

POWELL RIVER REGIONAL DISTRICT

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TEXADA ISLAND WATERSHED PROTECTION BYLAW NO. 237, 1993.

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BEING A BYLAW TO ESTABLISH LAND USE REGULATIONS FOR THE PROTECTION OF TEXADA ISLAND COMMUNITY WATERSHEDS.

WHEREAS the Regional Board has given due regard to:

1. The need to ensure that the Van Anda Waterworks District and the Gillies Bay Improvement District have sufficient, sustained quantities of high-quality water for domestic purposes;
2. The importance of preventing the degradation of community water supplies through erosion and consequent siltation of watercourses by:
  - (a) minimizing large-scale clearing of land;
  - (b) minimizing road construction; and
  - (c) minimizing unnecessary disturbance to natural drainage patterns;
3. The need to safeguard watercourses from contamination from sewage and other forms of household wastes;
4. The importance of minimizing and/or avoiding land use development in community watersheds which would generate wastes harmful to water quality; and
5. The need to maintain an adequate water recharge area in order to sustain a sufficient quantity of water for community water supply systems;

NOW THEREFOR the Board of the Powell River Regional District, in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

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**SECTION 1 - TITLE**  
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1. This Bylaw may be cited for all purposes as "Texada Island Community Watershed Protection Bylaw No. 237, 1993".

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SECTION 2 - DEFINITIONS

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"Airport" means a use which includes all services and buildings customarily associated with aircraft and airports but specifically excludes the bulk sale and storage of fuel.

"Accessory Airport Recreation" means a recreation use accessory to and incidental to the Airport use and specifically includes temporary camping by the airport users and a golf driving range.

"Accessory One: Family Residential Use" means a use accessory to an Airport use where the building or buildings so used include one (1) dwelling unit for the accommodation of the Caretaker.

"Accessory Building or Structure" means a building or structure which is customarily incidental or subordinate to the principal use of the land, buildings or structures located on the same lot.

"Agriculture" means cultivating and harvesting of crops, greenhouse gardening, bee keeping, and/or the raising of animals; includes the storage and sale on a farm of the primary agricultural products cultivated and/or raised on that farm, and the storage and repair of farm machinery, implements, and agricultural supplies used on that farm; specifically excludes intensive agriculture and all manufacturing, processing, storage and repairs not specifically included in this definition.

"Intensive Agriculture" means the use of land, buildings and structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms.

- "Non-Commercial Agriculture" means cultivating and harvesting of crops, and/or the raising of animals produced on a parcel for consumption on that same parcel, includes beekeeping and greenhouse gardening, but specifically excludes the keeping, breeding or raising of animals or the cultivating and harvesting of crops, greenhouse gardening, or the growing of mushrooms as part of a commercial enterprise.
- "Building" means any structure that encloses and shelters a use.
- "Community Water System" means a use of land for the construction, maintenance and operation of a system of waterworks which serves two (2) or more parcels and which is owned, operated and maintained by an improvement district, municipality or regional district under the Municipal Act or the Water Act, or which is regulated under the Water Utility Act.
- "Contour Level" means that line above a body of water representing a certain constant elevation above, around or along a watercourse.
- "Deleterious Substance" means:
- (a) any substance that, if added to any water, would degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious for use by man; or
  - (b) any water that contains a substance in such quantity or concentration, or that has been so treated, processed or changed by heat or other means from a natural state which, if added to any other water, would degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious to the use by man.

- "Dwelling Unit" means one (1) or a set of self-contained, habitable and inter-connected rooms occupied or intended to be occupied for residential and domestic purposes by not more than one (1) family and containing not more than one (1) set of cooking facilities.
- "Family" means one (1) or more persons related by blood, marriage, adoption, foster parenthood, or a common-law couple sharing one (1) dwelling unit; or not more than seven (7) unrelated persons sharing one (1) dwelling unit.
- "Forest Management and Harvesting" means all activities associated with forest preservation or development, including clearcut logging, slash burning and other silviculture procedures carried out in accordance with provincial watershed guidelines.
- "High Water Mark" means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark on the soil of the bed of the body of water a character distinct from that of its banks in vegetation as well as in the nature of the soil itself.
- "Home Occupation" means the use of a dwelling unit or accessory building or structure for the administrative, clerical or professional operations of a business or personal service use, or for the studio of an artist, music teacher, musician or craftsperson, as long as no outdoor storage is associated with the use.
- "Household Animal" means a domesticated animal kept by a household, which is used or the product of which is primarily and directly used by the household and is not for sale or profit, and includes fowl and poultry but specifically excludes livestock.

- "Limestone Quarrying" means all activities associated with the extraction of limestone from a lot in accordance with requirements of the Ministry of Energy, Mines and Petroleum Resources and includes all reclamation measures, and specifically excludes the crushing, stockpiling and processing of the limestone or the storage of equipment associated with the extraction operation.
- "Low-Impact Recreation" means non-commercial day use, outdoor recreation opportunities in association with natural amenities and includes walking, hiking, climbing, fishing, non-motorized or electrically powered boating, but specifically excludes playing fields, golf courses, picnic areas, campgrounds, and commercial recreation opportunities providing overnight accommodation.
- "One-family Residential" means the use of a parcel of land for a residential dwelling.
- "Parcel" means the smallest unit into which an area of land is held or divided, whether that unit be a lot, block or other division of land, but does not include a highway.
- "Provincial Forest" has the meaning assigned to it in the Forest Act, R.S.B.C. 1979, c.140, namely, forest land designated as a Provincial Forest by the Lieutenant-Governor in Council.
- "Public Park" means land designated as park on a plan of subdivision filed in the Land Title Office or land designated under the Park Act or the Park (Regional) Act and also includes land designated under other provincial statutes for purposes of preservation, habitat protection and passive, low impact non-commercial recreation.
- "Public Utility" means the provision of electrical, gas, sewage disposal, water, storm drainage, transportation or any other similar service for the benefit of the community as a whole and includes all works and

construction incidental thereto.

"Pump House" means a building accessory to the one-family residential use which is used to protect the pump and related works necessary to supply water to a residential dwelling, the total floor area of which building shall not exceed nine (9) square metres.

"Regional District" means the Powell River Regional District.

"Residential Dwelling" means a building containing not more than one (1) dwelling unit.

"Structure" means anything constructed or erected, whether fixed to, supported by or sunk into land or water, but does not include concrete or asphalt paving or similar surfacing of a parcel.

"Total Floor Area" means the total area of all floors of all stories contained within the exterior walls of a building.

"Watercourse" means a natural watercourse or source of water supply, whether usually containing water or not, and includes a lake, river, creek, spring, ravine, swamp and gulch and does not include ditches or artificially created watercourses.

"Watershed Area" means that area enclosed by heavy hatched lines on the Zoning Map.

"Zoning Map" means that map which is attached hereto as Schedule A.

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**SECTION 3 - BASIC PROVISIONS**  
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**APPLICATION**

3.1 (a) All provisions hereof apply to the Watershed Area defined herein and delineated on the Zoning Map attached as "Schedule A".

- (b) Notwithstanding subsection 3.2, this Bylaw shall apply only in so far as and to the extent that its operation is not suspended or limited by any enactment of the Province of British Columbia.

**GENERAL PROHIBITION**

- 3.2 No person shall develop, use or occupy any land, building or structure in contravention of the provisions of this Bylaw.

**ENFORCEMENT AND INSPECTION**

- 3.3 The Regional Board or its designate is authorized to enter at all reasonable times on any property subject to this Bylaw to ascertain whether the regulations and directions of this Bylaw are being observed.

- 3.4 Every person who:

- (a) violates any of the provisions of this Bylaw;
- (b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- (c) neglects or omits to do anything required under this Bylaw;
- (d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw; or
- (e) fails to comply with an order, direction or notice given under this Bylaw;

is guilty of an offence under this Bylaw.

- 3.5 Each day that an offence exists or is permitted to exist shall constitute a separate offence.

- 3.6 A person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding two thousand dollars (\$2,000).

**SEVERANCE**

3.7 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

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**SECTION 4 - GENERAL REGULATIONS APPLICABLE TO ALL ZONES**  
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**SETBACKS FROM WATERCOURSES**

Slopes of 5% or Less

- 4.1 Where the land between a high water mark and a point thirty (30) metres inland has an average slope of five per cent (5%) or less, no building or any part thereof and no septic tank shall be sited or situated within the following setbacks:
- (a) within thirty (30) metres of the contour level one point five (1.5) metres above the high water mark around any watercourse.

Slopes Greater Than 5%

- 4.2 Where the land between a high water mark and a point thirty (30) metres inland has an average slope greater than five per cent (5%), no building or any part thereof and no septic tank shall be sited or situated within the following setbacks:
- (a) within nine (9) metres inland from the top of the slope or the first significant and regular break in the slope as illustrated in Schedule B, attached; or
  - (b) within thirty (30) metres of the high water mark of any other watercourses in the watershed;
- whichever distance is greater.

Other Setback Requirements

- 4.3 No sewage disposal absorption field or other approved means of sewage ground disposal or any part thereof shall be permitted within sixty (60) metres of the high water mark of



any watercourse.

- 4.4 Notwithstanding any other provision of this Bylaw, no building used to house animals, other than household animals, shall be located within sixty (60) metres of the high water mark of a watercourse or a well.

#### **SITING EXCEPTIONS**

- 4.5 Except as otherwise provided in particular zones, the setback requirements of this Bylaw do not apply with respect to:
- (a) works necessary for the operation of a pump house or community water system;
  - (b) chimneys, bay windows or ornamental features which project beyond the face of the building;
  - (c) eaves, stairways, balconies or fences.

#### **ACCESSORY BUILDINGS AND STRUCTURES**

- 4.6 All buildings and structures associated with an agriculture use shall be deemed to be accessory buildings in the AGR zone.
- 4.7 Accessory buildings and structures are permitted in all zones except the LP1 zone, provided that:
- (a) the principal use is being performed on the parcel; or
  - (b) a building for the purpose of the principal use has been or is being constructed on the parcel.
- 4.8 The maximum combined total floor area of all accessory buildings and structures permitted on a parcel is determined according to parcel size as follows:

<u>Parcel Size</u>	<u>Maximum Combined Total Floor Area Permitted</u>
(a) less than 1 ha.	200 square metres
(b) 1 ha. up to 2 ha.	250 square metres
(c) greater than 2 ha.	250 square metres for the first

2 ha. and 250 square metres for each additional 2 ha., up to a maximum of 2500 square metres

## **PARCEL SIZE AND AREA REGULATIONS**

### Compliance with Minimum Parcel Size

- 4.9 No parcel shall be created which is less than the minimum parcel size specified for the zone in which the land is located unless this Bylaw specifically permits a smaller parcel size.
- 4.10 Where a parcel on record in the Land Title Office prior to the enactment of this Bylaw is less than the minimum parcel size permitted in the applicable zone, the parcel may be used for the uses permitted in the zone, provided that no more than one (1) residential dwelling shall be permitted on the parcel.

### Parcels Adjacent to Lakes

- 4.11 Where a parcel being created has a boundary defined by lake shore, the minimum frontage measured along the lake's high water mark shall measure not less than one hundred (100) metres.

### Parcels Divided by a Zone Boundary

- 4.12 Where a parcel to be subdivided is split by a zone boundary, a separate calculation of the number of parcels permitted shall be made for each portion.

### Parcel Size Exceptions

- 4.13 The parcel size provisions for each zone do not apply:
- (a) where a parcel is created solely for locating unattended equipment necessary for the operation of a public utility or community water system and where no sewage would be generated;
  - (b) to a lot being created for park purposes where such lot is to be shown as Park on the plan of subdivision;

- (c) where two (2) or more lots are being combined into a single lot;
- (d) where existing parcel boundaries are being adjusted, providing no parcel is enlarged to a size which will permit further subdivision.

**DWELLING CONFORMANCE**

4.14 Where one (1) or more dwellings have been lawfully constructed on a parcel in any zone at the time of adoption of this Bylaw, the dwellings are deemed to conform with this Bylaw.

**CALCULATION OF DENSITY**

4.15 Where, in this Bylaw, the calculation of the permitted number of residential dwellings per parcel by hectare results in a fractional number, a fraction of one-half or less shall be rounded down to the nearest whole number above zero and a fraction of more than one-half shall be rounded up to the next whole number.

**RESTRICTIONS ON USE**

- 4.16 All permitted uses are subject to the following restrictions:
- (a) no use of land is permitted which results in the escape or disposal of a waste product which would constitute a deleterious substance harmful to the sustained purity and flow of water in the watershed;
  - (b) no use of land is permitted which results in the storage of materials which produces a leachate which would constitute a deleterious substance harmful to the sustained purity and flow of water in the watershed.

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**SECTION 5 - CREATION AND DEFINITION OF ZONES**  
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**ZONING DISTRICTS**

- 5.1 The lands to which this Bylaw is applicable are hereby classified and divided into zones and such zones are hereby designated and described as:

<u>Abbreviated Designation</u>	<u>Zone</u>
AGR-1	Agricultural One
AGR-2	Agricultural Two
AP-1	Airport One
PF-1	Provincial Forest One
PF-2	Provincial Forest Two
WP-1	Watershed Protection One
WP-2	Watershed Protection Two
LP-1	Lakes Protection One

the boundaries of which, together with any explanatory legends, notations and references, are shown, described and delineated on the Zoning Map which is attached hereto as Schedule A.

5.2 Schedule A forms part of this Bylaw.

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**SECTION 6 - AGR-1 ZONE (AGRICULTURE ONE)**  
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**INTENT**

Land within the AGR-1 zone lies within the Agricultural Land Reserve and is subject to the provisions of the Land Commission Act and the Regulations and Orders thereto.

This zone reflects provincial legislation which specifically allows commercial agricultural operations on ALR lands irrespective of the fact these lands are located in a community watershed. The definition of Agriculture may be amended to restrict the level of agricultural activity permitted, upon completion of the new provincial Watershed Policy Guidelines.

All agricultural operations are subject to "Agricultural Waste Control Regulation" (B.C. Regulation 131/92, Waste Management Act, Health Act).

The parcel size provisions apply only if approval of the Provincial Agricultural Land Commission for subdivision has been granted.

**PERMITTED USES**

6.1 The following and no other uses are permitted in a AGR-1 Zone:

- (a) One-Family Residential;
- (b) Agriculture;
- (c) Mineral extraction including Limestone Quarrying;
- (d) Forest Management and Harvesting;
- (e) Low-Impact Recreation;
- (f) Public Utility;
- (g) Public Park.

**PARCEL SIZE**

6.2 The minimum parcel size is four (4.0) hectares.

**DENSITY**

6.3 No more than one (1) residential dwelling shall be permitted on a parcel.

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**SECTION 7 - AGR-2 ZONE (AGRICULTURE TWO)**  
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**INTENT**

Land within the AGR-2 zone lies within the Agricultural Land Reserve and is subject to the provisions of the Land Commission Act and the Regulations and Orders thereto.

The intent of this zone is to recognize the smaller size and greater sensitivity of the Cranby Lake Watershed through a larger minimum parcel size provision.

This zone reflects provincial legislation which specifically allows commercial agricultural operations on ALR lands irrespective of the fact these lands are located in a community watershed. The definition of Agriculture may be amended to restrict the level of agricultural activity permitted, upon completion of the new provincial Watershed Policy Guidelines.

All agricultural operations are subject to "Agricultural Waste Control Regulation" (B.C. Regulation 131/92, Waste Management Act,

Health Act).

The parcel size provisions apply only if approval of the Provincial Agricultural Land Commission for subdivision has been granted.

**PERMITTED USES**

7.1 The following and no other uses are permitted in a AGR-2 Zone:

- (a) One-Family Residential;
- (b) Agriculture;
- (c) Limestone Quarrying;
- (d) Forest Management and Harvesting;
- (e) Low-Impact recreation;
- (f) Public Utility;
- (g) Public Park.

**PARCEL SIZE**

7.2 The minimum parcel size is ten (10) hectares.

**DENSITY**

7.3 No more than one (1) residential dwelling shall be permitted on a parcel.

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**SECTION 8 - AP-1 ZONE (AIRPORT ONE)**  
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**INTENT**

The intent of this zone is to recognize the existing Texada Island Airport Located in the Cranby lake watershed. Fuel storage and sale is restricted in order to minimize the risk of having the community water supply contaminated by a fuel spill.

**PERMITTED USES**

8.1 The following and no other uses are permitted in a AP-1 Zone:

- (a) Airport;

- (b) Accessory One-Family Residential;
- (c) Accessory Airport Recreation;
- (d) Public Utility.

**PARCEL SIZE**

8.2 The minimum parcel size is ten (10.0) hectares.

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**SECTION 9 - PF-1 ZONE (PROVINCIAL FOREST ONE)**  
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**INTENT**

Land within the PF-1 zone lies within the Provincial Forest and, subject to the Forest Act, the intent of this zone is to encourage the Ministry of Forests to use lands within the Provincial Forest for uses compatible with watershed protection. The permitted uses, parcel size and density provisions of the PF-1 zone apply only to land within the PF-1 zone at the time the land is removed from the Provincial Forest and/or becomes privately owned.

**PERMITTED USES**

9.1 The following and no other uses are permitted in a PF-1 Zone:

- (a) Mineral extraction including Limestone Quarrying;
- (b) Forest Management and Harvesting;
- (c) Low-Impact Recreation;
- (d) Public Utility;
- (e) Public Park.

**PARCEL SIZE**

9.2 The minimum parcel size is four (4) hectares.

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**SECTION 10 - PF-2 ZONE (PROVINCIAL FOREST TWO)**  
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**INTENT**



Land within the PF-2 zone lies within the Provincial Forest and, subject to the Forest Act, the intent of this zone is to encourage the Ministry of Forests to use lands within the Provincial Forest for uses compatible with watershed protection. The permitted uses, parcel size and density provisions of the PF-2 zone apply only to land within the PF-2 zone at the time the land is removed from the Provincial Forest and/or becomes privately owned.

**PERMITTED USES**

10.1 The following and no other uses are permitted in a PF-2 Zone:

- (a) Limestone Quarrying;
- (b) Forest Management and Harvesting;
- (c) Low-Impact Recreation;
- (d) Public Utility;
- (e) Public Park.

**PARCEL SIZE**

10.2 The minimum parcel size is ten (10) hectares.

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**SECTION 11 - WP-1 ZONE (WATERSHED PROTECTION ONE)**  
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**INTENT**

The intent of this zone is to protect the Priest Lake Watershed from deleterious activity and uses which would tend to result in erosion, siltation and pollution of essential water resources.

**PERMITTED USES**

11.1 The following and no other uses are permitted in a WP-1 Zone:

- (a) One-Family Residential;
- (b) Home Occupation;
- (c) Non-Commercial Agriculture;
- (d) Forest Management and harvesting;
- (e) Mineral extraction and Limestone Quarrying;
- (f) Public Utility;
- (g) Low-Impact recreation;

(h) Public Park.

**PARCEL SIZE**

11.2 The minimum parcel size is four (4) hectares.

**DENSITY**

11.3 On each parcel one (1) residential dwelling are permitted on the first four (4.0) hectares of land, and for each additional four (4) hectares of land within the parcel or portion thereof one (1) additional residential dwelling is permitted.

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**SECTION 12 - WP-2 ZONE (WATERSHED PROTECTION TWO)**  
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**INTENT**

The intent of this zone is to protect the Cranby Lake Watershed from deleterious activity and uses which would tend to result in erosion, siltation and pollution of essential water resources. This will be done by restricting development of land by through larger minimum parcel sizes commensurate with the small size and more sensitive nature of this watershed.

**PERMITTED USES**

12.1 The following and no other uses are permitted in a WP-2 Zone:

- (a) One-Family Residential;
- (b) Non-Commercial Agriculture;
- (c) Home Occupation;
- (d) Limestone Quarrying;
- (e) Forest Management and Harvesting;
- (f) Low-Impact Recreation;
- (g) Public Utility;
- (h) Public Park;

**PARCEL SIZE**

12.2 The minimum parcel size is ten (10) hectares.

**DENSITY**

12.3 On each parcel one (1) residential dwelling is permitted on the first ten (10.0) hectares of land, and for each additional ten (10) hectares of land within the parcel or portion thereof one (1) additional residential dwelling is permitted.

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**SECTION 13 - LP-1 ZONE (LAKES PROTECTION ONE)**  
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**INTENT**

The intent of this zone is to permit only those uses and activities on the Lakes which are compatible with the maintenance of the water in the Lakes in a natural state.

**PERMITTED USES**

13.1 The following uses of land are permitted and all other uses are prohibited in the LP-1 Zone:

- (a) Public Utility;
- (b) Low-impact Recreation;
- (c) Private floats, wharfs, piers and walkways for providing access to the parcel immediately abutting the lake shore, except
  - (i) no building or structure, including boat shed or shelter, shall be erected on any private float or wharf other than posts to carry lighting fixtures or supports for safety; and
  - (ii) private floats or wharfs shall be used for private access only and no commercial or industrial activity or use shall be permitted.

READ A FIRST TIME this 30th day of September, 1993.

READ A SECOND TIME this 30th day of September, 1993.

PUBLIC HEARING held the 21st day of February, 1994.

READ A THIRD TIME this 24th day of March, 1994.

RECONSIDERED, PASSED AND FINALLY ADOPTED this 26<sup>th</sup> day of May, 1994.

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R. J. Hagman, Chairman

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Frances Ladret, Secretary-Treasurer

APPENDIX I

LETTERS OF PROTOCOL

The following letters are attached for information only and do not form part of Bylaw No. 237, 1993. These letters state the position of the Ministry of Forests and the Ministry of Energy, Mines and Petroleum Resources with respect to resource development within the community watersheds.



Province of  
British Columbia

2005  
Ministry of Forests  
7077 Durand Street  
Powell River, British Columbia  
V8A 1W1  
Tel: 485-0700 Fax: 485-0799

File: 232-30 LANDS P

May 3, 1993

Mr. Donald Turner  
Regional Planner  
Powell River Regional District  
5776 Marine Ave.,  
Powell River, B.C.  
V8A 2M4

Dear Don:

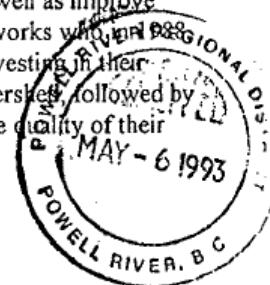
**Re: Texada Island Watershed Protection Bylaw**

In response to your March 25, 1993 letter, and our telephone conversation of April 28 1993, concerning a proposed new PF-2 zone designation for Lot 16 surrounding Priest Lake, I have the following comments.

While the Forest Service is in agreement with the Texada Island Watershed Protection Bylaw as it is currently drafted, we are opposed to any zoning change in a Provincial Forest that would preclude the management of the Crown timber resource.

As you are aware, it is the mandate of the Forest Service to manage the Provincial Forest using Integrated Resource Management (IRM) which allows all resources and their inherent values to be managed as a unit. It is the policy of the government that "All Crown land in Community Watersheds will be planned and managed on an IRM basis with priority given to the protection of water supplies" <sup>1</sup>. To this end, the Forest Service, in cooperation with the Water Management Branch, and the local water boards, manages community water supplies in a manner that will maximize the water resource, while not necessarily excluding other uses, or resource users.

Careful forest management can increase water quality and quantity as well as improve access throughout the watershed. A local example is the Lund Waterworks which, in cooperation with the Forest Service, initiated a five year plan of harvesting in their watershed. By removing decadent cedar and alder types from the watershed, followed by prompt reforestation, they have gained a significant improvement in the quality of their drinking water.



MR. DONALD TURNER

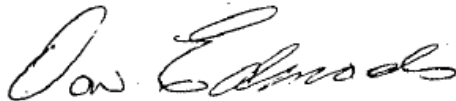
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In the Priest Lake watershed, however, the major challenges seem to be the encroachment of human activities such as industrial and public roads, residences, and private land clearing, coupled with the relatively small size of the watershed's catchment area. With that in mind, any future harvesting activity proposed for Lot 16, would be carried out in consultation and cooperation with the Van Anda Waterworks District, as well as all other appropriate government ministries and agencies.

Presently, timber values and growing sites on Lot 16, especially south of Priest Lake, are very low and would not be suitable for harvest, however, the Forest Service can't preclude the possibility of some form of tree removal being desirable or necessary some time in the future. Any harvesting would not only follow the recommendations of the "Guidelines for Watershed Management of Crown Lands used as Community Water Supplies", but also the "Coastal Fisheries Forestry Guidelines" and all other applicable guidelines, or techniques in place at that time.

It remains in the best interest of us all to carefully manage our watersheds with an integrated resource management perspective, in order to maintain their integrity for future generations.

Yours truly,



Don Edmonds  
485-0719  
R.A. Planning  
Sunshine Coast Forest District

<sup>1</sup> "Guidelines for Watershed Management of Crown Lands used as Community Water Supplies" Appendix H November 26, 1984.



Province of  
British Columbia

Ministry of  
Energy, Mines and  
Petroleum Resources

# MEMORANDUM

July 27, 1993

Land Mgmt & Policy Br.  
4th Fl. 1810 Blanshard  
Victoria, B.C. V8V 1X4

Donald Turner  
Regional Planner  
Powell River Regional District  
5776 Marine Avenue  
Powell River, B.C.  
V8A 2M4

16130-20\POW\TEX\03



Dear Mr. <sup>DCU</sup> Turner:

Re: Texada Island Watershed Protection Bylaw

As per our discussion several weeks ago, I am writing to provide you with information on MEMPR's jurisdictional and land management responsibilities with respect to mining and mineral exploration activities in community watersheds.

As you have noted in your July 6 letter to Eric Beresford, MEMPR's jurisdiction over resource extraction supersedes that of the Regional District. This Ministry wishes to ensure that statements in the bylaw do not infer that quarrying or mineral exploration is limited to certain "zones" or that the Regional District has the authority to manage mineral or quarrying activities.

The mineral potential of Texada Island is significant. The geology of the area is such that both limestone and other minerals (such as gold) are exploration and development targets for Texada. Mineral activities are subject to provincial legislation regulations and are not subject to Regional District zoning. In order to keep jurisdictional responsibilities clear, it is not recommended that the Regional District specify "zones" for particular mineral activities such as "limestone quarries".

MEMPR's Regional Geologist, Robert Pinsent, will be providing me with a statement on the geology of Texada that will further explain the potential for limestone and gold/silver/etc development. I will send you a copy of Robert's geology statement as soon as it is available.

MEMPR recommends that the following statement be included in the bylaw:



All mineral development activities on Texada Island (including quarrying activity) will be subject to Mines Act and Mineral Tenure Act regulations. Where these activities have been proposed in a Community Watershed, mineral activities will be subject to the policies and procedures being developed by MEMPR for mineral exploration in community watersheds.

MEMPR is in the process of finalizing the policies and procedures for managing mineral and energy exploration in community watersheds. The policy recognizes water quality and quantity as priorities. I will see that you are sent this document upon its completion.

You may also wish to add the following statement:

*The Powell River Regional District will be notified, by MEMPR's Notice of Work Referral, of all mineral development proposals (including quarry proposals) within the Regional District. The Regional District will have the opportunity to review and comment on all such proposals.*

I hope that this information clarifies MEMPR's role and responsibilities for managing the province's subsurface resources. Please do not hesitate to contact me should you have any questions (952-0523).

I look forward to hearing from you with regards to planning in the Lang Creek watershed.

Sincerely,



Janet Fontaine  
Policy Analyst  
Land Management & Policy Branch

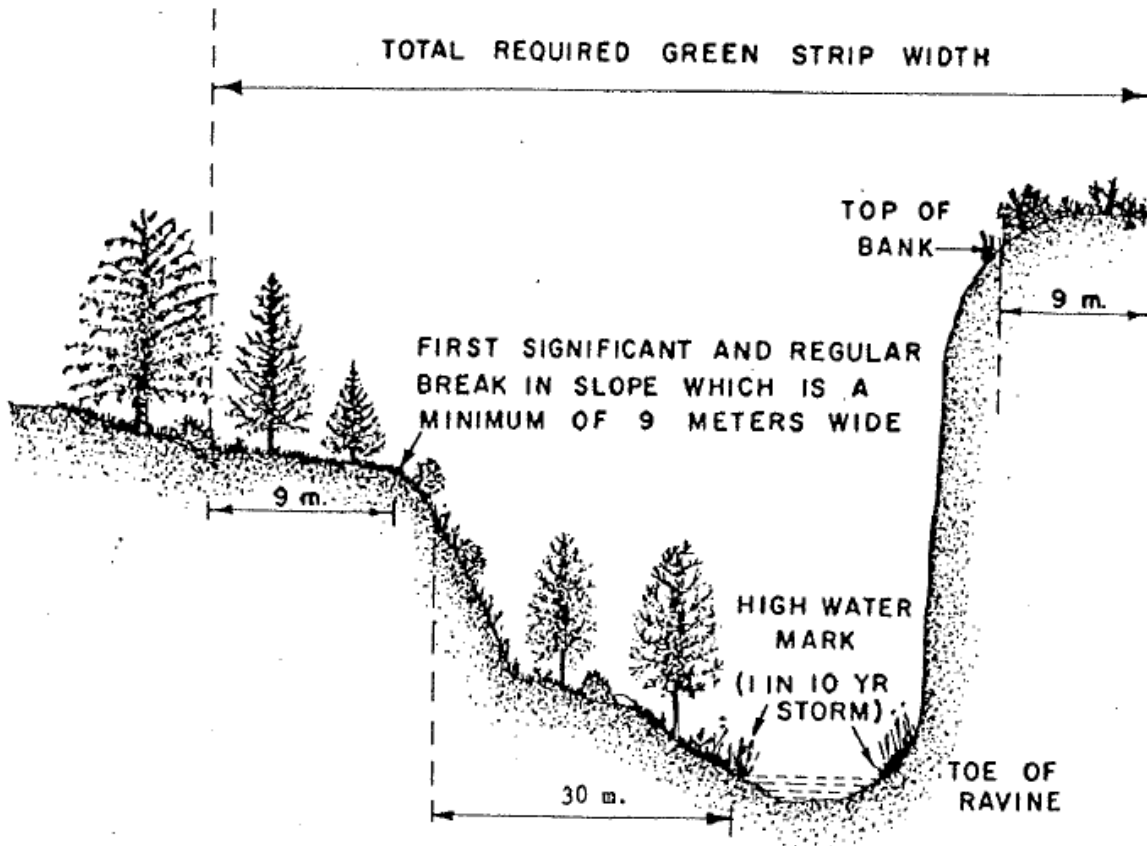
cc: Eric Beresford, Inspector of Mines, Nanaimo  
Robert Pinsent, Regional Geologist, Vancouver

POWELL RIVER REGIONAL DISTRICT

TEXADA ISLAND WATERSHED PROTECTION BYLAW NO. 237, 1993.

SCHEDULE "B"

Setback From Watercourses  
on Slopes Greater Than 5%



NOT TO SCALE

**\*This Map (Schedule A) has been broken down into 3 sheets for inclusion on the Powell River Regional District website. A full copy is available in our office.**

POWELL RIVER REGIONAL DISTRICT

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TEXADA ISLAND WATERSHED PROTECTION BYLAW NO. 237, 1993.

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SCHEDULE "A"

TEXADA ISLAND

WATERSHED PROTECTION BYLAW

LEGEND

- AGR-1     Agricultural One
- AGR-2     Agricultural Two
- AP-1      Airport One
- LP-1      Lakes Protection One
- PF-1      Provincial Forest One
- PF-2      Provincial Forest Two
- WP-1      Watershed Protection One
- WP-2      Watershed Protection Two
- Watershed Boundary

