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**MINUTES OF A MEETING OF THE SOUTHERN GULF ISLANDS HARBOURS COMMISSION,
held Thursday, November 18, 2021 at 9:00 am, Sooke Meeting Room, 479 Island Highway,
Victoria, BC**

PRESENT: Commissioners: B. Dearden (Chair) (EP), Mayne Island; P. Brent (Vice Chair), Saturna Island; J. Deschenes (EP), North Pender Island; R. Fenton (EP), South Pender Island; J. Hall (EP), Piers Island/Swartz Bay; D. Howe (EP), Electoral Area
Director: B. Maberley, Galiano Island

Staff: T. Robbins, General Manager; S. Henderson, Manager, Real Estate Services; D. Puskas, Manager, Capital Projects; D. Robson, Manager, Saanich Peninsula and Gulf Islands Operations; Lia Xu, Manager, Finance Services; D. Dionne, Administrative Coordinator (Recorder)

EP = Electronic Participation

The meeting was called to order at 9:04 am.

1. APPROVAL OF AGENDA

The following items were added to the agenda:

5.1.1 Bylaw Enforcement

5.2.1 Wharfinger Remuneration

MOVED by Commissioner Brent, **SECONDED** by Commissioner Maberley,
That the agenda be approved as amended.

CARRIED

2. ADOPTION OF MINUTES

MOVED by Commissioner Brent, **SECONDED** by Commissioner Maberley,
That the minutes of the following meetings be adopted:

- September 24, 2021 Special Meeting
- June 25, 2021 Meeting

CARRIED

3. CHAIR'S REMARKS

The Chair would like an update on whether there are any budget or schedule implications related to the damage that occurred at Anson Road due to the recent storm.

4. PRESENTATIONS/DELEGATIONS

There were no presentations or delegations.

5. COMMISSION BUSINESS

5.1. Southern Gulf Islands Harbours Service 2022 Operating and Capital Budget

Staff provided an overview of the Operating and Capital Budget.

Staff responded to questions from the Commission regarding:

- Factors associated with moorage being under budget, such as a quieter start to the boating season due to COVID-19.
- One time dock operating cost is budgeted for 2022 due to the transitioning of the Horton Bay dock and start-up of the Anson Road dock.

Discussion ensued regarding Anson Road damage from the recent rain event and impacts on the construction schedule and overall Service budget. Staff advised that visits to the site were completed and a Geo Technical Engineer will be attending the site to assess and make a recommendation on remediation which will allow staff to provide a cost estimate.

Staff further advised that the variance for the setback for the Anson Road dock is going to Islands Trust meeting Monday, November 22 for approval.

Discussion ensued regarding insurance and staff stated that they are keeping the Capital Regional District's (CRD) Insurance Manager apprised of the Anson Road situation. Staff advised that it may be premature to approve the budget today until there is confirmation as to whether any of the costs can be covered under insurance or the State of Emergency declaration.

The Commission noted that the Spanish Hills dock replacement was not included in the budget. Staff advised they would look into the missing budget item.

MOVED by Commissioner Brent, **SECONDED** by Commissioner Maberley,
That the Southern Gulf Islands Harbours Commission defer the approval of the budget pending the outcome of the costs associated with remediation of Anson Road project due to damage received from the recent rain event and for reflection of Spanish Hills dock replacement in the budget.

CARRIED

5.1.1. Bylaw Enforcement

There is a 45 foot boat that was towed to Lyall Harbour by the Coast Guard. The owner is refusing to pay moorage and enforcement is required.

Staff are aware of this situation and are attending the site next week. Depending on the response of the owner, this could escalate to ticketing/fines and further legal action.

Discussion ensued regarding enforcement responsibility, manpower and bylaw wording. Staff advised that there are mechanisms in place to allow staff to enforce through the bylaw and where the bylaw is silent there are Acts that can be used to enforce.

5.2. Amendments to Bylaw 2844, Southern Gulf Islands Small Craft Harbours Regulation Bylaw

Staff advised that the bylaw amendment will go to the Electoral Areas Committee and CRD Board for approval in December and would then come into effect January 2022. The Removal and Impoundment Fee schedule was modified to be consistent with the advertised market rates

MOVED by Commissioner Maberley, **SECONDED** by Commissioner Brent,
The Southern Gulf Islands Harbours Commission recommends the Electoral Areas Committee recommend to the Capital Regional District Board:

1. That Bylaw No. 4469, “Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000, Amendment Bylaw No. 8, 2021” be introduced and read a first, second, and a third time.
2. That Bylaw No. 4469 be adopted.

CARRIED

5.2.1. Wharfinger Remuneration

Staff advised that wharfinger pay is a staff decision and direction can be taken from the Commission in this regard. It was also noted that with the moorage fees increasing by about 30% in 2022, that translates to a rate increase for the wharfingers. Those wharfingers who are collecting commercial rents will see more compensation at the same 50% ratio from those users.

Staff advised that further consideration on the following is planned:

- Ensuring efficient allocation and management of docks to each wharfinger
- Remuneration for the future Anson Road wharfinger
- Anson Road moorage - a process is being planned to advertise moorage to interested parties in 2022

Discussion ensued regarding a future option of wharfinger’s remuneration.

MOVED by Commissioner Maberley, **SECONDED** by Commissioner Brent,
That the Southern Gulf Islands Harbours Commission direct staff to review the implications of providing a single wharfinger per Island and a remuneration process, including a monthly fee schedule and report back to the Commission on the findings.

CARRIED

5.3. Anson Road Update [Verbal]

Staff will provide the Commission with an update once the Geo Technical Engineer study has been conducted on the damage at Anson Road.

5.4. Southern Gulf Island Dock Reports

Discussion ensued regarding the replacement of notice boards at the facilities where required. Staff advised that they have a list with the details of the different styles and materials for notice boards and can send that out to the Commission for a discussion at the next meeting.

A concern was raised with loose bow rails at Miners Bay.

Discussion ensued regarding:

- The dock's resilience to the wave action.
- Engaging BC Ferries in discussions with respect to an engineering study for the life span of the dock.
- Acknowledging the Miners Bay dock is integral to the flow of services on and off the island.
- Engaging the original engineers (Moffett and Nichol) to comment on the performance of the dock based on their design, and have them provide recommendations to optimize the longevity.

MOVED by Commissioner Brent, **SECONDED** by Commissioner Howe,
That staff be directed to investigate the removal of a portion of Miners Bay dock to mitigate further damage to the dock from incoming rolling waves created by passing ferries.

CARRIED

MOVED by Commissioner Mabblerley, **SECONDED** by Commissioner Brent,
That the Southern Gulf Islands Harbours Commission receives the Dock Inspection Reports for information.

CARRIED

6. NEW BUSINESS

Staff responded to a request from the Commission for a status of the oil spill response packages from Western Canada Marine Response Corp. (WCMRC). Staff advised that they will follow up on the status of the Custodial Agreement for the Coastal Response Packages.

7. ADJOURNMENT

MOVED by Commissioner Howe, **SECONDED** by Commissioner Brent,
That the meeting be adjourned 11:02 am

CHAIR

SECRETARY