



Skeena-Queen Charlotte Regional District

BOARD POLICY

Title:	Establishing Regional District Services	
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1. PURPOSE

The Regional District has historically accepted donated assets, entered in land tenures various agreements with the understanding that these assets and agreements would be managed by a third party, and there would be no commitment by the Regional District for funding. The Regional District has also, from time to time, applied for grants to fund projects that are not Regional District projects. These two practices have created issues in terms of ongoing operating costs, liability coverage and the ability to manage assets or activities.

The *Local Government Act* is very specific on the need for regional districts to establish a service, by bylaw, in order to undertake certain activities.

The purpose of this policy is to provide clear direction on the need to ensure that any activity, work or facility undertaken by or on behalf of the Regional District is done through an established service.

2. POLICY

Any activity, work or facility undertaken or provided by or on behalf of the Regional District (RD) must be done through an established service.

When there is not an existing established service under which the Regional District can undertake a proposed activity, work or facility, the Board shall consider whether it wishes to establish a new service. If the Board does not establish a new service, the Regional District shall not undertake the proposed activity, work or facility nor enter into an agreement with another party to do so on behalf of the RD.

Nor will the Regional District apply for grant funding for projects that are not part of a Regional District established service, except where third parties are specifically required to apply through the RD as part of the terms of the grant program, i.e. Community Recreation Program (Province of BC).

3. TERMS / DEFINITIONS

"Establishing Bylaw" has the same meaning as the definition in section 5 of the *Local Government Act*; excerpt as follows:

"establishing bylaw" means an establishing bylaw, under section 800 [establishing bylaws required for most services], for a regional district service;

"Established Service" for the purposes of this policy is a service that has been created by the adoption of a service establishment bylaw or is otherwise allowed by the *Local Government Act* without adopting an establishing bylaw. [LGA S800(2)]

“Service” has the same meaning as the definition in section 5 of the *Local Government Act*; excerpt as follows:

"service" means, in relation to a regional district,

(a) an activity, work or facility undertaken or provided by or on behalf of the regional district and the exercise of regulatory authority under Part 15 [Specific Regional District Service Powers], section 796 (4) and (5) [general authority for services] or section 796.2 [general authorities in relation to services] in relation to such an activity, work or facility, and

(b) a regulatory service.

4. SCOPE

Applies to all activities, work or facilities undertaken or provided by or on behalf of the Regional District.

5. RESPONSIBILITY

The Chief Administrative Officer is responsible for making the Board aware of the need to have an established service under which to undertake any proposed new activity, work or facility.

The Board is responsible for ensuring that the *Local Government Act* is followed in relation to the need to have an established service under which to undertake any proposed new activity, work or facility.

6. PROCEDURE

n/a

7. REFERENCES

Local Government Act.

- Sections 5 Definitions;
- 800 Establishing bylaws required for most services; and
- 800.1 Required content for establishing bylaws.

Approval Date:		Resolution No.	
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Skeena-Queen Charlotte Regional District

BOARD POLICY

Title:	Approval for the Use of UBCM Community Works Fund and Northern Development Initiative Trust Funds	
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1. PURPOSE

The Regional District receives funding allocations from both Union of BC Municipalities (UBCM) Community Works Fund (Gas Tax) and Northern Development Initiatives Trust (NDIT) Regional Allocation. Each municipality within the Regional District also receives an allocation through these agencies.

The allocations are/were based on the population for the respective municipality and, in the case of the Regional District, on the combined population of the electoral areas. Basically, this reflects the municipalities each having their own allocation administered by the respective municipality or, in the case of NDIT, committing their allocation to a pool and the Electoral Areas having an allocation administered by the Regional District.

2. POLICY

Given that UBCM Community Works Funds and NDIT Funds are allocated to the Regional District based on the population for the Electoral Areas only, decisions regarding spending or granting of funds should be the responsibility of the Electoral Area Directors.

To accommodate this, all requests for the use / allocation of UBCM Community Works Funds and NDIT Funds should be referred to the Electoral Area Directors for a recommendation to the Board.

Where feasible, recommendations for the use of the funds should be consistent with strategic priorities set by the Electoral Area Directors.

3. TERMS/DEFINITIONS

N/A

4. SCOPE

This policy applies to the following:

- a) UBCM
 - i) Community Works Fund

and

b) Northern Development Initiatives Trust

- i) Feasibility Studies;
- ii) Economic Diversification Infrastructure;
- iii) Community Halls & Recreation Facilities;
- iv) Marketing Initiatives;
- v) Community Foundation Matching Grants;
- vi) Governance Essentials Scholarship;
- vii) Economic Development Capacity Building; and
- viii) Grant Writing Support.

5. RESPONSIBILITY

The Chief Administrative Officer shall refer any applications for UBCM and NDIT funding to the Electoral Area Directors.

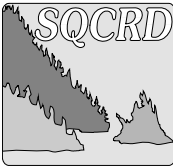
The Electoral Area Directors will collectively make the decision regarding the recommendation for funding.

6. PROCEDURE

All requests for funding will be referred to the Electoral Area Directors for a recommendation either during the Board meeting or, if time allows, to be discussed at an Electoral Area Advisory Committee meeting.

7. REFERENCES – Not applicable

Approval Date:		Resolution No.	
Amended:			



STAFF REPORT

DATE: August 9th, 2013

FROM: Jennifer Robb, Treasurer

SUBJECT: Support Service Allocation – Sandspit Water

Recommendation:

THAT the Board receives the staff report “Support Service Allocation – Sandspit Water”.

Background:

The support service allocation is reviewed annually as part of the budget process to provide a fair distribution method. Recently, Staff was asked to investigate ways to reduce the administrative costs on Sandspit Water.

Basis of Support Service Allocation to Sandspit Water:

In the 2013 Budget the general administration costs allocated to the Sandspit Water System totaled \$24,146 (\$20,538 staff costs + \$3,608 other costs). A detailed breakdown and explanation of these costs are listed below:

1. Staffing:

The cost of wages, benefits and other staff related costs, such as training or conferences, is distributed on a percentage basis to services. Although the allocation is somewhat subjective, staff feels that over time the distribution is fair. In other words, although the amount of time staff spend on a particular issue or service in any one year will vary, over time the allocation should prove to be equitable and a strong representation of the work undertaken by staff.

Specific staff activities allocated to Sandspit Water include:

- Quarterly billing & mailing of invoices
- Receiving daily payments (both online & cheque payments)
- Monthly BC Assessment uploads to utility billing system
- Monthly account reconciliations
- Payment of Utility, operating grant & various invoices for the Water system
- Ongoing maintenance of the Sandspit water system user database
- Responding to customer inquiries, complaints & concerns
- Collaborating with Water Operator on various issues
- Year-end transfer of unpaid utilities to property taxes
- Parcel tax process and requisition
- Budget & Audit processes

2. Other Costs:

- a. Liability Insurance – the cost of Liability Insurance (\$1,520) was allocated based on risk for the Regional District and size of the budget.
- b. Accounting System – the annual maintenance costs (\$888) were distributed based on the size and complexity of the budgets.
- c. Audit – the cost of the annual audit (\$1,200) was distributed based on the size and complexity of the budget.

Discussion:

The *Local Government Act* is specific in that the cost of each regional district service must be borne by that service, including the costs of administration. To this end, administration costs must be recovered through support service allocation charges to other functions or services.

Two main underlying principles of fair allocation administrative costs are achieving equity over time and achieving equity over a range of services. In other words, although the amount of time staff spends on a service in any one year will vary, over a number of years and across a variety of services, the allocation should provide a measure of equity.

However, this proves to be more challenging with regional districts having few services as economies of scale are difficult to achieve. Meaning, when there are fewer services to allocate costs, those services take up a larger percentage of the support service allocation.

In examining the 2013 administrative support cost allocation, staff feel that the percentage allocated to accounts payable may be slightly high. A portion of this can be redistributed in the 2014 budget process. However, the total cost allocated to accounts payable totals \$1,756. It is important to note that any costs redistributed from the Sandspit Water System must be to be recovered from another service.

It should also be noted that although accounts payable may be slightly high for the 2013 year, the amount of time spent related to Sandspit Water system issues by the CAO and Treasurer is higher than the amount allocated.

Currently staff are actively working with MIMC to undertake several projects such as the new rate structure, regulation bylaw and preparation of the billing system for the upcoming change to metered billing.

In addition, staff have investigated additional options to make the administrative processes as effective and efficient as possible. Staff will continue to refine processes, for example, reducing the number of invoices during the year. These efficiencies are not likely to result in cost savings. However over time will provide a higher level of service for the dollars spent on administration.

Administrative Support Allocation**Staffing Allocation 2013**

	CAO	Treasurer	Dep. Corp Officer	Accounts Receivable	Accounts Payable	Utility Billing	Clerical	Payroll	Clerks					General	2013 Total
									\$ 117,057 25%	25%	10%	20%	20%		
									Accounts Receivable	Accounts Payable	Utility Billing	Clerical	Payroll		
Wages and Benefits									29,264	29,264	11,706	23,411	23,411		473,339
Other costs									1,800	4,600	5,300			175	11,875
Total									158,814	117,798	91,370	29,264	29,264	11,706	485,214
Administration / Gen Government	36.0%	35.0%	100.0%		10.0%		100.0%	38.0%	57,173	41,229	91,370	-	2,926	-	225,007
Electoral	30.0%	3.0%			2.0%			14.0%	47,644	3,534	-	-	585	-	55,041
Emergency Programs	0.0%								-	-	-	-	-	-	-
Rural Planning	13.0%	1.0%		0.0%	10.0%				20,646	1,178	-	-	2,926	-	24,750
Reg Recycling	7.0%	25.0%		30.0%	30.0%			28.0%	11,117	29,450	-	8,779	8,779	-	64,680
ISWAC	7.0%	25.0%		50.0%	30.0%	67.0%		17.0%	11,117	29,450	-	14,632	8,779	7,843	75,801
Reg Waste Man									-	-	-	-	-	-	-
Feasibility	0.0%								-	-	-	-	-	-	-
QCI Recreation	2.0%	2.0%			2.0%			3.0%	3,176	2,356	-	-	585	-	6,820
Mainland Recreation	0.0%	0.0%			0.0%				-	-	-	-	-	-	-
PR Regional Archives	0.5%	0.5%			2.0%				794	589	-	-	585	-	1,968
North Pacific Cannery	0.5%	0.5%			2.0%				794	589	-	-	585	-	1,968
Haide Gwaii Museum	0.5%	1.0%			2.0%				794	1,178	-	-	585	-	2,557
Van Island Reg. Library	0.5%	0.5%			2.0%				794	589	-	-	585	-	1,968
Sandspit Fire	0.5%	1.0%			2.0%				794	1,178	-	-	585	-	2,557
Sandspit Water	2.0%	5.0%		20.0%	6.0%	33.0%			3,176	5,890	-	5,853	1,756	3,863	20,538
Econ Dev	0.5%	0.5%							794	589	-	-	-	-	1,383
Projects - DC Water, SS Hall									-	-	-	-	-	-	-
Oona River Telephone									-	-	-	-	-	-	175
MM Debt									-	-	-	-	-	-	-
Gas Tax									-	-	-	-	-	-	-
Landfill Closure									-	-	-	-	-	-	-
100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	158,814	117,798	91,370	29,264	29,264	11,706	485,214

Joan Merrick (SQCRD)

From: FrontCounterBC@gov.bc.ca
Sent: June-18-13 1:30 PM
To: jmerrick@sqcrd.bc.ca; info@sqcrd.bc.ca
Subject: Province of BC Referral Request on 2 Waterpower applications for a Licence of Occupation

Skeena Queen Charlotte Regional District
 Joan Merick, Joanne Fraser

Waterpower
 Referral Number: 64869573 - 008
 Reference Number: 110005 / 110023
 Request Sent: June 18, 2013
 Response Due: July 18, 2013

You are invited to comment on the following Crown land application. A response is optional. If no response is received by the deadline, the application and adjudication process will move ahead.

These are two Crown Land Licence of Occupation applications for Waterpower - Investigative Phase purposes.

Proponent: Van Inlet Hydro Corp.

Intended Land Use/Background information: Water Power - Investigative and Monitoring Phase

FILE: 2410271

BCGS Mapsheet: 92F.028 T. LINE: 103F.038, 048, 058, 059, 069

General Area Description: Crown land located on Graham Island and that covered by water being part of the bed of Clapp Basin, Queen Charlotte District.

Location: Clapp Basin to Port Clements

Size (Area) ha (approx.): 219.84 Ha +/-

Schedule/Term Of Proposal: 5 years

Comments: Intake/Power house area 46.4 Ha, Transmission line = 173.4 Ha. Associated with Water Licence file 2003166.

FILE: 6407631

3CGS Mapsheet: 92F.028 T. LINE: 103F.038, 048, 058, 059, 069

General Area Description: Crown land located on Graham (between Clapp Basin & Port Clements) and

unsurveyed Crown foreshore or land covered by water being part of the bed of Clapp Basin, Queen Charlotte District.

Location: West of Clapp Basin to Port Clements

Size (Area) ha (approx.): 233.24 Ha +/-

Schedule/Term Of Proposal: 5 years

Comments: Intake/Power house area 56.7 Ha, Transmission Line= 176.54 Ha. Associated with Water Licence file 6001057.

Please [Click Here](#) to respond to this referral. You must be logged in using your BCeID account to view associated information. Note that forwarding or otherwise distributing this email will provide access to the associated information only if the receiver has a corresponding account.

For "how-to" instructions on how to respond to this request, please visit <http://www.frontcounterbc.gov.bc.ca/ereferrals.html> for instructional videos. To obtain a BCeID, please visit <https://www.bceid.ca/>

For technical assistance with e-Referrals, please contact FrontCounter BC at 1-877-855-3222.

For more information regarding this referral, please contact the "Email Coordinator" given within the referral.

Note that it can take an extended period of time to connect from the BCeID login to the e-Referrals website, this is normal. Avoid re-clicking the "Next" button or you could extend this connection time.

Please do not reply to this email.

Diana Watson

FrontCounterBC
Land Technical Officer

(250) 751-7278
diana.watson@gov.bc.ca

REPORT

TO: Joan Merrick, Chief Administrative Officer
Skeena-Queen Charlotte Regional District

FROM: Judy Skogstad, Planning Consultant

TOPIC: Crown Land Licence of Occupation Investigative Permit Applications by Van Inlet Hydro Corporation – Files 6407631 and 2410271

DATE: June 26, 2013

1.0 BACKGROUND

The Regional District has received a referral from the Ministry of Forests, Lands and Natural Resources for comments on two applications by Van Inlet Hydro Corporation for water power generation and transmission. The two applications are associated with previous water licence applications – Water Licence Files 6001057 and 2003166.

Two water power generation sites are proposed – one in the vicinity of Van Inlet and the second in Clapp Basin. Associated with both sites is a transmission line that would take in the water bed of Shield Basin and crown land overland to Port Clements. The applicant has indicated verbally that due to the costs associated with the transmission of power, the Clapp Basin site could not be developed independent of the Van Inlet site – i.e. the Van Inlet site would be feasible and the Clapp Basin site would be supplementary power. The Van Inlet site includes a proposed dam and the Clapp Basin site is a proposed run of the river power project.

The referral is for comments on the investigation aspect of proposal. A development plan will be required prior to construction, and the province will share this plan with referral agencies.

File 6407631 - Power Generation Site

This application includes a site of 56.7 hectares at the head of Van Inlet that takes in a watercourse labeled “ZZ creek” draining “Upper Lake” at 290 meters elevation into “Lower Lake” at 29 meters elevation. (Attachment A, pages 1 to 6).

The proposed permanent works for power generation would consist of a dam, powerhouse, intake, penstock tunnel, switch yard, tailrace into “Lower Lake”, an access road that is an extension of an existing forest road, the use of an existing barge landing site (not shown on map) and a power line. Although not indicated on the proposal, the applicant has indicated verbally that the proposed dam would be 10 meters in height and that temporary housing in the form of trailers may be needed.

The investigative works, which are to take place over a 5 year period, are intended to have minimal impact, and include the following:

- installation of a hydrometric station at the exit of “Upper Lake” and a temporary bridge over “ZZ Creek” in the summer of 2013, and commencement of staging of ZZ Creek which is to be ongoing;
- a first year fisheries study involving Department of Fisheries and Oceans in the summer of 2014 and flow measurements using a Swoffer flow meter from the bridge in the fall of 2014 through to the spring of 2015;
- geological survey by helicopter and foot explorations, second year fisheries study and environmental study including surveying for endangered species in 2015;
- core drilling for penstock exploration in 2016 (water-lubricated drilling equipment and fuel stored in double-walled containers away from water); and
- archaeological assessment and hydrology report in 2017.

Except as otherwise noted above, access to the site will be by driving to Rennell Sound on the forestry roads, boating across Shields Bay, and then walking to the site on the Van Inlet forestry road. Much of the work would be undertaken by human foot traffic, therefore, having minimal impact.

File 24010271 – Power Generation Site

This application includes a site of 46.4 hectares at Clack Basin Head Creek (Attachment B, pages 1 to 5).

The proposed permanent works for power generation would consist of a powerhouse, intake, penstock, switch yard, tailrace into Clapp Basin Head Creek, access road, a barge landing site, power line, penstock, and a staging area to include temporary housing as well as the substation and communication equipment.

As per the Van Inlet site, the investigative works, which are to take place over a 5 year period are intended to have minimal impact. They differ from the Van Inlet ZZ Creek Site in that they do not include core drilling for penstock exploration. Access will also be by driving to Rennell Sound on the forestry roads, boating across Shields Bay, and then walking to the site.

File 6407631 and File 24010271 – Transmission Line

The transmission line corridor is depicted on maps associated with both files. The area of the proposed transmission line is 176.54 hectares and its width is 30 meters.

The power transmission line from the Van Inlet ZZ Creek site would follow the Van Inlet forestry road (along Twin Creek) to Clapp Basin, where it would join with the transmission line along Clapp Basin from the Clapp Basin Head Creek site. It would then cross Shields Island and enter the marine water as a one-meter by one\kilometer marine cable near Dawson Head to exit near the Five Mile Beach trail. From there, it would largely follow the Bonanza and the Mamin forest service roads, through the Yaagunn Gandlaay Conservancy area to terminate at the 25 kV BC Hydro distribution line on unsurveyed crown land, outside the southern boundary of Port Clements.

Attachment C depicts the transmission route in more detail than is shown on the application and has been sited on the basis of following forest service roads.

It is not clear that investigative works are to be undertaken for the transmission corridor.

2.0 REGULATORY DOCUMENTS AND LEGISLATION

Provincial

The proposed water power sites and transmission corridor falls within the land base covered by the *Haida Gwaii Strategic Land Use Agreement* between the Indigenous People of Haida Gwaii as represented by The Council of the Haida Nation and the Province of British Columbia, as represented by the Minister of Agriculture and Lands, September 13th, 2007.

They are also within the area covered by the Haida Gwaii Forest Stewardship Plan, November 2011, prepared pursuant to the *Forest and Range Practices Act*. The “Plan Holders” and tenures include Taan Forest; BCTS – Chinook Business Area (Haida Gwaii TSA); Teal Cedar Products Ltd.; and the Husby Group (Husby Forest Products Ltd., Dawson Harbour Logging Co. Ltd. and Timber West Forest Products Ltd.). The proposed water power generation sites and part of the proposed transmission corridor are located within the Haida Gwaii’s Timber Supply Area and the balance of the transmission corridor is within Taan Forest’s Tree Farm Licence 60. As previously noted, a portion of the transmission corridor also is proposed to cross through the Yaagunn Gandlaay Conservancy area which is a no timber harvesting area.

Attachment D indicates the proposed facilities on a composite base map of the Forest Stewardship Plan.

Provincial legislation that is applicable includes the following:

- The *Protected Areas of British Columbia Act (SBC 2000)* – this includes the Yaagunn Gandlaay Conservancy on Schedule E to the Act. The legal description of the Conservancy specifies that portions are excluded, including a 30-meter right of way centred on the Ministry of Forests and Range permit roads R06206-294 and 334 from the westerly boundary of the conservancy to District Lot 167. The applicant has indicated verbally that the transmission line is proposed to be within the forest service road right of way excluded from the Conservancy.
- The *Utilities Commission Act* – with an interest throughout many parts of the province in developing small power projects, Section 121 of the Act was amended to introduce a “Relationship with Local Government Act”, which in effect eliminates the ability of local government to prohibit these facilities through zoning. Section 121 (1) states that ‘Nothing in or done under the *Community Charter* or the *Local Government Act* (a) supersedes or impairs a power conferred on the commission or an authorization granted to a public utility.’ Public utility is defined to be a person who owns and operates in BC equipment for the production, generation, storage, sale, or delivery or provision of electricity.
- The *Agricultural Land Reserve Act* and *Agricultural Land Reserve Subdivision and Procedure Regulation* are applicable as a portion of the proposed transmission route is

located within Agriculture Reserve Lands located to the south of Port Clements. Therefore, an application to the Agricultural Land Commission would be required.

Regional District

The two proposed power generating sites and the transmission corridor are affected by the Official Community Plan (OCP) for Rural Graham Island dated July 4, 2011. The area is in part covered by the Graham Island Zoning Bylaw 192.

3.0 CHARACTERISTICS OF AREAS SUBJECT TO APPLICATION

The Outdoor Recreation base mapping (Attachment C) and the Forest Stewardship Plan base mapping (Attachment D) provide background information on the environmental and recreational characteristics of the proposed sites and transmission corridor. The Strategic Land Use Agreement also provides mapping that corresponds with information in the Forest Stewardship Plan.

File 6407631 - Power Generation Site

The Forest Stewardship Plan schedules depict the creek along the access road to the Van Inlet ZZ Creek site to be have both Type I and Type II fish habitat, and Class I and II Marbled Murrelet nesting sites. There is a scenic area around lower lake.

File 24010271 – Power Generation Site

The Forest Stewardship Plan schedules depict the Clapp Basin Head Creek to have both Type I and Type II fish habitat, and Class I and II Marbled Murrelet nesting sites, and the entire area of the proposed power site to be a scenic area.

File 6407631 and File 24010271 – Transmission Line

The Forest Stewardship Plan schedules depict the transmission routes to be in proximity to Type I and II fish habitat, include sensitive watersheds, to be in proximity to and possibly partly within a Wildlife Habitat area, to be located either on or in proximity to a forest service road through the Yaagunn Gandlaay, to incorporate scenic areas along the shoreline and the Twin Creek/Van Inlet forest service road, and to be in proximity to the Five Mile Beach trail along Shields Bay and the Golden Spruce Trail in the Yakoun River area.

In addition to the specifics indicated on the Forest Stewardship Plan mapping, there are general objectives and policies for visual quality, sensitive watersheds, red and blue listed ecological communities, recreational resources, wildlife, etc.

4.0 APPLICABLE REGIONAL DISTRICT POLICIES

Zoning

Minor utility corridors up to 10 meters in width are permitted in all zones under Zoning Bylaw 192. As the proposal is for a 30-meter corridor, a rezoning would be required if the project is not authorized under the *Utilities Commission Act*.

Graham Island Official Community Plan (OCP) Policies

The OCP establishes land use designations and sets out objectives and policies for changes to zoning and for liaison with various government agencies and First Nations.

SLUA (Strategic Land Use Agreement)

Schedule C designates the Yaguun Gandlaay Conservancy as a Protected Area (SLUA). Objective 5.2,01 as follows, is applicable:

“To support the Council of Haida Nations and the Province of BC to protect and conserve those lands identified in the Strategic Land Use Agreement (SLUA) as having unique environmental and recreational values deemed to warrant retention in their natural state.”

Related policies are as follows:

5.2 Protected Areas, P1 – *The Regional District supports the conservation of those lands identified as “Protected Areas” in the Strategic Land Use Agreement (SLUA) and related orders.*

5. Protected Areas, P2 – *The principal uses on lands identified as “Protected Areas” in the SLUA should be natural open space, environmental protection, low impact recreation (including hiking and wilderness camping). However, it is recognized that the Regional District does not have jurisdiction over the use of these lands.*

5. Protected Areas, P3 - *No buildings or structures should be constructed on lands identified as “Protected Areas”, except those required for fire protection and public recreation purposes.*

Agricultural

Schedule C: Land Use Graham Island and Schedule C4: Land Use Masset Inlet/Graham Central Area South of the OCP designates a portion of the transmission route along the Mamin River and Yakoon River as Agriculture. Part of this is within the Protected Area (SLUA) designation.

An application to the Agricultural Land Commission for a utility corridor use pursuant to Section 34 of the *Agricultural Land Commission Act* would be required. The application is filed directly with the office of the commission, and the applicant must notify the owners of land involved in the proposal. The commission may request comments and information from the Regional District or treaty first nation government before making the decision, and the commission must inform the Regional District or treaty first nation of its decision.

Crown Land

The balance of the lands are designated Crown Lands by Schedule C: Land Use.

The OCP contains a number of objectives and policies that would be applicable to referrals from the Province for use of crown land. They relate to Environmentally Sensitive Areas and the Marine Environment.

Environmentally Sensitive Areas

General environmental objectives in Section 5.3, are to conserve biodiversity or endangered species, areas of ecological productivity and other areas with unique environmental and recreation features; preserve the natural beauty of the Planning Area; protect natural features and functions of freshwater ecosystems and their surrounding riparian areas; and to encourage the responsible use of fertilizers, pesticides, herbicides and other substances potentially harmful to the environment.

Supporting policies are to work with the Council of Haida Nation and other legislative bodies to protect large intact Crown land parcels that have unique environmental values or are sensitive to development. Specific policies relating to development near watercourses are as follows:

5.3, Policy 5. *Development near a watercourse shall be required to be undertaken in accordance with the Land Development Guidelines for the Protection of Aquatic Habitat, prepared by the Ministry of Environments, Lands and Parks' and Department of Fisheries and Oceans (1992).*

5.3, Policy 7. *For development that does not require a Development Permit, developers and landowners should protect the riparian areas of streams, lakes and wetlands from development impacts by establishing a minimum 30 metre Streamside Protection and Enhancement Area (SPEA).*

Marine and Shoreline Eco-systems

Objectives are as follows:

5.4, 01. *To protect and manage marine and shoreline ecoystems and minimize the impact of development on the marine and foreshore environment;*

5.4, 02. *To maintain the integrity of the natural shoreline processes where possible;*

5.4, 03. *To minimize pollution from human use of the foreshore, estuaries, surrounding waters and adjacent upland, and to maintain the purity of the coastal waters.*

5.4, 04. *To protect the natural and scenic values of the coastline that provide Graham Island with its rural marine character.*

5.4, 05. *To provide opportunities for the commercial use of the foreshore and coastal waters provided such uses do not detract from the environmental integrity or use and enjoyment of the shoreline by the public or existing upland property owners.*

5.0 DISCUSSION AND SUMMARY

The Graham Island OCP objectives and policies support protecting the natural environment – both upland and marine - and support the Haida Nation in protecting its natural areas, and in particular, the Protected Areas identified in the SLUA. The Investigative Permit requirements should therefore be comprehensive and consistent with the requirements that would be agreed to by a signatory to the Haida Gwaii Stewardship Plan. A comprehensive study would include, for example, red and blue listed ecological communities, visual quality objectives, wildlife habitat areas, recreational resources, as well as fish habitats and protected species.

The applicant has indicated that he will be undertaking an environmental study, including identifying endangered species. The specifics of the environmental studies have not been outlined, and it is not clear that they would apply to the transmission corridor on both land and in the marine environment or to adjacent impacted areas such as the area to be flooded by the proposed dam structure.

Required approvals under various applicable Provincial Acts should be confirmed as these have implications for the Regional District's requirements related to zoning and comments on subsequent referrals. These Acts include the *Protected Areas of British Columbia Act (SBC 2000)* and the *Park Act*; the *Agricultural Land Commission Act*; and the *Utilities Commission Act*.

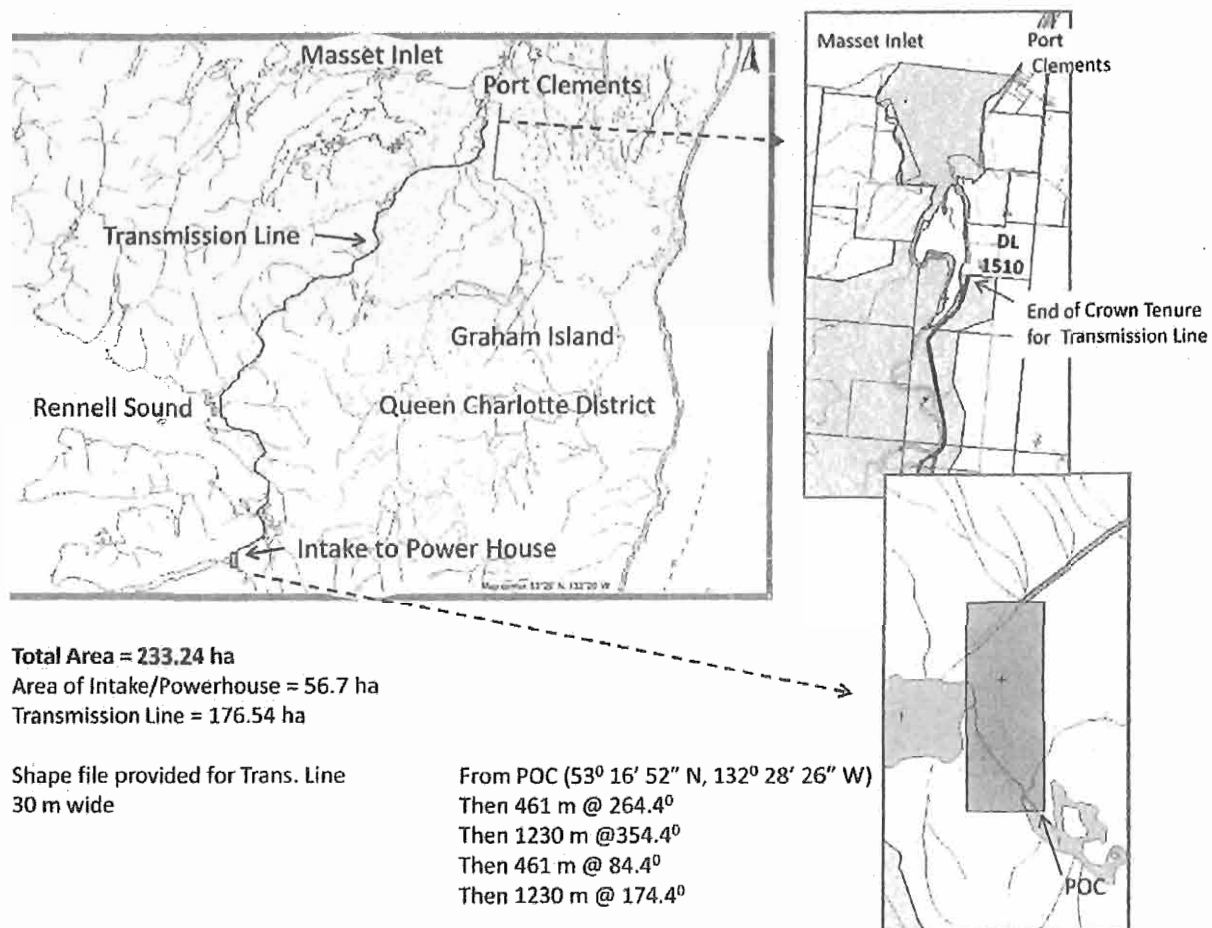
6.0 RECOMMENDATIONS

The following recommendations are proposed as Skeena-Queen Charlotte Regional District's referral response to the Crown Land Licence of Occupation Investigative Permit applications by Van Inlet Hydro (Crown file numbers 6407631 and 2410271):

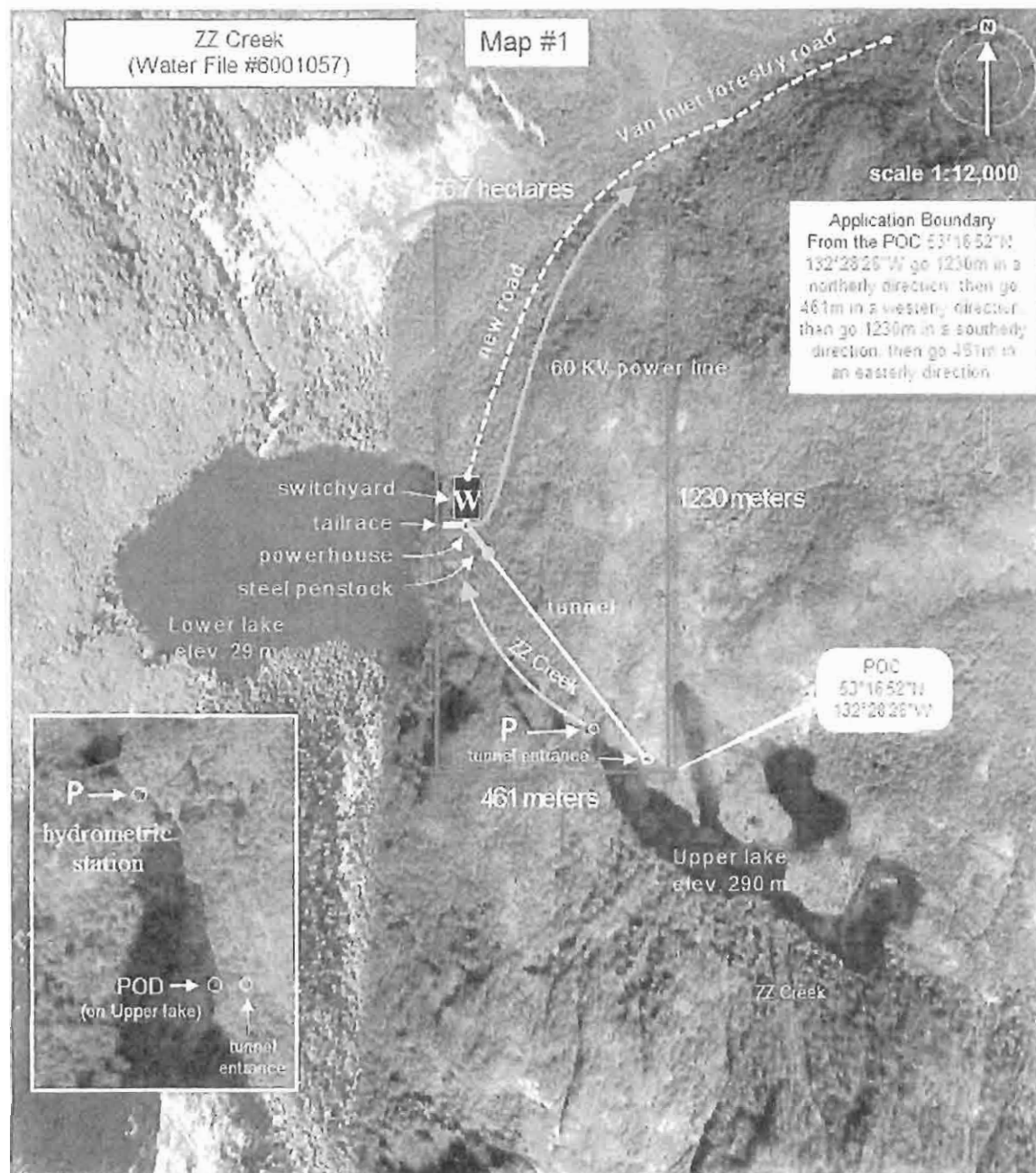
1. That the proposed environmental studies to be undertaken in the summer of 2015 be comprehensive in nature and scope, incorporating environmental, visual and recreational aspects that would be required for forest harvesting under the Haida Gwaii Forest Stewardship Plan; and applying to the transmission corridor over both land and marine areas as well as the two water power generation sites, and to the area that would be flooded by the proposed dam structure;
2. That the applicant take into account the Province's own guidelines for streamside protection in assessing the sites for the purpose of preparing development plans – i.e. the *Land Development Guidelines for the Protection of Aquatic Habitat, prepared by the Ministry of Environments, Lands and Parks' and Department of Fisheries and Oceans (1992)*, including a 30-metre Streamside Protection and Enhancement Area (SPEA).
3. That the applicant be requested to confirm requirements for authorization under the *Utilities Commission Act*, and advise the Regional District of such authorization so as to ascertain a need for any rezoning;
4. That the applicant be requested to confirm the requirements for approval of the *Agricultural Land Commission*; and

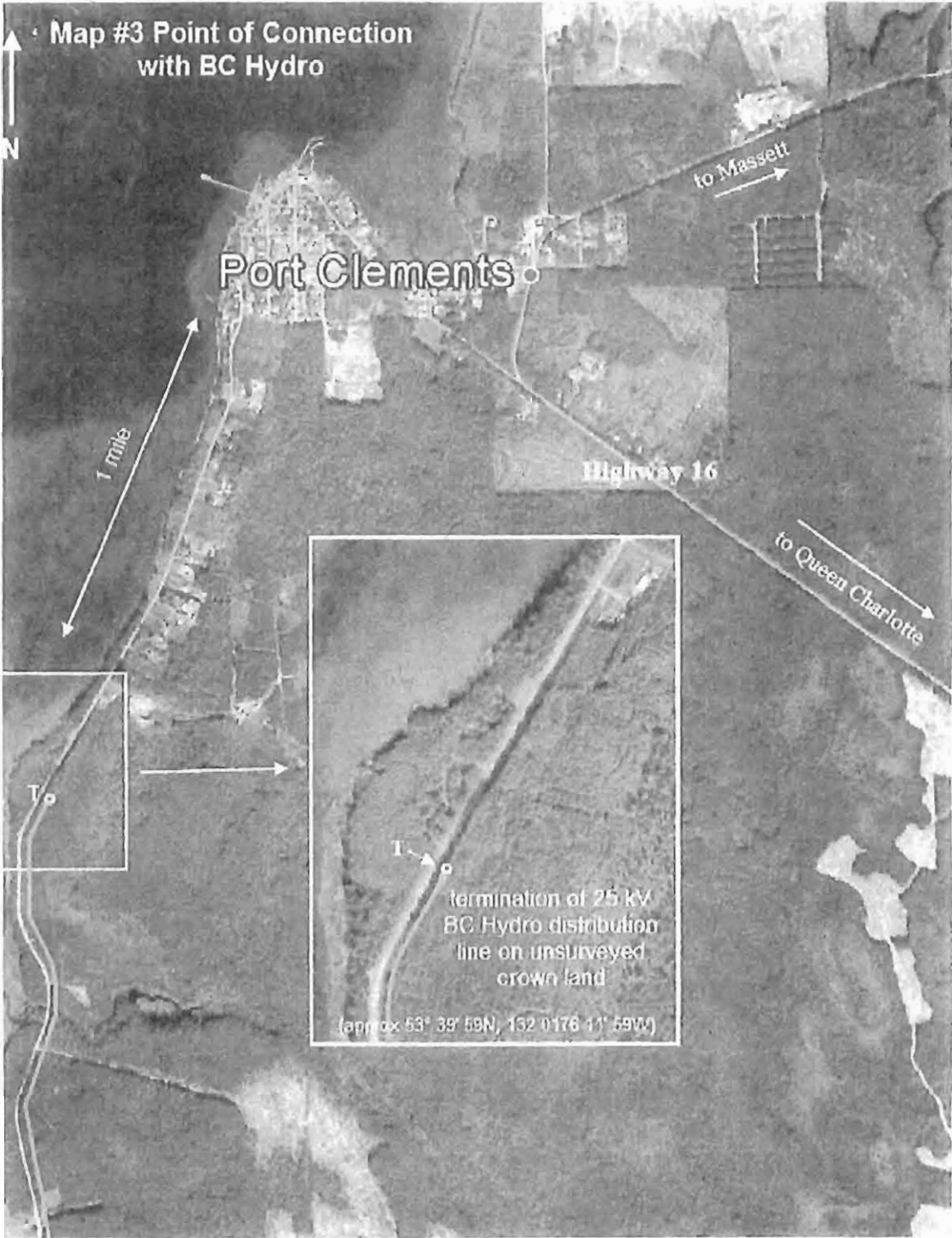
5. That, with respect to the proposed location of the transmission corridor in the vicinity of the Yaguun Gandlaay Conservancy, the Province confirm that the transmission corridor is not subject to the *Protected Areas of British Columbia Act (SBC 2000)* and the *Park Act*.

ATTACHMENT A: (Page 1) Map of ZZ Creek Site and Transmission Line



ATTACHMENT A: (Page 2) Site Map of ZZ Creek





ATTACHMENT A: (Page 4) ZZ Creek Information

Application Requirements for a Clean Energy Investigative Licence

Investigative Plan for ZZ Creek hydro project

The Application and any subsequent requests for replacement for the Investigative Licence (IL) on the area noted in the application is for the sole purpose of investigating the viability of hydro resources to evaluate the potential for future development and generation of energy from ZZ Creek.

Section A: Project Overview for Investigative Stage:

ZZ Creek is located in the Rennell Sound Region of Graham Island, Haida Gwaii, near the Village of Queen Charlotte, BC.

If a Clean Energy project results from work done in the investigative phase, the project may be between 2.5 and 7.5 mW and have a dam, powerhouse, intake, penstock, switch yard, tailrace, access road, barge landing site, powerline over a maximum 56.7 ha site.

During the investigative phase, access to the site will be achieved by driving to Rennell Sound on the forestry roads, boating across Shields Bay, and then walking to the site on the Van Inlet forestry road.

The proposed location of any improvements is shown on the accompanying map by a label and a P. Prior to any changes being made with or to improvements we will notify the Authorizing Agency as soon as the information is known by us to maintain the tenure in good standing.

The proposed location of any activities, such as a quarry or drilling, is identified on the accompanying map with text identifying what types of activities are contemplated.

The proposed location of Works is ZZ Creek and identified on the accompanying maps as a W. The anticipated transmission line is shown on the accompanying map as a green line and point of interconnection to the BC Hydro grid is identified as a T. As well the proposed water source and tributaries are shown in blue.

Section B: Map(s) of Area

As required by the application form a General Location map at a scale of 1:50,000 to 1:250,000 and a Detailed Site Map at a scale of between 1:10,000 to 1:20,000 are attached.

- | | |
|--------|-------------------------------|
| Map 1) | Detailed Site Map |
| Map 2) | General Location Map |
| Map 3) | Detail of point of connection |

ATTACHMENT A: (Page 5) ZZ Creek Information

Section C Investigative Schedule

A chart of the intended activities by type, year and season and potential impact is included to assist Authorizing Agency staff in assessing the use of the land.

As part of the requirements of the tenure document, if changes are made to the investigative activities that include placement of improvements (eg. Monitoring equipment) that were not part of the original submission of the investigative plan, we will notify the appropriate Authorizing Agency staff as soon as the information is known by us, prior to making the changes and to maintain the tenure in good standing.

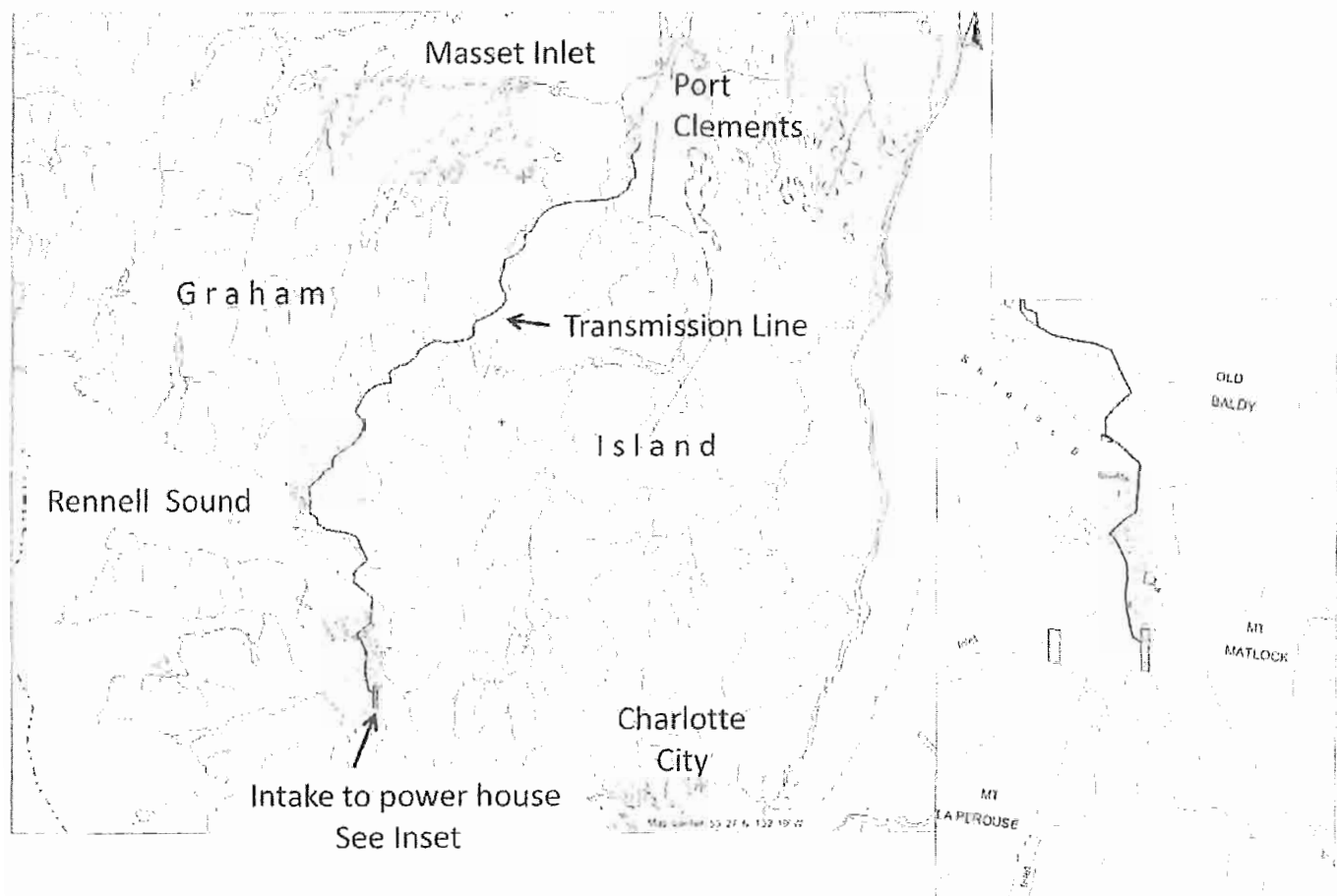
Activity	Brief description of activity	Time Period	Potential Impact
Install hydrometric station	Clamping a 8ft communication mast to a stump. Placing a transducer in ZZ Creek.	Summer 2013	Human foot traffic, minimal impact
Install temporary bridge over ZZ Creek at outflow from Upper Lake	An aluminum scaffolding plank to be bolted to the rock with anchor bolts.	Summer 2013	Human foot traffic minimal impact
Commence staging of ZZ Creek	Data sent by satellite to DataGarrison. Accessed by internet.	Ongoing	No impact
First year fisheries study	Access by foot. Activities involve fry trapping and beach seining for fish. All fisheries activities undertaken with appropriate permits obtained through DFO.	Summer 2014	Human foot traffic, minimal impact
Continue staging	Data sent by satellite to DataGarrison. Accessed by internet.	Ongoing	No impact
Flow measurements	Measurements taken using a Swiffer flow meter from the bridge at various stages of the creek.	Fall 2014 Winter 2014/15 Spring 2015	Human foot traffic, minimal impact

ATTACHMENT A: (Page 6) ZZ Creek Information

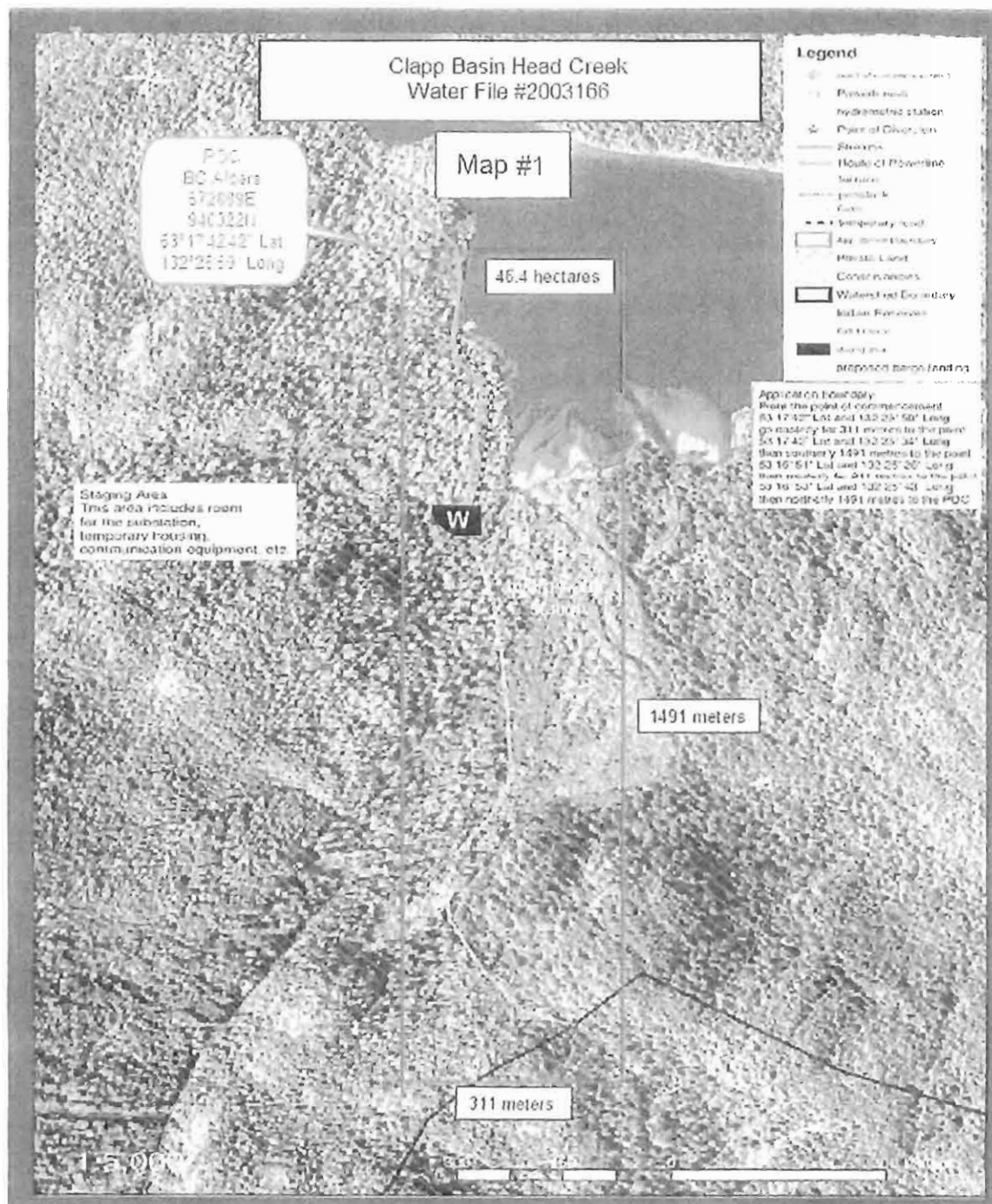
Geology	Geological survey by helicopter and foot exploration with signed reports.	Summer 2015	Helicopter landing in natural opening by Upper lake, no impact.
Second year fisheries study undertaken	Access by foot. Activities involve fry trapping and beach seining for fish. All fisheries activities undertaken with appropriate permits obtained through DFO.	Summer and Fall 2015	Human foot traffic, minimal impact.
Environmental studies	Access by foot. Surveying for endangered species.	Summer 2015	Human foot traffic, minimal impact
Core drilling for penstock exploration	Core drilling equipment flown in by helicopter which lands in natural opening in Upper lake. Drill equipment set up on bedrock with no other structure; crews flown in by helicopter.	Summer 2016	Water-lubricated drilling equipment to avoid hydrocarbon contamination of downstream water. Fuel stored in double-walled containers away from water.
Archaeology	The area disturbed by the works surveyed by archaeologist to determine evidence of human habitation.	Summer 2017	Foot traffic, minimal impact.
Hydrology	With five years of staging data and flow data recorded at various stages the hydrologist will produce the official hydrology report.	Summer 2017	No impact.

Other authorizations that will be required during the investigative phase are: none.

ATTACHMENT B: (Page 1)



ATTACHMENT B: (Page 2): Site Map of Clapp Basin Head Creek



ATTACHMENT B: (Page 3) Clapp Basin Head Creek Information

Application Requirements for a Clean Energy Investigative Licence

Investigative Plan for Clapp Basin Head Creek Hydro Project

The Application and any subsequent requests for replacement for the Investigative Licence (IL) on the area noted in the application is for the sole purpose of investigating the viability of hydro resources to evaluate the potential for future development and generation of energy from Clapp Basin Head Creek.

Section A: Project Overview for Investigative Stage

Clapp Basin Head Creek is located in the Rennell Sound Region near the Village of Queen Charlotte, BC.

If a Clean Energy project results from work done in the investigative phase, the project may be between 2.5 and 4.5 MW and have a powerhouse, intake, penstock, switch yard, tailrace, access road, barge landing site and power line. The site will occupy 46.4 ha.

During the investigative phase, access to the site will be achieved by driving to Rennell Sound on the forestry roads, boating across Shields Bay, and then walking to the site.

The proposed location of any improvements is shown on the accompanying map by a P. Prior to any changes being made with or to improvements we will notify the Authorizing Agency as soon as the information is known by us to maintain the tenure in good standing.

The proposed location of any activities, such as a quarrying or drilling, is identified on the accompanying map with text identifying what types of activities are contemplated.

The proposed location of works is Clapp Basin Head Creek and is identified on the accompanying maps with a W. The anticipated transmission line is shown on the accompanying map as a green line and point of interconnection to the BC Hydro grid is identified with a T. As well, the proposed water source and tributaries are shown in blue.

Section B: Maps of Area

As required by the application form a General Location map at a scale of 1:50,000 to 1:250,000 and a Detailed Site Map at a scale of between 1:10,000 to 1:20,000 are attached.

- | | |
|--------|-------------------------------|
| Map 1) | Detailed Site Map |
| Map 2) | General Location Map |
| Map 3) | Detail of point of connection |

ATTACHMENT B: (Page 4): Clapp Basin Head Creek Information

Section C Investigative Schedule

A chart of the Intended activities by type, year and season and potential impact is included to assist Authorizing Agency staff in assessing the use of the land.

As part of the requirements of the tenure document, if changes are made to the investigative activities that include placement of improvements (e.g. monitoring equipment) that were not part of the original submission of the investigative plan, we will notify the appropriate Authorizing Agency staff as soon as the information is known by us prior to making the changes and to maintain the tenure in good standing.

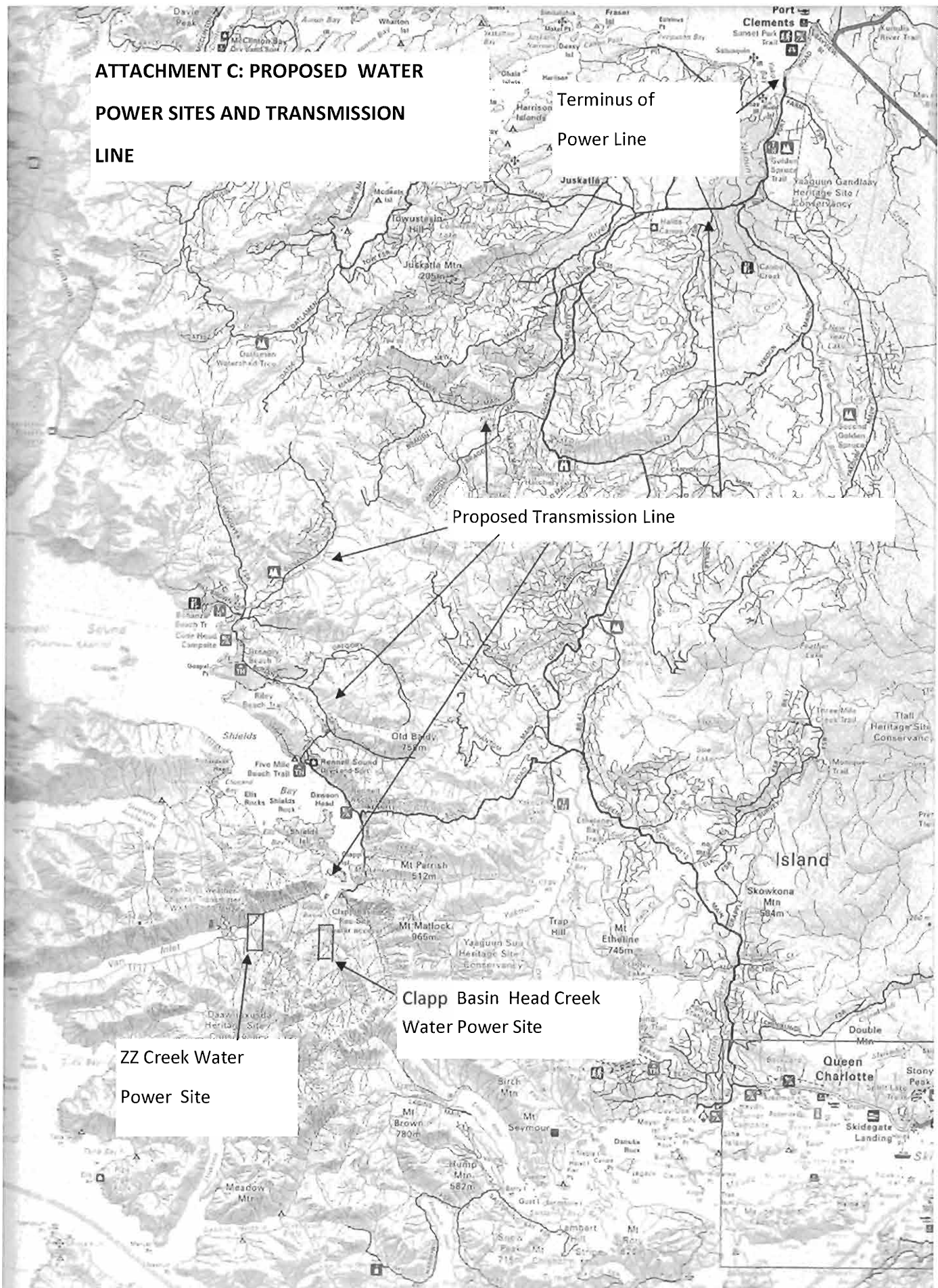
Activity	Brief description of activity	Time Period	Potential Impact
Install hydrometric station	A pressure transducer will be lowered in a protective aluminum pipe into the stream. The pipe will be secured to the rock wall with anchor bolts. The cable will lead vertically to the data logger which will be strapped to a tree.	Summer 2013	Human foot traffic, minimal impact
Commence of staging of Clapp Basin Head Creek	Data recorded in a Hobo logger accessed periodically, and manually.	Summer 2013	Human foot traffic, minimal impact
First year fisheries study	Access by foot. Activities involve fry trapping and beach seining for fish. All fisheries activities undertaken with appropriate permits obtained through DFO.	Summer and Fall 2013	Human foot traffic, minimal impact
Continue staging	Data sent by satellite to DataGarrison. Accessed by Internet.	Ongoing	No impact
Flow measurements	Measurements taken using a Swoffer flow meter from the bridge at various stages of the creek.	Fall 2014 Winter 2014/15 Spring 2015	Human foot traffic, minimal impact

ATTACHMENT B: (Page 5): Clapp Basin Head Creek Information

Geology	Geological survey by helicopter and foot exploration with signed reports.	Summer 2015	Human foot traffic, minimal impact.
Second year fisheries study undertaken	Access by foot. Activities involve fry trapping and beach seining for fish. All fisheries activities undertaken with appropriate permits obtained through DFO.	Summer and Fall 2015	Human foot traffic, minimal impact.
Environmental studies	Access by foot. Surveying for endangered species.	Summer 2015	Human foot traffic, minimal impact
Archaeology	The area disturbed by the works surveyed by archaeologist to determine evidence of human habitation.	Summer 2016	Foot traffic, minimal impact.
Hydrology	With five years of staging data and flow data recorded at various stages the hydrologist will produce the official hydrology report.	Summer 2017	No impact.

Other authorizations that will be required during the Investigative phase are: none.

**ATTACHMENT C: PROPOSED WATER
POWER SITES AND TRANSMISSION
LINE**



**Attachment D: Proposed
Water Power Sites and
Transmission Line**

