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November 29, 2024

Dear Islands Trust,

We attended the November 14 General Meeting where the application for fill on Baker Road Beach (DPA PLDP20240056 ) was discussed. We were one of the many who were opposed to the application. Unfortunately, we came away saddened - as to what the trust could do. It seemed like nothing could be done.

We've since read the Driftwood newspaper article ("**Trust role limited in Baker Beach application**" Nov 20<sup>th</sup>, p 1-2) several times. One thing that we keep returning to are the quotes from Trust regional planning manager Chris Hutton.

"The Baker Beach proposal lies within the Trust's marine shoreline development permit area (DPA), he added, which requires the Trust to issue a permit — and applications for development permits for each of the four properties involved were received and have been under review "for some time."

"At this time, for each of those four proposals, we have not issued a permit," said Hutton.

"If staff determines they are in line with the development permit guidelines, then the application — from the perspective of the Islands Trust — would essentially be approved, and Crown Lands has to make a determination on the tenure."

We don't know who the staff are that will be reviewing the applications, and we're sure they know the bylaws more thoroughly than we do. The Development permit area 3 is very clear, and I'm glad there is a DPA for this:

*E.3 DEVELOPMENT PERMIT AREA 3 - SHORELINE E.3.1 Description of Permit Area and Exemptions*

*E.3.1.2 All development in this Development Permit Area is exempted from the requirement to obtain a Development Permit, except:*

*e. Construction of a breakwater, a rock weir, a groin or a jetty.*

*f. Construction of shoreline stabilization works bulkheads or walkways.*

*g. Placing of fill.*

**But**—We're writing because it seems to us that there are quite a few reasons why the development permits shouldn't go through. We would appreciate if you could double check the following guidelines from our OCP. We've put our concerns in bold type with underlining. The fact that the original engineer Thomas R Elliot has been unavailable all this time (due to illness) creates a problem, as he cannot be contacted for science-based suggestions or verification.

*E.3.2 Reasons for this Development Permit Area*

*BL488 (07/20) This Development Permit Area includes shoreline waters and natural fish and wildlife habitat that could be subject to degradation due to development. It also includes areas of land that lie adjacent to and influence the island's most sensitive shoreline environments. Shoreline areas and beaches may contain unstable slopes and soils subject to erosion, land slip and rock falls. **There are also high aesthetic values along shoreline areas***

**E.3.3.2 To protect fish and wildlife habitat.**

**E.3.3.5 To protect the natural beauty of the island's shoreline areas** where commercial and general employment developments are allowed. To ensure such development is unobtrusive and **contributes to the natural, public character of the Crown foreshore.**

**E.3.4.9 The shoreline should not be filled in to create additional land,** except minor areas of fill necessary to complete the boardwalk section of the Ganges Public Pathway System in Ganges Harbour.

E.3.4.21 Applications for shoreline stabilization should include a report, prepared by a Professional Engineer with experience in geotechnical engineering, which describes the proposed modification and shows:

**a. the need for the proposed modification to protect existing structures. \***

**b,c**

**d. the cumulative effect of shoreline stabilization works along the drift sector where the works are proposed. \*\***

**e. whether there will be any degradation of water quality or loss of fish or wildlife habitat because of the modification. \*\*\***

E.3.4.22 Shoreline stabilization should be limited to that necessary

a. to prevent damage to existing structures or an established use on adjacent upland.

b. to prevent damage to a proposed public land use. **New upland structures or additions should be located and designed to avoid or reduce the need for shoreline stabilization. \*\*\*\***

*\*There is no urgent need*

*\*\* After many hours of searching for similar uses of beach “nourishment”, and after many inquiries to Greenshores® <https://stewardshipcentrebc.ca/green-shores-home/> no one can provide a historical example that has worked on areas similar to this. Whether or not sand and gravel will drift over the First Nations clam bed and the midshipman fish breeding grounds remains uncertain. That’s not acceptable.*

*\*\*\* the application assures us there won’t be, but they have not provided a report by a marine biologist to confirm this.*

*\*\*\*\* One of the applicants has built recently.*

We believe there is no immediate danger to the buildings. These beaches have been slowly weathering for thousands of years. The DPA design doesn’t mention that upland runoff waters from human habitation must be controlled to assure soil slope stability. It doesn’t attempt to arrest the slow weathering of these beach “feeder” bluffs by wind and rain. The planned movement of existing scattered rocks, and application of new and bigger rocks, will directly impact the fish nesting habitat, and damage the many invertebrates. The proposed placing over 85 dump truck loads of crushed rock, gravel and sand will intrude on the intertidal zone - and we understand it may have to be replenished every few years.. Please do not grant this DPA-03 permit until a much more land-based system can be designed.

With respect,

Diana Lynn Thompson,  
Phillip Grange,  
Gillian Kidd,

