



Hornby Island Local Trust Committee

Vacant Crown Land on Hornby Island

**Submission to
Negotiations Division
Ministry of Aboriginal Relations and Reconciliation
in connection with the
K'omoks First Nation Treaty Negotiation**

September 2008

Executive summary

The Hornby Island Local Trust Committee supports reconciliation for the K'omoks First Nation. The Committee hosted a Community-to-Community forum with the K'omoks First Nation in 2002.

Hornby Island is within the Trust Area. The Islands Trust has a provincially legislated object to preserve and protect the Trust Area. Trust Council has adopted a Policy Statement indicating how this object can be implemented. The Province of British Columbia is identified in the Islands Trust Act as a cooperating party in the implementation of the object.

The Vacant Crown Land at the heart of Hornby Island has been of considerable interest to the community and subject to numerous studies and activities to advance the protection and community stewardship of the area. Most of the land is designated in the Hornby Island Official Community Plan as *Groundwater Protection-Sustainable Ecosystem Management Area*. A Smaller part of the land immediately south of Central Road is designated as *Public Use*.

A critical value of the land is its function as a groundwater recharge area within a vulnerable aquifer that is the primary water supply for most of the Island. The Province has recognized this value through a Notation of Interest.

The land is significant as a rare publicly-owned parcel of Coastal Douglas-fir forest (it includes areas of old forest and older second growth forest). It contributes to regional and provincial conservation goals as part of a larger protected area on Mount Geoffrey. The Province has recognized the importance of the community-built trail system for recreation and tourism purposes and has granted management authority to the regional district. The portion of land designated for public use is the only vacant Crown land available for a free Crown grant to address the community's challenging housing needs. This portion is also the only land zoned for trades and services that are not appropriate for home occupations on residential lots. Forestry, while a traditional use, should only be considered under a management plan designed to protect water supply, conservation and recreation values. The Ministry of Aboriginal Relations and Reconciliation is requested to consider the Province's role in implementing the object and Policy Statement of the Islands Trust, the community's strong interest in the Vacant Crown Land, (as expressed in the Official Community Plan) and key values of the land.

The Islands Trust - overview

The Islands Trust is a special-purpose local government established under the *Islands Trust Act* with a unique provincially-legislated conservation mandate.

- Object of the Islands Trust (*s.3 of the Islands Trust Act*)

“The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

- Organization of the Islands Trust (*s.4 of the Islands Trust Act*)

The **Trust Council** has responsibility for general policies of the Islands Trust and for financial management.

The **Executive Committee** has responsibility for daily management and for approving bylaws submitted by local trust committees (and Bowen Island Municipality).

The **Trust Fund Board** has authority to hold and manage funds and land. This conservation land trust contributes to the object of the Islands Trust by receiving transfers of Crown land, accepting donations of private land and holding conservation covenants and by encouraging and assisting in other voluntary conservation initiatives.

The **Local Trust Committees** have most of the authority of regional districts with respect to land use planning, including adopting Official Community Plans and land use regulations. Committees must submit bylaws to the Executive Committee for approval. (The Hornby Island Local Trust Committee has planning authority for Hornby Island. The Committee hosted a Community-to-Community Forum with the K'omoks First Nation in 2002.)

- Trust Policy Statement (*s.15 of the Islands Trust Act*)

Trust Council is required to adopt a Policy Statement as a general statement of policies to carry out the object of the trust. The Policy Statement was adopted in 1993 following widespread public consultation and review by regional districts. The Policy Statement is subject to ministerial approval. The Executive Committee of the Islands Trust cannot approve bylaws submitted by local trust committees if they are contrary to or at variance with the Policy Statement.

[The role of the Province of British Columbia:

The object of the Islands Trust has a provincial interest in that the Trust Area is to be preserved and protected for the benefit of residents of British Columbia generally. The government of British Columbia is identified as an entity whose cooperation is required to implement the object of the Islands Trust. Cooperation by the Government of British Columbia can include actions to address policies of the Islands Trust Policy Statement and transfers of Crown land.]

References:

Islands Trust Act

Islands Trust Policy Statement

The Hornby Island Vacant Crown Land - overview

For over a quarter century, this land has been the subject of passionate and diligent community concern. It is no coincidence that two independent groups preparing reports on the land came up with similar titles: *The Heart of Hornby* and *The Heart of the Island*. Since the land began its recovery from logging there have been continuing efforts to secure its ongoing protection.

1. “Use, Recreation and Enjoyment of the Public”- 1970s-1980s

As a result of lobbying by local residents, the Province previously designated this area “for the use, recreation and enjoyment of the public”. This status resonated well with the residents who worked to convert the abandoned logging roads into an attractive and well-used trail system.

2. “Woodlot” - 1980s-1990s

In the late nineteen-eighties, the Province identified this land as a potential woodlot. Efforts initiated by the Local Trust Committee lead to the upper portion of the land being made available to the Regional District for what was to become Mount Geoffrey Regional Nature Park.

The community formed the Hornby Island Forest Management Society to be in a position to bid on a woodlot license in order to exercise community stewardship. There was a sense that the Woodlot License Program did not provide sufficient protection so the Society, after considerable community consultation, presented a proposal for a Community Forest to the Ministry of Forests. There was no available tenure to enable such a program. The Ministry eventually withdrew the land from availability for a woodlot license.

3. “Groundwater Protection Area” - 1990s-2000s

A pilot project undertaken jointly by BC Environment and the Islands Trust (1993) took a thorough look at groundwater protection issues on Hornby Island and identified the need to address protection of the recharge area. BC Environment undertook a groundwater assessment of the Vacant Crown Land and subsequently applied a Notation of Interest being applied to the land in order to protect the groundwater recharge function. The land was rezoned from *Upland* to *Groundwater Recharge Area / Sustainable Ecosystem Management Area*; this involved removing the residential subdivision potential.

In advance of a review of the Official Community Plan initiated in 1999, the Local Trust Committee appointed an Advisory Crown Land Committee which compiled a thorough report on this land. (The Hornby Island Residents' and Ratepayers' Association also prepared a report which provided complementary conclusions.) The Local Trust Committee prepared objectives extensive policies for the Crown land, which is now designated as *Groundwater Protection-Sustainable Ecosystem Management Area* in the Official Community Plan (adopted in 2003).

The Islands Trust, in 2004, prepared a Vacant Crown Land Profile for Hornby Island in order to compile in one document all available technical information. The preparation of such profiles was carried out in conjunction with the Islands Trust's Public Lands Strategy. Trust Council identified the primary importance of Vacant Crown Land in the Trust Area as contributing to the achievement of the provincially-legislated object to preserve and protect the Trust Area (as well as addressing important community needs such as the protection of groundwater resources).

References:

The Heart of the Island: The Central Crown Land of Hornby I. - Advisory Crown Land Committee
Hornby Island Vacant Crown Land Profiles - Islands Trust

Official Community Plan and Permitted Land Uses - overview a) **Groundwater Protection / Sustainable Ecosystem Management Area.**

The majority of the Vacant Crown Land (approximately 244 hectares) is designated as *Groundwater Protection / Sustainable Ecosystem Management Area*.

Official Community Plan:

3.4 Groundwater Protection-Sustainable Ecosystem Management Area (Mount Geoffrey Area)

Objectives:

The objectives of this subsection are:

- (1) to protect and enhance the groundwater recharge function of the area,(primary objective),
- (2) to enable the continuing recovery, restoration and protection of the forest so that the natural structure, composition and bio-diversity characteristic of a Coastal Douglas-Fir forest ecosystem are re-established, (primary objective)
- (3) to protect the forest from major disturbance by fire, (primary objective)
- (4) to maintain the aesthetics/visual qualities of the forest,
- (5) to encourage tenure arrangements that enable community control and stewardship of this area,
- (6) to provide for low-impact recreation activities that are compatible with the first three (primary) objectives, and
- (7) to ensure that any silvicultural activities or extraction of forest products are compatible with and subordinate to the first four objectives.

Land Use Bylaw:

9.25 Groundwater Recharge Area / Sustainable Ecosystem Management Area (GW-EMA) Zone

Permitted Uses:

- 9.25.1.1 Groundwater Recharge
- 9.25.1.2 Sustainable Ecosystem Management
- 9.25.1.3 Low impact recreation
- 9.25.1.4 Silviculture

Buildings prohibited:: 9.25.2 No buildings or structures of any kind may be constructed or erected except non-permanent structures indicated in an approved forest Management Plan during forest operations.

Minimum lot size: 9.25.4 No further subdivision of existing parcels is permitted

[*Sustainable Ecosystem Management Area* means an area which is managed to conserve ecological, aesthetic, recreational, forestry and groundwater recharge values where

- a) community based tenures under the Forest Act that only allow small scale forestry, including Community Forest Agreements, will be permitted;
- b) any proposed tenure will be considered in consultation with the Hornby Local Trust Committee;
- c) forest management must be conducted on a sustainable basis. Management plans must identify reserve areas where harvesting is not permitted in order to protect forest values including streams, biological diversity, wildlife habitat, rare ecosystems and recreation features. Outside reserve areas, harvesting will be permitted under an approved Management Plan developed in consultation with the Local Trust Committee. Among other things, the Plan will identify measures to maintain the area's groundwater rechargeability both within reserve areas and areas available for harvesting; and
- d) forestry and other activities can only be conducted under a plan that is developed in consultation with the Local Trust Committee to ensure that protection of groundwater and other values have been satisfactorily addressed.]

References:

Hornby Island Official Community Plan Bylaw 104

Hornby Island Land Use Bylaw 86

Official Community Plan and Permitted Land Uses - overview b) **- Public Use**

A minor portion of the Vacant Crown Land (approximately 56 hectares), immediately south of Central Road is designated as *Public Use*.

Official Community Plan:

6.2 Public Use (Public Institutions and Community Trades and Services)

Objectives:

The objectives of this subsection are:

- (1) to ensure that the central public lands are managed as an integrated unit for the benefit of the community as a whole,
- (2) to protect the groundwater resource from degradation for purpose of water supply,
- (3) to design development to accommodate anticipated traffic and parking needs,
- (4) to encourage the clustering of public buildings in this area,
- (5) to encourage the sharing of utilities such
- (6) to encourage the continued use of building styles, materials, landscaping and the retention of treed areas which are in keeping with the rural landscape,
- (7) to ensure that there is ample sewage treatment and water supply for the anticipated uses,
- (8) to use community resources efficiently and to allow for development of community facilities as needed,
- (9) to ensure that the existing community use and service areas are maintained,
- (10) to recognize the importance of keeping long-term residents of the Island within the community by enabling community housing, and
- (11) to support community acquisition or lease of parcels of Crown lands in this area that may be required to provide public services.

Land Use Bylaw:

9.12 Public Use (PU) Zone

Permitted Uses:

- | | |
|--|---|
| 9.12.1.1 Community facility; | 9.12.1.2 School; |
| 9.12.1.3 Health clinic; | 9.12.1.4 Elder's activity centre; |
| 9.12.1.5 Office of a non-profit society; | 9.12.1.6 Government office; |
| 9.12.1.7 Museum; | 9.12.1.8 Library; |
| 9.12.1.9 Police station; | 9.12.1.10 Public recreation facility; |
| 9.12.1.11 Accessory uses; | 9.12.1.12 Farmers market; |
| 9.12.1.13 Theatre; | 9.12.1.14 Art gallery; |
| 9.12.1.15 Fire hall; | 9.12.1.16 Community housing; |
| 9.12.1.17 Community radio station; | 9.12.1.18 Hostel; |
| 9.12.1.19 Supported living facility; | 9.12.1.20 Community wash house facility |
| 9.12.1.21 Community garden; and | 9.12.1.22 Child care facility |

Site Specific Zoning Variation - PU(a) (*Area south of Central Road*)

9.12.8 In addition to Subsection 9.12.1 the following uses are permitted in the PU(a) zone:

- | | |
|--|---------------------------|
| 9.12.8.1 Highways maintenance yard; | 9.12.8.2 Recycling depot; |
| 9.12.8.3 Public utility storage yard; | 9.12.8.4 Cemetery; and |
| 9.12.8.5 Community trades and services, including associated retail. | |

References:

Hornby Island Official Community Plan Bylaw 104

Hornby Island Land Use Bylaw 86

Bylaw 134

Critical value of the Hornby Island Vacant Crown Land: **Water supply**

Hornby Island Official Community Plan objective for the Vacant Crown Land:
(*Groundwater Protection-Sustainable Ecosystem Management Area*)

“To protect and enhance the groundwater recharge function of the area.”

Islands Trust Policy Statement policies:

“Trust Council holds that the freshwater wetlands, bodies of surface water, natural drainage patterns, water courses, fish-bearing streams, watershed and groundwater recharge areas of the Trust Area should areas of the Trust Area should be identified, protected and, where possible, restored or rehabilitated” (3.3.1)

“Trust Council encourages the Provincial government to adopt legislation that protects the sustainability and quality of the groundwater of the Trust Area. (4.4.6)

- Groundwater: an essential water source for Hornby Island

Almost all property owners on Hornby Island are dependent upon groundwater wells for their water supply. Groundwater is recharged by winter rains falling on the Island, generally in the upland areas. It is drawn down over the summer when a large seasonal population occupies the residential areas in the lower coastal portion of the island.

- The Vacant Crown Land: a key groundwater recharge area

The Vacant Crown Land is within Aquifer No. 438 (*BC Aquifer Classification System*) which supplies the two largest subdivisions on the Island. The aquifer has a high density of wells and is highly vulnerable as a result of the fractured bedrock aquifer existing under unconfined conditions offering very limited protection against contamination introduced at the land surface. The Vacant Crown Land constitutes a natural water catchment and storage area that provides recharge to wells located in the surrounding lowlands.

- Provincial involvement: assessment and protection

As an outcome of a joint groundwater project with the Islands Trust (1993), BC Environment conducted an assessment of the Vacant Crown Land. This concluded that the land is both sensitive to groundwater recharge and vulnerable to threats of contamination. It recommended that the land be protected to help ensure preservation of the quantity and quality of groundwater on Hornby Island. Protection has since been put in place in the form of a Notation of Interest on the Vacant Crown Land.

References:

The Hornby Island Groundwater Pilot Project: Final Report - Province of BC / Islands Trust
A Preliminary Assessment of a Crown Land Parcel on Hornby Island - Hodge, BC Environment
Results of a Groundwater Geochemistry Study on Hornby Island - Allen/Matsuo
Hornby Island Groundwater Protection Pilot Project Phase II - Kneffel
Aquifer Classification Worksheet: 92F/10 - Aquifer No. 438 - Ministry of Environment

Significant value of the Hornby Island Vacant Crown Land: **Conservation**

Hornby Island Official Community Plan objective for the Vacant Crown Land:
(*Groundwater Protection-Sustainable Ecosystem Management Area*)

“To enable the continuing recovery, restoration and protection of the forest so that the natural structure, composition and bio-diversity characteristic of a Coastal Douglas-Fir forest ecosystem are re-established.”

Islands Trust Policy Statement policies:

“Trust Council holds that...protection must be given to the natural processes, habitats and species of the Trust Area, including those of the old forests, Coastal Douglas-fir forests...” (3.1.1)

“It is Trust Council's policy to work towards the establishment of a network of protected areas that preserve representative ecosystems in their natural state and in sufficient size and distribution to sustain their ecological integrity” (3.1.2)

“Trust Council encourages actions and programs of other government agencies which place priority on the side of protection for Trust Area ecosystems when judgement must be exercised...”(3.1.9)

“It is Trust Council's policy that forest ecosystems in the Trust Area shall be protected and the remaining stands of relatively undisturbed Coastal Douglas-fir... should be preserved.” (3.2.1)

“Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect forested areas through voluntary donation, acquisition, conservation covenants and careful management.” (3.2.3)

- **Coastal Douglas-fir Forest:** an endangered ecosystemThe Hornby Island Vacant Crown Land provides a rare opportunity to protect one of the few remnants of Coastal Douglas-fir Forest that is publicly owned. Coastal Douglas-fir ecosystems type are considered endangered. According to the Ministry of Environment less than one half of one per cent remains in a relatively undisturbed state with only a very small proportion included in protected areas. Continued survival of this ecosystem type will require protecting areas of recovering older second growth forest in addition to preserving stands of older forest. The Hornby Island Vacant Crown Land contains areas of both “older forest” and “older second growth forest” according to the *Sensitive Ecosystem Inventory of East Vancouver Island and Gulf Islands*.

- **The Vacant Crown land: opportunity for a Protected Area Network**

The Hornby Island Vacant Crown Land provides a rare opportunity to create an unfragmented protected area of sufficient size to sustain ecological integrity in conjunction with the adjacent Mount Geoffrey Regional Nature Park and Mount Geoffrey Escarpment Provincial Park. There are few situations in the Trust Area where a significant contiguous area of forest land can be protected.

- **Provincial involvement: support for rezoning**

The Province supported rezoning of this land to *Groundwater Recharge Area / Sustainable Ecosystem Management Area* which involved the removal of residential use and subdivision potential. The Province is pursuing the need to address conservation of Coastal Douglas-fir ecosystems.

References:

Coastal Douglas-fir Ecosystems - BC Conservation Data Centre

Sensitive Ecosystem Inventory: East Vancouver Island and Gulf Islands

Eco Survey of 400 ha Crown Land Parcel, Hornby Island - Cascadia Natural Resources Consultants

Important value of the Hornby Island Vacant Crown Land: Recreation

Hornby Island Official Community Plan objective for the Vacant Crown Land:
(*Groundwater Protection-Sustainable Ecosystem Management Area*)

“To provide for low-impact recreation activities that are compatible with the primary objectives.”

Islands Trust Policy Statement policies:

“Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.” (5.1.1)

“It is Trust Council’s policy that recreational activities in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.” (5.5.1)

“Trust Council encourages the Provincial government to adopt legislation that protects the sustainability and quality of the groundwater of the Trust Area. (4.4.6)

- Recreation: an increasingly important economic driver

The traditional economic activities of forestry, farming and fishing have been replaced by small businesses, most of which are at least partially dependent upon tourism. Tourism is largely based upon the natural assets of the Island, especially its aesthetic and recreational values. Initiatives are under way to balance summer tourism with off-season visiting based on these values. Such economic opportunities are required to address the fact that, according to the 2006 census, mean individual earnings on Hornby Island are less than half the mean for the province.

- The Vacant Crown Land: a key recreational area

Over the years, considerable effort has been made by community members to build, maintain, name and map an extensive trail system through the Vacant Crown Land. These trails provide connections between the main residential, commercial and public use areas with the more distant Mount Geoffrey provincial and regional parks. They trails are also utilized for cross-Island travel. Major users are mountain bikers; Hornby Island has become an important destination for this activity. Other users include hikers, equestrians, naturalists, school parties and groups using the Tribune Bay Outdoor Education Centre and participants in community recreation programs.

- Provincial involvement: authority for trail management

The Ministry of Tourism, Culture and the Arts has recognized the contribution that the trail system makes to tourism and the need for its management. It has therefore provided the Comox Valley Regional District with the authority to manage the trail system under Section 57 of the *Forest and Range Practices Act*.

References:

Heart of Hornby: A Forest, a Watershed - Hornby Island Residents and Ratepayers Association
Gem of the Gulf: Community Based Tourism on Hornby I. - Recreation & Tourism Research Inst.

Public use value of the Hornby Island Vacant Crown Land: **Housing**

Hornby Island Official Community Plan policy for the Vacant Crown Land:
(Public Use Area)

“The development of seniors', affordable, or special needs housing for Island residents, including summer temporary facilities for displaced year-round residents, operated by a community non-profit society, shall be permitted on land designated public use and shall be regulated by development permit and land use bylaw regulations.”

Islands Trust Policy Statement policy:

“Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address their community’s current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.” (5.8.6)

- Housing: a crisis for community well-being

Residents of Hornby Island are facing increasing housing challenges resulting from a combination of demographic changes, real estate costs accelerating much more rapidly than local incomes and a low (and declining) availability of accessible rental accommodation. House prices have increased by 116% between 2001 and 2006 while incomes have increased by only 7%. There has been a loss of 100 rental units during this period. Housing challenges are affecting the availability of labour to support local needs and tourism businesses and contributing to a drastic decline in school enrollment.

- The Vacant Crown Land: a key to possible housing solutions

An area of land at the centre of the Island is designated and zoned for “public use”. The part of the area north of Central Road is already occupied. The part of the area south of Central Road is included in the Vacant Crown Land. The lack of subdivision potential on Hornby Island and the cost of real estate seriously limit opportunities to acquire affordable private land for affordable housing. This makes the Vacant Crown Land important as a potential location for community housing. On 15 September 2008 the Local Trust Committee adopted a bylaw that includes “community housing” as a permitted land use for this area.

- Provincial involvement: potential pilot free Crown grant for affordable housing

BC Housing Policy Branch has recognized this community's housing challenge and has selected Hornby Island as one of three BC communities for a pilot Free Crown Grant program for affordable housing. (To support this opportunity BC Housing has provided funding for a Housing Needs Assessment). Available Vacant Crown Land is required to take advantage of this program

References:

*Housing Needs on Denman and Hornby Island: Interim Report - Eberle
Hornby Island Advisory Housing Committee Report*

Public use value of the Hornby Island Vacant Crown Land: **Trades and Services**

Hornby Island Official Community Plan policy for the Vacant Crown Land:
(Public Use Area)

“The Community Trades and Services Area, developed and operated under the jurisdiction of an organization (such as a cooperative or land trust) with accountability to the community, shall be permitted on land designated "public use" and shall be regulated by development permit and land use bylaw regulations.”

Islands Trust Policy Statement policy:

“Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.” (5.7.2)

- Trades and Services: need for zoning provision

There is only a small amount of commercial land on Hornby Island and this is generally utilized for retail services and/or hospitality services. Most businesses operate as home occupations on residential lots. The type of activity, its scale and how it is conducted are limited by land use regulations in order to protect the environment and the character of residential neighbourhoods. There is a need for an appropriate location for activities (such as auto repair) that are not appropriate for residential lots, for operations that are growing beyond home occupations and for businesses that owners may prefer, or need, to keep separate from their residence.

- The Vacant Crown Land: site for a “Community Trades and Services Centre”

The area immediately south of Central Road that is included in the Vacant Crown Land and designated for public use includes the only site on Hornby Island zoned “Light Industrial”. On 15 September 2008 the Local Trust Committee adopted a bylaw that rezones this area for “Community Trades and Services” in order to provide a location for land uses that are not appropriate for residential lots.

- Provincial involvement: willingness to entertain application for a Business Service Park

The Province has previously indicated its willingness to consider an application to acquire land in this location for a Local Business Service Park. A business plan was prepared by the Hornby Island Economic Enhancement Corporation (1996). This proposal was put on hold until measures were implemented to address groundwater protection and zoning concerns. The site is now included in a Development Permit Area to address groundwater protection and in September 2008 area was rezoned from “light industrial” to “community trades and services.”

References:

Local Business Service Park Business Plan - H I Community Economic Enhancement Corporation

Secondary value of the Hornby Island Vacant Crown Land: **Forestry**

Hornby Island Official Community Plan objective for the Vacant Crown Land:
(Groundwater Protection-Sustainable Ecosystem Management Area)

“To ensure that any silvicultural activities or extraction of forest products are compatible with and subordinate to the first four objectives.”

Islands Trust Policy Statement policies:

“Trust Council recognizes that forestry is a traditional land use in the Trust Area, and supports sustainable forestry as an appropriate form of land use”.(4.2.1)

“It is the position of Trust Council that sustainable forestry depends on maintaining and, where necessary, restoring the ecological integrity of forests.” (4.2.2)

“It is the position of Trust Council that forest cover is a representative characteristic of the Trust Islands and should be maintained.” (4.2.4)

“Trust Council encourages the Provincial government to adopt mechanisms that will ensure full and meaningful participation of communities in decisions concerning the use of forest land.”(4.2.9)

“Trust Council encourages the Provincial government to designate forest ecosystem reserves, where no extraction will take place, to promote the preservation of native biological diversity.” (4.2.13)

- Forestry: a traditional use in the context of new understanding

The Vacant Crown Land is in various stages of recovery from extensive logging in the previous century. There has been no recent tenure that has allowed timber extraction. When the Ministry of Forests identified this land as a possible site for a Woodlot License, the community formed a Forest Management Society (1987) which conducted various assessments of the land, consulted with the community and prepared a proposal for a community tenure (1995). This recognized that, while there is potential for timber extraction to meet local needs for firewood and lumber, there is now understanding that the forest has primary values with respect to water supply, conservation and recreation.

- The Vacant Crown Land: silviculture as a possible secondary objective

Silvicultural is recognized in the Official Community Plan and Land Use Bylaw as an activity that should only be undertaken in the context of a management plan that addresses the primary values. It is noted that properly conducted silvicultural activities can reduce fire risk and enhance the healthy recovery of the forest. However, the community has not been able to identify and secure a tenure that would enable limited forestry activity in the context of an overall conservation objective. In the absence of such an arrangement, the choice is for the land to be protected for water supply, conservation and recreation purposes rather than made available for a forestry tenure.

- Provincial involvement: exclusion of Vacant Crown Land from woodlot license program

The Ministry of Forests consulted with the community on possible tenures. The Ministry subsequently removed the Vacant Crown Land from availability under the Woodlot License Program.

References:

*Ecological Inventory of Proposed Woodlot on Hornby Island - Triton Environmental Consultants
Community Forest Proposal - Hornby Island Forest Management Society*

Recommendations

The Hornby Island Local Trust Committee supports reconciliation for the K'omoks First Nation through the treaty process. (The Committee hosted a Community-to-Community forum with the K'omoks First Nation in 2002.)

The Province of British Columbia is requested to give careful consideration to the following when making decisions on the inclusion or exclusion of Vacant Crown Land on Hornby Island as part of possible Treaty Settlement Land:

1. The role of the Province in advancing the legislated object of the Islands Trust.
2. The Islands Trust Policy Statement
3. The deep-seated, long-standing and active community interest in the Vacant Crown Land at the heart of Hornby Island
4. The Hornby Island Official Community Plan (notably Sections I, II, III, 6.1 and 6.2)
5. The Hornby Island Land Use Bylaw (notably 9.25 and 9.12)
6. The critical value of the land as a key part of a sensitive groundwater recharge area within a vulnerable aquifer that is the source of water supply for most Island residents
7. The significant value of the land for addressing regional and provincial conservation goals for protecting rare and endangered Coastal Douglas-fir ecosystems
8. The important value of the community-maintained trail system on the land for recreation, a core attraction for the Island's tourism-based economy.
9. The essential opportunity provided by the portion of Vacant Crown Land designated for public use to address community social and economic needs through the establishment of community housing and a community trades and services centre.
10. The need to ensure that forestry activity should only be conducted in accordance with a management plan that fully protects water supply, conservation and recreation values.

*Hornby Island Local Trust Committee
September 2008*