survey reports: February 1 2015

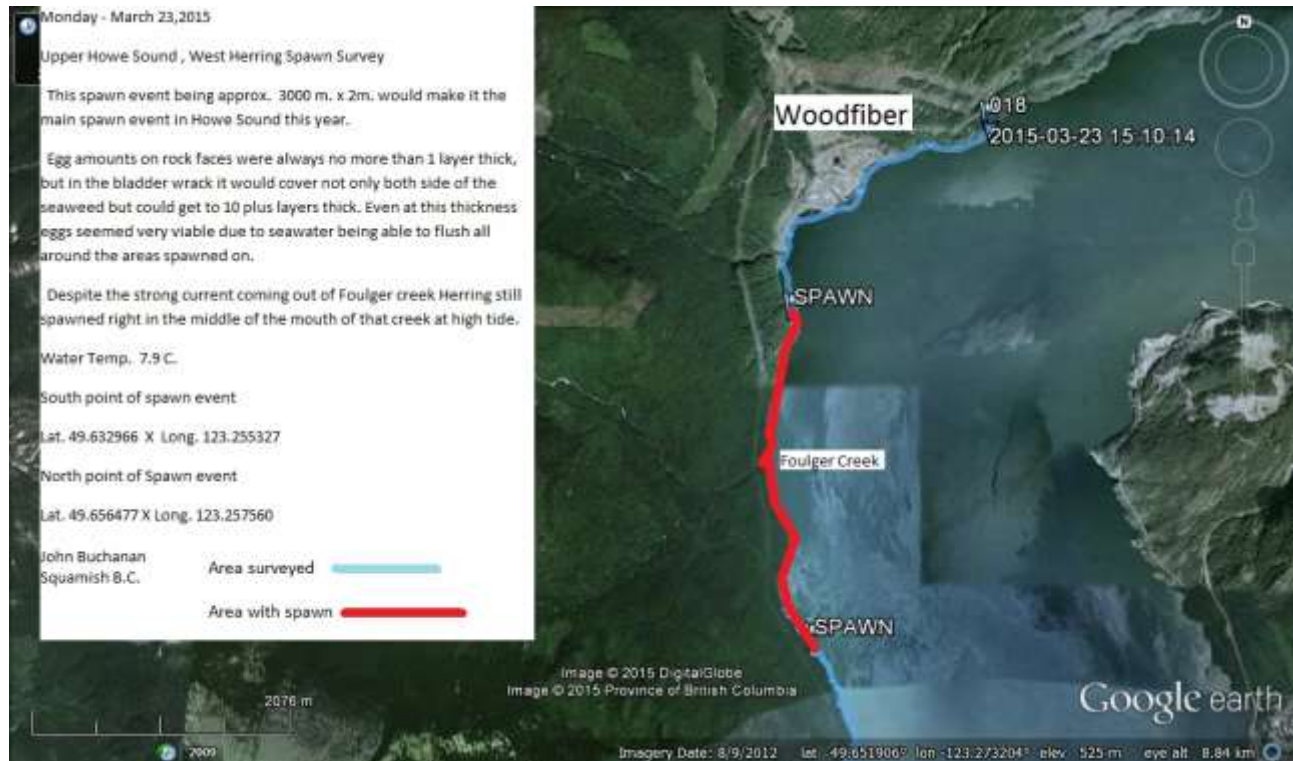


2015 Herring Spawn survey report #4: February 22 2015



2015 Herring Spawn survey report #5 : March 16 2015



2015 Herring Spawn survey report #6 : **March 23 2015**

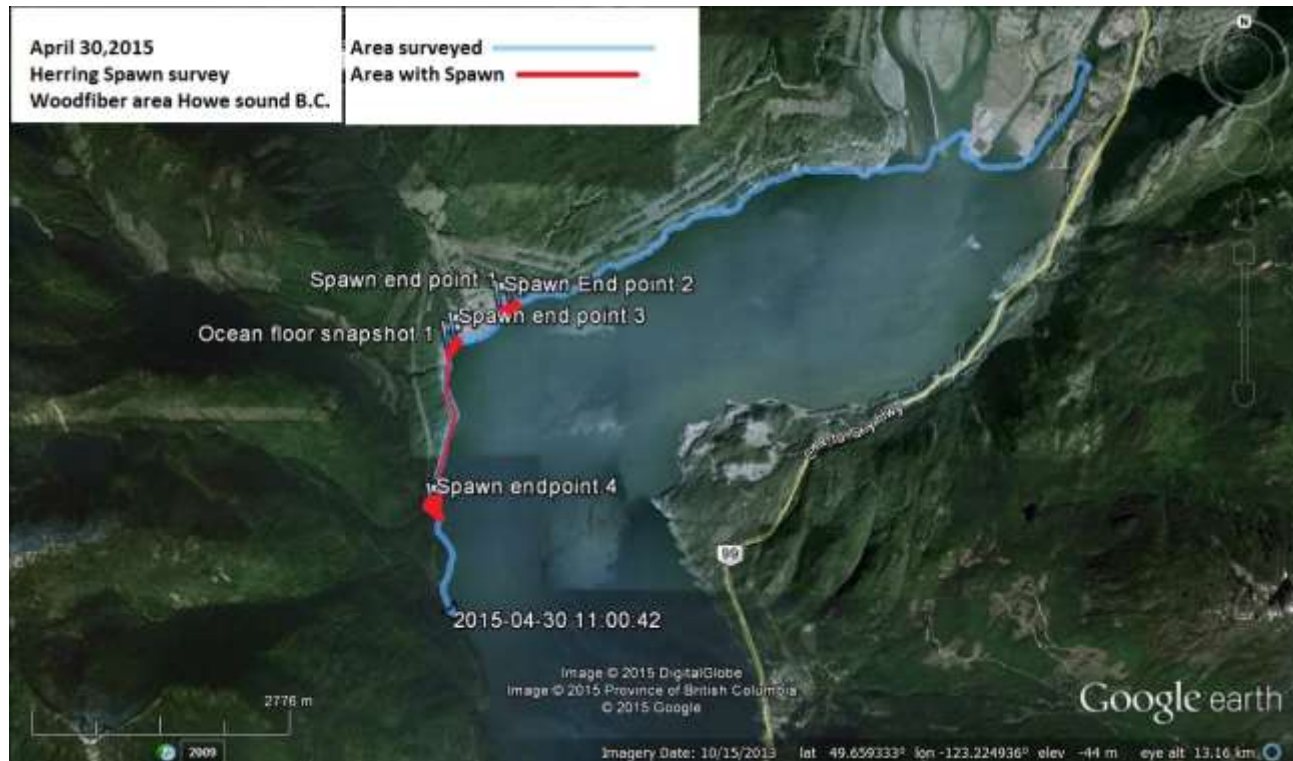
2015 Herring Spawn survey report: **March 23 2015**



2015 Herring Spawn survey report: **March 23 2015**



2015 Herring Spawn survey report #7 : April 30 2015



Herring Spawn survey report #6: April 30,2015

Email communication

From: laptopjohn@telus.net

To: "Jack Cooley" <jackcooley39@gmail.com>, "Scott Renyard" <juggernautpictures@telus.net>, drjonnmatsen@shaw.ca, "stan proboszcz" <stan@propellerstrategy.org>, "Tracey Saxby" <tracey@myseatosky.org>, "Jennifer Thuncher" <jthuncher@squamishchief.com>, "North Shore Wetland Partners" <north.shore.wetland.partners@gmail.com>, "Stephen Foster" <s.f@telus.net>, "Ruth Simons" <ruth.simons@futureofhowesound.org>, "Ramona de graaf" <foragefish.bc@gmail.com>

Sent: Thursday, April 30, 2015 7:43:09 PM**Subject:** Woodfiber area, Herring Spawn survey April 30,2015

Video link to Spawn survey

https://www.youtube.com/watch?v=A3ehfMe_omY
Herring Survey report #6

Started off from the Mamquam Blind channel boat launch. Nothing new seen in the Mamquam Blind area or Nexen Beach. Over to the Squamish Terminals, shows the East dock remaining pilings mostly removed now, south shoreline showed no new spawning activity nor did the West dock reveal any signs.

Starting at the Mouth of the Squamish moving South along the shoreline I was met by a Turkey Vulture that hovered over the boat for a bit too long, then moved on. No Herring spawn spotted until I reached the Woodfiber area. A stretch to the North side of Woodfiber was Approximately 100 feet in length and an undetermined width as water visibility was poor but 1meter plus for sure at a medium density.

The second stretch start was in the middle of the mill area, and was continuous for a kilometer south to Foulger creek. Medium to heavy egg cover directly in front of the mill to Woodfiber creek. Woodfiber creek to Foulger creek was sporadic to light. The area immediately around the mouth of Foulger creek was extremely heavy.

Again the depth , width of the spawn was difficult to ascertain due to low visibility, but I was able to photograph a spot in front of the Woodfiber mill area that revealed spawn on Bull Kelp at a depth of 15 feet.

Closer examination of the eggs show that they have only started their development and spawn date would have been very recent , perhaps in the last 4 days or so. Although the Herring use the Woodfiber area on a regular basis for spawning, it should be noted that this is the first time I have documented them this late in the season.

John Buchanan
Squamish B.C.

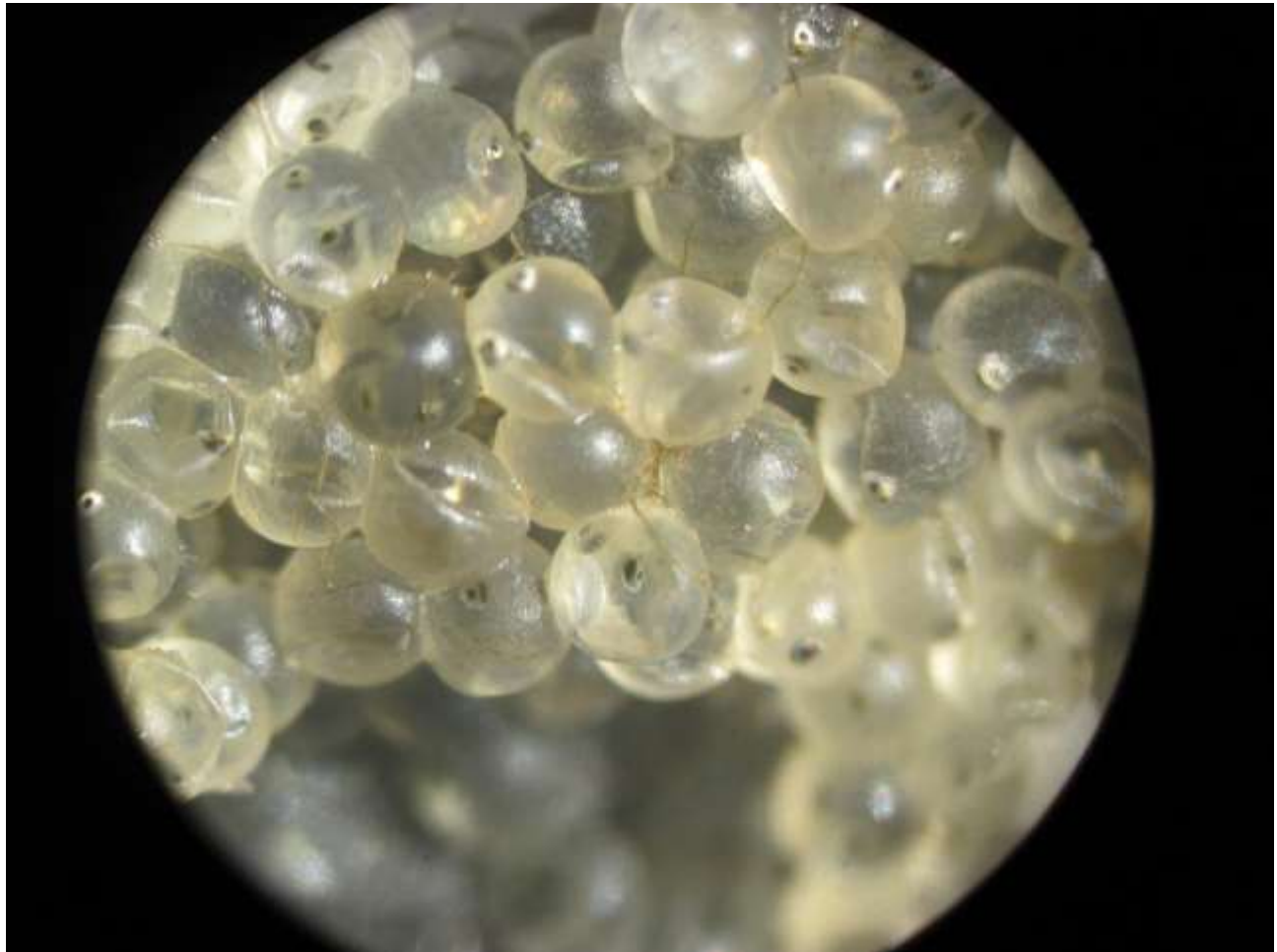
2015 Herring Spawn survey report #8: May 16 2015



2015 Herring Spawn survey report #8: **May 16 2015**



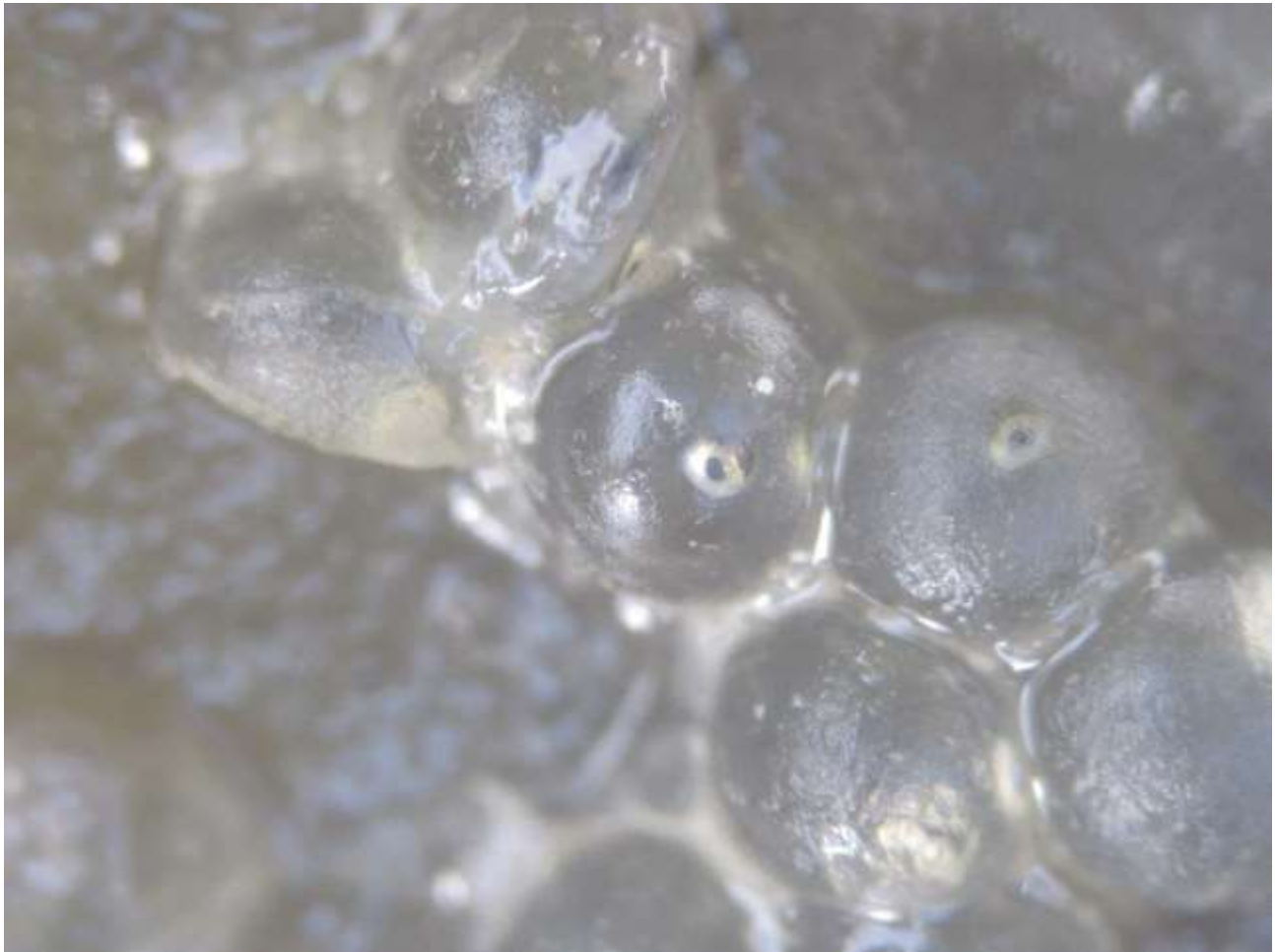
2015 Herring Spawn survey report #8: **May 16 2015**



2015 Herring Spawn survey report #8: **May 16 2015**



2015 Herring Spawn survey report #8: **May 16 2015**



**Concerned
Citizens
Bowen . ca**

Bowen Island, February 1 2016

Mayor and Council
Municipality of Lions Bay
PO Box 141 - 400 Centre Road
Lions Bay BC V0N 2E0

Re: Letter sent to Minister Tootoo and Minister McKenna in regard to flawed Environmental Assessment of Herring spawn and Woodfibre LNG's proposed Once Through Cooling system.

Dear Mayor and Council:

Please find your copy of the letter attached that was sent to Minister Tootoo, Minister of Fisheries, Oceans and Canadian Coastguard, and Minister McKenna, Minister of the Environment and Climate Change.

The letter concerns the incomplete scientific data on Pacific Herring Spawn which resulted in a flawed BC EA Report – ultimately putting both the Pacific Herring Spawn in upper Howe Sound and Howe Sound's revival at risk

Kind regards

A handwritten signature in blue ink, appearing to read 'J.H. Anton van Walraven', with a long horizontal line extending to the right.

J.H. Anton van Walraven

Concerned Citizens Bowen, Bowen Island, Howe Sound - <http://ccbowen.ca/>

351 Eagles Nest Rd
Bowen Island BC V0N 1G1
Email: avwraven@telus.net

Attachments:

- Letter to the Minister Tootoo and Minister McKenna
- Report: Pacific Herring Spawn Surveys - Howe Sound North by John Buchanan
- Email correspondence between J.H. Anton van Walraven and Dr. D. E. Hay.

Councillors

Les Barkman
Sandy Blue
Kelly Chahal
Brenda Falk



CITY OF ABBOTSFORD

Mayor, Henry Braun

Councillors

Moe Gill
Dave Loewen
Patricia Ross
Ross Siemens

February 2, 2016

File: 7550-01

The Honourable Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC, V8W 9E2

Dear Minister Anton:

Re: Downloading of DNA Analysis Costs

The Province signed an "Agreement Respecting Biology Casework Analysis" in January 2015; however, the City of Abbotsford only recently learned that the Province has decided to limit its contribution to the historical \$1.36 million contribution, regardless of demand. Instead of the Province increasing its contribution, as is specifically contemplated in the agreement, the significant funding gap between \$1.36 million and the Province's 54% commitment of approximately \$4 Million will be downloaded to individual municipalities that require these services.

In 2015, the Abbotsford Police Department (APD) and the City were informed about this change in policy by the Organized Crime Agency of British Columbia (OCABC) regarding DNA Testing. A copy of staff report CM 001-2016 including background information is attached. The costs of delivering Police services continues to rise for most British Columbian municipalities, regardless if the municipalities employ the Royal Canadian Mounted Police or have opted for a Municipal Police force.

The Provincial and Federal Governments continue to struggle with the same costs pressures as municipalities, with the only exception that they can allocate costs to local government where municipalities have no option but to increase costs. The shift in this responsibility, and costs, continues to add to the continuum of downloading to municipalities from senior levels of government, of which the tax burden is passed on to the taxpayer.

The City of Abbotsford supports the position of the District of Kent (copy of its letter attached to the above referenced staff report) requesting that the Province consider its position on this matter, the detrimental effects to municipalities, and an affordable resolution to DNA Analysis program.

Yours truly,

Henry Braun
Mayor

Attachment

- c. Premier Christy Clark
Honourable Michael de Jong, Minister of Finance, MLA, Abbotsford-West
Clayton Pecknold, Assistant Deputy Minister and Director of Police Services
Simon Gibson, MLA, Abbotsford-Mission
Darryl Plecas, MLA, Abbotsford South
UBCM Member Municipalities
Fraser Valley Regional District
Council Members
George Murray, City Manager

Report No. CM 001-2016

EXECUTIVE COMMITTEE

Date: January 18, 2016

File No: 0400-30-20

To: Mayor and Council
From: George M. Murray, City Manager
Subject: Downloading of DNA Analysis

RECOMMENDATION

THAT the Mayor send a letter to the Honourable Suzanne Anton, Minister of Justice and Attorney General to share the City's concerns regarding the downloading of DNA analysis costs to municipalities.

SUMMARY OF THE ISSUE

At its Regular meeting of Council on January 11, 2016, Council received a copy of correspondence dated December 2, 2015, from the District of Kent to the Honourable Suzanne Anton, Minister of Justice and Attorney General, which outlined their concerns regarding the introduction of a "user pay" model for the costs of DNA analysis services (**Attachment A**). In their letter, the District of Kent states the following:

"This new charge to local governments follows the agreement between the Province of BC and the Government of Canada with regard to Biological Casework (DNA) analysis. Although DNA analysis services are not funded through the RCMP contract, and are now being billed to the municipalities, calculated by a user-pay formula municipalities with a population less than 5,000 are not billed or factored into the formula."

Council referred this matter to staff for a report.

BACKGROUND

The costs of delivering Police services continues to rise for most British Columbian municipalities, regardless if the municipalities employ the Royal Canadian Mounted Police or have opted for a Municipal Police force. The Provincial and Federal Governments continue to struggle with the same costs pressures as municipalities, with the only exception that they can allocate costs to local government where municipalities have no option but to increase costs.

The Province signed an "Agreement Respecting Biology Casework Analysis" in January 2015; however, we only recently learned that the Province has decided to limit its contribution to the historical \$1.36 million contribution, regardless of demand. Instead of the Province increasing its contribution, as is specifically contemplated in the agreement, the significant funding gap between \$1.36 million and the Province's 54% commitment of approximately \$4 Million will be downloaded to individual municipalities.

DISCUSSION

In 2015, the Abbotsford Police Department (APD) and the City were informed about this change in policy by the Organized Crime Agency of British Columbia (OCABC) regarding DNA Testing. Currently, it is estimated that the increased costs to the City (through the APD budget) is \$86,000.

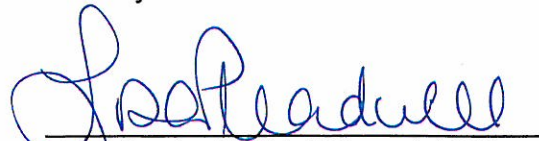
The District of Kent goes to great extent to reference the increased costs are detrimental to small/smaller municipalities. Regardless of the size of municipalities receiving these additional costs, this shift in policy will once again create yet another "downloading" of costs from one of the senior levels of government.

The Federation of Independent Business releases a report annually criticizing municipalities for passing tax increases which exceed the rate of "inflation and population growth". Cities continue to have costs downloaded as well as are being asked to provide services beyond their original mandate (e.g. Homelessness) and as such are having a difficult time keeping their budget increases within inflationary and population increase.

Based on the foregoing, staff recommend that the Mayor write to the Honourable Suzanne Anton, Minister of Justice and Attorney General, and reinforce the District of Kent's concerns regarding the continuing downloading of costs without additional grants and/or offsetting revenues.

FINANCIAL PLAN IMPLICATION

Downloading of costs makes it difficult for municipalities to support their spending on services and programs provided to the residents. The redistribution of responsibilities without the ability to set program standards and control costs, places a lot burden on the municipality without the mechanism for the municipality to procure an alternative service provider. The financial implications related to a "user pay" model for DNA analysis has not been included in the 2016-2020 Financial Plan.


Lisa Pleadwell, Chief Financial Officer

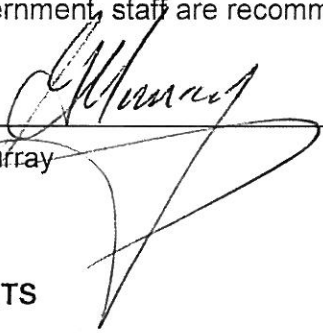
IMPACTS ON COUNCIL POLICIES, STRATEGIC PLAN AND/OR COUNCIL DIRECTION

The increase in costs, or service requirements, downloaded from senior levels of government continues to put pressure on Council's Strategic Cornerstone "Fiscal Discipline" without sacrificing one of the City's other objectives.

SUBSTANTIATION OF RECOMMENDATION

This report supports the District of Kent's position that the downloading of the costs associated with DNA testing needs to be reconsidered by the Provincial Government. As municipalities are

fairly consistently experiencing the downloading of costs and/or additional services from senior levels of Government, staff are recommending support be provided for Kent's position.



George M. Murray
City Manager

ATTACHMENTS

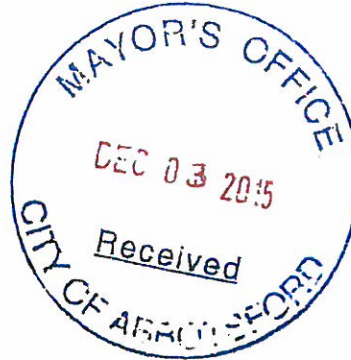
Attachment "A": Correspondence from the District of Kent to the Honourable Suzanne Anton regarding Downloading of DNA Analysis Costs.



7170 Cheam Avenue
P.O. Box 70
Agassiz, British Columbia
Canada V0M 1A0

Tel: (604) 796-2235
Fax: (604) 796-9854
Web: www.district.kent.bc.ca

December 2, 2015



File: 0400-20
7400-01

The Honourable Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Anton:

Re: Downloading of DNA Analysis Costs

We are in receipt of the letter dated October 31, 2015 from the *Organized Crime Agency of British Columbia* (OCABC) regarding Cost Recovery on DNA analysis services (attached as Appendix 'A'). Specifically, a new Agreement *Respecting Biology Casework Analysis 2014-2024* (BCAA) has been endorsed by the Provincial Minister of Justice and Attorney General, and the Federal Minister of Public Safety and Emergency Preparedness, introducing a "user pay" model for the costs of DNA analysis services.

Our Council has now had the opportunity to review the letter from the OCABC, along with the DNA Analysis Fact Sheet, prepared by the Ministry of Justice and we have some serious concerns.

When signing the updated Municipal Police Unit Agreement in 2012, the District of Kent Council expressed our concerns regarding rising policing costs, hidden costs and financial uncertainty affecting the District's budget. As we predicted at that time, policing costs have risen substantially every year since, resulting in significant tax increases for our community. Every year we are presented with additional costs and new expenditures, of which we have little or no control. The downloading of the DNA analysis services is just the latest example of costs that have been shifted to our municipality.

Local governments in British Columbia (with a population over 5,000) have begun to receive invoices for DNA analysis services. This new charge to local governments follows the agreement between the Province of BC and the Government of Canada with regard to Biological Casework (DNA) analysis. Although DNA analysis services are not funded through the RCMP contract, and are now being billed to the municipalities, calculated by a user-pay formula,

The Honourable Suzanne Anton
Minister of Justice and Attorney General

Page 2

municipalities with a population less than 5,000 are not billed or factored into the formula. Further, the October 31st letter from OCABC advises that our total invoice amounts include costs resulting from partnering in an Integrated Team where DNA costs have been identified. As a municipality with a population between 5,000 and 15,000, our integrated team costs are billed to the municipality at 70%. Therefore, although we are totally opposed to further downloading; at the very least, we would not expect to be billed for than our normal 70% share of all but accommodation costs.

With respect, we remind you, as we did in 2012, that our Council entered into the policing agreement in 2009 under protest with the Province incorporating 470 (federal) prisoners from the Kent/Mountain Institutions. We are a relatively small town and continuing increases to the Policing budget has an adversarial effect on our operating budget and tax rates.

We ask you, Honorable Minister Anton, to review our concerns and reconsider the funding of the DNA costs to determine a solution affordable to communities such as ours.

Sincerely yours,



John Van Laerhoven
Mayor

Pc: Clayton Pecknold, Assistant Deputy Minister and Director of Police Services
Premier Christy Clark
Laurie Throness, MLA
UBCM Member Municipalities



ORGANIZED
CRIME
AGENCY
of
BRITISH COLUMBIA

APPENDIX 'A'

Mailing Address:
Mailstop #408/409
14200 Green Timbers Way
Surrey, B.C., V3T 6P3
(778) 290-2040

October 31, 2015

District of Kent
C/O – Cpl. Darren Rennie
Kent Detachment
6869 Lougheed Hwy
Agassiz, BC
V0M 1A0

Dear Cpl. Darren Rennie,



RECEIVED

-11- 12 2015

AGASSIZ RCMP

Re: Cost Recovery on DNA Analysis Services

A new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* has been endorsed by the Provincial Minister of Justice, Attorney General and the Federal Minister of Public Safety and Emergency Preparedness. While the Province of British Columbia will continue to contribute the historical annual amount of \$1.366 million dollars and Public Safety Canada will pay 46% of ongoing costs; a "user pay" model has been introduced.

Police Services has created a cost sharing model calculated on the total cost for DNA analysis in British Columbia, minus the provincial contribution, distributed proportionally based on your agency's two year average usage compared to the usage of other law enforcement agencies in British Columbia.

The Organized Crime Agency of British Columbia's (OCABC) mandate has been expanded by the Minister of Justice. As a result, OCABC will now act in the capacity of Financial Administrator for the new Biology Casework Analysis Agreement (BCAA). OCABC is providing all users of the DNA Analysis Services, including the RCMP and Municipal Police Agencies, an invoice detailing the apportioned costs for the last quarter of the 2015/16 Federal Government Fiscal year. Full payment can be made to OCABC prior to * February 28, 2016.

Moving forward OCABC will be providing all users of the DNA Analysis Services an annual invoice. This annual process will start on April 1, 2016. Payment will be due by June 30 of each year also starting in 2016.

.../2

☒ CAG ☐ Cr. Eng. ☐ Building ☐ PEP ☐ Agenda Date _____
☐ Corp S. ☒ Dist. Fin. ☐ Bylaw ☐ RCMP ☒ In Camera Date Dec. 14/2015
☐ Dev S. ☐ Dep. Fin. ☐ GIS / HR ☐ FIRE ☐ Agenda Place A
☐ MAYOR ☐ Council ☐ Dist. Rec. ☐ Other _____

-2-

In addition, please be advised that should your Department or Detachment be involved/partnered in an Integrated Team where DNA costs have been identified, these costs have been included in your total invoice amounts.

You will find three attachments: an OCABC invoice for your last quarterly use of DNA Analysis for the 2015/16 year, a BC Police Services DNA Fact Sheet, and a Billing Calculations explanation sheet.

Should you have any questions about your invoice or this new process, please contact Superintendent John Grywinski at 778-290-3003 for further information.

Yours truly,



Kevin Hackett, C/Supt.
Chief Officer

Attachments

Billing Calculation for Agencies

The first three years of the Biology Casework Analysis Agreement include an escalation period which uses fixed costs to grow to British Columbia from the historical payment amount of \$1.366 million to paying 54% of actual costs. The Federal Government covers the costs for British Columbia's DNA analysis each year after the escalation period. The remaining 54% of the costs will be covered by the contribution and formulas outlined below.

Escalation Period

2014/2015 (Year 1 Fixed Amount \$2.5M)

The Province paid the bill for all Agencies for the first year of the escalation period.

2015/2016 (Year 2 Fixed Amount \$3.6M)

The Province will pay its historical contribution of \$1.366 million plus (75%) three quarters of the bill (i.e. April to December) in the second year.

Agency's cost is =

Your Agency's two year average usage compared to the usage of other Law Enforcement Agencies in British Columbia.

X [(Fixed cost of \$3.6M) – (Historical Contribution)]

Province's cost is \$ x = (\$3.6M - 1.366M) x 75%

2016/2017 (Year 3 Fixed Amount \$4.9M)

The Province will pay its historical contribution (\$1.366 million). The rest of the cost to British Columbia will be invoiced to e their proportionate two year average usage compared to the two year average usage for British Columbia as a whole.

Agency's cost will be \$x =

Your Agency's two year average usage compared to the usage of other Law Enforcement Agencies in British Columbia.

X

[(Fixed cost of \$4.9M) – (Historical Contribution of

Integrated Teams

Partner Agencies involved in an Integrated Team where DNA costs have been identified; these costs are included in your tot Splits are based on the respective MOU split formula and applied pro-rata to participating agencies.

Integrated Detachments

Usage and cost split is based on Member Establishment for Integrated Detachments.

RCMP Municipal Establishment is based on Annex Letters.

RCMP Provincial Establishment is based on RCMP HRMIS system.



DNA Analysis Fact Sheet

Background:

- Biological Casework Analysis (DNA) for police agencies in British Columbia is provided by the RCMP Forensic Sciences and Identification Services (FS&IS) lab under the National Police Services (NPS).
- NPS is a federally funded program operated under the stewardship of the RCMP. It provides services (such as the FS&IS Lab, the Canadian Firearms Program, the Violent Crime Linkage Analysis System, the National Sex Offender Registry, etc.) directly to police agencies across Canada.
- In 2004, provinces and territories agreed to contribute to Biological Casework Analysis and entered into Contribution Agreements with Canada.
- Historically, the Province of BC has contributed \$1.366 million for the RCMP FS&IS lab to provide DNA analysis services to police agencies in BC.
- In 2013, the Federal Government advised that it would no longer continue to provide BCAA services at the historical flat rate contribution and would require reimbursement based on actual costs.
- The new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* has been negotiated as a result.
- After negotiations between the Province and Public Safety Canada (PSC) regarding the provision of DNA analysis services to police agencies in British Columbia, the new agreement was endorsed by both the Provincial Minister of Justice and the Federal Minister of Public Safety and Emergency Preparedness. The PSC billing for fiscal years 2014/15, 2015/16 and 2016/17 are fixed amounts per the agreement. After the three-year escalation period, Canada will contribute 46% of the total costs.
- Under the new BCAA, after a three-year escalation period (which began in fiscal 2014/15), DNA analysis services will be charged based on a calculation that reflects two-year average actual usage. As per s. 15 (1) of the *Police Act*, in British Columbia, police agencies are responsible for bearing expenses necessary to maintain law and order, to adequately enforce criminal law, and to provide adequate equipment and supplies for the operations of and use by the police.
- DNA analysis is not a service provided under the Provincial (or Municipal) Police Service Agreement.
- In order to allow police agencies time to transition the Province is paying the full cost of the new BCAA from April 1, 2014 to December 31, 2015 of the escalation period.
- All police agencies will be responsible for their actual use of the service as of January 1, 2016.

New Process:

Ministry of Justice

Policing and Security Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 356-7926
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg

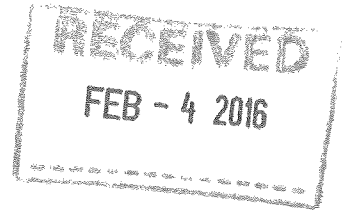
- The Organized Crime Agency of British Columbia (OCABC) will function as the administrator for the new BCAA.
- OCABC will invoice police agencies in October 2015 for their January 1, 2016 to March 31, 2016 BCAA services. Payment of this invoice will be due by February 29, 2016.
- Annually OCABC will invoice police agencies in April starting in 2016 for BCAA services for the period April 1 to March 31. Payment of this invoice will be due by June 30 of each year also starting in 2016 (i.e. approximately 60 days from invoice date).
- Starting in fiscal year 2017/18 when the charges from PSC are no longer fixed, OCABC will invoice police agencies based on an estimate. Any difference between this estimate and actual PSC invoice, which is received later in the year, will be adjusted in the following year's invoice to police agencies.

Billing Calculation:

- The method of calculation for determining the total cost for DNA analysis in Provinces and Territories each year is set out in the new BCAA.
- The Province of British Columbia will continue to contribute the historical amount of \$1.366 million.
- The amount of the total cost for DNA analysis in the province that remains after the Province has paid its contribution of \$1.366 million will be distributed proportionally among police agencies based on each agency's two year average usage compared to the total usage of all law enforcement agencies in British Columbia.

Lions Bay Reception

From: Carlota Aguayo Castellon <latoty@shaw.ca>
Sent: Thursday, February 04, 2016 11:55 AM
To: Village of Lions Bay; Carlos CastellonYahoo
Subject: Hazardous and Unsightly Water Tank
Attachments: IMG_20160204_105543.jpg



Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor,

We live in 10 Oceanview Road and we need to inform you that the inconclusive work at the water tank below our house has two problems that need to be taken care by the Village. See attached photo.

One is a hazard created by a sheet of plywood left unsecure over it. We have already personally informed the village of this hazard that may cause injury, death or destruction of property when the wind blows. Just imagine a car been struck by a flying sheet of plywood. We urge the Village to take immediate action to eliminate this hazzard.

The second is the ugliness of the cover of the tank being left unpainted and dirty. It should be painted properly or at least cleaned up properly. Lions Bay is a show piece of beauty that does not need to be spoiled by the sloppy work of the Village contractors. I've been told that a new roof will be installed, but not when it will be done, and due to other village expenses it may take long time.

You can also see on the photo the sloppy paint job done on the tank walls which is already falling apart. In our opinion the Village should ask for the work to be redone with proper surface preparation and adequate paint or get their money, if any, back.

Finally I want to let you know that the contractor that did the demolition did not meet Work Safe BC requirements on PPE such as fall protection, hard hats, or reflective vests (personal protection equipment). I mentioned this personally to the Village and I was told not to worry as the contractor had insurance, I consider it an incredible response when the life of a worker is at risk. I also mentioned that I had been in the construction business for forty years and if a contractor show this disregard for their workers safety I would have fired them in the spot. Please be advised that if the the new work workers do not meet WSBC requirements on PPE I have an obligation, as retired Architect, to call them.

Thanks for your attention.

Carlos and Carlota Castellon



Intentionally Blank