



Comment Sheet Summary (Comments 1 – 35) Riparian Areas Regulation Implementation February 23 and 24, 2011 Public Forum

Please return comments to the SSI Islands Trust office by March 3, 2011

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Respondent Information:

Please provide the following information. It will help us to understand how the implementation of the Riparian Areas Regulation may affect the use of your property and how we can assist you.

Does your property contain or is it adjacent to a watercourse?

Yes: 29 No: 3 Don't know _____

Adjacent to: 1

If "yes" what type of watercourse?

- Ditch: 11
- Stream: 14
- Lake: 8
- Wetland: 8
- Other: 4

Do you think the Riparian Area Regulations would apply to it?

Yes: 19 No: 3 Don't know: 4

What is the use/zone of your property?

- Commercial: 1
- Residential: 20
- Industrial: _____
- Agriculture: 5
- Institutional: _____
- Rural: 6

1. Development Permits

The Salt Spring Official Community Plan contains six (6) development permit areas. Have you had to apply for a development permit or a development permit exemption?

Yes: 7 No: 23 Don't know: 2 Comments: (please specify)

- Not yet
- I almost had to pay for a survey just to show my woodshed was outside the DP area. This should not be necessary. A Trust person should just come and look
- Staff did not explain reason for development permit
- Have not built anything recently
- My neighbourhood has been adversely affected by the inadequacy of steep slope DPA
- I think the implementation of the RAR is extremely important. I have put approx. 8 of my 10 acres under covenant with the Islands Trust Fund and SSI Conservancy. The health of my well is (can be) affected as well as the seasonal creek to Cusheon Lake
- Extensive regulation/engineers/riparian biologist already required.
- Expiry dates ridiculous – disingenuous instrument costing me \$200,000 – My DP depended (not at all) on competitive adjacent 3rd party! In end not usable. Now people show off island – huge increases in carbon use! Red tape preventing services for people – unfair to our? Far too costly a process for new entrants!! “Skewed to elderly population”
- Will have to with subdivision application
- 10 years ago – geotech involved
- We did build a (permitted) building on the property situated outside the DPA – the location (more than 10 m from the ditch) was chosen in part because of the DPA.
- I live on the lake and want to ensure everyone keeps the quality of the water high. I am for development permits in order to keep lake quality. These should be watched for cutting of too many trees in the watershed, disrupting steep slopes and development within the 15-50m boundary.

2. Riparian Areas Regulation

Do you support the intent of this legislation to protect riparian areas? The intent being to protect the features, functions and conditions that are vital in the natural maintenance of stream health and productivity.

Yes: 21 No _____ Don't know: 4 Comments:

- We already have regulations – 30 meters is way too much
- Lakes in this region are naturally somewhat enriched. People are adding more nutrients, much of it from land run-off. It is essential to preserve riparian vegetation to avoid erosion. From erosion – silt carrying phosphorus
- **We must protect the natural environment**
- **Absolutely – stream health, both for ecological and drinking water quality is imperative to life systems in both communities. If one consumes water one must have healthy water!**
- **If we are serious about protecting potable water use by islanders, they must be implemented and strong.**
- **I strongly support the intent of this legislation and urge that it be written in such a way that it can be effectively applied, using a precautionary approach.**
- **Definitely!!!**
- **I have to qualify my answer. I am concerned that the real intent of cloaking 60% of the island as a DP area is to use the pretext of RAR protection to stifle development and has nothing to do with protecting fish habitats.**
- **Unnecessary and destructive of property values, enjoyment of property, agency nuisance shows destructive aspects of these regs. To rip area- enormous and probably unconstitutional property taking.**
- **Depends upon amount of red tape. Important only for streams used often for breeding fish. Trust should spend 20X effort on salmon/trout bearing streams where protection pays dividends – not on commercial carbon saving areas.**
- **Protection of riparian areas would have the additional benefit of protecting the quality of our drinking water.**
- **V. important for both fish protection and drinking water**
- **Can be important for drinking water protection, preserving green space. Research by Moira Quayle at UBC indicates riparian/green space protection increases property values.**
- **Protection of drinking water through RAR is important.**
- **Riparian areas should be protected. Ecosystem function, as well as fish habitat should be considered.**
- **See the above comment. I also believe that when houses are grandfathered in further development from the existing footprint should be evaluated on a case by case situation but with the quality of the water always in mind.**

3. Implementation of the Riparian Areas Regulation

Given that implementation of the Riparian Areas Regulation on Salt Spring Island will occur. Do you have any suggestions on how it should be implemented?

Yes: 19 No: 3 Don't know: 3 Comments:

- Much better maps; the current proposed map is ridiculous
- Do not adopt it
- Protect riparian areas from clearing trees and vegetation. Make rules strong clear and enforced – prevent erosion – maybe have staff person who can do applicability assessments
- We also need to protect our lakes from algae blooms
- Must apply to land clearing even when there is no other development
- Bylaws should have measurable enforceable standards not exemptions or “reports” by private consultants
- Rigorously
- Link its necessity to the necessity for water for life, i.e. destruction of drinking water habitat, destroys drinking water quality and destroys life, human and natural. E.g. highlands district current closure.
- Lots of education to start. Forum was a great idea although I missed it.
- State the case for protection of water and put in enforcement provisions for violations. No shilly shallying.
- Basic information should be widely available, e.g. as a handout and online. Perhaps the cooperation of water-related groups could be enlisted to undertake outreach. Also, the issue of “ditches” strikes many people as over-regulation in general, and they also do not know what it means for them specifically. The general issue of ditches should be clarified via public education. As well, specific site visits by Trust staff to clarify applicability of the regulations to individual properties should be available maybe for a nominal fee.
- “Non violent communication” materials and course (see Sharada Filkow). Alternatively, to listen to the CD(s). “No hassle, complaint, or blame” rather than confrontation – stiff expectations, unequivocal wording necessary for clarify; penalties heavy (no room to go ahead with plans, with a view to paying the fines “as part of the budgeted expense!). A legal team ready to act? Known to be ready willing and able to act.

- New regulations need to be understandable get explained well, and be strict so they actually protect vegetation and forest areas along streams, lakes and watersheds. Trust needs to explain and lead on these regs. Prevent erosion, land clearing, prevent further development in watersheds.
- As the major problem to be addressed through the RAR is to protect erosion and the flow of phosphorous into our drinking water lakes, this would require that any land clearing activities be done under a permit and plan approved by the Trust, with follow-up regulations. While the RAR is principally to protect fish habitat, what is good for healthy fish is good for the health all of the life around our lakes, etc. as well as for the people who drink the water.
- Don't permit landowners to fence the RAA- need wildlife accent. Better more definitive maps of Island water courses
- Qualified Islands Trust person to assist prior to having to hire a QEP. Implementation in all watersheds and DPA-4 designation for the Cusheon and St. Mary watersheds.
- (a) water level maintenance in lakes or streams by man made weirs – no beavers (b) an offence to release or introduce any aquatic plants, mammals, fish or amphibians to any SSI waters. Examples are lily pads sin Weston Lake, perch in St. Mary's Lake and disease carrying beavers into numerous watersheds (c) QEP's contracted on an as and when required basis.
- Do not implement unnecessary
- 1. issue regulation proposals, 2. call for input plus public hearings 3. revise regulations. 4. pay attention to easing up on DP commercial areas where drainage already under engineering. Do not add more experts. Instructions for engineering only.
- RAR should be implemented in conjunction with additional bylaws that would – protect drinking lake watersheds by limiting tree clearing within the watershed – regulate activities on steep slopes.
- Apply RAR up to existing DP's (10m non-ALR – 3m ALR) and retain/strengthen existing DPs (eg ensure infilling of lakes and streams in existing DPs; better enforcement protocols.
- Lots of education to start. Forum has a great idea although I missed it.
- **Retain the existing DPA 1-6 system but expand it through further refinements that overlay RAR areas that are more sensitive in terms of fish habitat protection, ecological values protection, and drinking water protection. Don't establish a "blanket" watershed RAR category- this would lead to excessive need for permits, unnecessary work and costs for landowners, and un-needed antagonism toward the Trust. Do, however, identify RAR areas where the 30 m. assessment is appropriate, and retain the DPAs. Not all of the current DPAs would necessarily be classified as RAR, and there would possibly be some added land that would fit the RAR. Overall, the existing DPA 3 and 4 cover the issue fairly well, with added RAR protection as identified by qualified RAR biologist that should be hired to identify the critical RAR.**
- New building where you are clearing land, must meet riparian requirements and site reviewed b y IT – photo can be taken of area and construction and sent to IT to ensure meeting regulations. Photos must be submitted and site can just be verified by building inspector that meets RAR.

4. Additional Information Regarding Implementation of Riparian Areas Regulation

Is there additional information that you would like to have provided that could assist you as a landowner?

Yes: 15 No: 17 Don't know: 3

Comments:

- We need maps showing where the streams are – not just put a blanket DP area
- Must protect drinking water lakes from erosion, phosphorus and land clearing
- Landowners should be told reasons for development permit areas, i.e. to protect the environment and exactly how they do that
- A summary, concise summary, of key points or considerations. Place an ad in the Driftwood for its email? Availability
- See question 3 above
- I am finding information online and Driftwood
- Landowners need simple assistance from Biologist/QEP on staff of Trust, so these issues can be impartially addressed in long-term.
- Perhaps a pamphlet explaining the regulations, available at Trust events, including Water Council.
- Why do farmlands only require a 3m buffer? What is it with farmers? Are they special?
- Progress reports by mail to all property owners affected within RAR areas.
- I am not personally affected. My property is out with the DP area.
- Contrarian science precise and accurate mapping – identification of riparian areas that actually need protection, rather than a blanket restriction
- Ditches that dry (or stop) during summer should be excluded
- Mapping to clarify which streams (and ditches) fall under RAR
- Seems to be quite a variance in QEP costs. Perhaps some guidance on selecting a QEP and cost ranges.
- Concern regarding costs, Trust staffer devoted to riparian and ecosystem protection could reduce costs, the idea of "simple assessments" for certain streams and watersheds (economics of scale; in partnership with NGOs).

- It is critical that all new bylaws address protecting the lakes from erosion carrying phosphorous into the lakes – all phosphorous loading issues need to be addressed when building around the watershed including steep slope development and disruption, and excessive tree cutting. Stripping a site of natural vegetation for prolonged periods of time must be avoided.

5. Assistance from Staff

How would you like to see staff work with landowners regarding development permit areas? And in particular those related to Riparian Areas Regulation. Please explain.

- Talk to the stakeholders
- See previous comment
- Trust staff should be available to determine if my project is an assessment area. Trust should provide work plan for cost of permit
- Contact people at early stage. Publicize requirements early and often. Try to get ideas implanted before development starts
- Staff should go out to properties if requested and tell landowners if RAR applies to them
- First educate all landowners (e.g. with BC tax assessment notices) of the requirement, rationale and process. On site visits by staff if requested.
- **Determine on a case by case basis with no preferential treatment for developers.**
- **See question 3 for some comments. In general, it seems essential for Trust staff to help landowners understand the rules in advance of land altering activities, to get adequate information on impacts in advance, and to have a system that requires an agreed plan in advance, with inspections, similar to what happens with the building code.**
- **Develop your sense of perspective and sense of humour, for reliance. Maintain integrity in the face of (understandable) distress, etc. Ad (and speak) with “No hassle, no complaint, no blame” to calm rather than escalate hassle, complaint and blame!**
- See above question 5
- **Allow Trust staff to visit property owners at their request, to tell them if planned work is in the permit area.**
- **Return phone calls and emails promptly – usually you don’t even get one.**
- **Yes have someone visit a site if requested just to assist in making the decision to hire a QEP or equivalents**
- **Staff should keep all property owners abreast of any developments in riparian areas. This information should be delivered in letter form. All meetings should also be mailed out well in advance.**
- **It might help if the Trust gives written assurance that as a condition of imposing this regulation, RAR survey carried out by recognized environmental consultants that support the type of development proposed by applicants will at all times be accepted by the Trust without further challenge.**
- **I think staff is feather-bedding with these regulations- we have huge parts? Of island under formal and informal conservation already.**
- **Send all landowners in commercial areas copies of proposed regulations prior to further input**
- **That the IT would have a QEP on staff or a QEP on contract who would provide assistance when required by landowner to determine if planned project is actually in a riparian assessment area.**
- **Can expertise of Trust staff assist/undertake/accept region wide RAR assessments perhaps guided by local stream enhancement or watershed protection groups.**
- **Yes- see above.**
- **There should be a system so that landowners can easily get advice from the Trust or CRD about any possible development they are considering in regard to RAR.**
- **It would be nice to see an individual case system implemented when necessary as presently many houses would be in violation of the 30m regulation and thus many exceptions are going to need to be created. Those who live on the Lakes and watersheds are normally willing to spend more to ensure they protect the water quality. For larger new projects, inspections should be done to ensure the site is conforming to regulations.**

6. Drinking Water Watersheds

Do you live in a drinking water watershed? **Yes: 15 No: 19 Don't know _____**

7. Public Forum Information

a) How did you hear about the open house?

Newspaper	18
Website	4
E-mail notice	15
Local Trust Committee Meeting	6
Other	6

b) Was the information presented clear and informative?

- As much as it could be; however, there is a difference between theory and fact
- Yes, Yes, Yes, Yes, Yes, Yes, Yes, Yes, Yes, Yes, Yes, Yes
- Ok
- Yes, we appreciated listening to someone so knowledgeable, and someone who was able to explain things in layman's terms
- N/A was not able to attend
- Appendix B of the Swell Report (Mayne Island) is excellent (FAQ format) the entire PDF is valuable tool, wherever one lives)
- Yes it was well done
- Okay – I was unable to attend
- Yes but while I was there did not talk about what the language of the law would be – only the QEP process
- Presentation at Fulford Hall was excellent
- It was the usually woolly imprecise and scaremongering nonsense with no economic impact attached – profoundly incompetent and irresponsible as usual. We need metrics, accurate metres, estimates of social and economic impact studies and cost to landowner needing all the intrusion of riparian “experts”
- Not enough public information as usual as to prior thinking of planners and Trustees
- I was unable to make the forum
- As clear as possible but it seems like there is very little budget to uphold Riparian areas which should rank very high on the Trust's responsibility levels More commitment should be shown to individual watersheds. Development needs to be curbed in an area (like St. Mary's) when water usage exceeds demands. They cannot abuse one watershed and expect to then get water from another.

c) Do you have any suggestions about how to improve the way information is presented in future?

- **You could run ads with more information on the importance of protecting riparian areas**
- **See question 5**
- **People are using blogs and Twitter a lot more. Suggest you do true community engagement and set up a blog so that people can write in their ideas. And remind people on a regular basis about the blog. A lot more participation will happen if you invite it. IT will get both positive and negative comments but there will also be pearls among them.**
- **No, no**
- **Larger question period – hold it in evening**
- **Meeting notices should be mailed to property owners. Do not rely solely on the Driftwood.**
- List possible regulations and reasons /take on line survey, open discussion blog, video tape trust meetings , more openness
- People are using blogs and Twitter a lot more. Suggest you do true Community Engagement and set up a blog so that people can write in their ideas. And remind people on a regular basis about the blog. A lot more participation will happen if you invite it. IT will get both positive and negative comments but there will also be pearls among them.
- Yes map-related, meeting dates, etc.

d) Do you use the Salt Spring Island website to obtaining information? If “yes” what information?

- No, No, No, No, No, No, No, No
- **Put info charts from this meeting on the web**
- **Yes reports**
- **Yes bylaws, OCP, meeting information**
- **Yes, reports and documents that are posted there.**
- **Yes, for various aspects of the way land use on SSI is managed as it might apply to my land, and also for clarification of various issues that are important for the community generally but may be controversial and are often misrepresented elsewhere.**
- **Yes “RAR” search**
- **No. Emails work best for me.**
- Not yet
- Any info – esp. minutes (too out of date always) agenda of meetings
- Yes – information sheets associated with info session.
- Reports, documents that are posted
- No but I have reviewed the site to get documentation. You should use management plans like the Cushion Lake Management Plan to see how information gathered and experts used can assist the Trust to better make water management decisions. Water conservation must be practiced at St. Mary's by all residents not look at ways to gain water from Maxwell and Cusheon Lake. Michael Abelman has made some excellent suggestions in the Driftwood about conservation being the key – ask me about Michael...

8. Other Comments

- When a SPEA is created, could the landowner automatically be eligible for NAPTEC?
- We need strong enforceable bylaws to protect our environment.
- Sorry to have missed the open house. Too busy right now. Make regular reminders about the SS website address. In fact, include it as well as the blog address suggested above on every communication you send out. Maybe you already do that.
- There should be some provision for land clearing on properties not within the riparian area directly, but that are upstream from the riparian area. This is especially true for the downstream flow of phosphorous that does affect the riparian and wetland areas. Also there are powerful streams that are seasonal not on the map but that can carry quite a bit of phosphorous etc from cleared land right into the wetland and riparian areas. Provisions regarding these streams should be noted (locals can point them out) and put on the map.
- I am concerned that the RAR does not seem to go far enough in making the control of erosion a requirement, e.g. by limiting land clearing activities in the protected zone, and I urge that the Trust strengthen the regulations to accomplish this. Similarly, I urge that the Trust strengthen the regulations to accomplish this. Similarly, I urge that damaging runoff from all sources into fresh water bodies be prohibited. This is important because all potential for harm does not originate within a 30 meter zone.
- Do you think the riparian Area Regulations would apply to it (yes to a watercourse) –my property is ½ acre – 30 m away from adjacent water courses.
- Thank you for all you do to preserve and protect. My sympathy and condolences for having to face belligerence, opposition and organized antagonism. The first two are understandable now and again but the last is unfortunate all round. Thank heaven for the Islands Trust Trustees.
- It is important that the RAR be connected with the LUB regulations (bylaws) to ensure that all land clearing is regulated with consequences for non-conformity. This is becoming increasingly crucial as we see the deteriorating condition of our lakes and the “flocation” on a minimum of protection for fish and potable water, with the phosphorus loading. I suppose the problem is that we try to regulate the “parts” rather than acknowledge that unless we address the whole ecosystem of what affects water sources and sanitation needs, we will not have good, water, especially for those who come after us.
- George and Christine.... This is our opportunity strengthen activities in the Cusheon and St. Mary Watersheds. Please step up!
- The main thing is ensure property owners are notified on an ongoing basis.
- Never enough information for public, always out of date, references to sparse, public business “appears” hidden.
- Sorry to have missed the open ouse. Too busy right now. Make regular reminders bout the SS website address. In fact, include it as well as the blog address suggested above on every communication you send out. Maybe you already do that.
- An email was generated by landowners encouraging respondents to write in – one response received stated the following: In announcing an upcoming topic it is inappropriate to put a personal political spin or opinion on the matter. Unless you balance it with other perspective. If it should be necessary to describe a particular subject should its scope not be clear, then define the subject, in this case the word “Riparian”. I am not interested in your or any member's personal political opinion, it becomes inappropriate, partisan plat forming.