



**EDAC Meeting Thursday November 28<sup>th</sup>  
Minutes**

**Attendees:**

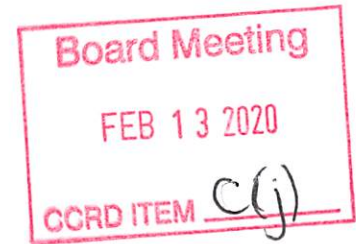
Matthew Wheelock	CEDO, CCRD
Keith Hamilton	CEO, Nunumus Management Ltd
Jayne Kennedy	Director, CCRD, Regional representative of the Cariboo Chilcotin Coast Tourism Association
Wilma Hallam	Bella Coola Resident

**By Teleconference:**

Jaimie Harris	Heiltsuk Council Member
Gladys Suderman	Ocean Falls Improvement District
Teresa Watling	President, Central Coast Chamber of Commerce

**In Absentia:**

Paul Willie	Band Manager, Wuikinuxv Nation
Garrett Newkirk	Tallio Cannery



**Minutes**

Regional Tourism

- Local First Nations are discussing progressing local tourism packages
- The CEDO would like to be part of the facilitation of regional tourism packages, where appropriate
- Concern was expressed regarding the lack of parking, access to toilets and waiting areas at Bella Bella, Bella Coola, Denny Island and Ocean Falls' ferry terminals
- There was a concern from Denny Island regarding the number of tourism companies (50-80) operating in the area who don't spend any money in the region
- Lack of resources, housing and training were considered issues that are holding tourism back
- It was agreed that tourism needs to be sustainable and that any future tourism needed to be 'eco' in nature
- There was consensus that "we need to protect what we have"
- EDAC members believed that there is an openness to collaboration between communities
- There is a concern that existing accommodations are already full in the region and that; "Tourism is growing year-on-year whether we like it or not"
- Nunumus mentioned that it is evaluating plans for a \$300-500pn hotel and also a floating hotel in the South Bentwick arm
- A conference facility aimed at corporate customers was also mentioned as an idea and one that would help the 'shoulder' tourism season
- The question "how could tourists be encouraged to stay longer?" was posed

- It was suggested that Bella Bella has achieved consensus support on tourism from community members
- Ocean Falls was perceived to be split 50/50 for/against tourism
- The lack of a central coast region rural plan was also mentioned
- The concept of a Regional Tourism Strategy was mentioned (Bella Bella mentioned that the community was 'not there yet' in terms of tourism and is currently focused on developing infrastructure)
- The opportunity for more 'joined-up' tourism promotion was also discussed
- The question was asked "could the CCRD develop a regional tourism strategy?"; this then led into discussion regarding the Cariboo Chilcotin Coast Tourism Association (CCCTA)

#### CCCTA

- The perception amongst the majority of EDAC members was that the CCCTA was not currently being effective in its representation and promotion of the central coast communities.
- Nunumus stated that CCCTA had mentioned during their in-community consultation in 2016 that a copy or a draft copy of the Destination Development Plan would be provided and that, to date, this had not been received.
- The CEDO is not aware that the CCRD has received this plan, to date.

Since the EDAC meeting, the CEDO found the following document online, which appears to be a final Destination Development Plan:

[https://www.destinationbc.ca/content/uploads/2019/09/Chilcotin-Central-Coast-Destination-Development-Strategy\\_Final.pdf](https://www.destinationbc.ca/content/uploads/2019/09/Chilcotin-Central-Coast-Destination-Development-Strategy_Final.pdf)

#### **Recommendations to the board:**

- *CEDO to seek resolution from CCRD board to support an advocacy letter to BC Ferries regarding the lack of parking, access to toilets and waiting areas at Bella Bella, Bella Coola, Denny Island and Ocean Falls*

#### Communications

- The CEDO updated members on the key outcomes of the CCRD's communications and connectivity feasibility study explaining that the Connected Coast fiber optic rollout could be two or more years away and that conversations with Telus's Chief Technology Officer had resulted in him expressing an interest in looking at a 'reverse-engineered' solution for the central coast region
- Bella Bella explained that educational challenges caused by poor internet connectivity is limiting educational opportunities in the community
- EDAC members expressed support for the CEDO to start a conversation with Telus's Chief Technology officer regarding a 'reverse-engineered' solution for the central coast region
- It was mentioned that Coastal First Nations are progressing discussions regarding coastal internet connectivity and it was suggested that the CEDO connect with them to avoid potential duplication of connectivity infrastructure planning

- The issue of a 911 number was also discussed and what the current situation is in the valley for this and what would be needed for a 911 system to be operational in the valley.

*(Investigate a 911 number in the Valley. The CEDO suggests that this would be better placed with the Joint Shared Emergency Coordinator)*

*The recommendations regarding Telus and Coastal First Nations form part of previously mandated actions for the CCRD administration / CEDO to explore the development of improved connectivity in the central coast region*

### **Any Other Business**

- Concern was expressed regarding the unsightliness and plans regarding the old Bay motel opposite the Hagensborg store. It was suggested that, if possible, the business signage should be removed so as to make it obvious that the business is permanently closed.
- Concern was also raised regarding the building being a potential health risk, particularly if it contains asbestos.
- A query was also made in relation to the ownership and status of the building to the west of the motel
- The committee requested that a recommendation be put to the board that the CCRD board write advocacy letters to the building's registered owner, the Ministry of Environment, MLA Jennifer Rice stating/asking:
  - The level of public health risk
  - If the building has been condemned
  - What the plan is for the building
  - When it will be removed

### **Recommendations to the board:**

- *CEDO to seek resolution from CCRD board to support an advocacy letter regarding the Bay Motel and the plans for it to the building's registered owner, the Ministry of Environment, MLA Jennifer Rice seeking clarity and on the following issues:*
  - *If the building has been condemned*
  - *What the plan is for the building*
  - *When it will be removed*



**To:** Courtney Kirk, CAO

**From:** Daniel Bertrand, Area A Director

**Meeting Date:** February 13-14, 2020

**Subject:** Outer Coast Harbour Possibilities

**Recommendation:**

***THAT the Board of Directors of the Central Coast Regional District***

WHEREAS:

- A. Neither Denny Island nor Rivers Inlet have full public harbour facilities.
- B. During a townhall hosted by Area A Director Daniel Bertrand on January 4, 2020, Denny Islanders identified a public harbour, boat launch, and barge landing facility as their communities' main priority. And,
- C. The Wuikinuxv Nation identified an off-reserve boat launch as a priority that the CCRD could assist with.

Therefore, be it resolved that CCRD staff:

- 1. Contact the Department of Fisheries and Oceans Small Craft Harbours Program, and Transport Canada if need be, to determine what if any assistance they may provide in developing public harbours, boat launches and barge landings at Rivers Inlet and Denny Island.
- 2. Survey potential public harbour, boat launch and barge landing locations at Rivers Inlet and Denny Island, and any corresponding owners and private foreshore lease holders at such sites on their interest in converting their facilities to public control. And,
- 3. Report their findings back to the Board of Directors for further direction.

**Issue/Background Summary:**

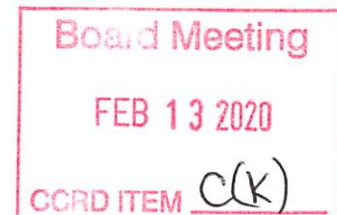
**Policy, Bylaw or Legislation:**

**Financial/Budgetary Implications:**

**Time Requirements – Staff and Elected Officials:**

**Options to Consider:**

Submitted by: \_\_\_\_\_  
 Daniel Bertrand, Director Area A





**To:** Courtney Kirk, CAO

**From:** Daniel Bertrand, Area A Director

**Meeting Date:** February 13-14, 2020

**Subject:** CCIRA Waste Water Pump Out Facility Feasibility

**Recommendation:**

***THAT the Board of Directors of the Central Coast Regional District***

WHEREAS:

A. Denny Island does not have wastewater facilities, resident contractors or businesses performing legally required septic tank pump-outs.

B. The Central Coast Indigenous Resource Alliance ("CCIRA") is conducting a feasibility study into developing a wastewater pump-out facility on the Central Coast for boats, floating barges and camps, and have identified Denny Island as a potential site.

C. During a townhall hosted by Area A Director Daniel Bertrand on January 4, 2020, Denny Islanders identified a sewage lagoon as one of their communities' top priorities. And,

D. A pump-out station and sewage lagoon on Denny Island would allow for proper removal and disposal of wastewater and sewage from Central Coast waters and Denny Island.

Therefore, be it resolved that CCRD staff:

1. Conduct a feasibility study into the establishment of a sewage lagoon on Denny Island,
- 2 Survey potential sewage lagoon locations on Denny Island and consult with any corresponding owners and leaseholders regarding the potential establishment of a sewage lagoon on their land.
3. Obtain input from the Department of Forests Lands, Natural Resource Operations and Rural Development on the requirements for establishing and operating a sewage lagoon. And,
4. Provide input into CCIRA's feasibility study regarding the establishment of a pump-out station on Denny Island, and determine what collaboration may be available between such a facility and a sewage lagoon.

**Issue/Background Summary:**

**Policy, Bylaw or Legislation:**

**Financial/Budgetary Implications:**

**Time Requirements – Staff and Elected Officials:**

**Options to Consider:**

Board Meeting  
 FEB 13 2020  
 CCRD ITEM c(1)

Submitted by: \_\_\_\_\_  
Daniel Bertrand, Director Area A



December 27, 2019

Central Coast Regional District  
 PO Box 186  
 Bella Coola, BC, V0T 1C0

**Re: Invitation to Participate in Community Forest Advisory Committee**

Dear Chair Schooner;

Given that the Central Coast Regional District has declined to participate in a directorial position with the Bella Coola Resource Society, we would like to extend an invitation for participation on the Bella Coola Community Forest Advisory Committee. This committee is an informal group of representatives from various local organizations and interest groups that meet periodically with Bella Coola Community Forest Ltd staff to receive information about Community Forest operations and provide feedback on plans and community interaction. Participation and advice provided does not have a legal standing but is meant to help the Bella Coola Community Forest to do a better job in serving the community. Previous Economic Development officers attended the meetings on behalf of the CCRD and we welcome the new EDO to follow suit.

The terms of reference for the Advisory Committee are attached, but briefly, its purpose is to:

- review and provide feedback on community forest policies, forest management plans and operations
- review environmental and social performance and provide recommendations
- review and provide recommendations on specific issues brought forward by the Bella Coola Resource Society, BCCFL or members of the Advisory Committee
- assist with facilitating resolution of conflicts, and
- assist with distributing information to represented organizations and associated members.

The committee consists of 8-12 members from various community organizations and individuals experienced in resource management and community interactions. The number of yearly meetings is determined by the Committee, but 2-3 meetings per year is estimated.

**Bella Coola Community Forest Ltd**  
 c/o Box 189, Hagensborg, BC, V0T 1H0  
 Tel: 250-982-2131 email: gmbccfl@gmail.com

Board Meeting  
 FEB 13 2020  
 CCRD ITEM C(m)

Our next meeting is yet to be scheduled but is anticipated later this winter, Q1, 2020. Please let us know if the CCRD would like to participate in this committee.

Sincerely,  
Bella Coola Community Forest Ltd.

A handwritten signature in blue ink, appearing to read "Hans Granander".

Hans Granander, RPF  
General Manager

cc. Bella Coola Resource Society





**BELLA COOLA  
COMMUNITY FOREST LTD.**

**ADVISORY COMMITTEE  
TERMS OF REFERENCE**

February 27, 2018

Endorsed by:

\_\_\_\_\_  
Bella Coola Resource Society

\_\_\_\_\_  
Bella Coola Community Forest Ltd

\_\_\_\_\_  
Date

## 1 INTRODUCTION

This document establishes the Terms of Reference for the Bella Coola Community Forest Advisory Committee.

Management of a community forest is very complex, especially in a place like Bella Coola where the community is so reliant on surrounding forests and there are so many different resource values, stakeholders and interest groups. A third party Advisory Committee can assist the Bella Coola Community Forest to effectively manage through this complexity to achieve the Bella Coola Resource Society vision for the community forest and Bella Coola Community Forest Ltd's mission to deliver benefits from the forest resource.

### ***Vision***

*The Community Forest contributes significantly to achieving a self reliant and sustainable community through a locally controlled, financially sound and responsible community forest business that operates within the sustainable capacity of a healthy environment to enhance the quality of life for all valley residents.*

### ***Mission***

*The Bella Coola Community Forest Company will manage the Probationary Community Forest Agreement on behalf of the Bella Coola Resource Society to generate an attractive return for the investors and the Society. Community benefits will be achieved through economic development, employment, access to timber resources and opportunities for people to enjoy the use of the area. Operations will be designed and conducted safely in a manner that assures environmental sustainability and respect for multiple-use.*

The Advisory Committee is expected to advise the BCRS to achieve the vision and the BCCFL to achieve its mission.

## 2 PURPOSE

The purpose of the BCCF Advisory Committee is to:

- review and provide feedback on community forest policies, forest management plans and operations
- review environmental and social performance indicators and provide recommendations

- review and provide recommendations on specific issues brought forward by the BCRS, BCCFL or members of the AC.
- provide recommendations to BCRS on use of any funds received from the community forest
- assist with facilitating resolution of conflicts
- assist with distributing information to community

### **2.1 BCRS and BCCFL Commitment to Advisory Committee**

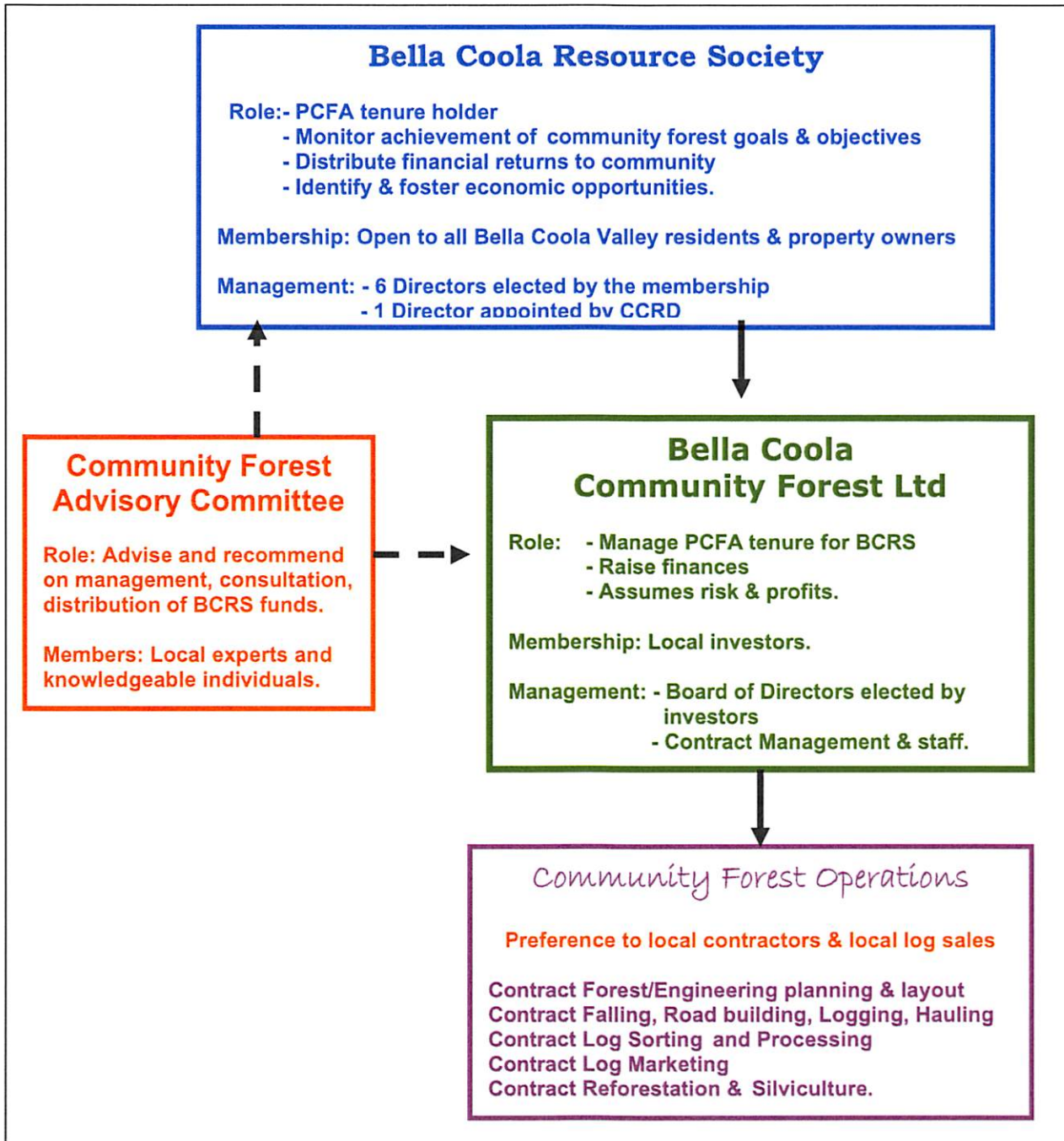
- Both the BCRS and BCCFL are committed to receiving information from the Advisory Committee and to incorporate this information into their decision making.
- The BCRS and BCCFL are committed to reporting back to the Advisory Committee about how information received was incorporated and the rationale for subsequent decisions.

### **2.2 Limitations**

The Advisory Committee's role does not extend to include BCCFL business management decisions like investment, staff hiring, contract awards, log sales and determination of profit distribution.

### 3 ORGANIZATIONAL STRUCTURE

The Bella Coola Community Forest initiative is enabled by the Bella Coola Resource Society as tenure holder and delivered by Bella Coola Community Forest Ltd as the manager of the licence.



## 4 ROLES & RESPONSIBILITIES

### 4.1 *Bella Coola Resource Society*

As the Bella Coola Resource Society was formed to pursue and acquire the PCFA license, it will remain the license holder. Membership in the BCRS is open to residents or property holders in the valley for a nominal fee of \$5 thus making it easy for anyone to join the initiative. Members elect the Board of Directors. Once the community forest is up and running, the role of the BCRS will be to periodically (annually) review the performance of the community forest in terms of meeting the broad goals and objectives and to ensure contractual obligations with Bella Coola Community Forest Ltd are met.

As holder of the PCFA tenure, BCRS will be entitled to a share of profits, amounting to 15% of dividend distributions. These profits are available for the BCRS to donate to community interests, projects and organizations.

### 4.2 *Bella Coola Community Forest Ltd*

Bella Coola Community Forest Ltd. (BCCF Ltd) will be the main entity operating and conducting the day to day management of the tenure. Under contract to the BCRS, the company's role is to conduct the business of the community forest by carrying out harvesting operations and handling all financial matters and other activities related to running the community forest. Work will be conducted by consultants and contractors with preference for local operators in keeping with fair market price and quality of work.

### 4.3 *Advisory Committee*

Given the multitude of resource values and community concerns regarding use of surrounding forests, management is complex and can be controversial. Therefore, a Community Forest Advisory Committee, made up of knowledgeable local individuals and experts, will be formed to help advise BCCF Ltd and the BCRS on issues of concern. The scope of the CFAC is to review and advise on matters of resource management, not the day to day business matters of BCCF Ltd. Participation on the committee is voluntary.

## 5 Advisory Committee Structure

### 5.1 *Membership*

- Participation is voluntary.
- Can be local resident knowledgeable in local resources and issues

- Can be representative of local organization – Nuxalk Nation, BCWCS, BCVT, Rod & Gun club, BCSAS, etc,
- Up to 10 members at any one time
- Members are expected to support the BCRS vision and BCCFL mission for the community forest
- BCCFL and BCRS appointees may participate in meetings.

### **5.2 Recruitment**

- Initially by select invitation
- Invitees to determine additional recruitment strategies – newspaper, additional invitation etc.

### **5.3 Term**

- At least one year commitment
- Renewable annually

## **6 COMMITTEE FUNCTION**

Format for the committee meetings will be informal with a set agenda and task completion expectations.

- Members may designate a chair for the meetings.
- There is no real decision making authority but consensus will be strived for to provide recommendations. If consensus is not possible, then each points of view will be communicated to BCRS/BCCFL.

## **7 AMENDING THE TOR**

The TOR for the Advisory Committee may be amended from time to time upon joint approval of the BCRS and BCCFL

The Advisory Committee may propose to the BCRS & BCCFL amendments to the TOR.

October 31, 2019

RECEIVED

CONFIDENTIAL

Central Coast Regional District  
PO Box 186  
Bella Coola, BC V0T 1C0

NOV 05 2019  
Central Coast Regional District

Attention: Chair Samuel Schooner

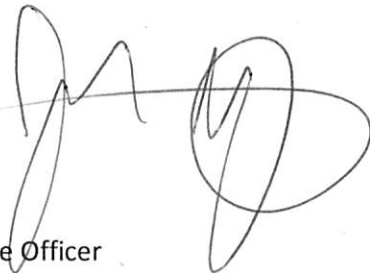
Dear Chair Schooner:

Subject: 2019 Community Planning for Housing Program  
Northern Development Project Number 6224 20

We are pleased to enclose our cheque in the amount of \$20,000 which represents the 50% advancement of grant funds for the Housing Needs Assessment and Land Use Planning Coordinator's wages.

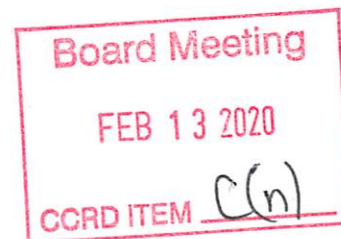
Please don't hesitate to contact us should you require additional information. Thank you and we wish you every success and look forward to seeing the positive impact in your community.

Sincerely,



Joel McKay  
Chief Executive Officer

c: Courtney Kirk, Chief Administrative Officer, Central Coast Regional District





RECEIVED

DEC 24 2019

Central Coast Regional District

December 17, 2019

Central Coast Regional District  
626 Cliff Street  
Box 186  
Bella Coola, BC V0T 1C0

Dear Directors and staff:

Thank you all for taking the time to meet with me during the UBCM Convention in September. Our government is committed to supporting all of the diverse communities in British Columbia, and these discussions are crucial in guiding policy and government decisions.

Our government is very interested in assisting Ocean Falls with their derelict building problem. I recognize that this is a significant challenge, and I will be meeting with various government officials to discuss how the Province can better assist you in dealing with this issue. I have asked the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, and her staff to develop a variety of options for consideration, from both a municipal and provincial standpoint.

I look forward to meeting with you all again as plans for the area progress.

Sincerely,

John Horgan  
Premier

pc: Honourable Selina Robinson, Minister of Municipal Affairs and Housing

Board Meeting  
FEB 13 2020  
CCRD ITEM C(0)





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**CCRD SERVICE REPORT**

**To:** Courtney Kirk, CAO  
**From:** Ken McIlwain, Operations Manager  
**Meeting Date:** February 13, 2020  
**Subject:** SOLID WASTE SERVICE UPDATE

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**Recommendation:**

*THAT the Board of Directors of the Central Coast Regional District receives the report.*

**Service Background:**

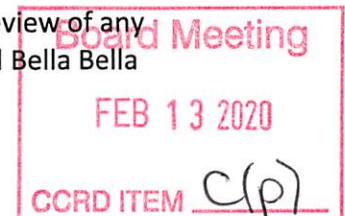
The CCRD is responsible for provision of solid waste management and recycling services in electoral areas C,D and E and solid waste planning services to all electoral areas within the regional district. The regional district also delivers solid waste and recycling services to the Nuxalk Nation through a Municipal Services Agreement.

The service is managed by the CCRD Operations Department with oversight from the CCRD CAO and Board of Directors.

Thorsen Creek Waste and Recycling Centre is the only facility managed under this service. It consists of a landfill, transfer station, recycling depot and free store. The recycling depot is staffed by a part time employee of the regional district, while the landfill and transfer station are operated by a contractor.

Priorities and resource allocation within Solid Waste Management are guided by the CCRD Solid Waste Management Plan dated February 28, 2017 and adopted by the CCRD Board of Directors at the regular Board meeting in held March 9, 2017. The Solid Waste Management Plan was submitted to the Ministry of Environment and Climate Change Strategy for review and Ministerial approval was received January 21, 2019.

Ministerial approval was contingent on the CCRD committing to a Five Year Effectiveness Review to be completed by December 31, 2022. The review is to include a review of any consultation/outreach efforts with Ocean Falls, Denny Island, Wuikinuxv and Bella Bella and also a plan for ongoing consultation.



Approval was also contingent on the CCRD submitting a Landfill Criteria Conformance Review of Thorsen Creek Landfill by September 30, 2021.

In 2019, the cost to provide the solid waste service was approximately \$301,000 (unaudited). Approximately \$7400 of the \$27,000 budgeted was expended on capital works.

Revenues sources (unaudited) for the solid waste service in 2019 were:

- Tax Levy - \$109,908
- Nuxalk Contribution - \$108,000
- Provincial Basic Grant - \$56,877
- User Fees - \$28,361
- Multi-Material BC - \$12,490
- Product Care - \$2,105

**Quarterly [or Bi-Annual or Annual] Highlights:**

- 150 stackable blue bins were purchased and are currently being distributed to those recycling customers who didn't receive them the previous year. Purchase and distribution of Blue Bins is a priority identified in the Solid Waste Management Plan.
- Heavy snowfall and frigid temperatures in December and January proved challenging for landfill staff, however opening hours were maintained as advertised.
- Heavy snowfall rendered the landfill electric fence ineffective and there was evidence of bear activity found inside the landfill perimeter. The Conservation Service was notified and monitored the situation. The electric fencing has been reconfigured to isolate the lower wires buried in snow. A separate energizer will be used to power the lower wires so that even when lower wires are grounded by snow, the upper wires maintain sufficient voltage. The current configuration appears effective as no further bear activity has been noted.
- There has been some concern from constituents expressed with respect to the operation of the Share Shed at the Transfer Station. The Share Shed is not staffed and relies on users to maintain order. This means that items are often dumped/strewn across the floor, leading to inefficient utilization of items and a potentially unpleasant shopping experience. Competing priorities for very limited financial resources make it impossible to staff the Share Shed with an employee at this time. Administration will continue to look for opportunities to enhance Share Shed operation as competing priorities allow.

**Grant Funded Projects Administered Under the Service:**

The CCRD has received funding from the province under the Organics Infrastructure Grant Program for phase 1 of a small composting operation at Thorsen Creek Waste and Recycling Centre.

The funding covers 2/3s of the capital infrastructure costs for this project. The total project cost is approximately \$150,000. The CCRD is involved in discussions with the Nuxalk Nation to obtain help with sourcing the \$50,000 needed for the 1/3 contribution to the project.

Subject to budget approval the following project work is recommended for funding under the Community Works Fund – Gas Tax in 2020 and 2021:

- Landfill Development, Operation and Closure Plan (DOCP) (2020)
- Landfill Conformance Review (2021)

These studies are identified and scheduled in the Solid Waste Management Plan. Funding for the landfill conformance review is shown as coming from the Community Works Fund in 2017 and funding for the Development Operations and Closure Plan is shown as coming from grant funding in 2019. Due to delays in plan approval, access to suitable funding, these projects have still not yet been undertaken.

A separate report has been prepared for the CCRD Board which addresses closure and post closure liabilities for Thorsen Creek Landfill . This report can be found as part of the February 13, 2020 agenda package.

**Feasibility Studies Authorized Under the Service:**

N/A

**Board Priorities - Service Specific Progress of CCRD Strategic Plan 2019 – 2022:**

Strategic Plan Goal:

<b>Goal 3</b>	<b>Improving Our Infrastructure – Investing in Safe and Sustainable Public Works and Services</b>
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Apply for infrastructure grant for a composting	#1	Board/CAO/PW	2 <sup>nd</sup> Q/2019	Complete
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system at Thorsen Creek Waste and Recycling Centre (Bella Coola)				
Amend service delivery framework with Nuxalk Nation to include composting at TCWRC and address other enhancement needs			2 <sup>nd</sup> Q/2020	In Progress
Composting system project implementation (if grant funding approved)			2 <sup>nd</sup> Q/2022	In Progress

**Financial/Budgetary:**

***Service Budget Variance Report Attached***

Total Budget (Including Grants):

Total 2019 Revenues: \$317,741 (including special project grant revenues)

Percent total expenditures to December 31, 2019: 96%

Budget (Tax Levy, Basic Provincial Grant, User Fees, Recycling Revenue, Nuxalk Contribution and Requisition Only):

Subtotal 2020 Revenues: \$317,741 (excluding special project grant revenues)

Percent total expenditures to date: 96%

Grant Funded Special Projects

Special Project: Composting Facility Total Grant Revenue: \$98, 184

Percent total expended: 0%

***Notes on Financial Variance Report:***

The 2019 budget was slightly underspent due to management deciding not to proceed with some planned capital expenditures such as a septic system for the Recycling Centre. Only \$7000 was spent on capital work versus the \$27,000 originally budgeted. Higher than expected hydro and general operation costs combined with lower than anticipated tipping fee revenue drove the decision to not proceed with the capital expenditures.

Staff are still progressing the budgeting process for 2020 and revenue sources are still being clarified. The following items are areas of concern for the 2020 budget:

- Solidifying matching contribution from the Nuxalk Nation for the capital costs of the Organics/Composting project at Thorsen Creek Transfer Station.
- Increased contract and operating costs for the Landfill and Transfer Station operation.
- Identifying revenue to replace previous years' allocation of Provincial Regional District Basic Grant funds to the Solid Waste Service. A board mandated decision will see a reduction in this allocation from \$60,000 in 2019, to \$30,000 in the 2020 budget. The current draft budget shows an increase in the tax levy up to the maximum requisition amount for this service in order to help offset the loss of the Provincial Basic Grant amount.

#### **Apportioned Administration Reflecting Time Requirements – Staff and Elected Officials:**

Apportioning administrative (operational) costs to each service the CCRD operates is a requirement under the *Local Government Act* s. 379(1). The CCRD calculates apportioned administration using a two pronged formula that considers:


- an estimate of staff time dedicated to a particular service (estimated from an average of approximate time spent the preceding year and time contemplated for the upcoming year); as well as
- an allocation of the combined total costs of Board governance, yearly audit and financial services, insurance and core administrative overhead (i.e. office space and supplies).

The total apportioned administration costs determined for CCRD's Solid Waste Management service was calculated to be \$79,004 for 2020 and incorporated as such into the CCRD Five Year Financial Plan 2020-2024.

#### **CCRD Mandate for Service Delivery:**

In British Columbia, Regional Districts are mandated by the Provincial Environmental Management Act to develop Solid Waste Management Plans that define how each regional district plans to manage its solid wastes, including waste diversion and disposal activities.

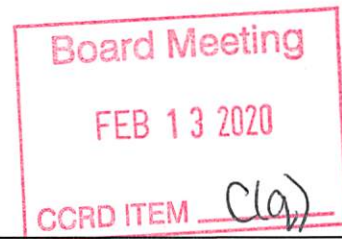
In 1975 the regional district was granted the function of Division 14 – Refuse Disposal through Supplementary Letters Patent. In 2011 this function was converted to a service of the regional district through Bylaw 402, with electoral areas C, D and E as participants.

Respectfully Submitted by:   
\_\_\_\_\_  
Ken McIlwain, RPF

Reviewed by:   
\_\_\_\_\_  
Courtney Kirk, Chief Administrative Officer



**To:** Courtney Kirk, CAO  
**CC:** Board of Directors, CCRD  
**From:** Ken McIlwain, Operations Manager  
**Meeting Date:** February 13, 2020  
**Subject:** Post Closure Costs – Thorsen Creek Landfill



**Recommendation:**

***THAT the Board of Directors of the Central Coast Regional District receives this report.***

**Issue/Background Summary:**

The Central Coast Regional District is authorized to operate the Thorsen Creek Landfill under Operational Certificate MR-4223 issued by the Ministry of Environment. This Operational Certificate specifies the allowed rate of discharge and characteristics of the discharge as well as numerous other operational requirements.

Section 2.4.3 of the Operational Certificate states:

“Final cover of the landfill surface shall be with a layer of compacted soil no less than 1 meter deep plus a minimum of 0.15 metres of topsoil with appropriate vegetation established. The final surface of the landfill shall be crowned to promote runoff of surface waters and to prevent ponding.” There are no requirements in the existing Operational Certificate around post closure monitoring or care.

Since 2015, the regional district has contributed \$30,000 from the solid waste budget into a Landfill Closure Reserve (CCRD BYLAW 447). Prior to this, no reserve existed. The figure of \$30,000 per year was recommended by the Public Works Manager after looking at what several other small landfills were placing in reserve for closure costs and examining the requirements of the Operational Certificate. The available budget and maximum tax levy for the service were also factors in determining what CCRD could afford to contribute to the reserve.

Although not a requirement of our Operating Certificate, best practice for establishing the annual contribution to a reserve would typically involve completing a Development, Operation and Closure Plan (DOCP) which would help predict lifespan of the landfill and future costs associated with the closure of the site. This plan requires a topographic survey of the site followed by a filling plan that shows the designed final contours of the site.

Annual topographic surveys are then completed to confirm rates of fill and support modification of the plan as required.

At the October 2014 CCRD Board meeting, the CCRD adopted its 2015 Strategic Priorities (Resolution 14-10-4). The number one priority was to progress the Solid Waste Management planning process. As a result, significant gas tax funds were expended to undertake an update of the CCRD Solid Waste Management Plan and move the transfer station and recycling operations off of the landfill footprint in order to free up landfilling space and to improve rates of waste diversion, thus extending the life of the landfill.

In 2016, engineering firm Morrison Hershfield (MH) was hired to complete an assessment of Thorsen Creek Landfill and provide input in the Solid Waste Management Plan Review being conducted by Maura Walker and Associates (MWA). One of the key objectives of this assessment was "to review the updated Landfill Criteria (2016) and the reporting requirements to see where the CCRD will need to focus its resources to meet the new requirements. The CCRD has limited budget and will need to prioritize the capital expenditures related to the landfill over the next five to ten years."

Five priority areas of investment were identified as part of the MH assessment. A recommended schedule and cost estimates were provided as follows:

- Landfill Criteria Conformance Review – Prior to 2021 and estimated to cost \$17,250
- Filling Plan/Final Closure Contours – 2017 at a cost of \$51,750
- Hydrological Assessment (Drilling Program and Reporting) – 2018 at a cost of \$97,750
- Design, Operations & Closure Plan – 2019 at a cost of \$57,500
- Interim Cover/Stormwater Management - 2020/2021 at a cost of \$287,500

These recommendations and associated costs were incorporated into the Board adopted CCRD Solid Waste Management Plan (SWMP). The source for funding of these priorities was identified as grant funding because the current CCRD revenue sources through tax levy and Nuxalk Nation Municipal Services Agreement contribution together are inadequate to support these projects. CCRD Solid Waste budget was/is not currently capable of supporting these projects.

The preparation of this report to the Board is driven by the need to inform the Board and advance solid waste management and CCRD budgeting/ asset management practices on two fronts:

- In order to satisfy CCRD auditors, more detailed cost estimates are needed to identify the cost (liability to CCRD) of closing the landfill as well as post closure costs that may be necessary such as groundwater monitoring. To complete this, a Development Operation and Closure Plan is required.
- The CCRD is mandated through the approved Solid Waste Management Plan to advance the engineering/capital projects described in the plan. Over the first five years of the plan, these costs were estimated to be \$552,000.



**Policy, Bylaw or Legislation:**

BC Environmental Management Act

CCRD Bylaw 447 – Landfill Closure/Post Closure Reserve Fund 2015

Landfill Criteria for Municipal Solid Waste – 2<sup>nd</sup> Edition 2016

Central Coast Regional District Solid Waste Management Plan 2017

**Financial/Budgetary Implications:**

To advance and address the issues with respect to accurately identifying liability associated with the landfill and meeting the objectives of the SWMP the following funding is recommended:

- 2020: Allocate a total of \$155,000 in the 2020 budget to complete a topographic survey (\$15,000) of the landfill, a Design, Operation and Closure Plan (\$109,250) and a technical memorandum addressing landfill closure/post closure cost information (\$10,000) to the satisfaction of auditors, plus a 15% contingency (\$20,137). (Note: the costing provided by MH assumed initial preparation of a filling plan and final closure contours (\$51,750) and then integrating this into a DOCP at a further cost of \$57,500. These costs were combined to arrive at the figure of \$109,250)
- 2021: Allocate \$25,875 in the 5-year financial plan for completion of a landfill conformance review and technical report containing cost estimates to address deficiencies. This is a condition of the Minister's approval of the CCRD SWMP.
- Prioritize grant applications and staff resources targeted at addressing the other capital priorities in the CCRD SWMP.
- Present the contents of this report to the Nuxalk Nation and support leadership in furthering a collaborative dialogue to resolve resourcing challenges impacting the community as a whole.

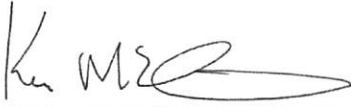
Closing the Thorsen Creek Landfill under the current Operating Certificate requirements would likely be less expensive to the regional district in terms of capital expenditures than if the Operating Certificate is updated with requirements from the new provincial Landfill Criteria following a Landfill Conformance Review and Upgrading plan. On the other hand, if the landfill were closed, operating costs would jump significantly as solid waste would have to be trucked or barged out of the Bella Coola Valley and CCRD would have to pay tipping fees on top of transportation and handling costs.

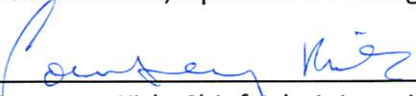
**Time Requirements – Staff and Elected Officials:**

There will be significant time required for the Operations Manager to oversee implementation of these planning initiatives. This is reflected in the apportioned administration costs in the 2020 budget.

**Options to Consider:**

1. Proceed with budgeting as per recommendation and continue to look for grant funding.
2. Do not proceed, and review the feasibility of closing the landfill under the current permit.

Submitted by:   
Ken McIlwain, Operations Manager

Reviewed by:   
Courtney Kirk, Chief Administrative Officer

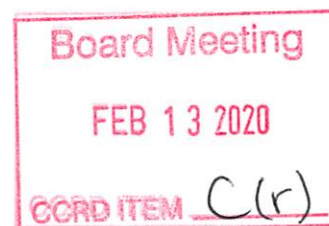
# PROJECT UPDATE



Date: January 29, 2020  
 To: Ken McIlwain, CCRD  
 cc: Steve Dishkin, SD #49  
 From: Jacob Scissons  
 Subject: **DENNY ISLAND COMMUNITY WATER SYSTEM  
 PROJECT UPDATE – JANUARY 2020**

The following is a summary of key project activities pertaining to next steps of the Denny Island Community Water System project. Milestone dates are provided for each action item.

Item	Discussion	Timeline
<b>1.0</b>	<b>Permits and Approvals</b>	
1.1	Vancouver Coastal Health has reviewed the <i>Water Supply System Construction Permit</i> application. A permit for the well commissioning, reservoir, and watermains is forthcoming. The water treatment plant will be under a separate permit, once the treatment / disinfection requirements are confirmed.	February 2020
1.2	The Ministry of Forests, Lands, Natural Resource Operations, and Rural Development <i>Conditional Water Licence</i> application for the Central Coast Regional District's proposed groundwater diversion has been submitted. The preliminary review by FrontCounter BC has been completed and a Water File No. has been assigned. The application has been passed along to Water Authorizations Staff for adjudication.	ongoing
1.3	The Phase 1 Ministry of Transportation and Infrastructure <i>Permit to Construct, Use, and Maintain Works Within the Right-of-Way of a Provincial Public Highway</i> has been issued, which reflects the revised pipe cover of 0.9 metres. The Phase 2 permit application will now be prepared.	February 2020
1.3	The Fisheries and Oceans Canada <i>Request for Review</i> and Ministry of Forests, Lands, Natural Resource Operations, and Rural Development <i>Water Sustainability Act Section 11 Notification</i> applications are pending.	March 2020
1.5	The Central Coast Regional District and School District #49 are drafting an agreement in support of the Vancouver Coastal Health <i>Operating Permit</i> .	April 2020
1.6	The design team is navigating complications between BC Hydro and Boralex regarding the regional transmission lines and local distribution lines to determine the preferred means of supplying power to the proposed water treatment plant.	ongoing



PROJECT UPDATE

Date: January 29, 2020  
File: 3383.0005.02  
Subject: DENNY ISLAND COMMUNITY WATER SYSTEM  
Page: 2 of 2

Item	Discussion	Timeline
<b>2.0</b>	<b>Legal Survey</b>	
2.1	The statutory right-of-way for the reservoir has been posted and the right-of-way plan has been submitted to the Land Title Office. The right-of-way agreement is currently being finalized.	<b>February 2020</b>
<b>3.0</b>	<b>Construction Status</b>	
3.1	The reservoir assembly is complete and the record drawings, O&M manual, and warranty certificate have been provided. The tank will be commissioned once potable water is available to the site.	<b>ongoing</b>
3.2	Requests for Proposals / Quotations are being prepared for the next phases of work, consisting of: <ul style="list-style-type: none"><li>- Supply and installation of a pre-engineered treatment plant to include treatment / disinfection equipment, system controls, HVAC, and safety equipment; and</li><li>- Supply and installation of the piping between the water treatment plant and reservoir.</li></ul>	<b>February 2020</b>

Sincerely,  
**URBAN SYSTEMS LTD.**



Jacob Scissons, P.Eng.  
Project Manager

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## CCRD SERVICE REPORT

**To:** Board of Directors, CCRD

**From:** Courtney Kirk, CAO

**Meeting Date:** February 13-14, 2020

**Subject:** Emergency Management - Outer Coast Focused Regional Service Update

### Recommendation:

*THAT the Board of Directors of the Central Coast Regional District receives the report.*

### Service Background:

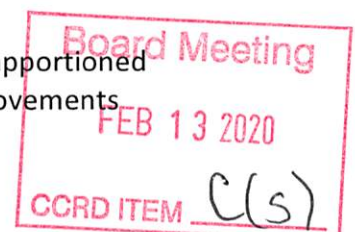
CCRD is mandated under the *Emergency Program Act* (s. 6) to provide a regional emergency management service, that includes the preparation of local emergency plans encompassing preparation for, response to, and recovery from emergencies and disasters.

CCRD's Emergency Management Plans can be found on CCRD's website at <https://www.ccrd-bc.ca/land-use-planning/plans/emergency-plans>.

The Communities of Denny Island, Ocean Falls, Wuikinuxv Nation/Rivers Inlet, Heiltsuk Nation, Bella Coola town site, Hagensborg, Firvale, and Nuxalk Nation all fall within the statutory service area delegated to the CCRD via the *Emergency Program Act*. Both the federal and provincial government have particular obligations to First Nations respecting emergency management service delivery outside, and independent of, the scope of CCRD's local government statutory obligations.

CCRD's regional emergency management service is established via Bylaw 324 exercising Lieutenant Governor in Council authority to provide emergency measures under BC's *Emergency Program Act*. The participating areas are all of electoral areas A, B, C, D, and E with service area boundaries coterminous with that of electoral areas A, B, C, D and E. Regulation of the CCRD regional Emergency Management Organization is outlined in Bylaw no.325 *Emergency Measures Regulatory Bylaw*.

The costs of providing the service are recovered by property tax requisition apportioned among all service areas on the basis of the converted value of land and improvements within the electoral participating area (all of A, B, C, D, and E).



In March 2019, the CCRD formalized an emergency management partnership with Nuxalk Nation and EMBC to synchronize and align as much as possible emergency management efforts within the geographical area constituting Nuxalk Ancestral Territories. A fundamental intent is to minimize replication of effort and duplication of resources expended to achieve emergency management outcomes for associated communities as a whole.

A key deliverable of the new partnership is a shared emergency coordinator (hired September 2019) who leads the deliverables of the MOU within the geographical constraints of the MOU. CCRD's CAO otherwise serves as the appointed Central Coast Regional District Emergency Coordinator and administrates the balance of CCRD's emergency management obligations to the region with the assistance of key staff that support training and planning initiatives as part of CCRD's Development Services envelope (CEDO and Planning Coordinator) and CCRD's Operations Manager who advises on capital projects, and with the assistance two deputy coordinators who serve each of the communities of Denny Island and Ocean Falls in a volunteer capacity.

Currently there are no emergency management partnerships in place with outer coast First Nations.

#### **Quarterly Highlights:**

- Heiltsuk Nation FireSmart s100 training:
  - CCRD Administration is working with MFLNRO/BC Wildfire service to deliver S100 training to Heiltsuk volunteer firefighters in Bella Bella with training tentatively planned for March 3 and March 4 utilizing the support of UBCM grant funds applied for by CCRD.
- Outer Coast FireSmart advisory committees
  - CCRD Administration is working with Heiltsuk Nation Administration to initiate community level discussions toward establishing advisory committees to assist with wildfire prevention planning in the outer coast. An initial representatives meeting and community feast in Bella Bella is tentatively planned for March 5. The fiscal support for this endeavour was likewise secured by CCRD through a grant application to UBCM.
- CCRD 5 year financial plan presentations – Outer Coast
  - CCRD Administration, Chair and Area representatives are tentatively scheduled to deliver in community budget presentations the week of March 2. The opportunity will dually serve to discuss outer-coast and regional emergency management needs and aspirations.

- Ocean Falls Emergency Contact list updates
  - CCRD Administration is working with Ocean Falls Improvement District representatives to revise their emergency contact list.
- Ocean Falls emergency water system planning grant funding research
  - CCRD Administration is assisting to research external funding opportunities to support an overhaul of Ocean Falls Improvement District's emergency procedures required as part of their water service operating permit.
- CCRD Website User Experience – Regional and Community Emergency Plans
  - CCRD Administration continues to improve user experience of the CCRD website and is working toward simpler navigation to the regional and community specific emergency plans from CCRD's home page.
- Grant fund applications
  - CCRD Administration is awaiting news of potential funding awards for wildfire planning and cultural competency training with both projects intended to benefit emergency management in the outer coast.
- Bylaw amendment:
  - Due to the establishment of the EMBC Nuxalk Nation CCRD Emergency Management MOU, changes to CCRD's emergency management bylaws are necessary to reflect the new MOU.
  - With the near completion of the MOU Steering Committees establishment of terms of reference, operating procedures, and delineation of roles and responsibilities, Administration is poised to prioritize the matter of CCRD emergency management bylaw amendment the 2<sup>nd</sup> quarter of 2020.

**Grant Funded Projects Administered Under the Service:**

Administrative note: The following list of projects is specific to the outer-coast.

**Project: FireSmart Wildfire Cross-Training**

Funder(s): UBCM

Percent complete: 5 %

Tentative completion date: March 31, 2020

Total Funding awarded: \$10,000

Total grant funds expended to date: 0%

Administrative Comments: As noted above.

**Project: FireSmart Community Boards (*committees*)**

Funder(s): UBCM

Percent complete: 5 %

Tentative completion date: March 31, 2020

Total Funding awarded: \$10,000

Total grant funds expended to date: 0%

Administrative Comments: As noted above.

**Project: Community Wildfire Protection Plan Updates – Outer Coast (*pending*)**

Funder(s): UBCM Community Resiliency Investment (CRI) Program

Percent complete: 0 %

Tentative completion date: TBD 2020

Total Funding awarded: \$0 (applied for: \$104,028)

Total grant funds expended to date: 0%

Administrative Comments: The proposed funding would support Community Wildfire Protection Plan (CWPP) updates in outer coast communities (Denny Island, Ocean Falls) as well as Bella Bella and Rivers Inlet (in collaboration with Heiltsuk and Wuikinuxv Nations).

**Project: CCRD Cultural Safety and Humility Training (*pending*)**

Funder(s): UBCM Community Emergency Preparedness Fund – Indigenous Cultural Safety and Humility Training

Percent complete: 0 %

Tentative completion date: TBD 2020

Total Funding awarded: \$0 (applied for: \$50,000)

Total grant funds expended to date: 0%

Administrative Comments: Partnership grant with Heiltsuk Nation contingent on Tribal Council Resolution supporting the application.



**Feasibility Studies Authorized Under the Service:**

Funding has been earmarked under CCRD's Feasibility Study service to undertake a feasibility study of establishing a volunteer fire suppression service on Denny Island. Discussions with CCRD's contract General Services provider, Urban Systems, are in progress to initiate the study the first quarter of 2020.

**Board Priorities - Service Specific Progress of CCRD Strategic Plan 2019 – 2022:**

Action/Resolution	P	Sponsor	Target	Funding Source	2020 Budget	Progress/Comments
Emergency Management Plan – Update	1	Chair/CAO	4thQ/19			<i>In Progress</i> 4 <sup>th</sup> 2020
• Outer Villages Table Top Exercise	1	CAO	1stQ/20			<i>In Progress</i>
• Implement Early Warning System for Outer Villages (Tsunami/ Marine Disaster)	1	CAO	1stQ/19			<i>Complete/In Progress</i>
• Implement Communication Strategy Plan	1	CAO	4thQ/19			<i>In Progress</i>
Fire Services Plan Denny Island	1	Board				
• Petition Approval		CAO	4th Q/20			<i>Pending</i>
• Implementation			2022			<i>Pending</i>
Review Fire Services Needs and Feasibility in Outer Villages	1	CAO	2ndQ/22			<i>In Progress</i>

**Financial/Budgetary:**

Total Budget 2020 (Including Grants):

Total 2020 Revenues: \$851,127 (projected, regional)

Percent total expenditures to date: 5%

Budget (User Fees and Requisition Only):

Subtotal 2020 Revenues: \$60,288 (regional)

Percent total expenditures to date (2020): 5%

Grant Funded Special Projects

Special Projects 2020: As enumerated above

Total Grant Revenue: \$790,839 (regional); \$174,028 (projected for outer-coast)

Percent total expended (2020): 0%

**Apportioned Administration Reflecting Time Requirements – Staff and Elected Officials:**

Apportioning administrative (operational) costs to each service the CCRD operates is a requirement under the *Local Government Act* s. 379(1). The CCRD calculates apportioned administration using a two pronged formula that considers:

- an estimate of staff time dedicated to a particular service (estimated from an average of approximate time spent the preceding year and time contemplated for the upcoming year); as well as
- an allocation of the combined total costs of Board governance, yearly audit and financial services, insurance and core administrative overhead (i.e. office space and supplies).

The total apportioned administration costs determined for CCRD’s Regional Emergency Management service is currently calculated to be \$42,382.75 (*reduced by 25% from \$56,517 actual applying both the 2020 apportioned administration calculation and the volunteer matrix subsidizing apportioned administration in those services subsidized by volunteer labour, all subject to CCRD Board approval*) for 2020 and incorporated as such into the CCRD Five Year Financial Plan 2020-2024.

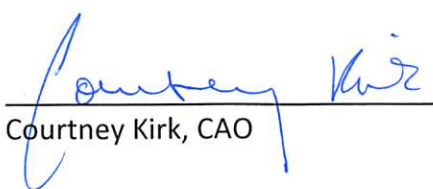
**CCRD Mandate for Service Delivery:**

*Emergency Program Act* (see s. 6 in particular)

CCRD Bylaw 324 *Emergency Management Organization Establishing Bylaw*

CCRD Bylaw 325 *Emergency Measures Regulatory Bylaw*

EMBC Nuxalk Nation CCRD Emergency Management MOU (those geographical areas constituting Nuxalk Ancestral Territories)

Respectfully Submitted by:   
Courtney Kirk, CAO



## CENTRAL COAST REGIONAL DISTRICT

P.O. Box 186, Bella Coola, BC V0T 1C0  
 Phone (250) 799-5291 Fax (250) 799-5750 Email: info@ccrd-bc.ca

### REQUEST FOR DECISION

TO: CAO and Board of Directors

FROM: Jessica Miller

MEETING DATE: February 7, 2020

RE: UBCM Community Emergency Preparedness Fund – Emergency Support Services application

#### Recommendation:

*THAT the Board of Directors of the Central Coast Regional District supports approaching the CEPF funding application call with one application for the Bella Coola Valley with the Nuxalk Nation as the sole applicant.*

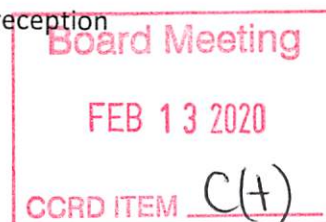
#### Issue/Background/Summary:

Emergency Support Services (ESS) are provided to evacuees who are forced from their homes by fire, flood, earthquake, or other emergencies. Services may include food, lodging, clothing, and family reunification. Additional services may include first aid, child minding, pet care, and transportation. ESS programs depend on volunteers who require the tools and equipment to effectively perform their duties in an emergency situation.

The UBCM's Community Emergency Preparedness Fund (CEPF) is intended to build local capacity to provide emergency support services through training, volunteer recruitment and retention, and the purchase of ESS equipment. Starting in 2020, the focus of the ESS funding stream is to support the modernization of local ESS programs in order to move toward electronic registration and reporting.

Led by the joint emergency management coordinator, Jessica Miller, in conjunction with Nuxalk Nation and CCRD, the proposed funding will support the following activities:

- Purchase of supplies and equipment for modernizing the emergency support services program
- Purchase of supplies and equipment for emergency support services kits, reception centre kits, and group lodging kits
- Volunteer recruitment and retention



[format: 19-05-45 M/S Directors [ ]/[ ] THAT the CCRD .... ]

**Legislative/legal considerations (statutes/regulations/bylaws/policies):**

No known legal considerations.

**Financial/Budgetary Implications:**

Emergency management coordinator will implement the activities set out in this funding application, if received.

**Time Requirements – Staff and Elected Officials:**

Administrative staff time to:

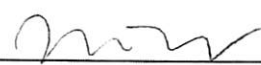
- Support emergency management coordinator

Elected Official time to:

- Approve and track funding and related programming

**Options to Consider:**

1. Adopt the resolution as presented
2. Amend the resolution - amend application priorities? Delay application till next year?
3. Do not adopt the resolution – no resources will be available for ESS modernization, volunteer recruitment/retention, and limited resources available to support the current ESS program.

Respectfully Submitted by:   
Jessica Miller, Emergency Management Coordinator

Reviewed by:   
Courtney Kirk, CAO



## Liability & Compensation for Ship-Source Oil Pollution: Compensation for Ship-source Spills in Canada

In 2018, Canada took a significant step to improve our system for compensating victims of ship-source oil pollution. This included changes to the *Marine Liability Act* to make sure compensation is available for victims and responders of ship-source oil pollution caused by any type of oil from any type of ship.

Eligible claims, including environmental remediation, are now 100% compensable no matter the size of the spill.

Liability and compensation for ship-source oil pollution in Canada is based on international conventions developed by the International Maritime Organization which make sure the polluter pays.

The shipowner is liable for an amount of compensation based on their ship's size and the type of oil it's carrying. This means polluters are financially responsible, even if the spill is accidental. The system is not based on penalties or criminal charges. If a shipowner's insurance doesn't cover the full costs of pollution, there are also international and domestic funds available, which are financed by the oil industry.

### Spills from Oil Tankers

If a shipowner's oil tanker spilled its cargo in Canadian waters, they would be liable for up to \$162 million depending on the size of their ship. If the costs of the spill were more than the shipowner's limit of liability, additional compensation could be paid by international funds financed by industry and distributed by the International Oil Pollution Compensation Funds (IOPC Funds). A total of \$1.37 billion is available from shipowners and the IOPC Funds.

If the costs of ship-source oil pollution are more than the amount of compensation available from the international conventions, Canada's Ship-source Oil Pollution Fund (SOPF) can help make sure all victims are compensated. There's no limit to the amount of compensation available from the SOPF for eligible claims.

### Smaller Incidents

Even in smaller incidents, like when a ship spills the fuel it uses to propel itself, the shipowner is liable up to a limit that is based on the ship's size. The larger the ship, the higher the limit of liability.

Liability is dependent ship's size and whether the oil is bunker fuel or cargo. Values presented in Canadian dollars, have been approximated based on a conversion from Special Drawing Rights as of August 29th, 2019. The actual amount of compensation available fluctuates depending on conversion rates which would be calculated as of the date of an incident.

Learn more about liability and compensation for ship-source oil pollution at:  
<https://www.tc.gc.ca/eng/marinesafety/liability-compensation-ship-source-oil-spills-4512.html>

Board Meeting

FEB 13 2020

CCRD ITEM C(u)

# HOW MUCH COMPENSATION IS AVAILABLE FOR A SHIP-SOURCE OIL SPILL?

Several sources of compensation, which are funded by industry, are available to victims of ship-source oil pollution in Canadian waters.

## CANADA'S SHIP-SOURCE OIL POLLUTION FUND



**ELIGIBLE CLAIMS ARE NOW 100% COMPENSABLE**

This Fund provides compensation for oil pollution in Canadian waters caused by any type of oil from any vessel.

## INTERNATIONAL OIL POLLUTION FUNDS



**UP TO \$1.37 BILLION**

These funds are provided by shipowners and the International Oil Pollution Compensation Funds. They provide compensation for spills from oil tankers.

## SHIPOWNERS' CONTRIBUTION FOR NON-OIL TANKER SPILLS:



\*These values presented in Canadian dollars, have been approximated based on a conversion from Special Drawing Rights as of August 29, 2019. The actual amount of compensation available fluctuates depending on conversion rates calculated from the date of an incident.

For more information, visit: [www.tc.gc.ca](http://www.tc.gc.ca)





## Liability & Compensation for Ship-Source Oil Pollution: The Ship-source Oil Pollution Fund

Canada's domestic oil spill compensation fund is the Ship-source Oil Pollution Fund (SOPF), which is funded by industry.

The SOPF provides compensation for oil pollution damage caused by any type of oil spill from any type of vessel, even when the cause of the spill is not known. Any person in Canada who has suffered a loss, or incurred costs related to oil pollution damage in Canadian waters can file a claim directly with the SOPF.

Once a claim is assessed and paid, the Administrator of the SOPF is required to take all reasonable steps to recover compensation from the polluter. These recovered amounts go back into the SOPF's accounts and help make sure that industry-funded compensation is available in the event of future spills. There are no costs or fees to submit a claim directly to the SOPF.

### How should claims be submitted?

To be entitled to compensation, you must provide:

- A description of the incident
- A description of the loss or damage that you've suffered or the cost that you've incurred because of the incident

You should present your claims with supporting documentation like:

- invoices
- photographs
- explanatory notes
- account ledgers

It's important that the documentation is complete and accurate in order for the claim to be processed. For more information on how to submit a claim, please visit the SOPF's website:

<http://sopf.gc.ca/>

You should submit your claim as soon as you know your total costs after an incident. The SOPF will accept eligible claims up to two years from the date of the pollution damage, but no more than five years after the date of the incident.

### The Small Claims Process

The SOPF has a new, faster process where claims less than \$35,000 submitted within one year of damage can be paid within 60 days. Documentation isn't needed when submitting the claim, but once compensation has been paid, you may need to provide supporting documentation for your claim up to three years after the date of the oil pollution damage.

Learn more about liability and compensation for ship-source oil pollution at:  
<https://www.tc.gc.ca/eng/marinesafety/liability-compensation-ship-source-oil-spills-4512.html>

# HOW DO I GET COMPENSATION FOR A SHIP-SOURCE OIL SPILL



In Canada, the polluter pays. The ship and cargo owner are responsible even if the pollution is accidental. After an incident, a claim can be made to the shipowner or their insurer. If a shipowner's liability doesn't cover all eligible claims, international and domestic funds funded by the oil industry are available. Anyone in Canada who has suffered damage or experienced losses from ship-source oil pollution can file a claim with Canada's Ship-source Oil Pollution Fund. If your claim is eligible, you will be compensated.

What is an eligible claim?

Eligible claims include:

- pollution prevention measures
- clean-up costs
- property damage
- fishing and tourism losses
- subsistence losses (i.e. food sources)
- environmental remediation costs

My fishing gear and catch were damaged by a spill, what can I claim?

You can claim damage to your gear, the cost of your lost catch, and loss of fish you would have caught. If your ability to fish, or obtain fish for food, social or ceremonial purposes is impacted, you can submit a claim.

How long do I have to submit a claim?

Claims are accepted up to 2 years from the date of damage, but no more than 5 years after the incident. If your claim is under \$35,000 and is submitted within 1 year after the incident, you can be compensated within 60 days.

What do I need to submit a claim?

Your claim must describe the incident and your loss or damage. Your claim should include documents, like:

- Invoices
- Photographs
- Explanatory notes
- Account ledgers

Where does the money come from?

Canada's Ship-source Oil Pollution Fund is funded by the oil industry. Once a claim is paid, the amount is recovered from the polluter and returned to the Fund for future claims.

If we determine that a ship-source spill is a crime, meaning that the ship intentionally polluted or acted carelessly, the shipowner can be taken to court and fined.

For more information, visit: [www.tc.gc.ca](http://www.tc.gc.ca)





## Liability & Compensation for Ship-Source Oil Pollution: What is Eligible for Compensation?

The following types of loss or damage are accepted:

### Pollution Prevention Measures

Compensation is available for expenses for preventive measures even if no oil pollution occurs, as long as there was a serious and imminent threat of oil pollution damage. Any reasonable steps taken after an incident to prevent or minimize pollution damage are also eligible.

**Example:** A ship grounds, its hull cracks and trained responders from a local First Nation deploy a boom to prevent pollution.

### Clean-up Costs

Compensation can help recoup the cost of reasonable clean-up measures.

**Example:** If wildlife is oiled in a spill, reasonable costs associated with the cleaning and rehabilitation of the animals, such as birds, mammals and reptiles, are accepted.

### Property Damage

Compensation is available for reasonable costs of cleaning, repairing or replacing property that has been contaminated by oil.

**Example:** If ship-source oil pollution has contaminated fishing gear, compensation is available for cleaning or repairing the equipment.

### Fisheries Losses

You can submit a claim for the loss of profit related to commercial and recreational fisheries, aquaculture and fish processing sectors.

**Example:** If a fishery closes, a licensed commercial fishery can claim their loss of revenue.

### Tourism Losses

The local tourism industry can submit a claim for their loss of profit, if the loss was caused by ship-source oil pollution.

**Example:** Ship-source oil pollution contaminates the beach nearest to a hotel and for that reason its normal vacancy rate is affected. Hotel owners can make a claim for that loss.

### Environmental Remediation

Compensation is available to cover the costs of reasonable environmental reinstatement work, which could include post-spill studies like an assessment of environmental impacts, aimed at speeding up the natural recovery process.

**Example:** The cost of a study to establish the extent of environmental damage to decide whether remediation measures are necessary and feasible.

# WHAT TYPES OF CLAIMS ARE ELIGIBLE FOR COMPENSATION FROM A SHIP-SOURCE OIL SPILL?

POLLUTION PREVENTION MEASURES



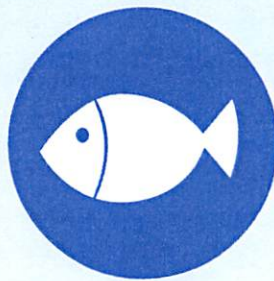
CLEAN-UP COSTS



PROPERTY DAMAGE



FISHERIES LOSSES



SUBSISTENCE LOSSES



TOURISM LOSSES



ENVIRONMENTAL REMEDIATION



For more information, visit: [www.tc.gc.ca](http://www.tc.gc.ca)



## Liability & Compensation for Ship-Source Oil Pollution: Food, Social and Ceremonial Loss

If an Indigenous group or person can't access the resources they need for food, social and ceremonial purposes because of ship-source oil pollution, they may submit a claim for compensation.

The ability to harvest fish and other aquatic species for food, social or ceremonial purposes is important to the culture of many Indigenous people in Canada, who have raised concerns about their ability to exercise their right to harvest in the event ship-source oil pollution in their territory.

The goal of the Marine *Liability Act* is to restore the lives of claimants to pre-spill standard and does not prevent or limit claims related to Aboriginal fishing losses.

For example, if a fishery is closed because of a ship-source oil spill, Indigenous groups with Communal Fishing Licenses can claim for costs of getting fish for food, social or ceremonial purposes. This would include:

- Buying fish from an outside supplier, or
- Additional costs of arranging access and fishing at another location

In some cases, the Ship-source Oil Pollution Fund can provide compensation ahead of losses that haven't occurred, but will most certainly occur. For example, if someone usually fishes for themselves or their family, but can't safely fish because of a ship-source spill, they may submit a claim to the SOPF for future losses. This lets the victims of ship-source oil pollution buy the fish and resources they need to replace what they can't catch themselves.

Claims for compensation need to be made within the timeframes set out in the *Marine Liability Act* and documentation needs to be provided to show what expenses have been reasonably incurred because of a pollution incident.