

Community Forest (Heritage Forest) Management Plan

District Lots 30, 31, 32

Galiano Island, BC

Originally Created: February, 2008

Community Forest Management Committee on behalf of The Galiano Club

> Revised: November 15, 2020

Galiano Club Community Forest Management Committee

Facilitated by Keith Erickson R.P.Bio.

# **ACKNOWLEDGEMENT**

We acknowledge that the Community Forest Properties lie within the asserted, unceded and shared territories of the Penelakut, Lamalcha and Hwlitsum First Nations as well as other Hul'q'umi'num, and SENĆOŦEN speaking peoples and any others with rights and responsibilities in and around what is now known as Galiano Island. They also lie within the ceded territory of the Tsawwassen First Nation.

We are grateful for the opportunity to operate within, learn from and care for these shared traditional territories.

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Section 1.0 Introduction

# 1.1 Background and Value to the Community

In December of 2005, The Galiano Club took ownership of just over 126 hectares or 311 acres of Community Forest. The Community Forest Lands are held in trust by the Galiano Club for the benefit of the Galiano Community, present and future.

The lands will be managed in a manner that maintains or enhances the integrity of ecosystems while contributing to the economic and social well being of the Galiano community.

Benefits to the community will be realized through provisions for maintaining natural values, allowing recreational use of the land, accommodating educational opportunities, contributing to local economic opportunities by allowed small scale sustainable forestry or harvesting of alternative forest products, and allowing for the designation and subdivision of a small percentage of the land to accommodate affordable housing, including housing for senior citizens.

The Community Forest was formerly known as the 'Heritage Forest'. The term 'Heritage Forest' was a land-use designation within Galiano's Official Community Plan Bylaw #108 (Consolidated June 1, 2006) and Land Use Bylaw #127 (Consolidated August 18, 2006) describing forest land that has been donated to the Galiano Community by landowners in return for residential development rights.

For the Galiano Club to take ownership of the Community Forest it was required to place a covenant on the land. This was an added measure to ensure long-term sustainable management of the land. The covenant is a legally binding document that is registered on the titles of the Properties. It stays with the land regardless of the owner or changes to our local bylaws. The Covenant is held by two organizations – the Galiano Conservancy Association and Habitat Acquisition Trust. The covenant holders are responsible for monitoring the Community Forest lands to ensure there are no violations of the terms of the covenant. Covenant holders are also responsible for taking legal action in the event of a significant breach of the terms.

#### 1.2 Plan Purpose

This management plan is a statement of how the Community Forest lands on Remnant Lot 1 District Lots 30 and 31 and Remnant Lot, District Lot 32, hereto referred to as 'the Properties' will be managed. It states in a broad but comprehensive manner, management goals, objectives and related strategies for achieving them.

The Board of the Galiano Club recognizes that future issues may arise that are not accounted for in this plan, are subject to unforeseen complexity or are subject to new and emerging standards of practice. In addition, the policy and procedure outlined in this plan are subject to the principles of adaptive management... the process of continually improving management policies and practices by learning from the outcomes of the Galiano Club's operational programs and those of Galiano Club and other organizations and agencies.

# 1.3 Community Forest and Community Parks Co-management

The Community Forest properties are bordered by two small Community Parks and a Public Shore Access that are managed by the Galiano Island Parks and Recreation Commission (GIPRC). The Community Parks, Shore Access and the Community Forest share a number common management concerns including public access and associated facilities such as parking, washrooms, and signage. Both the GIPRC and the Galiano Club have recognized the value of addressing these common issues in a cooperative manner, to avoid duplication of services and infrastructure and to ensure connectivity of the trail network.

This plan serves to coordinate recreational management; by the GIPRC on Community Parks and Shore Access lands, and by the Galiano Club on Community Forest lands.

The bulk of the Plan provides guidance for Galiano Club management of Community Forest lands, however, when it calls for the location of facilities or infrastructure located on GIPRC managed lands, it is clearly stated that these activities fall within the sole authority of the GIPRC.

# 1.4 Management Planning Process

#### 1.4.1 2008

The Management Plan was developed by the Community Forest Management Plan Committee consisting of representatives from the Galiano Club (Title Holders in Trust), the Galiano Conservancy Association (covenant holder), Habitat Acquisition Trust (covenant holder), the Galiano Island Parks and Recreation Commission (managers of two neighbouring Community Parks and one neighbouring Public Shore Access) and members of the Public. Members included: Odin Shulz, Kate Emmings, Sheila Anderson, Stefan Fedorowich, Don Anderson, Don McKinnon, Diane Cragg and Keith Erickson.

The planning committee completed an open planning process that included three public open houses and consultation with the Local volunteer fire department, owners of lands bordering on the Properties, and individuals from the Sticks Allison Road and Georgia View Road neighbourhoods.

The Management Plan was drafted in accordance with the legal obligations outlined in the Section 219 covenant registered on title of the Properties and with applicable policies and regulations set out in the Galiano Island Local Trust Committee Official Community Plan Bylaw #108 (Consolidated June 1, 2006) and Land Use Bylaw #127 (Consolidated August 18, 2006).

The Management Plan was approved by the Covenant Holders. In addition, the Management Plan was ratified by the Title Holders in Trust at an annual general meeting on May 25<sup>th</sup>, 2008. The Management Plan must be reviewed and revised, every ten years or as otherwise agreed to by the Title Holders in Trust and the Covenant Holders.

#### 1.4.2 2020

The Management Plan was reviewed and revised in 2020 by a committee of the Board of the Galiano Club which included a representative of the Galiano Island Parks and Recreation Commission. The review committee included Garth Walmsley, Diana Burgoyne, Allan Forget, Judy Hayes, Allison Whitlock, Lorne Byzyna, Sylvia Jenken, Sonia Baker, Patrick Ramsay, Deidre Jewell, Robert Matson and Keith Erickson. The review included field reconnaissance to identify significant changes to the ecological character of the Properties and inform updates to recommendations for ecological restoration and other management activities. The review process included extensive public consultation including 2 public site tours and 3 public open houses. Neighbouring landowners to the Properties were contacted directly to solicit their participation in the process.

The revised Plan was approved by the Covenant Holders and was ratified by the Galiano Club membership at their November 15<sup>th</sup>, 2020 Annual General Meeting.

# 1.5 Property Location

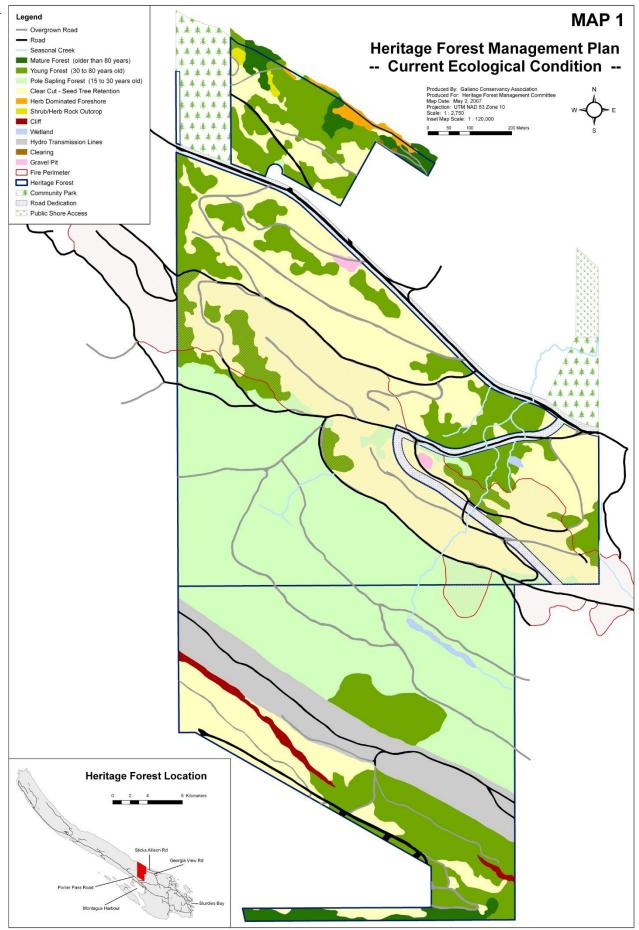
The Properties are located on Galiano Island, one of the southern Gulf Islands in the Strait of Georgia, British Columbia. The Properties can be accessed from the terminus of Georgia View Road at the southeastern end of Galiano Island. Access to the Properties is approximately 7 kilometers by road from the Sturdies Bay Ferry Terminal. Please refer to MAP 1 for the location of the Properties.

# 1.6 Legal Description and Size of the Properties

Property 1: Lot 1, District Lots 30 and 31, Plan VIP76997, Galiano Island, Cowichan Land District except that part in Plan VIP76997. Parcel Identifier: 025-936-107

Property 2: Remnant, District Lot 32, Plan 77822, Galiano Island, Cowichan Land District except part in Plan VIP77822. Parcel Identifier: 001-273-655

The Properties are within the Capital Regional District and total 126.06 hectares in size. Remnant Lot 1, DL 30 and 31 totals 77.46 hectares and Remnant, DL 32 totals 48.6 hectares.



# 1.8 Land Use and Ownership History

The following is an excerpt from the Baseline Report for REM 1, DL 30 and 31, Plan VIP76997 And REM DL 32, Plan 77822 Galiano Island, Cowichan Land District, British Columbia (Erickson, 2006)<sup>1</sup>.

District Lots 30, 31 and 32 were Crown granted as part of a tract of 8,294.2 acres of land on Galiano Island, to Samuel Mathews Robbins in June 1889, for a price of \$1 per acre. The land was bought on behalf of the Vancouver Coal Mining and Land Company Ltd. In 1902 this company was purchased by Western Fuels Ltd. along with the title to District Lots 30, 31 and 32 and the rest of the Galiano lands. In 1944 timber extraction rights were sold to Nanaimo based companies. The land was then purchased along with Western Fuels Ltd by the Powell River Company in 1951. During the merger of Powell River and MacMillan Bloedel in 1960, all of the Galiano holdings were transferred to MacMillan Bloedel.

In October 1991 District Lots 30 and 31 were purchased from MacMillan Bloedel by 411313 B.C. Ltd. In December 2005 Lot 1, District Lots 30 and 31, Galiano Island, Cowichan District, Plan VIP76996 except that part in Plan VIP76997 was transferred to The Galiano Club to be held in trust as Community Forest.

In April 1991 District Lot 32 was purchased from MacMillan Bloedel by Scoones Bulldozing Ltd. and Active Pass Developments Ltd. In June 1999 District Lot 32 was purchased by 575302 B.C. Ltd. of Parksville, BC. In May 2000 District Lot 32 was purchased by 607814 B.C. Ltd. In December 2005 District Lot 32, Galiano Island, Cowichan District, except that part in Plan VIP77822 was transferred to The Galiano Club to be held in trust as Community Forest.

#### 1.9 Declaration of Trust

The Galiano Club signed and registered a 'Declaration of Trust' on the Community Forest Lands (December 5<sup>th</sup>, 2005) which stipulates the following (in part):

- 1. The Galiano Club declares that it holds "the Community Forest" (sic) upon the following:
  - a. To protect and preserve the Land as a community forest in perpetuity;
  - b. To provide ecological, aesthetic and environmental benefit to the Galiano Island area;
  - c. To manage the land in accordance with the terms set out in the Heritage Forest Covenant entered into with Habitat Acquisition Trust and Galiano Conservancy Association and to be registered against the title to the Land concurrently with this trust document, including using the Land for Sustainable Forestry, as defined in the

<sup>&</sup>lt;sup>1</sup> This document will hence forward be referred to as "the Baseline Report"

- Heritage Forest Covenant;
- d. To administer the Land for the purposes of environmental education and research;
- e. To enable the Land to be used for non-motorized light impact recreational uses such as walking, bicycling and hiking trails;
- f. To prevent the subdivision, residential occupation or use of the Land for non-forest uses, except for the purpose of providing affordable housing, including housing for senior citizens in accordance with Section II, Part 4, Community Facilities and Utilities, Community Facilities Policy 4.1 g) of the Galiano island Official Community Plan Bylaw No. 108/
- g. To attend to fire control;
- h. To conduct within the Galiano Island Local Trust Committee area as defined by the Islands Trust from time to time, secondary processing of timber harvested from or found on the Lands, for sale of products within or without the Galiano Island Area;
- i. To apply any funds received in relation to the ownership of the Land and administration of this trust to the preservation and maintenance of the Land and the operation of such commercial ventures as may be permitted by the terms of this trust.
- 2. The Galiano Club declares that it will at all times, in the administration of this trust, have regard to:
  - a. The social and economic culture of the Galiano Island Area and in particular will
    respect the watershed values, the health of the local economy, community-scale
    forestry activity and value added potential;
  - b. The fact that the land is part of the unique and geographically limited Coastal Douglas-fir Biogeoclimatic Zone;

# 1.10 Land Use Designation and Zoning

The Properties have a current Land Use Designation in the Galiano Island Official Community Plan (Consolidated February 7, 2019) of 'Forest'. These OCP policies state the following objectives for 'Forest':

- 1. To preserve a forest land base,
- 2. To preserve and protect the forest, its biodiversity, integrity and ecological services,
- 3. To encourage ecosystem-based sustainable forest management for all forested lots and to encourage economic opportunities through this forest management practice,
- 4. To encourage ecological restoration of degraded forest stands, and
- 5. To maintain and enhance carbon storage and sequestration.

The Properties have a current zoning designation of "Heritage Forest" under Galiano Land Use Bylaw NO. 127 (Consolidated February 7, 2019).

Under Galiano Land Use Bylaw NO. 127 (Consolidated February 7, 2019), Section 7.4, the following uses are permitted in the Heritage Forest Zone:

- 7.4.1 In the Heritage Forest zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3 and all other uses including residential uses are prohibited.
  - 7.4.1.1 Timber production and harvesting
  - 7.4.1.2 Accessory forestry uses including the sawmilling and planning of timber harvested on the same lot and the growing of seedlings in nurseries.

Under Galiano Land Use Bylaw NO. 127 (Consolidated February 7, 2019), Section 7.4, the following Buildings and Structures are permitted in the Heritage Forest Zone for Forestry Uses:

- 7.4.2 A single non-residential unenclosed building or structure with a floor area not exceeding 70 square meters is permitted on each lot for timber production and harvesting uses, and every such building or structure must be screened by a landscape screen not less than 9 meters in height and complying with the requirements of subsection 15.1.1 of this bylaw.
- 7.4.3 Enclosed buildings and structures for forestry education and research uses, not exceeding 70 square meters in total floor area, are permitted on each lot, subject to the screening requirements in subsection 7.4.2.

When the Community Forest was created (2005) and at the time this plan was originally drafted (2008), provisions for Affordable Housing in the Heritage Forest were contained within the Forest policy of the OCP (Bylaw NO. 108). The OCP underwent a major review in 2010. One of the products of this review was to remove the Affordable Housing provisions from the Forest Policy section and to create a new section of the OCP entirely dedicated to Community Housing. Clause c), under Section 1.6 Community Housing Policy of the Galiano Island Official Community Plan (Consolidated February 7, 2019) provides the avenue to achieve Affordable Housing in the Community Forest:

1.6 c) A portion of lands rezoned to permit a density increase under another policy in this plan, may, if the area is deemed suitable for the purpose by the Local Trust Committee, be rezoned to CH (Community Housing) to permit affordable housing, including housing for senior citizens or persons with special needs, and the land required to be simultaneously transferred to an incorporated non-profit society having as one of its objects the development and operation of affordable,

seniors' or special needs housing, or alternatively an option to purchase the land for nominal consideration may be granted to such a society. As an alternative to permitting the community housing on the parcel being rezoned, the local trust committee may consider amending zoning on other lands to permit the affordable, seniors or special needs housing to be developed in a more appropriate location and the land being transferred to the incorporated non-profit society may be zoned to permit residential uses. Any proposed location for the affordable, seniors or special needs housing should be located within modified ecosystems, avoid potentially hazardous lands, demonstrate an adequate supply of potable water, and be in proximity and accessible to existing roads, services and other amenities.

#### 1.11 Section 219 Covenant

A section 219 Covenant is registered on the titles of the two Properties - Remnant Lot 1, District Lots 30 and 31 and Remnant, District Lot 32 – restricting the permitted uses on the Properties and determining the overall management framework for the Properties.

#### 1.11.1 The Intent of the Covenant

The intent of the Section 219 Covenant between The Galiano Club, Habitat Acquisition Trust and the Galiano Conservancy Association (December 5<sup>th</sup>, 2005) is stated in section 2.1 of the document:

"The parties each agree that the general intent of this Agreement is:

- (a) to protect and preserve the Amenities and the Land, part of the unique and geographically limited Coastal Douglas-fir Biogeoclimatic Zone;
- (b) to restrict activities on the Land that are not Forest Activities to low impact, non-vehicular recreational activities, such as horseback riding, non-motorized cycling, hiking and walking;
- (c) to ensure that any Forest Activities on the Land are carried out in accordance with the Silva Forest Foundation Standards in order to ensure the long-term sustainability of the forest;
- (d) to prevent the subdivision or residential use of the Land except in accordance with this Agreement."

Without limiting the generality of intent (d) above, the covenant provides for the explicit right to subdivide the property in order to facilitate the creation of affordable or seniors housing:

# 28 Rights of Ownership

28.2 Without limiting the generality of section 28.1, the following rights are expressly reserved to the Owner:

(a) to subdivide the Land in accordance with section 4.1(g) of the OCP which states: In connection with the implementation of Forest policy(d), an area comprising 1% of the area of F1 lands being rezoned to RR and FH may, if the area is deemed suitable for the purpose by the Local Trust Committee, instead be rezoned to CF (Community Facility) to permit affordable housing, including housing for senior citizens, and the land required to be simultaneously transferred to an incorporated non-profit society having as one of its objects the development and operation of affordable or seniors' housing, or alternatively an option to purchase the land for nominal consideration granted to such a society. This policy must not be used to create CF parcels with areas less than 2ha.

As of October 1, 2019, the total size of F1 Lands rezoned to HF/RR on Galiano Island amounts to approximately 161ha, resulting in the potential for a 1.61ha not-for-profit affordable housing lot to be subdivided and rezoned. This creates an inherent conflict in the covenant in that the same paragraph also specifies a minimum lot size of 2ha.

In a letter addressed to the Galiano Club, dated December 5<sup>th</sup>, 2019 (Appendix 4), the Covenant Holders agree that this conflict must be resolved in order to bring certainty to the Galiano Club, and to functionally enable the intent of that section of the covenant, which is to allow for subdivision to meet a community need. In the same letter, the Covenant Holders agree to allow for the subdivision and rezoning of a single, 2ha, not-for-profit, affordable housing lot through an amendment to Clause 28.2 a) of the covenant or, other mechanism at the discretion of the Covenant Holders.

# 1.11.2 Statutory Right of Way granted to the Covenant Holders

Associated with the Section 219 Covenant and described under section 6.1 of the covenant document is a Statutory Right of Way (SRW) granted to the covenant holders. The SRW stipulates that the covenant holders may enter upon the land:

- Without notice if they reasonably hold the opinion that the Owners in Trust have breached or are in breach of the covenant,
- Once each year on a date chosen by the covenant holders, and communicated to the Owners in Trust in writing at least 48 hours in advance of the visit,
- Without notice at any time in an emergency,
- Upon reasonable notice not to be less than 90 days to undertake works and activities.

#### For the purposes of:

- Inspecting the amenities and the land
- Undertaking work, activities, and operations to rehabilitate or restore the amenities of the land,

• Undertaking or evaluating any acts or programs that have been agreed to in this Management Plan.

The Galiano Conservancy Association has agreed to take the primary responsibility for the annual monitoring of the covenant.

# 1.12 Liens, Charges, and Interests

For a list of charges, liens, and interests registered on the title for Remnant Lot 1, District Lots 30 and 31, please refer to *Appendix 1*.

For a list of charges, liens, and interests registered on the title for Remnant, District Lot 32, please refer to *Appendix 2*.

**Goals and Objectives** 

# 2.1 Context

The following paragraphs provide the general context for the management of the Properties and are direct quotations from the registered Section 219 Covenant:

# FORM C, TERMS OF INSTRUMENT – PART 2 GIVEN THAT:

- (d) As a service to the Community, the Owner has accepted responsibility of ownership of the Land as a community forest created under legislation of the Galiano Island Local Trust
- (e) Under a declaration of trust registered on December 1, 2005 in the Land Title Office under registration number EX153880, the Owner holds the Land for the benefit of the Community;
- (f) The management of the Land as forest and recreational land will provide significant social, educational, aesthetic and economic benefit to the Community;

# 2.2 Management Goal

Committee:

Management of the lands will strive to maintain or enhance the integrity of ecosystems while contributing to the economic and social well-being of the Galiano community.

# 2.3 Objectives

# 1. Sustainable Forestry

To provide local economic opportunities for small scale sustainable forestry and associated non-timber forest products activities in accordance with the Silva Forest Foundation Standards for Ecologically Responsible Timber Management.

#### 2. Conservation:

To maintain and enhance the integrity of Coastal Douglas-fir forest, aquatic, foreshore, and associated ecosystems within the Properties and to contribute to landscape level ecological connections with natural areas located on surrounding lands.

# 3. Ecological Restoration:

To facilitate ecological restoration that maintains and enhances the natural integrity of the ecological systems within the Properties.

# 4. Low Impact Recreation

To provide low impact day-use recreation opportunities in cooperation with the Galiano Island Parks and Recreation Commission on both the Properties and adjoining lands designated as Community Park and Public Shore Access.

#### 5. Education

To provide opportunities for education and research about the ecology of area, cultural values, and any restoration or forestry related activities taking place on the land.

# 6. Affordable Housing<sup>2</sup>

Designate suitable areas where the development and operation of affordable housing, including housing for senior citizens may occur, and allow for subdivision within designated areas and subsequent transfer of the parcel to, or, purchase of the parcel for a nominal consideration by an incorporated non-profit society having as one of its objects the development and operation of affordable or seniors' housing.

<sup>2</sup> For this Plan, the interpretation of what constitutes 'Affordable housing' must be in accordance with BC Housing (behousing.org) definitions, standards, and policy.

# 3.1 Biological and Geographical Inventory

# **3.1.1** Climate

The rainshadow effect of the Olympic and Vancouver Island mountains and the moderating effects of the ocean are the dominant influences on the climate of Galiano Island. Kerr (1951) describes the Island as having a "Transitional, Cool Mediterranean Climate". Galiano exhibits a pattern of warm, dry summers and mild, wet winters.

The Islands Trust Conservancy has recently released a report<sup>3</sup> detailing climate projections for the Islands Trust Area. The report provides a list of key indicators of temperature and precipitation and shows how conditions are expected to change over the next 50 years. The following excerpts describe past climate conditions and how they are likely to shift.

In general, rising temperatures, changes to seasonal precipitation patterns and more extreme weather events are already affecting the Islands Trust Area, and we can continue to expect:

- Warmer summer temperatures, with hotter and more extreme heat days in summer.
- Warmer nights and a longer growing season.
- Warmer winter and summer temperatures.
- Less rain and longer droughts in the summer months.
- More precipitation and intense storms.
- Rising sea levels.
- Increasing acidity and temperatures, and reduction of oxygen levels in global ocean waters.

# Predicted trends in temperature:

<u>Past</u>	2050's	2080's
30	32 to 34	34 to 38
17	40 to 68	57 to 107
300	340-350	355-360
7	8 to 10	10 to 13
-8	-5 to -2	-3 to 0
40	4 to 15	0 to 8
	17 300 7 -8	30 32 to 34 17 40 to 68 300 340-350 7 8 to 10 -8 -5 to -2

# Predicted trends in precipitation:

The past summer precipitation total was about 80 mm for the Southern Gulf Islands, and between 100-200mm for the other regions.

<sup>&</sup>lt;sup>3</sup> Climate Projections for the Islands Trust Area, March 2020, Pinna Sustainability http://www.islandstrustconservancy.ca/media/84991/itc\_climateprojectionsreport\_final.pdf

- For the Southern Gulf Islands, summer precipitation will decrease by approximately 20% (to ~70 mm) in the 2050s and by 27% (to ~61 mm) in the 2080s.
- For the Southern Gulf Islands, Fall precipitation will increase by approximately 15% in the 2050s and by 25% in the 2080s.

Dry spells lasted between 20 and 30 days in the past, on average.

• Dry spells will increase to 30 - 35 days by the 2050s for the Southern Gulf Islands region, and to approximately 37 days by 2080s, on average.

The amount of precipitation in 95th percentile wettest days will increase by approximately 30% by the 2050s, and 63% by the 2080s.

- The amount of precipitation in 99th percentile wettest days (the very wettest days) will increase by approximately 68% by the 2050s, and 138% by the 2080s.
- These increases are a product of more frequent heavy event days (more big storms), and wetter wet days (more rain falling during storms).
- It is likely that precipitation will be concentrated into the wettest days. The wettest days of the year could occur anytime from September to May. Historically, total precipitation has been highest in the winter months, but this may shift to the fall in the future.

# 3.1.2 Topography

The Properties range in elevation from sea level to approximately 210 meters. In general, the topography rises gently from the Georgia Strait with a north east facing slope ending at the 210-meter elevation mark. Several relatively flat benches are intermittently spaced along the northeast facing slope. At the height of the Properties, the terrain changes to a south / southwestern aspect and descends towards the Trincomali Channel on a steep grade. This includes a ridge/cliff running from the northwest to the southeast, diagonally across the Properties.

#### 3.1.3 Hydrology

Approximately 80% of the total area of the Properties falls within the Cook Cove Groundwater Region, with a surface flow that empties into the Georgia Strait. The remaining 20% contributes to the Montague Harbour Groundwater Region, with surface water flowing to the south/southwest into the Trincomali channel. Over 90% of the Properties are designated as Groundwater Recharge Areas, only the foreshore area along the Georgia Strait is considered as a groundwater discharge zone.

One stream and associated watershed is located on the northeast facing slope of the Properties, within the Cook Cove Groundwater Region. It is relatively small, totaling approximately 184 hectares, of which about half is encompassed by the Properties. The intermittent stream headwaters in a marsh and swamp ecosystem located in the northeast corner of Remnant, District

Lot 32 and runs down through Remnant 1, District Lot 31 and out its northeastern corner. In 2006, most of the stream channel was dry by the end of May. The stream is fed by several springs along its length. In dry conditions, the springs create isolated small pools and wetted areas within the stream channel before seeping back into the groundwater. In 2006, many of the springs persisted through to the end of June; however, their persistence through the remaining dry summer months was not assessed due to the timeframe of this study. The official name of the stream is not known. However, it has been called "Sticks Allison Creek" in a stream mapping study conducted by the Galiano Conservancy Association. An isolated branch of this stream channel was identified in the southwest corner of Remnant 1 DL30&31. The isolated branch flows only during the late fall and winter months and drains a level area located midway up the northwest facing slope of the Properties, before disappearing back into the groundwater.

The hydrology of the Properties has been significantly impacted through the construction of logging roads and the compaction created by heavy machinery during logging. Several roads have altered natural drainage patterns during fall and winter storm events by diverting surface flow from broad slopes into concentrated, channels or ruts along the road. This pattern is also evident along old skidder trails found within the area.

#### 3.1.4 Wildlife

The Properties' diverse ecosystems support many species of animals. Fauna observed while surveying the lot are listed below.

List of bird species observed or certain to be present. The list does not include marine birds. (List compiled by Mike Hoebel)

<u>Vultures</u>		Pacific-slope Flycatcher
Turkey Vulture	<u>Nightjars</u>	Willow Flycatcher
	Common Nighthawk	
Hawks, Eagles and Falcons		
Cooper's Hawk	<u>Hummingbirds</u>	
Red-tailed Hawk	Rufous Hummingbird	Vireos
Bald Eagle (active nest site)		Warbling Vireo
Merlin		Hutton's Vireo
Peregrine Falcon		Cassin's Vireo
	Woodpeckers	
<u>Plovers</u>	Red-breasted Sapsucker	Ravens and Crows
Killdeer	Downy Woodpecker	Common Raven
	Hairy Woodpecker	Northwestern Crow
<u>Pigeons</u>	Northern Flicker	
Band-tailed Pigeon	Pileated Woodpecker	<u>Swallows</u>
Rock Pigeon		Northern Rough-winged
<u>Owls</u>	<u>Flycatchers</u>	Swallow
Barred Owl	Olive-sided Flycatcher	Violet-green Swallow

Tree Swallow Thrushes Spotted Towhee

Barn Swallow Varied Thrush Golden-crowned Sparrow

American Robin White-crowned Sparrow

Swainson's Thrush Fox Sparrow

Song Sparrow

Chestnut-backed Chickadee Dark-eyed Junco Starlings

Common Bushtit **European Starling** 

Grosbeaks

Black-headed Grosbeak Nuthatches and Creepers Red-breasted Nuthatch **Waxwings** 

Cedar Waxwing **Brown Creeper** Blackbirds

Red-winged Blackbird Brown-headed Cowbird

Warblers Orange-crowned Warbler Wrens

Yellow-rumped Warbler Bewick's Wren House Wren Townsend's Warbler Finches MacGillivray's Warbler Winter Wren Purple Finch

Wilson's Warbler House Finch Red Crossbill Tanagers Kinglets

Golden-crowned Kinglet Western Tanager Pine Siskin

Ruby-crowned Kinglet American Goldfinch **Sparrows** 

Other fauna observed includes:

Chickadees and Bushtits

Mammals **Amphibians** Reptiles

Red Squirrel Red Legged Frog Northwestern Garter Snake

Raccoon Pacific Tree Frog Rough-skinned Newt Columbian Black-tailed Long Toed Salamander Deer

Deer Mouse River Otter

#### 3.1.5 Soil

According to the Agriculture Canada report, Soils of the Gulf Islands of British Columbia *Volume 3*, the Properties are characterized by three different soil types from the ocean inland:

1. Saturna – Qualicum: Saturna-Qualicum soils are dominantly (45 – 60%) well-drained saturna soils, with a subdominant proportion (25 - 55%) of rapidly to well drained deep (>150cm), sandy loam to sand textured soils developed on glaciofluvial, fluvial, or marine deposits with 20-50% coarse fragments (Qualicum soils). In addition, bedrock exposures are the most common inclusions. This soil type occurs along the foreshore portion of the Properties.

- 2. Saturna: Saturna is the dominant soil type on the Properties and covers the majority of the gently to moderately sloping, northeast facing areas. Saturna soils are well-drained and have developed on shallow deposits of channery, sandy loam to channery, loamy sand textured, colluvial and glacial drift materials over sandstone bedrock within 100cm of the surface. Coarse fragment content varies between 20 and 50%.
- 3. Rock-Saturna: Sandstone bedrock exposed or covered with a shallow mineral soil layer or moss, mineral soils are either colluvial or glacial drift derived. Coastal cliff talus, and ridges characterize landscape position of these soils. A finger of this soil type protrudes in into the southeastern corner of Rem DL32. These are well drained soils.

# 3.1.6 Ecosystem Types and Associated Flora

The Properties are located within the Coastal Douglas-fir Biogeoclimatic zone. Within British Columbia, the Coastal Douglas-fir zone is considered an "Ecosystem at Risk". Due to the diverse topography and extensive history of timber extraction on the Properties prior to their transfer to the current owners in trust, the Galiano Club, they are characterized by a wide variety of both modified and natural ecological conditions. Natural ecosystem types found on the Properties include an intermittent stream, a marsh ecosystem and several swamp ecosystems along with their associated riparian ecosystems, patches of 'Mature' and maturing 'Young' forest along the foreshore characterized by shore pine (Pinus contorta), a grass dominated community along the foreshore containing flora characteristic of a Garry oak (Quercus garryanna) associated ecosystem, and a sensitive inland cliff ecosystem. The patches of mature forest along the foreshore are identified within the East Vancouver Island and Gulf Islands Sensitive Ecosystem Inventory (SEI) and are categorized as 'Second Growth Forest Conifer' with a subdominant category of 'Old Forest Conifer'. Modified ecosystem types include clearcuts, gravel pits, roads, regenerating and young forests, and hydro transmission line right of ways. A total of forty-six different natural and modified ecosystem types were identified on the Properties. Each of these ecosystem types are described in Section 8.5 of the Baseline Report and are spatially represented on Map 1 of this Plan. A representative photo of each ecosystem type has also been included in Appendix 'A' of the Baseline Report.

# 3.2 Disturbance History

The primary natural disturbances on the Properties are fire, wind and disease. Pathogens and wind disturbance are currently evident within forest stands of all ages and would have been the most frequent small-scale disturbance for the area. Fire scars were observed on several of the older remnant trees throughout the Properties. It was not determined whether the fire scars were of natural or human origin. Fire would have constituted less frequent (250 to 500 years) larger scale disturbances. The history of disturbance on these Properties over the past 100 years has

been dominated by logging and associated road building. According to maps created by the former owner of the Properties – MacMillan Bloedel – portions of the property were logged in 1872, 1873, 1874, 1879, 1926, 1942, 1946, 1947, 1962, 1968, 1972 and 1987. In addition, satellite imagery and aerial photographic records show a large portion of the Properties logged between June 1998 and June of 2000. Use of heavy equipment and machinery for logging operations occurring over the past 30 to 40 years has impacted soil ecology over a substantial portion of the Properties through compaction, removal of organic material and general disturbance. In addition to the large-scale timber harvesting operations, recent selective logging has occurred along the thin foreshore 'finger' portion of the Properties that borders on recently created residentially zoned lots. The logging likely took place just before or during the rezoning and subdivision process with a probable objective of creating a view of the ocean from the residential properties.

#### 3.2.1 Wildfire – Summer of 2006

In the summer of 2006, a wildfire originating on a neighboring property swept through the Community Forest Lands, burning approximately 27 hectares of the Properties and about 32 hectares in total (Fire perimeter is shown on Map 1). The fire was classified as a rank 3-4 according to Ministry of Forests Fire Intensity Ranks and was characterized by vigorous surface fire and frequent crowning. The portion of the fire on the Properties was generally restricted to an area clear-cut under previous ownership in 1999 except roughly one hectare that protruded into the young Douglas-fir plantation. The fire scorched and killed most of the remnant trees scattered throughout the burn area and ground cover was generally burnt down to the mineral soil (Kopetski, 2006). Fire suppression measures required the reactivation of old logging roads on the site and in some cases the creation of new tracts of road and fire guard. There was disturbance to the soils resulting from the use of heavy machinery over a significant area of burn site. In addition, fire suppression required aerial dispersal of fire-retardant material, and extensive cutting of 'danger' trees. Post-fire rehabilitation of the site included road and fireguard de-activation and reclamation, stream bank restoration where temporary road crossings had been created, measures to limit stream bank erosion and, general soil erosion control through broadcast seeding of native grasses. These measures were carried out in accordance with a Fire Suppression Rehabilitation Plan (September 19th, 2006 - Fire No. V60335) prepared by John Davies on behalf of the Ministry of Forests Fire Protection Branch. A student attending the University of Victoria Restoration of Natural Systems Program has also independently prepared a restoration plan for the fire area entitled "Post Fire Restoration of the Community Forest Area, Galiano Island, British Columbia" (Kopetski, 2006). The report outlines possible measures for further soil and stream bank erosion control as well as possible strategies for reducing the spread of Scotch broom within the burn area.

#### 3.3 2020 Update on Ecological Condition

2020 marks 12 years since the original drafting of this Plan and 14 since the Baseline Report was completed. During this time ecological conditions within the Community Forest have changed generally in accordance with natural successional processes and disturbance regimes. There were no large-scale human impacts. Changes in ecological condition of note are as follows:

#### Wildfire area:

This area has struggled to regenerate. It is characterized by relatively shallow soils (sensitive to disturbance) that were severely impacted by machine-use associated with the original logging in the late 1990's and then fire suppression measures in 2006. Scotch broom cover has exploded, and it is now the dominant shrub. Despite this, natural forest regeneration is slowly progressing with seedlings and saplings emerging from within and around the dense Broom. An informal tree density survey suggests this area is regenerating in a patchy nature with densities of Douglas-fir ranging from 250 to 600 stems per hectare. Western redcedar and grand fir saplings are also present at much lower densities and have been heavily browsed by deer. Patches of salal and dull Oregon grape are present throughout, along with invasive exotic grasses and a variety of other scattered native shrubs. All things considered; this is a positive progression for this heavily impacted area. Left to its own design, the area will progress into a patchy, multi-storied stand dominated by Douglas-fir and salal. Scotch broom will remain but gradually diminish over the next 20 to 30 years as the fir canopy closes and additional tree recruitment fills in the gaps.

#### *Pole Forest (between wildfire area and hydro transmission lines):*

This has transitioned to a young, Douglas-fir forest now approximately 35 years old. Tree canopies have grown taller and closer together with many of the salal patches originally surveyed beginning to be shaded out. Trees in this area remain dense and in need of thinning, both for forest health and forest fire mitigation reasons. A restoration thinning plan was prepared for this area in 2013 by Herb Hammond (RPF) and Keith Erickson (RPBio). This prescription remains relevant and appropriate in 2020 (if resources/capacity becomes available).

# Young Forest Patches:

These areas are slowly maturing and generally doing well. Forest structural attributes such as multi-layered canopies and diversity of shrub and herbaceous layers are developing. Species assemblages and densities remain generally consistent with the 2006 Baseline Report.

# Regenerating Clear-Cut Adjacent to "Sunnyside Dr" development:

This area has progressed from a grass dominated clear cut with regenerating Douglas-fir seedlings and saplings into a very high-density Douglas-fir pole forest. Should resources and/or capacity become available, this area has become a high priority for thinning treatments to reduce the risk of wildfire and to improve forest health.

# Section 4.0

# **First Nations Values and Involvement**

No documentation regarding First Nations use specific to the Properties was found.

It is recommended that any development of detailed forestry plans includes notification of interested First Nations groups in accordance with the Silva Forest Foundation Standards for Ecologically Responsible Timber Management. It is also recommended that opportunities for collaboration with First Nations on educational materials and programs within or pertaining to the Properties be taken. Similarly, opportunities to incorporate traditional values into Forestry or Restoration management strategies and activities may be taken.

Section 5.0	Management Zones

# **5.1 Introduction to Management Zones**

Management zones provide a framework for defining where and how various activities and uses may occur within the Properties. Five Management Zones have been created:

Zone:	Percentage of total Management Area:
1. Protected Stand Network	39.5%
2. Sustainable Forestry Zone	43.2%
3. GIPRC Community Park/Shore Access	5.0%
4. Hydro Transmission Line Zone	6.7%
5. Affordable Housing Zone	5.6%

The extent and locations of the Management Zones are shown on MAP 2 and are based on the ecological characteristics of the Properties, whether the management authority for the land is the Galiano Club or the Galiano Island Parks and Recreation Commission, the terms of the BC Hydro and Power Authority Rights-Of-Way, and whether the land is suitable for potential residential use.

# 5.2 Management Zone Definitions and Permitted Uses

A description of each Management Zone including a list of permitted uses and special restrictions is provided below. Specific policies and strategies related to the various listed uses are described later in this Plan.

#### **5.2.1 Protected Stand Network:**

The Protected Stand Network consists of areas representative of all ecosystem types (Site Series) found within the Properties and includes unique, rare, or sensitive ecosystems in their entirety. The primary purpose of this Management Zone is to enhance the Conservation objective stated in Section 2.3 of this Plan. The criteria used to create this zone are reflective of guidelines found within the Silva Forest Foundation Standards for Ecologically Responsible Timber Management.

The Protected Stand Network is composed of areas characterized by one or more of the following criteria:

- 1. Rare and sensitive ecosystems: streams, wetlands, mature forest, cliffs, rocky outcrops, shoreline shrub/herb dominated areas, steep slopes > 55%
- 2. Ecosystem types with wet soils.
- 3. Ecosystem types with dry, poor and relatively shallow soils
- 4. Riparian zones 50m buffer around all aquatic features

- 5. Ridge and scree slope zones 20m buffer around all cliff areas
- 6. Areas providing connectivity with neighbouring Parks or Protected Areas and between areas characterized by criteria 1 through 5 within the Properties.

Common or zonal ecosystems found within the Properties but not included within the Protected Stand Network as a result of criteria 1 through 5 constitute areas that provide connectivity under criteria 6.

These criteria were applied to 'Ecosystem Type' mapping and associated data provided in the Baseline Report. The data was analyzed using a Geographic Information System.

#### Permitted Uses:

All activities occurring within this zone must be conducted in a manner consistent with the Conservation objective outlined in Section 2.3 of this Plan. With the previous condition in mind, the following uses may occur within the Protected Stand Network:

- 1. Low impact, non-motorized recreational activities.
- 2. Education, research, and ecological monitoring activities.
- 3. Ecological restoration.
- 4. Removal of timber as part of an ecological restoration initiative that has as its primary objective the initiation or acceleration of the recovery of an ecosystem with respect to its health, integrity, and sustainability.
- 5. Harvesting of alternative forest products that are not readily available within any other Management Zone. Such a product may only be harvested in a manner which does not compromise the integrity of the ecosystem from which it is being removed. Compliance with this condition must be demonstrated prior to any permit being granted under Section 12.3 of this Plan.
- 6. No facilities or structures (other than those required for signage under Section 11.7 of this Plan) may be located within the Protected Stand Network.
- 7. No new trails or roads other than those designated within Section 11.2 of this Plan may be created within the Protected Stand Network.

# **5.2.2 Sustainable Forestry Zone:**

This Management Zone consists of lands that are currently suitable, or may become suitable in the future, for harvest of timber and/or non-timber forest products. Any forestry strategies or activities taking place within this zone must comply with the Silva Forest Foundation Standards for Ecologically Responsible Timber Management and the general policies set out in Section 12.2 of this Plan. Any non-timber forest product harvest activities must be completed in a manner consistent with the Conservation Objective stated in Section 2.3 of this Plan and the general policies set out in Section 12.3 of this Plan.

#### Permitted Uses:

- 1. Low impact, non-motorized recreational activities.
- 2. Education, research, and ecological monitoring activities.
- 3. Ecological restoration.
- 4. Harvesting of timber.
- 5. Harvesting of alternative forest products.
- 6. Facilities or structures related to forestry.
- 7. Facilities or structures related to recreation including toilets, bike racks, picnic tables, benches, parking areas and kiosks.
- 8. Facilities and structures related to educational activities including covered areas, tables, benches, and signage.
- 9. New roads and trails in accordance with a permitted forestry plan and in compliance with Section 11.2 of this Plan, may be created within the Sustainable Forestry Zone.

# **5.2.3 GIPRC Community Park/Shore Access:**

The Community Park and Public Shore Access lands are under the management authority of the Galiano Island Parks and Recreation Commission. Only cooperatively managed aspects are addressed in this plan.

#### Cooperatively Managed Uses:

- 1. Low impact, non-motorized recreational activities.
- 2. Facilities including parking areas, toilets, bike racks and kiosks.

# **5.2.4** Affordable Housing Zone:

The Affordable Housing Zone delineates a broad Area of the Properties within which a single, two-hectare lot may be created to accommodate affordable housing, including housing for senior citizens.

If a single, two-hectare lot for affordable housing is created, the remaining area designated as Affordable Housing Zone in this Plan will be dissolved and will become part of the Sustainable Forestry Zone. Any objectives, policy, or designations within this Plan that are related to Affordable Housing will no longer be valid and will be subsequently removed from the Plan in its next update.

The Affordable Housing Zone includes areas of the Properties that satisfy all the following criteria:

1. Access: Must have frontage on Public Road Dedication.

- 2. Minimize forest fragmentation.
- 3. Not within the Protected Stand Network.
- 4. Adjacent to existing rural residential areas and related services.

These criteria were applied to 'Ecosystem Type' mapping and associated data and 'property boundary' mapping provided in the Baseline Report. The data was analyzed using a Geographic Information System.

# Permitted Uses:

- 1. Subdivision of a single, two-hectare lot for the purposes of providing affordable housing, including housing for senior citizens. Upon subdivision and simultaneous transfer to an incorporated non-profit society having as one of its objects the development and operation of affordable or seniors' housing, the newly created two hectare lot will no longer be subject to the management constraints of this Plan nor the management authority of the Galiano Club.
- 2. Low impact, non-motorized recreational activities.
- 3. Education, research, and ecological monitoring activities.
- 4. Ecological restoration.
- 5. Harvesting of timber subject to Section 12.2 of this Plan.
- 6. Harvesting of alternative forest products subject to Section 12.3 of this Plan.
- 7. Permanent facilities or structures should not be located within the Affordable Housing Zone.
- 8. New trails and/or roads other than those designated within Section 11.2 of this Plan should not be created within the Affordable Housing Zone.

# **5.2.5 Hydro Transmission Line Zone:**

This Management Zone delineates the portion of the Properties on Remnant DL32 that is subject to a right of way registered on title in favour of the British Columbia Hydro and Power Authority. The right of way allows for the construction, erection, stringing, operation, maintenance, removal and replacement of towers and poles including anchors, guy wires, brackets, cross-arms, insulators, transformers and their various attachments as well as one or more lines of wire for the transmission and distribution of electric energy. BC Hydro and Power Authority or its assigns or successors has the right to construct and maintain roads, and to clear the right of way and keep it cleared of any trees, growth, buildings, or obstructions which might, in the opinion of BC Hydro or its assigns or successors, interfere with or endanger the transmission lines and related structures. BC Hydro or its assigns or successors must provide at least 30 days' notice to the owner (Galiano Club) for any planned clearing activities. BC Hydro and Power Authority or its assigns or successors must gain the approval of the owner prior to any application of a herbicide treatment.

The agreement also stipulates that the Galiano Club may not build or create any structure on the right of way, excavate below ground level within 50 feet of any BC Hydro or its assigns or

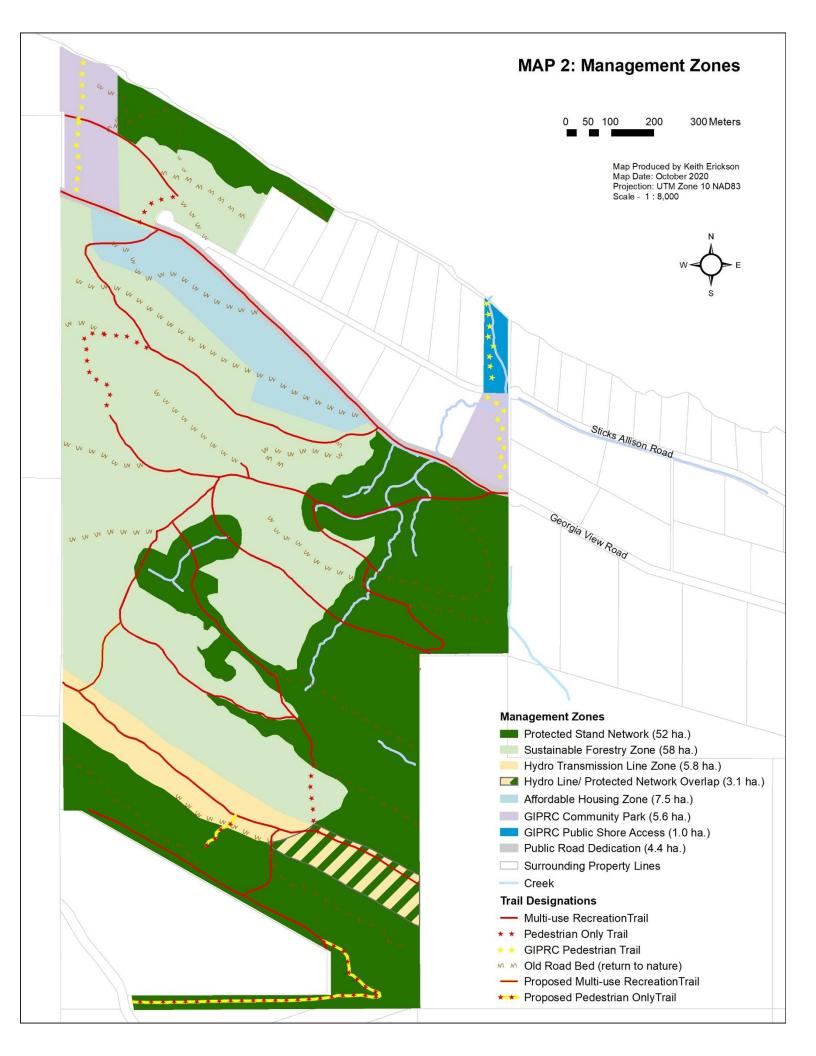
successors structure, or plant any vegetation upon the right of way which, in the opinion of BC Hydro or its assigns or successors, might interfere with or endanger the transmission lines and related structures. The Right of Way document contains further specific details pertaining to the relationship between the owner of the property and BC Hydro or its assigns or successors. The document is included as *Appendix 3* of this Plan.

#### Permitted Uses:

Activities that require the creation of any type of structure or pile, the removal of vegetation or the growing of vegetation will first require the expressed permission of the BC Hydro and Power Authority or its assigns or successors. With this condition in mind, the following uses may occur:

- 1. Low impact, non-motorized recreational activities.
- 2. Education, research, and ecological monitoring activities.
- 3. Ecological restoration.
- 4. Harvesting of timber subject to Section 12.2 of this Plan.
- 5. Harvesting of alternative forest products subject to Section 12.3 of this Plan.

Where areas of the Hydro Transmission Zone overlap with the Protected Stand Network Zone, the Owners in Trust and Covenant Holders will endeavor to work in cooperation with the BC Hydro and Power Authority or its assigns or successors to reduce forest fragmentation and to minimize any impact to the ecology of the area by proposed or active management activities.



# **6.1 General Strategies for Conservation of Fauna**

- 1. No hunting will be permitted within the Properties.
- 2. Community and academic research projects involving wildlife species and their habitat will be encouraged.

# 6.2 General Strategies for Conservation of Flora

- 1. No cutting, trimming, removal, defoliation, injury or alteration in any way of native flora may occur within a riparian corridor (15m either side of a water course or body of water).
- 2. There will be no removal of any native flora within the Properties with the exception of:
  - Permitted timber harvest in accordance with the principles outlined in Section 12.2 of this Plan and with the Silva Forest Foundation Standards for Ecologically Responsible Timber Management,
  - Permitted harvest of alternative forest products in accordance with the principles outlined in Section 12.3 of this Plan,
  - Permitted ecological restoration activities in accordance with Section 7.0 of this Plan,
  - Permitted education, research, and monitoring activities in accordance with Section 8.0 of this Plan.
- 3. Messaging requesting visitors to stay on designated trails could be included on signage to minimize damage to native vegetation.
- 4. Trails should be constructed in such a manner as to avoid sensitive areas such as wildflower populations located along the shoreline or wetlands.

#### **6.3 Control of Invasive Exotic Species**

Invasive exotic species pose a threat to the ecological health of the Properties. Large tracts of invasive exotic species such as Scotch Broom can be found within the Properties in areas that have been subject to past disturbance such as clearcutting or road building and in naturally open areas such as cliffs and ridges. Controlling the spread of invasive exotic species will reduce impacts to biodiversity and improve the general ecological health of the Properties.

- 1. If resources are available, a strategic plan for the removal of invasive exotic species such as Scotch Broom may be created to maximize the effectiveness of any removal programs.
- 2. Methods used to control invasive exotic species should be chosen to minimize disturbance

- and negative impact to ecosystems. They should be humane in the case of fauna.
- 3. If resources are available, invasive exotic species such as Scotch Broom may be removed, and subsequent seeding or planting of site appropriate native species may be undertaken.
- 4. Surrounding landowners may be encouraged to undertake measures to ensure the control of exotic species and prevent further spread into the Properties.

#### 6.4 Pesticides and Fertilizers

No chemical pesticides, herbicides or fertilizers shall be used or applied within the Properties.

#### **6.5** Fire

There is a high risk of fire within the Properties during months of low precipitation and warm temperatures. The risk is at its greatest in late July, August, and early September, before the autumn rains. Fuel loads within regenerating plantation and recently clear-cut areas of the Properties are high and are symptomatic of high intensity wildfire conditions. Similar conditions exist on adjacent Properties. The potential consequence of wildfire within the Properties is extremely high due to the presence of Hydro Transmission Lines that service Southern Vancouver Island. Wildfire originating from or spreading through the Properties would also pose a threat to neighbouring lands.

Emergency response to any fire reported within the Properties is within the jurisdiction of the Local volunteer fire department. The BC Forest Service Fire Protection Branch should be alerted to any potential forest fire threat.

- 1. Open fires are not permitted within the Properties with the exception of specially permitted controlled burning of slash or debris for fuel reduction or ecological restoration purposes under Section 7.2 of this Plan. Any controlled burning must be undertaken in accordance with the policies of all appropriate authorities including the Local volunteer fire department and the BC Forest Service Fire Protection Branch.
- 2. The Galiano Club will endeavor to work with other organizations to educate the public on the dangers of fire in the forests of Galiano.
- 3. Signage should include notification that the area is designated as a "no fire zone" and should include contact information and procedures for reporting fires.
- 4. Emergency access roads within the Properties will be maintained to allow fire department vehicles to access the Properties.
- 5. The Properties may be closed to public use in the event of an extreme forest fire rating.
- 6. Monitoring for fires and visitor behavior that could lead to fire may rely on local volunteers.

- 7. Opportunities to participate in collaborative programs aimed at reducing fire risk and fuel load within the Properties while maintaining or enhancing the integrity of ecosystems within the Properties may be explored.
- 8. In accordance with Firesmart Canada (and BC), fire risk and fuel load reduction measures should be prioritized in areas that are within 100 meters of any buildings or structures including those occurring on neighbouring properties. Should resources and/or capacity become available, fire risk and fuel load reduction measures, initially focused in Firesmart priority areas, could include:
  - Removing branches to a minimum of 2 meters from the ground,
  - Thinning to promote canopy gaps and deciduous tree species,
  - Eliminating old slash piles or large accumulations of woody debris,
  - Getting elevated woody debris onto the ground where it will rot more quickly.

# **6.6 Climate Change**

Management of the Properties should consider long-term ecosystem health in light of potential significant shifts in local climate conditions resulting from global warming. Minimizing the impacts of climate change will depend on the level of ecosystem resiliency or the ability of ecosystems to adapt to shifting conditions. In turn, ecosystem resiliency is dependent on a healthy biodiversity and maintaining connectivity or protecting pathways of species migration. This plan has considered these key components of ecosystem resilience in all aspects of the management of the Properties and through the creation of the Protected Stand Network Zone.

Potential impacts to the property stemming from climate change could include:

- The presence of some species (e.g. Western redcedar, grand fir) to decline and the presence of other species (e.g. Garry oak) to increase.
- The introduction of new species that are extending or shifting their ranges.
- Longer and more intense drought periods, which in turn may lead to an increased frequency of wildfires, stress on vegetation growth and shifts in ecological function.
- Increased storm frequency and intensity leading to increased frequency and intensity of flood events, soil instability and erosion, especially where hydrology is already altered by roads, ditching and compacted soils. Expect to see more blowdown resulting from compromised soils and more volatile wind events.
- Changes to pollinator, plant, and wildlife phenology, giving rise to high rates of mortality and shifting species assemblages that include the spread of new and existing pathogens and invasive alien species along with shifts in predator prey relationships.
- Changes to patterns and timing of groundwater recharge.
- And other unforeseen effects.

Management actions that could help to mitigate the severity of this extensive list of potential impacts are difficult to determine but could include:

- 1. Develop a simple biodiversity and hydrology monitoring program that will provide insight into how the land is changing and help develop adaptive management strategies.
  - a. Establish a network of repeat photo monitoring sites.
  - b. Develop partnerships with Galiano Conservancy Association, Institute for Multidisciplinary Ecological Research in the Salish Sea (IMERSS), and/or regional Universities or Colleges to conduct ongoing biodiversity monitoring.
- 2. If considering the replacement or installation of culverts or planning for water control, account for predicted precipitation and flood regimes, do not rely on past observations.
- 3. If any new roads and trails are permitted and constructed, reduce hydrological impacts through measures that maintain a natural, dispersed surface water flow as much as possible. Minimize the concentration of surface water flows from ditching and soil compaction. If feasible, consider altering existing roads and trails accordingly.
- 4. Forest restoration:
  - a. Planting to enhance regeneration of a forest canopy in the 2006 wildfire area. This will moderate temperature and moisture loss in summer months and will improve hydrological resilience during extreme precipitation events.
  - b. Thinning in young, Douglas-fir dominated plantations to diversify canopy conditions, allowing for greater species richness, enhanced habitat, reduction in wildfire hazard.

# 6.7 Threats to Flora and Fauna by Owners of Adjacent Private Lands or Through Trespass.

Impacts to the ecology of the Properties may occur as a result of management activities occurring on adjacent private lands or through trespass on the Properties. An example of a trespass activity is tree cutting for views by owners of adjacent lands or for firewood by a member of the Public. Examples of impacts stemming from management activities on adjacent lands include the contamination of surface and ground water through the use or misuse of pesticides and other toxic materials or the spread of invasive exotic species. Strategies for reducing the likelihood of these impacts occurring are as follows:

- 1. Contact and inform adjacent landowners about the existence, location and general management objectives of the Properties.
- 2. Ensure that property lines bordering on residential areas are well marked.
- 3. Complete regular informal volunteer monitoring of areas of the Properties that are accessible from adjacent private lands.

4. Impacts to the Properties that result from activities taking place on an adjacent property or activities conducted on the Properties through trespass should be reported to the Galiano Club. The Galiano Club should then notify the covenant holders at which time an appropriate course of action will be determined.

# **7.1 Ecological Restoration Policy**

As outlined in the Baseline Report, a large portion of the Properties has been impacted by intensive timber harvesting, road building and associated use of machinery over the past 35 years. Past land use activities within the Properties have resulted in damaged soil ecosystems, impacts to hydrology, destruction of wildlife habitat, the spread of invasive exotic species and an overall reduction in biotic diversity. Over time, natural processes will heal the damaged landscape. However, there is potential for helping the land heal through the initiation of ecological restoration projects. The Society for Ecological Restoration (SER) International Primer on Ecological Restoration defines ecological restoration as:

"The process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. It is an intentional activity that initiates or accelerates ecosystem recovery with respect to its health (functional processes), integrity (species composition and community structure), and sustainability (resistance to disturbance and resilience)."

The initiation of ecological restoration projects or programs within the Properties is desired and may be facilitated by the Galiano Club. In addition, the integration of ecological restoration principles and/or activities into all aspects of the management of the Properties will be encouraged. Policies guiding the initiation of ecological restoration projects, programs and activities are as follows:

- 1. All ecological restoration projects, programs or activities will require authorization by the Galiano Club prior to initiation.
- 2. Galiano Club may authorize the initiation of ecological restoration projects or ongoing ecological restoration programs on a case by case basis. The Galiano Club shall specify conditions that, in their opinion, are adequate to ensure that the ecological integrity of the Properties is not jeopardized by the proposed activities.
- 3. Proposed ecological restoration projects or programs should generally adhere to the Society For Ecological Restoration (SER) "International principles and standards for the practice of ecological restoration, 2<sup>nd</sup> Edition" (Gann, GD etal, 2019)\*. The degree to which projects or programs must adhere to the SER guidelines is dependent on the scope and impact of the proposal. The level of adherence to the guidelines is at the discretion of the Galiano Club.

<sup>\*</sup>SER International principles and standards for the practice of ecological restoration, 2<sup>nd</sup> Edition available for download @ https://www.ser.org/page/SERStandards

# 7.2 Use of Fire in Ecological Restoration Projects or Programs

The potential for using controlled burns to achieve ecological restoration objectives as well as to reduce fuel loads within the forest is well documented. Projects or programs that propose the use of fire as a tool for ecological restoration or fuel load reduction may be permitted in accordance with the policies stated in Section 8.1 of this Plan. In addition, any such project or program must comply with the following policies:

- 1. Projects or programs must be undertaken in accordance with local fire regulations.
- 2. Projects or programs should consult the BC Forest Service Fire Protection Branch.
- 3. Projects or programs must be overseen both conceptually and in the field by a qualified and experienced Burn Boss (individuals that are qualified to plan, organize, and execute prescribed burns).
- 4. Project proponents will endeavor to notify owners or inhabitants of neighbouring Properties prior to carrying out any controlled burn activity.

# 8.1 Formal Education, Ecological Monitoring and Research Policy

In keeping with the Conservation Objective as stated in Section 2 of this Plan, the Properties will provide opportunities for learning within the Galiano community and for educational institutions or agencies throughout the region. Policies regarding the activities of formal researchers, monitoring studies and educational users are modeled after regulations outlined by British Columbia's *Ecological Reserve Act*. The policies are as follows:

- 1. Formal research or educational use within the Properties may be undertaken only when authorized pursuant to this plan. Fees may be charged by the Galiano Club.
- 2. The Galiano Club may authorize the use of the Properties for research or education on a case by case basis. The Galiano Club shall convey conditions that, in their opinion, are adequate to protect the Properties and any ongoing research from disruption; provided however that minimally disruptive procedures such as collection of some plant and animal specimens, soil and water samples, and the like, may occur with specific authorization.
- 3. The Galiano Club shall not authorize research or educational use that is likely to cause any significant disruption within the Properties without first consulting the covenant holders The Galiano Conservancy Association and Habitat Acquisition Trust.

#### **8.2** Informal Interpretive and Naturalist Activities

The Galiano Club will encourage the use of the Properties for informal interpretive and naturalist activities for the Galiano Community and the public at large. The Galiano Club will achieve this through the development of partnerships with appropriate local organizations such as the Galiano Naturalists, the Galiano Conservancy Association or Biodiversity Galiano project. Any activities proposed by educational partners should first notify the Galiano Club.

Section 9.0 Access

# 9.1 Types of Access to the Properties

Access to the Properties falls under four major categories:

- 1. Public Access: Limited to non-motorized use including foot traffic, horses and bicycles.
- 2. Private Easement Access: Limited to owners of lands beyond with registered easements on title of one or more of the Properties. Private Easement Access includes motorized vehicles.
- 3. Management Related and Emergency Access: Limited to vehicles and equipment for emergency response purposes and for carrying out permitted management activities such as the carrying out of planned forestry programs, ecological restoration programs the ongoing maintenance of the Properties.
- 4. BC Hydro Access: Limited to vehicles and equipment required for the management of Hydro Transmission Lines within the Hydro Transmission Line Zone and for emergency response purposes.

Access points and their designations are shown on MAP 3.

#### 9.2 Gates and Barriers

Gates or barriers are required to prevent public access to the Properties by motorized vehicles. The following policies apply:

- 1. Barriers should be as inconspicuous as possible, minimizing their effects on the aesthetic qualities of the Properties. They must also be easy to remove to accommodate vehicles in the event of an emergency.
- 2. Lockable Barriers should be placed at locations shown on MAP 3.
- 3. Keys to all barriers must be given to the local volunteer fire department, the Ambulance Unit Chief and RCMP officer on the Island. In addition, keys must be available for those property owners who require use of easements across the Properties to access their lands beyond.
- 4. If unauthorized access by motorized vehicle is occurring and cannot be controlled through discussion or raising awareness, the creation of lockable barriers or permanent decommission of roads in identified problem locations may be necessary.

#### 9.3 Access to Cook Cove (South Cable Bay)

The popular local swimming area at Cook Cove is currently being accessed via foot path through the Community Forest and the GIPRC's Sticks West Community Park. A small trail has been established from the western boundary of Sticks West Community Park through neighbouring DL38 to the shoreline at Cook Cove. Issues related with access to this trail include:

- trespass on DL38 for the purposes of traversing the trail
- trespass on the private driveway that extends from the western end of Sticks Allison Rd and associated parking at its terminus.

The following actions will be taken:

1. Work with GIPRC, the Galiano Trails Society and the owners of DL38 to determine if the existing trail to Cook Cove can be formalized through the Galiano Trails Society.

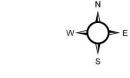
# MAP 3

# Access, Trail Network & Facilities

Produced by Keith Erickson October, 2020 Air Photo Date: 2017

Air Photo Date: 2017 Projection: UTM Zone 10, NAD83 Scale: 1: 8,000

scale. 1 . 6,000





#### **Facilities**

- Bike Rack
- Foot Bridge
- Gate
- Kiosk
- Parking
- Turn Around
- ₩ View Point
- Washroom

#### **Access Types**

- Public
- Management and Emergency Access
- BC Hydro Access
- Private Easement Access

## **Trail Designations**

- Multi-use Rec / Vehicle Access
- Multi-use Recreation
- \*\*\* Pedestrian Only
- \*\*\* GIPRC Pedestrian
- Old Road Bed (return to nature)
- Proposed Multi-use Rec Vehicle Access
- \*\*\* Proposed Pedestrian Only
- Creek

### **Management Areas**

- Heritage Forest
- GIPRC Community Park
- GIPRC Shore Access
- Road Dedication

#### 10.1 Visitor Use

A variety of environmentally compatible, outdoor recreational activities may occur within the Properties. A variety of trails will provide opportunities for cycling, walking/hiking, horseback riding, and naturalist activities as well as access to the shoreline areas. Overnight camping or public use of motorized vehicles is not permitted within the Properties. Visitors will not be allowed to remove any cultural or natural component of the Properties, including wildflowers, fungi, and archaeological artifacts, unless specifically permitted by the Galiano Club.

There may be additional, suitable low-impact recreational uses permitted within the Community Forest, for example, a network of trails dedicated for non-motorized mountain biking. The successful integration of such uses into the Community Forest may require planning and trail development beyond the capacity of the Galiano Club and must rely on partnerships with other organizations in the community. Further, proposals for such uses would require authorization by the covenant holders to ensure compliance.

- 1. Proposals, from a formal group or organization, for additional low-impact recreational use may be considered by the Galiano Club on a case-by-case basis.
- 2. The Galiano Club shall convey conditions that, in their opinion, are adequate to protect the ecological integrity of the Properties and to prevent disruption to or conflict with any other activities permitted in this plan.
- 3. The Galiano Club shall not authorize any additional low-impact recreational uses without first consulting the covenant holders The Galiano Conservancy Association and Habitat Acquisition Trust and the Galiano Club membership.

#### 10.2 Commercial Use

Any commercial use of the Properties without the expressed written consent of the Galiano Club is strictly prohibited. Fees may be charged for permitted activities. This regulation encompasses activities such as guided tours, commercial education programs, movie productions, dog walking services, weddings etc.

# **10.3 Dogs**

Dogs must always be under the control of their owners within the Properties. This plan

recommends that the issue of unleashed dogs be reviewed as necessary, to assess whether any conflicts with visitors, wildlife, or wildlife habitat have occurred. If this is the case, appropriate measures will be taken by the Galiano Club to ensure that visitors and the natural values of the Properties are protected.

#### 10.4 Conflicts between Recreational Users

This management plan acknowledges that the uses permitted within the Properties may conflict with one another from time to time. The following strategies should minimize conflicts and provide direction for resolving any conflicts:

- 1. Provide signage at access points clearly stating types of uses permitted and where or on which trails each use may occur.
- 2. Provide signage at access points that states appropriate contacts for reporting conflicts and inappropriate use within the Properties including the RCMP and the Galiano Club.
- 3. If resources are made available, install appropriate stiles or fencing to deter use of pedestrian only trails by cyclists and horseback riders.
- 4. In the event of regular or consistent occurrence of conflicts between users the Galiano Club may research possible activities or strategies to address the problem including the possibility of amending this Plan to eliminate a permitted use from the Properties.

Section 11.0 Recreation Facilities

# 11.1 Parking

Parking facilities are currently located in Sticks Community Park and accessed via a spur from the terminus of Georgia View Road. The facility is managed by GIPRC and provides parking spaces for 6 vehicles. Additional overflow parking is available along the edges of the oversized turn around at the terminus of Georgia View Road and along the road edge.

#### 11.2 Trails

#### 11.2.1 General Trail Policies

A trail network has been created to accommodate recreation, sustainable forestry, ecological restoration, education, research and monitoring activities within the Properties (MAP 3). Additional trails may be created to achieve future specific sustainable forestry and ecological restoration objectives proposed and permitted in accordance with the policies outlined in this Plan. General policies regarding trails and trail creation are as follows:

- 1. Trail widths should be minimized in order to reduce forest fragmentation.
- 2. Whenever possible, trails should avoid sensitive, shallow soiled ridge and shoreline areas.
- 3. Trails should not run through wetlands or seasonally flooded areas.
- 4. Whenever possible, trails should not run through areas characterized by wet soils.
- 5. Trails used by vehicles for management purposes may not be located within 30 meters of wetlands or ponds.
- 6. Wherever possible, trails should follow old roadbeds or skidder tracks created during logging events that took place prior to the transfer of the Properties to the Galiano Club.
- 7. Use of old roadbeds and skidder tracks that are not part of the trail network outlined in this Plan should be discontinued and they should be left alone to naturalize. Should resources become available, these old roadbeds could be considered for ecological restoration.
- 8. Any trails, whether currently in use or being left to return to nature, that lead to lands beyond the Properties should be marked with "No Trespassing" or "Private Property" signs at the Properties lot lines.
- 9. Trail markers should be used where designated trail routes are confusing for example, where junctions between designated trails and old roadbeds that are being left to return to nature occur.
- 10. Where possible, when creating trails within the Properties, consideration should be given to integrating these trails as part of the larger Galiano Trail Network Plan developed by the Galiano Island Parks and Recreation Commission.

# 11.2.2 Types of Trails

Trails will support recreational uses within the Properties including walking/hiking, cycling, horseback riding and naturalist activities. Suitable trails will also provide access routes for management activities and emergency response vehicles. There is approximately 10.5 kilometers of designated trails within the Properties. Trails are designated under the following three categories (Trail routes and their designations are shown on MAP 3):

- 1. Pedestrian Only Trails: These trails are designated for foot traffic only to prevent impacts on sensitive areas by bicycles and horses. These trails should be maintained at a width and standard suitable for single track hiking.
- 2. Multi-use Recreation Trails: All permitted recreational activities may occur on multi-use trails. Motorized vehicles may not use these trails for management purposes. These trails should be maintained at a width that will allow two cyclists to pass and a standard that is passable for the average cyclist.
- 3. Multi-use Recreation and Vehicle Access Trails: These trails may be used for all recreational activities, and by motorized vehicles for permitted management, maintenance or emergency purposes. These trails should be maintained at a width suitable for single lane traffic and at a standard that is passable for a four-wheel drive vehicle.

# 11.2.3 Use of the Georgia View Extension public road dedication as a trail

The Georgia View Road Extension is heavily used as a public trail. Along with providing pleasant scenery and a key linkage between several of the Community Forest trails, the public road is relatively flat and wide, and provides an excellent route for those with limited mobility.

While management of the dedicated road falls outside the authority of the Galiano Club and this plan, it is worth stating the public recreational significance of this route and its importance to the trail network within the Community Forest and adjacent GIPRC Community Parks.

Should the public road open to vehicles, the Galiano Club will notify the Ministry of Transportation and Infrastructure, Islands Trust, CRD and any other agencies involved, of the importance of continuing this trail route and will request that a dedicated foot path accompany any such development and that safety of pedestrians from traffic and potential roadside parking be considered. Permission from the Covenant Holders would be required should any portion of this potential foot path need to be constructed on the Properties.

#### 11.2.4 Trail Maintenance

Policies regarding trail maintenance are as follows:

1. Trails that are currently overgrown or impassible should be brought up to a standard that will accommodate the intended uses designated within this Plan. The timeline required to

complete this work is unspecified as it is dependent on the availability of volunteer and financial resources. Priority should be given to opening up designated trails within the Properties to a standard suitable for pedestrian use. Upgrading trails to a standard suitable for multi-use recreation and motorized vehicle use can then be considered.

- 2. Trail conditions may be monitored by volunteers and by visitors to the Properties. Signage at access points should provide a contact or mechanism to report trail maintenance concerns.
- 3. Maintenance for trails designated for vehicle access should be done in consultation with an experienced road builder.
- 4. Subject to the availability of resources, trails should be maintained in order to provide a safe recreational experience and to reduce deterioration of the surrounding ecology by trail widening and erosion.
- 5. Should resources for trail maintenance not be available and trail conditions are deteriorated to a point where there are concerns for public safety or significant ecological impact, the trail(s) in question should be closed to the Public.
- 6. If certain recreational uses are causing extensive and consistent damage to specific trails, the exclusion of those damaging uses may be considered.
- 7. Maintenance standards for trails designated for management and emergency vehicle use should be determined in consultation with the local emergency services.

#### 11.3 Benches

Benches may be located within the property at trail junctions or at designated viewpoints (Map 3). Benches are not to be located within the Protected Stand Network area as per Section 5.2.1 of this Plan. The location of benches must not inhibit access (recreation, management, or emergency) or management activities. The donation and subsequent establishment of benches must comply with the Galiano Club Memorial Policy for Benches, Picnic Tables, Plaques and Signs. The condition of benches should be assessed annually. If a bench is deemed to be in poor condition it will be repaired, replaced, or removed.

#### 11.4 Toilets

Toilet facilities, in the form of a port-a-potty, are currently (March 2020) located within Sticks Community park at the end of Sticks Allison Road. The toilet is owned and maintained by the Galiano Island Parks and Recreation Commission. The toilet is located roughly 200m from the primary access point and parking area for the Community Forest at the end of Georgia View Road. Given the heavy community recreational use within the Community Forest, the Galiano Club will coordinate with the GIPRC to investigate the possibility of re-locating this toilet to the primary access point and main parking area (as indicated on MAP 3). The Galiano Island Parks

and Recreation Commission will continue to operate and maintain the toilet facility.

#### 11.5 Turn-arounds

Turn-arounds may be located at the endpoints of trails designated for use by motor vehicles as indicated on MAP 3. Turn-arounds will be large enough to accommodate a standard pick-up truck completing a three-point turn.

# 11.6 Garbage

Recreational activities in the Community Forest will adhere to a "carry out what you carry in" policy. Management activities such as trail maintenance or forestry operations will also ensure that no garbage is left on the Properties and will work under the general principle of minimizing waste or refuse. If littering becomes a problem, provisions in this Plan may need to be revised. Legacy refuse from past logging and use that has accumulated over the years should be removed when resources permit. The following actions may be taken:

- 1. Post signage that will encourage visitors to take responsibility for their own and other garbage.
- 2. Organize volunteer work parties as needed and as capacity allows to remove garbage, abandoned structures, and miscellaneous items.

## 11.7 Signage

#### Kiosks

A small kiosk has been constructed on the edge of the parking area in Sticks Community Park and is maintained by GIPRC (shown on MAP 3). An additional small kiosk has been established at the intersection of Mistletoe Main and the Georgia View Extension by the Galiano Club. Kiosks should blend in with the natural surroundings as much as possible and should adequately protect any information or signage from year-round weather conditions. The Galiano Club must approve of any information displayed on the sign boards. Signage may communicate the following information:

- 1. Map showing trail locations, trail uses and locations of facilities.
- 2. Guidelines for Public use of the Properties including "No Hunting or Discharge of Firearms", "No Fires", and "No Camping".
- 3. Where and how to report wildfire, trail maintenance issues, behavior of visitors that causes

- damage to natural amenities, removal of natural amenities, and damage to facilities.
- 4. Educational information about the ecology and natural features of the Properties
- 5. Information about the management objectives for the Properties, including that the Properties have specific goals for sustainable forestry.
- 6. Notification and/or explanation of any trail closures or management activities occurring within the Properties.
- 7. Opportunities for community participation in any recreation, education, research, monitoring, ecological restoration, sustainable forestry or non-timber forest product harvest activities.
- 8. Acknowledgement of organizations and partnerships involved in the management of the Properties.

### Interpretive signage

Self-guided interpretive and naturalist activities provide valuable learning opportunities for the public, consistent with the management goals for the Properties. Interpretive signage may be located along the established trail network at a variety of points of interest and should focus on deepening visitors understanding and appreciation of the natural history and ecology of the Properties. Interpretive signage should respect the natural aesthetic and generally blend in with the surroundings.

# **Directional signage**

Directional signage is critical to ensuring the safety of visitors to the Properties. It is easy to get lost within the Properties complex network of maintained trails and old abandoned logging roads. Trail names along with maps showing the current location (you are here) and trail network should be established and maintained at trail intersections. The current Galiano Club trail map is shown in APPENDIX 5.

# 12.1 Types of Sustainable Forestry Activities

Sustainable forestry includes the harvest of timber through tree cutting, the harvest of non-timber forest products and all activities associated with the enhancement or tending of the targeted species or product. Harvest of timber and non-timber products may occur in isolation or as part of a single comprehensive plan. All harvest activities will require a permit.

#### 12.2 Timber Harvest

Current ecological conditions within the Properties are not well suited for the implementation of a self-sustaining ecologically responsible timber harvesting operation. A successful timber harvest program may not be possible for several decades until the majority of trees on the Properties have matured. However, with some ingenuity a restorative harvest of existing young timber for specialty products, resulting in partial cost recovery may be possible. The following policies apply to sustainable forestry projects or programs:

- 1. All sustainable forestry related projects, programs or activities will require a permit issued by the Galiano Club.
- 2. Proposed sustainable forestry projects or programs must adhere to the Silva Forest Foundation Standards for Ecologically Responsible Timber Management (May 1998 Proof) and must provide a written plan in order to qualify for a permit. Any data collection or inventory activities required by the proponent in order to produce a written plan must be done in accordance with Section 8.1 (Formal Education, Ecological Monitoring and Research Policy) of this Plan.
- 3. Sustainable forestry projects must incorporate goals to maintain or enhance a healthy forest ecology, reduce and/or minimize impacts to fire risk and hazard, and maximize carbon sequestration on the Properties.
- 4. Sustainable forestry projects should minimize impacts to neighbouring properties and generally should incorporate a 50 meter "no activity" buffer around all adjacent residential areas.
- 5. The Galiano Club may authorize permits for sustainable forestry related projects or programs on a case by case basis. Covenant Holders will be notified and consulted prior to any authorization. The Galiano Club shall convey conditions that, in their opinion, are adequate to ensure that the ecological integrity of the Properties is not jeopardized by the proposed activities.
- 6. Costs associated with all information gathering, planning, implementation, and ongoing

- monitoring of any sustainable forestry project or program as well as any directly related ecological restoration project or program will be incurred by the proponents.
- 7. Fees may be charged and fee structures may be put in place in association with permit authorization.

#### 12.3 Non-Timber Forest Product Harvest

Non-timber forest products (NTFPs) are all of the botanical and mycological species of the forest and their derived products, excluding conventional wood products such as timber, pulpwood and shakes. NTFPs include wild foods, craft and art products, floral greenery, medicinal plants, biofuels and forage (Cocksege, 2007). The following policies apply to the harvest of NTFPs:

- 1. All sustainable NTFP related projects, programs or activities will require a permit issued by the Galiano Club.
- 2. The Galiano Club may authorize permits for sustainable NTFP harvest on a case by case basis. Covenant Holders will be notified and consulted prior to any authorization. The Galiano Club shall convey conditions that, in their opinion, are adequate to ensure that the ecological integrity of the Properties is not jeopardized by the proposed activities.
- 3. Evaluation of a proposed NTFP activity may include consultation with the Centre for Non-Timber Resources at Royal Roads University.
- 4. Fees may be charged to cover the costs associated with any ecological evaluation including mapping and inventory required prior to issuing a permit.
- 5. A fee may also be charged for the permit and will depend on the scale and profitability of the activity.
- 6. Permits may be either volume-based or area-based and may stipulate restrictions or standards that the proponent must comply with.

Provisions for subdivision of the Properties to create one or more small lots for the purposes of affordable housing, including housing for senior citizens, are stipulated within the Section 219 covenant registered on title of the Properties and in the subsequent letter from the covenant holders (see APPENDIX 4). Any proposal for affordable housing and any activity associated with the realization of affordable housing is the responsibility of an incorporated non-profit society having as one of its objects the development and operation of affordable or seniors' housing. The Galiano Club will consider proposals for subdivision of a single, 2-hectare lot that have support within the Galiano community and the support of the Galiano Island Local Trust Committee. The Galiano Club requires that all costs associated with the subdivision of the Properties, legal consultations, rezoning of the Properties and transfer of title are provided through the incorporated non-profit society having as one of its objects the development and operation of affordable or seniors' housing. The following policies will apply in the event of a subdivision for the purpose of affordable housing including housing for senior citizens:

- 1. The proposed lot location, within the Affordable Housing Zone, should minimize fragmentation of forest ecosystems.
- 2. Any maintained trails or roads that exist within the boundaries of a newly subdivided Affordable Housing lot should be re-routed to an appropriate area of the Properties.
- 3. Access to the Community Forest from a newly created Affordable Housing lot should be controlled and should minimize forest fragmentation. For example, a single access point and trail should be established that services all residences or facilities rather than separate trails leading independently from each residence or structure.

Section 14.0 Legal Management

# 14.1 Insurance

The Section 219 Covenant requires that each Covenant Holder and the Owner will obtain and maintain general liability insurance in an amount not less than \$2,000,000.00 – with the Covenant Holders naming the Owner, and the Owner naming the Covenant Holders as additional insured - against claims for personal injury (including death) and property damage.

Section 15.0 Communications

Knowledge about the Properties and the activities taking place within them, will from time to time, be communicated to the Galiano Community. Opportunities for participation in permitted activities should be well publicized. Transparency around the management of the Properties is of utmost importance.

Any substantive revisions or changes to the intent or policy of this Plan or the adoption of plans for sustainable forestry must be approved by the Covenant Holders (Galiano Conservancy Association and Habitat Acquisition Trust) and the membership of the Galiano Club. In addition, notification of any such proposed changes should be communicated to the Galiano Community at large.

Section 16.0 References and Resources

Cocksedge, Wendy. 2007. *A Harvester's Handbook* (Coastal Edition); a guide to commercial non-timber forest products in British Columbia - *A guide for harvesters*, *including the how-to's of harvesting, handling and marketing NTFPs*. Centre for Non-Timber Forest Resources - Royal Roads University.

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Erickson, Keith. July 2006. Registered *Baseline Report for REM. 1, DL 30 and 31, Plan VIP76997 and REM. DL 32, Plan 77822, Galiano Island, Cowichan Land District, British Columbia*. Galiano Conservancy Association. Galiano Island BC.

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Green, A.J., L.J.P. van Viliet, E.A. Kenney. 1989. *Soils of the Gulf Islands of British Columbia Volume 3 Soils of Galiano, Valdes, Thetis, Kuper, and lesser Islands*. Report #43 B.C. Soil Survey. Land Resource Research Centre, Research Branch, Agriculture Canada. Vancouver BC.

Harrison, Don. 1994. Galiano Island Groundwater Study, A Review of Well Development and Groundwater Conditions on Galiano Island, Gulf Islands, B.C. Vancouver B.C.

Heritage Forest Baseline Report DL 30 and 31 Galiano Island. 2003. The Directors of the Galiano Club. Galiano Island.

Heritage Forest Baseline Report DL 32 Galiano Island. 2003. The Directors of the Galiano Club. Galiano Island.

Kerr, D.P. 1951. *The Summer-dry Climate of Georgia Basin, British Columbia*. Royal Canadian Institute Transactions, 29, No 1.

Kopetski, Eric. November 29, 2006. *Post Fire Restoration of the Heritage Forest Property Galiano Island, British Columbia*. Submitted to: Dr. Richard Hebda – ER 312B. University of Victoria Restoration of Natural Systems Program.

Ronneseth, K.D., L.R. Barr. 1982. A General Water Study of the Islands Trust (Draft Report). Islands Trust, unpublished report.

Royal Roads University, Center for Non-Timber Resources, Online Community Toolkit. 2007. http://cntr.royalroads.ca/community\_toolkit.

Section 219 Covenant and Section 218 Statutory Right of Way (Land Title Act)
Heritage Forest (FH) Galiano Island, Registered December 14th, 2005 File #
EX153881 – Agreement between The Galiano Club and Habitat Acquisition Trust and Galiano Conservancy Association

Silva Forest Foundation Standards for Ecologically Responsible Timber Management. May 1998 Proof. Silva Forest Foundation. Slocan Park BC.

#### APPENDIX 1 LIST OF CHARGES, LEINS AND INTERESTS – REM LOT 1, DL 30 & 31

Parcel Identifier: 025-936-107

Legal Description: LOT 1 DISTRICT LOTS 30 AND 31 GALIANO ISLAND CO\NICHAN DISTRICT PLAN

VIP76996 EXCEPT THAT PART IN PLAN VIP76997

Legal Notations \_

HERETO IS ANNEXED EASEMENT EE21530 OVER DISTRICT LOT 31, GALIANO ISLAND, COWICHAN

DISTRICT

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE EV72883

**Charges, Liens and Interests** 

Nature: UNDERSURFACE RIGHTS Registration Number: D23415

Registration Date and Time: 1975-01-27 08:10

Registered Owner: HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA

Remarks: INTER ALIA

ASSIGNMENT OF 1557566 (DD 2152061 AND 3799021) SEE 325411G

EASEMENT EE21529

1991-03-18 14:41

INTER ALIA

APPURTENANT TO PARCEL A (DD 23so9w) OF DISTRICT LOT 29, GALIANO ISLAND, COWICHANDISTRICT AS TO PART FORMERLY D.L. 31, COWICHAN DISTRICT

**EASEMENT** 

EE21530

1991-03-18 14:41

**INTER ALIA** 

APPURTENANT TO DISTRICT LOT 30, GALIANO ISLAND, COWICHAN DISTRICT AS TO PART FORMERLY D.L. 31, CO\IVICHAN DISTRICT

**EASEMENT** 

EE21531

1991-03-18' 14:41

**INTER ALIA** 

APPURTENANT TO DISTRICT LOT 28, GALIANO ISLAND, COWICHAN DISTRICT AS TO PART FORMERLY D.L. 31, COWICHAN DISTRICT

**EASEMENT** 

EE21533

1991-03-18 14:41

**INTER ALIA** 

APPURTENANT TO DISTRICT LOT 36, GALIANO ISLAND, COWICHAN DISTRICT MODIFIED BY E√71523

EASEMENT EE21534

1991-03-18 14:41

INTER ALIA A I

APPURTENANT To DISTRICT LOT 37, GALIANO ISLAND, COWICHAN DISTRICT

EASEMENT EE21535

1991-03-18 14:41

**INTER ALIA** 

APPURTENANT TO DISTRICT LOT 38, GALIANO ISLAND, COWICHAN DISTRICT

Nature: RENT CHARGE

Registration Number: EE21573

Registration Date and Time: 1991-03-18 14:41

Remarks: INTER ALIA COLUMN 1, DD EE21523

Nature: RENT CHARGE

Registration Number: EE21616

Registration Date and Time: 1991-03-18 14:41

Remarks: INTER ALIA COLUMN II, DD EE21523

Nature: RENT CHARGE

Registration Number: EE21617 \_

Registration Date and Time: 1991-03-18 14:41

Remarks: INTER ALIA COLUMN II, DD EE21523

Nature: STATUTORY RIGHT OF WAY Registration Number: EL30020

Registration Date and Time: 1997-03-10 13:37

Registered Owner: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY Remarks: INTER ALIA

Nature: 'STATUTORY RIGHT OF WAY Registration Number: EL30021

Registration Date and Time: 1997-03-10 13:37

Registered Owner: 'BC TEL Remarks: INTER ALIA

Nature: EASEMENT

Registration Number: E\I71523

Registration Date and Time: 2003-07-03 09:31

Remarks: INTER ALIA MODIFICATION OF EE21533

Nature: COVENANT

Registration Number: . EX153877

Registration Date and Time: 2005-12-01 14:42

Registered Owner: HABITAT ACQUISITION TRUST INCORPORATION NO. S-0036193

GALIANO CONSERVANCY ASSOCIATION INCORPORATION NO. S-025093

Remarks: MODIFIED BY FB231221

STATUTORY RIGHT OF WAY
EX153878
2005-12-01 14:42
HABITAT ACQUISITION TRUST INCORPORATION NO. S-0036193
GALIANO CONSERVANCY ASSOCIATION INCORPORATION NO. S-025093

RENT CHARGE
EX153879
2005-12-01 14:42
HABITAT ACQUISITION TRUST INCORPORATION NO. S-0036193
GALIANO CONSERVANCY ASSOCIATION INCORPORATION NO. S-025093

MODIFICATION FB231221 . 2008-11-20 13:05 MODIFICATION OF EX153877

#### APPENDIX 2 LIST OF CHARGES, LEINS AND INTERESTS – REM, DL 32

PARCEL IDENTIFIER: 001-273-655
DISTRICT LOT 32, GALIANO ISLAND, COWICHAN DISTRICT, EXCEPT PART IN PLAN VIP77822

'LEGAL NOTATIONS:

HERETO IS ANNEXED EASEMENT EE21532 OVER DISTRICT LOTS 16 AND 28, GALIANO ISLAND, COWICHAN DISTRICT

RE: EASEMENT EE21532-SERVIENT TENEMENT CANCELLED AS TO PART SHOWN AS ROAD ON PLAN VIP60538 BY EJ24465 1995 O3 03

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE EX82565

#### **CHARGES, LIENS AND INTERESTS:**

RIGHT OF WAY

201251G 1956-IO-12 10:59 REGISTERED OWNER OF CHARGE:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY 201251G

**REMARKS: INTER ALIA** 

RIGHT OF WAY

3148496 1965-09-23 14:52

**REGISTERED OWNER OF CHARGE:** 

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY 314849G '

**REMARKS: INTER ALIA** 

RIGHT OF WAY

B73284 1973-08-07
REGISTERED OWNER OF CHARGE
BRITISH COLUMBIA HYDRO AND POWER AUTHORITY B73284
REMARKS: INTER ALIA, OUTLINED IN RED ON PLAN 1759RW

UNDERSURFACE RIGHTS

D23415 1975-01-27 08:10 REGISTERED OWNER OF CHARGE

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA D23415

**REMARKS: INTER ALIA** 

ASSIGNMENT OF 155756G (DD 215206I AND 379902I) SEE 3254116

RENT CHARGE

EE21575 1991-03-18 14:41

REGISTERED OWNER OF CHARGE

EE21575

REMARKS: INTER ALIA \_

COLUMN I, DD EE21523

COVENANT

EW147256 2004-11-01 14:28

REGISTERED OWNER OF CHARGE

GALIANO ISLAND LOCAL TRUST COMMITTEE EW147256

**REMARKS: PART** 

**EASEMENT** 

EW147260 2004-11-01 14:32

REMARKS: PART IN PLAN VIP77825, APPURTENANT TO LOT A, PLAN VIP77822

COVENANT

EX153881 2005-12-01 14:45

**REGISTERED OWNER OF CHARGE** 

HABITAT ACQUISITION TRUST INCORPORATION NO. S-0036193

GALIANO CONSERVANCY ASSOCIATION INCORPORATION NO. S-025093

EX153881

STATUTORY RIGHT OF WAY

EX153882 2005-12-01 14:45

REGISTERED OWNER OF CHARGE

HABITAT ACQUISITION TRUST INCORPORATION NO. S-0036193

GALIANO CONSERVANCY ASSOCIATION INCORPORATION NO. S-025093

EX153882

RENT CHARGE

EX153883 2005-12-01 14:45

**REGISTERED OWNER OF CHARGE** 

HABITAT ACQUISITION TRUST INCORPORATION NO. S-0036193

GALIANO CONSERVANCY ASSOCIATION INCORPORATION NO. S-025093

EX153883

#### APPENDIX 3 RIGHT OF WAY "B73284" BC HYDRO AND POWER AND AUTHORITY

......

THIS AGREEMENT made as of the /3kd day of

July, 1973

WITNESSETH THAT:

B-73284

Form "G" Lond Registry Act (Sec. 30)

MEMORANDUM OF REGISTRATION

Registered the attraction received at the time

smilten or stomped on the application.

R. T. KENNEDY, Registrat of the Victoria

Registration District

MacMILLAN BLOEDEL LIMITED, a Company duly incorporated under the laws of the Province of British Columbia and having its head office and chief place of business at 1075 West Georgia Street, in the City of Vancouver, in the Province of British Columbia,

(hereinafter called "the Owner")

for and in consideration of the sum of Twelve Thousand Seven Hundred Twenty Dollars (\$12,720.00), the receipt of which he hereby acknowledges, hereby grants in perpetuity to British Columbia Hydro and Power Authority, of 970 Burrard Street, In the City of Vancouver, Province of British Columbia (hereinafter called "B. C. Hydro"), the right, liberty and right of way for B. C. Hydro, its servants, agents and all others the licensees of B. C. Hydro:

- (a) To construct, erect, string, operate, maintain, remove and replace towers and poles with anchors, guy wires, brackets, cross-arms, insulators, transformers and their several attachments and one or more lines of wire for the transmission and distribution of electric energy (all of which are hereinafter collectively called "the works") upon the portions described in Schedule II hereto (hereinafter called "the right of way") of the land described in Schedule I hereto (hereinafter called "the land");
- (b) Subject only to the right of the Owner to construct and maintain roads or proposed roads as provided in paragraph 4 (d) hereof to clear the right of way and keep it cleared of any trees, growth, buildings or obstructions now or hereafter on the right of way which might, in the opinion of

- B. C. Hydro, interfere with or endanger the construction, erection, stringing, operation, maintenance, removal or replacement of the works or any part thereof. Except in the case of emergency, B. C. Hydro will advise the Owner thirty (30) days before any clearing of standing timber commences; and
- (c) Generally to do on the right of way all acts necessary or incidental to the business of B. C. Hydro in connection with the foregoing.

2.

- The Owner hereby covenants with B. C. Hydro:

  (a) Not to make, place, erect or maintain any building, structure, pile of material, obstruction or inflammable substance or to excavate below the ground level at any structure within fifty (50) feet thereof or to plant any growth upon the right of way which, in the opinion of B. C. Hydro, might interfere with or endanger the construction, erection, stringing, operation, maintenance, removal or replacement of the works or any part thereof or which might obstruct access by B. C. Hydro's servants, agents or licensees to the works or any part thereof without the written permission of B. C. Hydro;

  (b) Not to carry out blasting operations on or
- (b) Not to carry out blasting operations on or within three hundred (300) feet of the right of way unless permission in writing from B. C. Hydro has first been received, which permission shall not be unreasonably withheld;
- (c) That any aerial logging operation conducted on or within three hundred (300) feet of the right of way shall be carried on at the sole risk of the Owner and the Owner will indemnify and save harmless B. C. Hydro from any loss or costs incurred as a result thereof; and

(d) Not to do or knowingly permit to be done any act or thing which might, in the opinion of B. C. Hydro, in any way whatsoever interfere with or injure the works or any part thereof, or impair the operating efficiency thereof.

3.

- B. C. Hydro hereby covenants with the Owner:
- (a) To pay compensation to the Owner for any damage to any buildings outside the right of way, and to crops (other than timber), livestock, drains, ditches, culverts, fences, bridges, roads and fruit, nut or ornamental trees anywhere on the land caused by B. C. Hydro in the exercise of any of its rights hereunder and without negligence on the part of the Owner;
- (b) To pay all royalties, scaling fees and other charges which may be levied by the Crown against any timber that B. C. Hydro cuts on the land; and
- (c) To pay compensation to the Owner for all merchantable timber cut or damaged on the land by B. C. Hydro in the exercise of its rights hereunder. Except in case of emergency, B. C. Hydro will endeavour to agree with the Owner as to the amount of such compensation and pay the same before merchantable timber is cut or damaged. In the event of disagreement B. C. Hydro may exercise the rights described in paragraph 1 (b) hereof pending and during the arbitration; and
- (d) To install gates on all roads now or hereafter constructed by B. C. Hydro at all intersections with public roads giving access to the right of way; and (e) During the Fire Season, when in the reasonable opinion of the Owner hazardous conditions exist.
- (e) During the Fire Season, when in the reasonable opinion of the Owner hazardous conditions exist, the logging and clearing and construction operations will be restricted or suspended as the Owner may

direct. Local weather conditions and the urgener and nature of the work being done will be given full consideration by the Owner.

- 4. It is mutually agreed between the Owner and B. C. Hydro that:
  - (a) The amount of any compensation payable under paragraph 3 hereof shall be such as may be mutually agreed upon between the Owner and B. C. Hydro and in the event of disagreement as may be settled by arbitration pursuant to the Arbitration Act of British Columbia, but no such compensation shall be payable for any damage or cutting for which compensation has theretofore been paid;
  - (b) Outside the right of way B. C. Hydro will cut down on the land only those trees which, in its reasonable opinion, might in falling or otherwise endanger the works or any of them, and will give the Owner one (1) month's notice in writing of such cutting except in case of emergency;
  - (c) The title to all timber cut on the land by

    B. C. Hydro in the exercise of its rights hereunder

    shall vest in B. C. Hydro but the Owner shall have

    a right of first refusal if such cut timber is

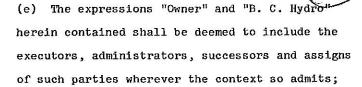
    offered for sale and if not removed from the land

    within three (3) months title to such timber shall

    revert to the Owner provided only that its value

    to the Owner shall be deducted from the compensation

    otherwise payable;
  - (d) This Agreement shall be construed as running with the land and no part of the fee of the soil thereof shall pass to or be vested in B. C. Hydro under or by these presents and that the Owner may fully use and enjoy the land for its purposes subject only to the rights and restrictions herein provided;



- (f) Where the expression "Owner" includes more than one person, all covenants herein on the part of the Owner shall be construed as being several as well as joint;
- (g) Wherever the singular and masculine are used in this Agreement they shall be construed as meaning the plural or the feminine or body corporate where the context or the parties hereto so require; and
- (h) If, in any year, the land taxes levied on the land are increased specifically as a result of the imposition of the easement hereby granted, then

  B. C. Hydro will reimburse the Owner for the sum by which such taxes exceed the total to which they would have amounted if the said easement had not been imposed.

IN WITNESS WHEREOF the Owner and B. C. Hydro have caused these presents to be executed as of the day and year first above written.

APPROVED

PERMAGER

DISYR, DIV.

as to form only

Society

Explored and

Power Suthority

SECRETARY.

in the prosence of:

MICE-PRESIDENT

ASSET. SECRETARY

THE COMMON SEAL of BRITISH COLUMBIA HYDRO and POWER AUTHORITY was hereunto affixed in the presence of:

THE SEAL of MacMILLAN BLOEDEL LIMITED was hereunto affixed

- 6 -



#### SCHEDULE I

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the Gulf Islands Assessment District, in the Province of British Columbia and more particularly known and described as:

(a) Lots Thirty-seven (37) and Thirty-eight (38), 2637/9 Galiano Island, Cowichan District;

(b) Lot Thirty-six (36), Galiano Island, Cowichan District; 1/2/5210-1

(c) Lot Thirty-two (32), Galiano Island, Cowichan
District; 1/2/52/0-T

(d) Lot Twenty-eight (28), Galiano Island, Cowichan District;

(e) Lot Twenty-seven (27), Galiano Island, Cowichan District;

(f) Lot Seventeen (17), Galiano Island, Cowichan District;

39252-W

(g) Lot Eighteen (18), Galiano Island, Cowichan /√ District;

(h) Lot Twenty-five (25), Galiano Island, Cowichan District;

3.1253-W

(i) Lot Thirty-four (34), Galiano Island, Cowichan District;

(j) Lot Forty (40), North Salt Spring Island, Cowichan 344858-T District, as shown coloured red on Plan deposited under D.D. 69006-I;

(k) Lot Thirty-two (32), North Salt Spring Island, 34475 Cowichan District.

13 F. !

#### SCHEDULE II

- (a) The 18.30 and 3.02 acre portions of the land and premises described in sub-paragraph (a) of Schedule I hereto, which portions are shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.
- (b) The 14.18 acre portion of the land and premises described in sub-paragraph (b) of Schedule I hereto, which portion is shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.
- (c) The 20.75 acre portion of the land and premises described in sub-paragraph (c) of Schedule I hereto, which portion is shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.

-7 –



#### SCHEDULE II

#### (Continued)

- (d) The 6.87 and 3.42 acre portions of the land and premises described in sub-paragraph (d) of Schedule I hereto, which portions are shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.
- (e) The 12.04 and 0.69 acre portions of the land and premises described in sub-paragraph (e) of Schedule I hereto, which portions are shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.
- (f) The 0.72 and 7.76 acre portions of the land and premises described in sub-paragraph (f) of Schedule I hereto, which portions are shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.
- (g) The 0.17 and 13.13 acre portions of the land and premises described in sub-paragraph (g) of Schedule I hereto, which portions are shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.
- (h) The 18.14 acre portion of the land and premises described in sub-paragraph (h) of Schedule I hereto, which portion is shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.
- (i) The 6.78 acre portion of the land and premises described in sub-paragraph (i) of Schedule I hereto, which portion is shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1759 R.W.
- (j) The 13.56 acre portion of the land and premises described in sub-paragraph (j) of Schedule I hereto, which portion is shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1744 R.W.
- (k) The 5.98 acre portion of the land and premises described in sub-paragraph (k) of Schedule I hereto, which portion is shown outlined in red on a plan deposited in the Victoria Land Registry Office under number 1744 R.W.

ACKNOWLEDGMENT OF OFFICER OF A CORPORATION	( ) (
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and that he is the person the subscribed his name	to the
annexed instrument as ASSI SCORTIARY of the said Machine Assistance to the said Machine Assis	he said
instrument, that he was first duly authorized to subscribe his name as aforesaid, the said seal to the said instrument, and that such corporation is legally entitle and dispose of land in the Province of British Columbia.	and affix
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A Notary Public in and for the Province of British Columbia.  A Commissioner for taking affidavits for British Columbia.	
ACKNOWLEDSMENT OF OFFICER OF CORPORATION (D.V.A.)	
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A Notary Public in and for the Province of British Columbia. A Commissioner for taking affidavits for British Columbia. ACKNOWLEDGMENT OF OFFICER OF A CORPORATION

I HEREBY CERTIFY that, on the day of at Vancouver, in the Province of British Columbia, GEOFFREY GASTON WOODWARD, who is personally known to me, appeared before me and acknowledged to me that he is the Secretary of British Columbia Hydro and Power Authority, and that he is the person who subscribed his name to the annexed instrument as Secretary of the said British Columbia Hydro and Power Authority and affixed the seal of the said British Columbia Hydro and Power Authority to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand at Vancouver, in the Province of British Columbia, this day of ,in the year of our Lord One thousand nine hundred and

A Commissioner for taking affidavits for British Columbia.

# APPENDIX 4 LETTER FROM COVENANT HOLDERS REGARDING AFFORDABLE HOUSING





December 5, 2019

Dear Judy Hayes,

This letter is written in response to the September 5<sup>th</sup>, 2019 request by the Galiano Club for an amendment to the Covenant registered on REM. 1 DL30 and 31 and held by the Galiano Conservancy Association and Habitat Acquisition Trust (Covenant Holders).

The current registered covenant explicitly allows for the subdivision and rezoning of a portion of REM. 1 DL 30 and 31 for the purpose of creating not-for-profit affordable housing.

The Covenant allows for the creation of Community Facility zoned lots through subdivision, with a minimum lot size of 2ha, and a total cumulative lot size of up to 1% of the pre-subdivision size of all F1 Lands rezoned to Heritage Forest/Rural Residential on Galiano Island:

"28.2 Without limiting the generality of section 28.1, the following rights are expressly reserved to the Owner:

a) to subdivide the Land in accordance with section 4.1(g) of the OCP,

In connection with the implementation of Forest policy d), an area comprising 1% of the area of F1 lands being rezoned to RR and FH may, if the area is deemed suitable for the purpose by the Local Trust Committee, instead be rezoned to CF (Community Facility) to permit affordable housing, including housing for senior citizens, and the land required to be simultaneously transferred to an incorporated non-profit society having as one of its objects the development and operation of affordable or seniors' housing, or alternatively an option to purchase the land for nominal consideration granted to such a society. This policy must not be used to create CF parcels with areas less than 2 ha."

The Covenant Holders recognize that the total cumulative size of such affordable housing lots could not be anticipated at the time the Covenant was registered, as this was dependent on future potential rezonings. As of October 1, 2019, the total size of F1 Lands rezoned to HF/RR

on Galiano Island amounts to approximately 161 ha, resulting in the potential for a 1.61 ha not-for-profit affordable housing lot to be subdivided and rezoned. This creates an inherent conflict in the covenant in that the same paragraph also specifies a minimum lot size of 2 ha. This conflict must be resolved in order to bring certainty to the landowner, and to functionally enable the intent of that section of the covenant, which is to allow for subdivision to meet a community need.

In order to reconcile a document that at once calls for an area of less than 2 ha, and an area no smaller than 2 ha, the Covenant Holders believe that allowing for an area of 2 ha, but no more, is justified. As the figure "1% of the lands" is a relative figure, but 2 ha is a real number, the Covenant Holders can be sure that the drafters of the covenant expressly wished to ensure that lot sizes would be no smaller than 2 ha. However, given the imperative to also respect the cap of

1%, we cannot support the subdivision of an area larger than 2 ha.

In consideration of this, the Covenant Holders agree to allow for the subdivision and rezoning of a single, 2 ha, not-for-profit, affordable housing lot through an amendment to Clause 28.2 a) of the covenant or, other mechanism at the discretion of the Covenant Holders.

This does not constitute explicit support for any specific affordable housing initiative(s), and recognizes that the creation of such a lot resides solely under the authority of the Islands Trust and Ministry of Transportation and Infrastructure.

The Covenant Holders require that the Galiano Club be responsible for all financial expenses associated with the amendment including legal costs.

Sincerely,

Galiano Conservancy Association

Keith Erickson
Executive Director

10825 Porlier Pass Road Galiano Island, BC V0N 1P0 **Habitat Acquisition Trust** 

Katie Blake Executive Director

PO Box 8552 Victoria, BC V8W 3S2

**APPENDIX 5:** Galiano Club Trail Map

