



**REPORT TO PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, MAY 22, 2013**

SUBJECT REGIONAL DEER MANAGEMENT STRATEGY IMPLEMENTATION

ISSUE

Report on the implementation of Regional Deer Management Strategy (RDMS) in rural and urban areas.

BACKGROUND

At the February 27, 2013 Planning, Transportation and Protective Services Committee meeting, the Committee received report PPS/RSP 2013-01 for information. The update provided a summary of the activity completed since the December 12, 2012 Board direction to implement the RDMS beginning with the Peninsula municipalities. The focus on the Peninsula municipalities continues in order to mitigate the impact of deer on agriculture.

PROGRESS TO DATE

Farmer – Hunter Workshop Hosted by the Peninsula Agriculture Commission

On March 1, 2013, the Peninsula Agriculture Association hosted a workshop for farmers and hunters at the Saanich Fairgrounds. The purpose of the morning workshop was to provide a detailed overview of the Nuisance Wildlife Permit process, provided by the Ministry of Forests, Lands and Natural Resource Operations staff biologists who evaluate the permits for deer, and an overview of the Canadian Goose permit process provided by the staff biologist from Canadian Wildlife Service. Hunters were invited in the afternoon to learn more about the BC Outdoor Passport program from the BC Wildlife Federation, a program that further qualifies hunters on safe hunting practices, and a brief talk from one of the Southern Vancouver Island Conservation Officers. A presentation was given to both the morning and afternoon groups on the Tseycum community's 'Field to Freezer' program which provides practical education to teens on natural hunting and processing practices specifically regarding deer.

In total there were approximately 100 attendees at the workshop over the course of the day from which a list of 45 potential hunters and willing farmers was generated and shared with the group. Overall, the day garnered a better understanding of the government processes that are involved in addressing deer and geese matters. Lots of opportunity was provided for questions, so that individuals could quickly get answers to their specific situations and many commented on the value of that as well as the opportunity to network.

Council Attendance and Presentations

Since the last report, Capital Regional District (CRD) staff presented to the District of Oak Bay, the District of Highlands, and the Township of Esquimalt. Each municipality expressed interest in discussing the issue at a municipal Committee of the Whole meeting for a more thorough discussion. The intent of the Committee of the Whole meeting is to determine whether the municipality will lend its support to the RDMS recommendations such as supporting the region in pursuit of fencing subsidies, developing public education materials for conflict reduction, supporting the region in pursuit of changing public hunting regulations to allow for extended antlerless seasons and bag limits, supporting an enhanced First Nations hunt and advising whether there is an interest in pursuing population reduction management options within their municipality. Additional requests include assistance in tracking deer related complaints, and formalized participation on an RDMS oversight committee CRD staff has offered to attend these

meetings as a resource. Council resolutions provided to date can be found in Attachment 1. A meeting has been scheduled with the City of Victoria staff for May 17, 2013 to determine what action, if any, the City wishes to take forward.

The meeting with staff from the Township of Esquimalt included Canadian Forces Base (CFB) Esquimalt to discuss its interest in the RDMS recommendations and the best way to move forward. CFB Esquimalt has completed wildlife assessments for its urban properties for both deer in 2003 and 2005 and geese in 2008. The resulting deer reports acknowledged high deer density, reduced plants species, a significant amount of damage to landscaping, health concerns and potential options for management. The reports determined the population was under the biological carrying capacity but over the social carrying capacity and had increased over the study interval. A number of management measures were evaluated, all but one of which were considered in the RDMS.

The Canada Goose Management Plan completed for CFB Esquimalt provides guidelines and strategies for a multi-pronged approach to Canada Goose management. Tools include working with partners at a larger scale, developing public education campaigns, habitat modification, hazing, egg addling and long term monitoring.

Agricultural Legal Opinion

The legal opinion sought in response to a number of questions regarding the legal rights of farmers under the *Farm Practices and Protection Act (FPPA)* with regards to crop protection and nuisance wildlife that arose from early meetings with municipal, regional and provincial staff. The opinion responds to whether the *FPPA* over-rides local bylaws requiring local police permission and additional distance separation beyond what exists in the *Wildlife Act*.

The resulting opinion has been summarized (Attachment 2) and shared with municipal partners.

Proposed Agricultural Pilot Project

A pilot project is planned as a practical action in areas where partners are willing to participate and evaluate the efficacy of the project over the project term (approximately 12 months) to inform further action. A proposed pilot project description for agricultural areas on the Peninsula can be found in Attachment 3; it provides a framework a multi-pronged approach that would, establish approximate baseline population values, then work with community members to implement conflict reduction, population reduction and public education measures in order to reduce deer-human conflicts. The pilot project will be refined based on input from ministry biologists, former expert resources working group members and wildlife researchers in the academic community and project partners.

This pilot project will be overseen by a coordinator position, and has the option to take advantage of synergies between the RDMS and Regional Canada Goose Management Strategy (RCGMS). Regional staff will work with Peninsula municipal staff to refine the pilot project.

It is anticipated that a similar urban pilot project will be developed following upcoming meetings with Oak Bay, Esquimalt and Victoria.

RDMS/RCGMS and the RSS

The Regional Sustainability Strategy (RSS) and the food system sub-strategy are taking both the RDMS and the RCGMS into consideration, both of which will influence RSS policy.

FINANCIAL IMPLICATIONS

The single supplementary, \$150,000, will be used to fund implementation of the pilot project(s) including outreach, materials production and a term coordinator to work with the pilot communities.

CONCLUSION

CRD staff continues to meet with municipal staff and present to councils on request to further the implementation of the RDMS recommendations. Staff will be available to attend Committee of the Whole meetings for Oak Bay, Esquimalt, and Highlands as a resource as councils discuss how they wish to move forward. The legal opinion that was obtained has been summarized and distributed to municipal partners and the Islands Trust for information. The coordinator position has been posted and work on the public education material is underway. In order to move forward with many of the RDMS recommendations, council resolutions are required.

RECOMMENDATION

That the Planning, Transportation and Protective Services Committee receive report PPS/RSP 2013-10 titled Regional Deer Management Strategy Implementation for information.

****ORIGINAL SIGNED****

Jeff Weightman
Planning Analyst
Regional and Strategic Planning

Marg Misek-Evans, MCIP, RPP
Acting General Manager
Planning and Protective Services
Concurrence

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

Attachments: 3

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **SPECIAL PLANNING & DEVELOPMENT COMMITTEE** Meeting
Tuesday, February 12, 2013, at 7:06 p.m.
Central Saanich Municipal Council Chamber

PRESENT: Cathie Ounsted, Chair
Mayor Alastair Bryson
Councillors Garrison, Jensen, and King
Patrick Robins, Administrator
Ruby Shea, Administrative Assistant
Bruce Greig, Director of Planning and Building Services
David McAllister, Director of Engineering and Public Works
Rosalyn Tanner, Director of Financial Services
Norman Doerksen, Superintendent of Public Works

APPROVAL OF THE AGENDA:

87.13 MOVED AND SECONDED
That the Agenda for the Planning & Development Committee Meeting held on February 12, 2013, be approved as circulated.
CARRIED UNANIMOUSLY

1. Staff Memorandum

- a) Staff Memorandum dated February 5, 2013, from the Director of Planning and Building Services entitled "CRD Update on Regional Deer Management Efforts"

The Chair introduced Ms. Marg Misek-Evans, Senior Manager, Planning and Protective Services, CRD Regional Planning and Mr. Jeff Weightman, Deer Management Project Manager, CRD Regional Planning who were in attendance at the Meeting to give a presentation to the Committee.

Ms. Misek-Evans gave a comprehensive overview of a PowerPoint presentation on the updated Regional Deer Management Strategy including conflict reduction, population reduction, public education and administration, and deer-vehicle collision mitigation, and outlined whether specific duties are the responsibility of Regional, Municipal or Provincial jurisdictions.

Mr. Weightman explained the regulations, restrictions, and processes with respect to local police permits and the Provincial permits for crop protection.

The Staff Memorandum dated February 5, 2013, from the Director of Planning and Building Services entitled "CRD Update on Regional Deer Management Efforts" and attachments was received for information without a motion.

88.13 MOVED AND SECONDED
That it be recommended to Council:

That Council direct Staff to:

1. *Draft a municipal Bylaw to allow public deer hunting as required;*
2. *Draft a Bylaw prohibiting intentional deer feeding;*
3. *Work with the CRD on public education (re: crop protection, deer and goose management);*
4. *Follow-up with the Federal and Provincial Governments renewing subsidy for deer fencing;*
5. *Write to the Province:*
 - a) *Requesting Amendment to the hunting regulations;*
 - b) *To take steps to reconcile and align Province and Local Police permitting process for crop protection;*
 - c) *Revisit the deer bag limits on crop protection;*
 - d) *Review requirements for benefit and utilization of harvested deer under crop protection program;*

6. Investigate opportunities to:
- a) Enable and facilitate the use of "Sharpshooters" by First Nations and Non-First Nations for the purposes of deer population reduction; and,
 - b) Establish a bounty for the deer that could be dispatched under a population reduction program; and,
7. Support and encourage First Nations on harvesting of deer.

CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Garrison, Jensen, King, and Ounsted

89.13

MOVED AND SECONDED

That it be recommended to Council:

That Council request Police Services, Capital Regional District, and Staff to work with the Provincial Government to investigate opportunities for the limited and controlled use of single slug and projectile firearms by individuals in the District for the purpose of dispatching deer.

CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Garrison, Jensen, King, and Ounsted

The Chair then invited members of the public to speak.

Mr. J Mar, advised that a single projectile firearm would not be fitting for falling an animal but rather to finish off an animal which is already brought down. He queried that with only two trained biologists covering the south portion of the Island perhaps Police Services would be allowed to take down aggressive deer in the District.

Ms. Misk-Evans noted that the Stakeholders do not have an appetite to take this on.

Mr. Mar suggested that with regard to the long approval process for the capture / euthanize program that applications get started promptly.

Mr. R Thompson, queried if there is any opinion in writing in the Douglas Treaty regarding bagging limitations and/or hunting at night by First Nations.

Ms. P Fox, stated that in the past crop protection permits did not stipulate whether bows or shotguns were being used but now each need to be stipulated and paid for separately. She requested a reduction in the fee structure.

Mr. M Doehnel, thanked the CRD and Staff for the expediency in dealing with the issues and strongly supports the tree stands and use of slugs. He noted that in his opinion the Police have a robust budget and should serve when necessary.

Mr. B Hartenberger, suggested that deer feeder crops be planted in remote areas to provide them an alternative food source for now and also to concentrate the deer in one place.

Mr. T Peard, requested that signs be erected as to where crop protection will take place in order to make the public aware of areas that could be dangerous for roaming.

Ms. W Fox, acknowledged that the Staff are moving forward quickly and making progress on recommendations. She noted that with regard to the Provincial Government not receiving many farmers sending in their bag limits, don't assume there are no deer problems. With the restrictions of area sizes necessary in using firearms, three of her five farms do not qualify for crop protection guidelines but does not mean the deer are not on the smaller farmlands.

Mr. J Mar, suggested that Council review Firearms Bylaw No. 1612 to lower the space limit.

90 .13

MOVED AND SECONDED

That it be recommended to Council:

That Council direct Staff to draft changes to the Central Saanich Firearms Bylaw No. 1612, 2009 with respect to the permit process, permit fees, and the setback requirements for the purposes of crop protection under the Right to Farm Act.

CARRIED UNANIMOUSLY: Mayor Bryson; Councillors Garrison, Jensen, King, and Ounsted

The Chair thanked Ms. Misek-Evans and Mr. Weightman for their time and presentation.

ADJOURNMENT:

On motion, the Special Planning & Development Committee Meeting held on February 12, 2013, adjourned at 8:27 p.m.

Councillor Cathie Ounsted
Chair

Recorded by: Ruby Shea
Administrative Assistant



The Corporation of the District of Central Saanich

MEMORANDUM

To: Patrick Robins, Administrator (for Council)

From: Bruce Greig, Director of Planning and Building Services (on behalf of the Chair of the Agricultural Advisory Committee)

Date: February 13th, 2013

Subject: AAC re: Deer Management

Background:

After a verbal update to the AAC on the presentation by CRD staff and discussion of deer management at the Planning and Development Committee meeting held February 12th, 2013, the AAC unanimously supported forwarding the following recommendation to Council:

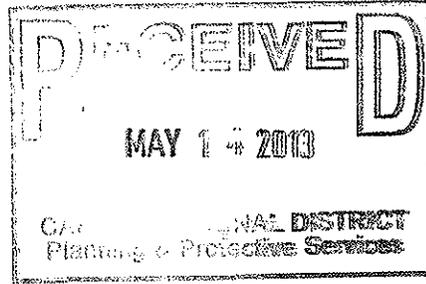
That the Agricultural Advisory Committee recommends that Central Saanich Council reach out to the Councils of Tsartlip and Tsawout First Nations to discuss potential mutual interest in expanding First Nations goose and deer hunting on farm land within the Wsanec traditional territories.

Respectfully submitted,

Bruce Greig, mcip, bcsla
Director of Planning and Building Services

Administrator's Recommendation
I concur with the recommendation contained in this report.

Patrick Robins
Chief Administrative Officer



May 9, 2013

Marg Evans
Acting Manager of Planning and Protective Services
Capital Regional District
625 Fisgard Street, PO Box 1000
Victoria, BC V8W 2S6

Re: Regional Deer Management Strategy

The Township of Esquimalt, at its Regular Meeting held Monday, May 6th, 2013, received your presentation on Regional Deer Management Strategy.

At that meeting, Esquimalt Council adopted the following resolution:

That Council supports in principle partnering with the CRD to expand public education regarding use of deer repellents, deer resistant plants and other conflict reduction measures as part of a Regional Deer Management Strategy.

Council also agreed to deal with other issues in the Regional Deer Management Strategy at an upcoming Committee of the Whole meeting, and this will confirm that June 10th has been selected, commencing at 5:45 pm. We appreciate your attendance and input at these Committee of the Whole discussions.

Yours truly,

Anja Nurvo, BA, LLB
Manager of Corporate Services

DISTRICT OF NORTH SAANICH

Minutes of the meeting of the District of North Saanich Committee of the Whole

Monday, February 25, 2013 at 7:00 p.m.

PRESENT:

Chair T. Daly
Mayor A. Finall
Councillors D. Browne
C. McBride
E. McMurphy
C. Mearns
C. Stock

ATTENDING:

Chief Administrative Officer R. Buchan
Director of Infrastructure Services P. O'Reilly
Director of Financial Services T. Flynn
Director of Planning and Community Services M. Brodrick
Director of Emergency Services G. Wilton
Manager of Corporate Services C. Kingsley
Works Superintendent B. T. Robinson
Network Support Technician R. Fedrigo
Administrative Assistant J. Gretchen

The Chair called the meeting to order at 7:00 p.m.

APPROVAL OF AGENDA

Council noted the third presentation on the agenda, regarding Community Shuttle Bus Service, was cancelled at the presenter's request.

Council added the following item to the agenda:

- A letter from R. Vermeer dated February 21, 2013 regarding ALR Subdivision Application for 9025 and 9075 Mainwaring Road

MOVED BY: COUNCILLOR MCBRIDE

22-COW That the agenda be approved as amended.

CARRIED

PRESENTATIONS

1) DEER MANAGEMENT PLAN

M. Misek-Evans, Senior Manager and J. Weightman, Deer Management Project Manager, CRD Regional Planning, gave a presentation on Deer Management Plan.

L. Soellner, 1705 John Road, expressed concern regarding the safety for children and farm animals if hunting of deer is allowed.

V. Boswell, expressed concern about public safety if shooters are used on deer and concern about the public's awareness of the proposed strategies to manage the deer population.

N. Eaton, 10287 Wilson Road, expressed concern with hunters culling deer in the District.

2) SIDNEY MUSEUM AND ARCHIVES – CURRENT INTENTIONS

G. Debling, President, Sidney Museum and Archives, gave a presentation on the current intentions for the Sidney Museum and Archives.

3) CIVIC IDEAS WEBSITE APPLICATION

The Network Support Technician provided an overview of the proposed Civic Ideas website application provided by Granicus Inc.

T. Remedios, 9280 Rideau Avenue, made a suggestion with regard to restricting the use of the website application to North Saanich residents.

G. Crowley, 8621 Minstrel Place, commented on aspects of the proposed website application regarding the staff time required for monitoring.

MOVED BY: COUNCILLOR MCMURPHY

23-COW That the District of North Saanich participate in piloting the Civic Ideas website.

CARRIED

REFERRALS / REPORTS

1) DEER MANAGEMENT STRATEGY

B. Tutt, 10745 Deep Cove Road, expressed concern with the population of deer in the District and with the fence height restrictions in the Zoning Bylaw and expressed support for recommendations in the report.

R. Vermeer, 8968 Mainwaring Road, expressed concern regarding the increase in deer population and support for solutions to prevent damage to gardens.

MOVED BY: MAYOR FINALL

24-COW That Council accept Staff recommendation #1 regarding fencing for agricultural land and refer the matter back to staff with respect to residential properties.

CARRIED

MOVED BY: MAYOR FINALL

25-COW That Council accept Staff recommendation #1 with respect to landscape alternatives.

CARRIED

MOVED BY: MAYOR FINALL

26-COW That the District of North Saanich implement an anti-feeding bylaw regarding deer, rabbits, raccoons and geese.

CARRIED

OPPOSED: COUNCILLOR BROWNE

MOVED BY: COUNCILLOR MEARNES

27-COW That the responsibility of dealing with aggressive deer remain a provincial matter.

CARRIED

MOVED BY: COUNCILLOR STOCK

28-COW That Council not support a controlled public hunt.

CARRIED

MOVED BY: COUNCILLOR STOCK

29-COW That Council supports that the Region advocate for provincial programs to implement the capture and euthanization of deer.

CARRIED

OPPOSED: COUNCILLOR BROWNE, COUNCILLOR MCBRIDE,
COUNCILLOR MEARNES

MOVED BY: MAYOR FINALL

30-COW That the District of North Saanich write to the Province requesting amendments to the hunting regulations, revisit the deer bag limits and review requirements for the benefit of utilization of harvested deer under the

crop protection program and attempt to interest first nations in participating in harvesting.

CARRIED

MOVED BY: MAYOR FINALL

31-COW That Staff recommendation #6 regarding an amendment to the Fire Arm Bylaw to sanction bow hunting and third parties for crop protection hunting be removed from the report.

CARRIED

MOVED BY: MAYOR FINALL

32-COW That Council not undertake a municipal program to hire professional sharp shooters.

CARRIED

MOVED BY: COUNCILLOR STOCK

33-COW That Council recommends participation in a regional public education program and deer management oversight committee as well as a UBCM motion for provincial funding.

CARRIED

MOVED BY: COUNCILLOR BROWNE

34-COW That staff prepare a report on the deer management strategy as it applies to residential properties in North Saanich.

CARRIED

2) REZONING AND OCP AMENDMENT APPLICATION FOR 9317 CANORA ROAD AND 9270, 9274, 9277, 9280, 9285 RIDEAU AVENUE (REAY CREEK MEADOWS)

D. Strongitharm, representing the proposal for Reay Creek Meadows, gave a presentation on the Rezoning and OCP Amendment application.

T. Remedios, 9280 Rideau Avenue, provided background information on the pond at the site.

C. Ross, Haro Park Terrace, sought clarification on the costs associated with the sidewalks and roadways in the application.

J. Hartshore, 9395 East Saanich Road, expressed concern with the sewer capacity in North Saanich to accommodate development proposals.



DISTRICT OF HIGHLANDS MINUTES OF THE COUNCIL MEETING

Monday, April 15, 2013 @ 7:00pm
SCHOOL HOUSE, 1589 MILLSTREAM ROAD

PRESENT:

Mayor
Councillors

Jane Mendum
Diane Gill
Sigurd Johannesen
Marcie McLean
Karel Roessingh
Ken Williams

ABSENT:

Councillor

Allen Dobb

IN ATTENDANCE:

Chief Administrative Officer
Corporate Officer
12

Chris Coates
Tina Neurauter
members of the public

1. APPROVAL OF THE AGENDA

MOTION: 097 / 2013
MOVED BY: COUNCILLOR MCLEAN
SECONDED: COUNCILLOR ROESSINGH

That the agenda be approved as amended: Under item 6.a) Late Items ADD: Letter from HDCA; under item 11) In Camera ADD: That Council move In Camera to discuss items pursuant to the Community Charter, specifically Section 90 (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both (TAC); and under Petitions and Delegations ADD: Gord Baird.

CARRIED

2. PETITIONS AND DELEGATIONS

a) Nature Conservancy of Canada

Tim Ennis and Katy Fulton of the Nature Conservancy of Canada were in attendance and addressed Council regarding the Nature Conservancy of Canada (NCC). The NCC has held covenants on several properties bordering the Gowlland Tod Provincial Park since 1994, these properties were formerly Western Forest Products land. The NCC would like to start a monitoring program on these properties starting this summer and would like the support of Council and District staff.

Jeff Weightman and Marg Misk-Evans from the Capital Regional District were in attendance to review with Council the Regional Deer Management Strategy. The history of the program was reviewed and development of the Regional Deer Strategy. Council of the District of Highlands were asked to consider many options of the strategy including:

- Consideration of a bylaw prohibiting feeding deer
- Support region pursuing fencing subsidies from senior government
- Provide input on dealing with aggressive deer
- Consider permitting public hunting with firearms in the District
- Support region pursuing changes to public hunting regulations
- Support region's efforts to enhance First Nation's harvest
- Advise if Highlands wishes to pursue capture and euthanize approach to population reduction
- Track deer related complaints and circumstances where District is contacted
- Participant in the RDMS oversight committee
- Consider deer mitigation techniques in road design/ construction
- Increase and extend road way brushing
- Review road signage, speed limits
- Partner with CRD to support public education

MOTION: 098 / 2013
MOVED BY: COUNCILLOR MCLEAN
SECONDED: COUNCILLOR ROESSINGH

That this item be referred to a future Committee of the Whole meeting.

CARRIED

Gord Baird, 3295 Compton Road addressed Council regarding three properties: 3523 / 3352 Munn Road and 3501 Thanet Road. The concern with these properties consist of: ground water contamination, noise, bylaw enforcement, truck traffic through Highlands parcel to the View Royal parcel, soil deposits, alteration of waterways, impacts to wetlands, road safety and road damages. There is particular concern with respect to quantity and quality of soil – information suggests that soil from registered contaminated site may have been deposited.

Mr. Baird had eleven questions to pose to Council and staff which would help inform the citizens.

1. As per the Farm Industry Review Board's agrologist report, the permitted area of fill (3523 Munn road) was stated to be 2.83 acres. If the fill is indeed 100% larger in area as denoted by the aerial photograph attached, would the DoH see this activity as in violation of the permit?
2. What method or procedure would the DoH use to verify compliance of soil deposit volumes or coverage area?
3. What margin of error in excess of the permitted fill would trigger the DoH to investigate permit compliance?
4. If it is indeed 100% larger than stated on the permit, how could this occur if DoH was monitoring it? How does the DoH monitor and ensure such compliance?
5. If there were contaminated fill being deposited on these lands, would the DoH be obliged to investigate as part of due diligence?
6. Does the DoH have a protocol in cases of the creation of contaminated sites, and who is the DoH obliged to inform?

2. 2013-115 DIRECTOR OF PARKS AND RECREATION, April 22, 2013
Re Request for Approval of Cardio Equipment Purchase

MOVED by Councillor Herbert

Seconded by Councillor Copley, That:

1. Council approve the purchase of cardio equipment from STAK Fitness at a cost of \$142,685; and
2. That Council approve the purchase of two spin bikes from Fitness Town Commercial at a cost of \$3,635.

CARRIED

3. 2013-116 CAPITAL REGIONAL DISTRICT, April 16, 2013
Re Regional Deer Management Update

From the Capital Regional District, the following staff were in attendance: Marg Misek-Evans, Senior Manager, Regional and Strategic Planning; Jeff Weightman, Project Manager, Regional Deer Management Strategy; and Michael Waters, Manager, Regional Parks.

Ms. Misek-Evans made a presentation to Council on the status of the Regional Deer Management Strategy (RDMS). After reviewing the background of the RDMS, she provided an overview of the input, current status, and requests to Council from the Capital Regional District (CRD) in four different areas: conflict reduction; population control; deer/vehicle conflict mitigation; and public education.

In concluding her presentation, Ms. Misek-Evans noted that next steps for the RDMS included presenting to other local governments, preparing public education materials, and designing and implementing agricultural and urban pilot projects based on input from municipalities.

Ms. Misek-Evans and Mr. Weightman responded to questions from Council with respect to the cost and other implications of the potential pilot projects, including capture and euthanization. The challenges with determining baseline data were also noted.

Members of Council expressed support for receiving public input with respect to a potential pilot project with the CRD. It was the consensus of Council that the CRD's proposals be brought forward to a Committee of the Whole meeting in June.

4. 2013-117 CANADIAN MENTAL HEALTH ASSOCIATION, April 1, 2013
2013-117-1 CANADIAN MENTAL HEALTH ASSOCIATION, April 22, 2013
Re Temporary Occupancy Request for "Ride Don't Hide" Event, Jun. 23, 2013

Ragnhild Flakstad and Kim Finley, Canadian Mental Health Association, provided an overview of the proposed "Ride Don't Hide" Event, noting that the initial request had been for a road closure, but that no closure, only road occupancy, is now requested in the District of Oak Bay. Mr. Finley commented that a similar event has been held in Vancouver for the last four years, and that as it is a leisure ride and not a race, the congestion dissipates as the event proceeds.

MOVED by Councillor Kirby

Seconded by Councillor Copley, That permission be granted for the occupancy of the roads as detailed in correspondence item no. 2013-117-1, for the staging of the "Ride Don't Hide" Event on Sunday, June 23, 2013, subject to the Event Organizer entering into a public property occupancy agreement in which it will among other standard requirements:

Attachment 2

Summary of Interaction Between Farm Practices and Protection Act and Firearms Discharge Bylaws

1. Whether the provisions of the FPPA supersede a municipal bylaw requiring a farmer/property owner to seek local police permission prior to obtaining a Nuisance Wildlife Permit for crop protection from the Ministry of Forests Lands and Natural Resource Operations

Provided a person (a farmer) satisfies all the requirements of section 2 in the FPPA, a bylaw made pursuant to section 8(5) of the *Community Charter* would not be enforceable against that person. Section 8 (5) of the *Community Charter* permits a municipality, by bylaw, to regulate and prohibit in relation to the discharge of firearms.

If a farmer (as defined in the FPPA) obtained proper provincial permission, discharged a firearm in a manner within the guidelines of section 2 of the FPPA, then that farmer would be seen by the FPPA not to have contravened a firearms discharge bylaw. Therefore, yes, the FPPA supersedes a permit requirement under a municipal bylaw.

A farmer is the owner or operator of a business that carries out one or more farm operations as defined in the FPPA. To be protected under section 2 of the FPPA, the activity of discharging a firearm must be part of the farmer conducting the farm operation. The farmer, seeking the protection of the FPPA, must demonstrate that the action is part of “normal farm practices”, meaning that “a practice that is conducted by a farm business in a manner consistent with proper and accepted customs and standards as established and followed by similar farm businesses under similar circumstances:” In this case the farmer would need to establish that the use of firearms to control nuisance wildlife is a proper and accepted custom and standard under the definition of “normal farm practice”. The FPPA provides a specific exemption in relation to firearms bylaws, a recognition by the legislature that in some circumstances the use of firearms constitutes normal farm practice. Assuming all the requirements are met, the FPPA supersedes a municipal bylaw that regulates or prohibits firearms discharge, and a municipal permit would not be required for provincial nuisance wildlife permit. The FPPA, section 2 would allow for a farmer or a person working on the farmer’s behalf to carry out the protection measures.

2. Whether the provisions of the FPPA supersede firearms discharge distance regulations in municipal bylaws, or in the *Wildlife Act*.

The FPPA supersedes any municipal bylaws for firearms discharge distance regulations where the discharge of a firearm is carried out for the purposes of crop protection under a Nuisance Wildlife Permit. The *Wildlife Act* firearms discharge distance separation regulation wherever applicable, must be adhered to under a Nuisance Wildlife Permit.

Notes:

There is a good argument that a farmer that is denied a Nuisance Wildlife Permit on the basis of not obtaining a local government Firearms Discharge Permit, or a farmer that was required to comply with a local government discharge bylaw with distance regulations imposed, would have the right to bring proceedings under the *Judicial Review Procedure Act*, to force the Province to issue a permit.

Wildlife subject matter is under concurrent provincial and municipal jurisdiction, pursuant to section 9(1)(c) of the *Community Charter*. Any bylaw that regulates, prohibits or imposes requirements on wildlife must receive provincial approval in order to be valid. Municipalities do have authority to regulate firearms discharge for the purposes of public safety. A balance must be struck between these concurrent spheres of authority.

Attachment 3

Peninsula Agricultural Deer Pilot Project

Description/Need

Based on the Ministry of Environment's BC Urban Ungulate Conflict Analyses, region specific research and analyses along with an intensive Citizens Advisory Group process the CRD produced the province's first Regional Deer Management Strategy. The Peninsula municipalities, of North Saanich, Central Saanich and Saanich have experienced direct impacts from deer resulting in agricultural crop loss, property damage, and deer vehicle collisions. The pilot projects will implement recommendations from the RDMS process which began in 2011. For the Peninsula and particularly Central Saanich, a larger proportion of deer vehicle collisions have been noted, along with substantial crop damage and losses reported by farmers. Residents of rural properties within the municipality have contributed considerable complaints of property damage due to deer grazing.

This pilot project will begin with baseline data collection then combine a number of management options including conflict reduction, population control and public education. An adaptive management approach is proposed, similar to that used in other urban wildlife conflict situations across BC.

The Districts of Central Saanich and North Saanich have both agreed to advocate for additional senior government financial support for farmers suffering crop loss on the Peninsula. A number of property owners have shown interest in participating in a variety of projects that may result in decreased crop losses and complaints. First Nations involvement is also desired and particularly in relation to increasing harvest of deer in farming areas.

The Districts have begun implementing anti-feeding bylaws. Each municipality's current fencing bylaw allows for fences to be constructed at an effective height. Central Saanich will explore allowing a hunting season in the following years. Both municipalities recommended supporting the regions public education efforts.

Regional staff will work with pilot partners, ministry biologists, former expert resources working group members and wildlife researchers in the academic community to flesh out the details of the pilot, using the following framework:

Action	Description	Anticipated time
Determine pilot area		
Establish baseline population and density		
Set stable population target		
Agree on suite of management measures		
Develop		

communications and engagement		
Gain provincial permits, where necessary		
Carry out management measures		
Monitor and report back		

Suite of Management Measures

Based on the RDMS and Council resolutions to date, the suite of management measures likely to form the basis of the agricultural pilot project is as follows:

Conflict Resolution

- Prepare materials in support of a request to the provincial government to renew subsidy for deer fencing
- Prepare/refine bylaws prohibiting deer feeding and take appropriate enforcement action
- Expand public education regarding use of deer repellents, deer resistant plantings and other conflict reduction measures noted in the RDMS

Population Reduction

- Investigate permitting/drafting a bylaw to allow public hunting in the jurisdiction
- Pursue changes to provincial public hunting regulations, namely increased bag limits
- Request the province review requirements for benefit and utilization of harvested deer under crop protection program.
- Investigate the use of "Sharpshooters" by First Nations and Non-First Nations for the purposes of deer population reduction; and,
- Investigate the use of a bounty for deer hunting
- Consider removing local police permission for crop protection
- Request Police Services, Capital Regional District, and Staff to work with the Provincial Government to investigate opportunities for the limited and controlled use of single slug and projectile firearms by individuals in the District for the purpose of dispatching deer.
- Facilitate greater uptake on crop protection program
- Enhance First Nation's harvest
- Prepare for capture & euthanize approach to population reduction if other measures are insufficient

Public Education

- Expand public education regarding use of deer repellents, deer resistant plantings and other conflict reduction measures noted in the RDMS
- Track deer related complaints and circumstances where the District is contacted
- Formalize participation via membership on an RDMS oversight committee
- Prepare a motion for consideration by UBCM for provincial funding for deer management