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September 29, 2015

File: TH-3070-20

Joan Calderhead
Manager, Environment & Natural Resources,
Lands and Economic Development
BC Region
600-1138 Melville Street
Vancouver BC V6E 4S3

RE: Hardy Island Granite Quarries Ltd. Operation on Valdes Island

Dear Ms. Calderhead,

I am writing to you as Chair of the Thetis Island Local Trust Committee which is the local government with land use planning authority for part of the Gulf Islands including Valdes Island, and surrounding waters. A permit for the Dimension Stone Test Quarry on Valdes Island was issued to Hardy Island Granite Quarries Ltd. ('Hardy Granite') by the Department of Aboriginal Affairs and Northern Development Canada (AANDC) on December 30, 2014. As the Permit Area is located on a portion of L'yackson First Nations Territory (L'yackson IR3), the permit was issued by AANDC pursuant to their authority under the *Indian Act*, Subsection 28(2), which speaks to issuance of a permit for occupation or use of First Nation land.

It is of concern to the Thetis Island Local Trust Committee that we were not advised of the proposed quarrying activity during the application process. In fact, we only became aware of the quarry following several inquiries from residents of DeCourcy Island about blasting noise coming from L'yackson Territory (commencing in January of 2015). This noise issue, along with the lack of consultation with LTCs for the permit itself, is deeply troubling to the Local Trust Committee.

We were informed that due to permit requirements as per the bald eagle nesting season (the window for barging the material off-site is limited to December 1st through to February 15th) that quarrying activity ceased for a time, and that Hardy Granite will recommence blasting operations again this month. We understand from AANDC staff that Hardy Granite is required to provide a noise management plan for next year following the complaints, and we request that AANDC provide us with a copy of this plan for our reference.

While L'yackson First Nations was actively involved in the permitting process, they were not signatories to the agreement made between the Hardy Granite and AANDC. As such AANDC's primary responsibility for stakeholder consultation is to L'yackson First Nation, whose comments and concerns were addressed during the proposal stage. However, consultation with non-Aboriginal groups can be a requirement of such permits if AANDC deems it necessary due the potential for 'off-reserve effects.' We believe that the Thetis Local Trust Committee, along with the residents of neighbouring islands, should be consulted as part of the permitted process for any significant development activity on Valdes Island.

It is our understanding that if Hardy Granite applies for a longer term lease once the two year test lease is up, there would be a new and separate review process. AANDC has indicated that they have documented all noise complaints received thus far as part of any future application; however, no assurance has been provided that the Local Trust Committee or adjacent residents would be consulted in the event that a long-term permit application is made. The Thetis Local Trust Committee recognises and respects the L'yackson First Nation's rights to develop their lands, and do not wish to interfere with economic activities. Simply, given the strong potential for 'off-reserve effects' and the delicate ecosystem in which this quarrying activity is taking place, the Thetis Local Trust Committee respectfully requests to be consulted as part of any future lease application by Hardy Granite or any other mining operation.

The Islands Trust is a federation of local government bodies representing 25,000 people living within the Islands Trust Area and another 10,000 non-resident property-owners. The Islands Trust is responsible for preserving and protecting the unique environment and amenities of the Islands Trust Area through planning and regulating land use, development management, education, cooperation with other agencies, and land conservation. The area covers the islands and waters between the British Columbia mainland and southern Vancouver Island. It includes 13 major and more than 450 smaller islands covering 5200 square kilometres.

Yours sincerely,



Susan Morrison
Chair, Thetis Island Local Trust Committee

pc:

Chief Pahalicktun (Richard Thomas), L'yackson First Nation
Kathleen Johnnie, L'yackson First Nation
Bonita Wallace, Ministry of Forests, Lands and Natural Resource Operations,
(Bonita.Wallace@gov.bc.ca)
Helgi Sigurgeirson, Hardy Island Granite Quarries Ltd.
Gabriola Island Local Trust Committee