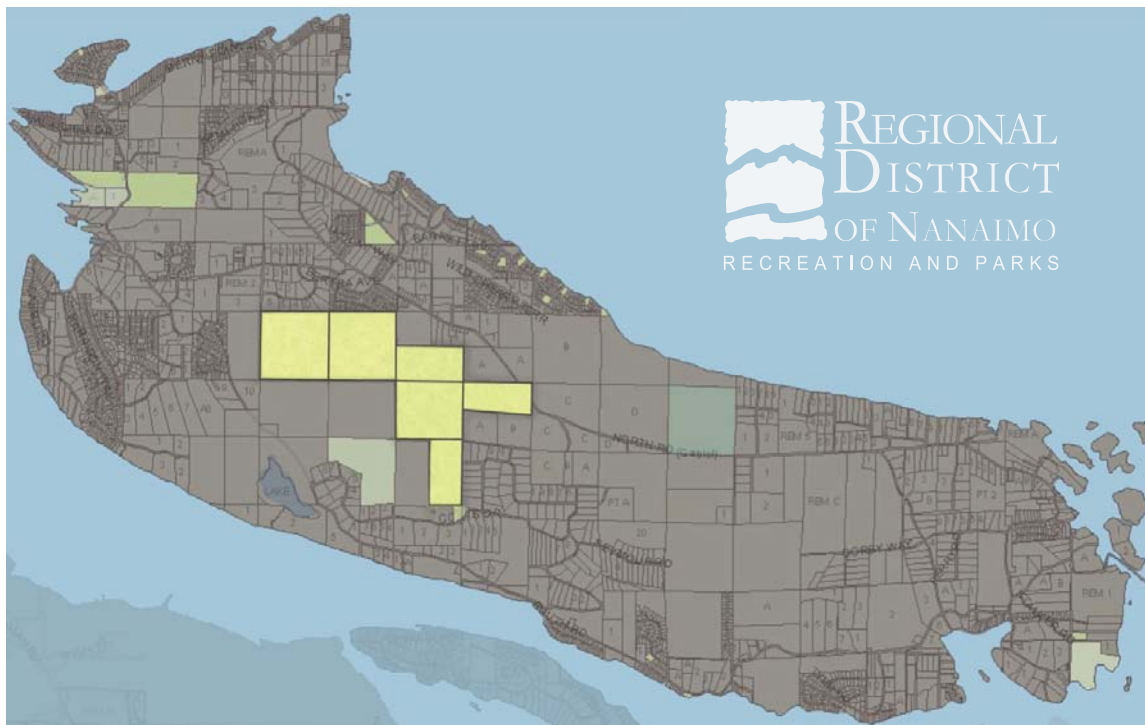


707 COMMUNITY PARK

2010 - 2020 Management Plan



AUGUST 2010

ACKNOWLEDGEMENTS

The preparation of this plan was overseen by Wendy Marshall, RDN Manager of Parks Services, Elaine McCulloch, RDN Parks Planner, and Lesya Fesiak, RDN Parks Planner. The consulting team, Kathy Dunster, Denise Cook and Wendy Farmer-O'Neil, undertook research, site assessment, stakeholder consultation and initial draft plan preparation.

The 707CP Management Plan Sub-Committee provided thoughtful input to this plan. The committee included:

Gisele Rudischer, RDN Electoral Area 'B' Director
Deborah Ferens, Gabriola Local Trust Committee
Jeff Thomas, Snuneymuxw First Nation
Cheryl Boorer, Community Member
Steve O'Neill, Community Member

Thanks are extended to the following agency staff who provided valuable input and feedback during plan development :

Chris Jackson, Regional Planning Manager, Islands Trust
Rick Jackson, Fire Chief, Gabriola Volunteer Fire Department

Many thanks are also extended to all the residents of Gabriola Island who took the time to participate in the management planning process by attending public open house sessions, reviewing draft plans and providing feedback to project consultants and RDN staff on management goals and policies. Their commitment, passion and vision for the 707 Community Park were central to the project.

EXECUTIVE SUMMARY

Park Overview

The 707 Community Park (707CP) is centrally located within the western half of Gabriola Island, approximately 2km southeast of the ferry terminal. The park is composed of 6 parcels of land with a total area of 286 hectares (707 acres) – it is currently the second largest park in the Regional District of Nanaimo’s park system and the largest park on Gabriola Island.

The 707CP was created in 2005 after the Gabriola Island Local Trust Committee (LTC) approved a bylaw that permitted the transfer of 35 residential densities from 286 hectares (707 acres) of forest-zoned lands, subsequently rezoning the land for Forestry-Wilderness Recreational use. The land was then transferred to the Regional District of Nanaimo (RDN) on a freehold basis for the purposes of Community Park use in Electoral Area “B”.

Before RDN acquisition, the 707CP lands had been actively logged since 1953, with the most extensive logging occurring from 1996-2005. Even before its designation as a community park, the 707CP provided quality passive wilderness recreation and education for both residents and visitors to Gabriola Island.

Management Plan Purpose and Process

This document represents the first ten-year management plan for the 707CP, for the period 2010-2020. The purpose of the plan is to establish sound management direction to guide the operations, development, and stewardship of the park based on a comprehensive analysis of ecological and cultural / social values and community consultation. The plan also addresses the development of necessary covenants for conservation and preservation of the environmental values. This ten-year plan is to be reviewed after a five-year period of implementation (2015), and formally updated after a ten-year period (2020).

On June 6, 2008 the RDN secured grant funding from the UBCM Community Tourism Program to undertake a management planning process for the 707CP. In February, 2009 the 707CP Collaborative - a local collaborative of independent landscape research, planning and communications specialists - was contracted to coordinate the planning process, undertake research, consult with the community, and write the management plan for the 707CP. The creation of this plan was overseen by RDN park staff, Islands Trust planning staff and an Advisory Sub-Committee composed of two members of the community at large, a member of the Gabriola Local Trust Committee, and a member of the Snuneymuxw First Nation.

Community Input and Feedback

The public consultation process included surveys, website updates, email and phone correspondence, open houses and presentations with stakeholders. Open houses were held on Gabriola Island on April 25-26, 2009, June 26, 2009, August 15, 2009 and June 26, 2010. The purpose of these events was to inform the public about the management plan and get feedback on the proposed policies and actions. A draft version of the Management Plan was available for public circulation and review from June 21, 2010 to July 23, 2010. Reviewers generally agreed with the goals and policies presented in the draft plan; only minor revisions were suggested in terms of park amenities and amenity design, trail expansion and trail accessibility for horse-back riders.

The idea of “minimal intervention” was the overriding theme for the management of the 707CP as derived from public consultation. Community members generally wanted to see as little development in the park as possible and as little interference as possible with the natural process of ecological succession that is currently regenerating the 707CP forest after years of logging. The community was divided on the issues of trail marker installation and horse-back riding in the park. The management plan proposes a compromise for both issues: a two-tier trail system will be implemented allowing multi-use access for cyclists, pedestrians and horses to **main trails**, which will be signed, and limited access for cyclists and pedestrians only to **side trails**, which will remain unsigned.

Vision and Goals

The Management Plan outlines the long-term vision, management principles and goals for 707 Community Park and provides specific policies and actions for the management and stewardship of the natural, cultural and recreational features of the park. The vision statement for the 707CP reads as follows:

In the heart of Gabriola Island, the 707 Community Park is a special wilderness recreation sanctuary providing a deep ecological and spiritual connection between humans and nature, with minimal impact to the environment.

The following four goals form the framework for policies and management actions in the 707CP for the ten-year period of park management from 2010-2020:

- **ENVIRONMENTAL PROTECTION:** To preserve and protect both natural and cultural heritage values within the park by managing recreational use and allowing the natural process of ecological succession to continue with minimal intervention.
- **SENSITIVE RECREATIONAL USE:** To provide recreational opportunities that are compatible with the 707CP vision of a wilderness recreation sanctuary and that avoid conflict with park neighbours, while providing access for the whole community and creating connections with other Gabriola Island parks and trails.

- **PUBLIC SAFETY:** To create a safe environment in the 707CP for park visitors and park neighbours through hazard reduction, wildfire protection, regular park monitoring for unauthorized park uses, improved accessibility and trail signage, and increased community awareness and understanding.
- **COMMUNITY STEWARDSHIP:** To ensure active community involvement in the management, maintenance and development of the 707CP through collaborative efforts involving all stakeholders (Gabriola Island residents, Snuneymuxw First Nation, the Gabriola Local Trust Committee, the Island's Trust and the RDN), and through the development of stewardship and educational opportunities in the 707CP.

Policies and Actions

The Plan sets out a series of Management Policies and accompanying Operational Actions that reflect the theme of the Management Goals for the 707CP while addressing all park issues summarized in section 4.0. Policies are details in section 6.0 and listed below:

- 6.1.1 Conservation Covenant:** Register a Conservation Covenant on title for the 707 CP property in order to preserve and protect the land while restricting further sale or subdivision.
- 6.1.2 Invasive Plant Management:** Implement regular monitoring and removal of invasive plant communities in the 707CP
- 6.1.3 Restoration:** Allow natural successional change to be the dominant restorative force in the 707CP.
- 6.1.4 Preservation:** Identify and preserve distinct ecological and cultural areas and features within the 707CP.
- 6.2.1 Authorized Park Uses:** Maintain existing recreational uses, and consider future recreational opportunities, that are in keeping with the community vision for the 707CP as a "wilderness recreation sanctuary" - activities that cause minimal disturbance to the park's natural and cultural resources and require little if any infrastructure.
- 6.2.2 Park Trails:** Manage the multi-use trail network to protect sensitive areas from recreational impacts while providing opportunity for safe, sustainable community recreation and cross-island active transportation.
- 6.2.3 Park Access:** Work with neighbouring property owners to develop formal access agreements for existing informal park accesses into the 707CP that are to be retained.
- 6.2.4 Park Entrances:** Designate and manage distinct access types into the 707CP to ensure public safety, avoid or reduce impacts to natural values and minimize adverse impacts on park neighbours.
- 6.2.5 Trail Wayfinding and Signage:** Develop and implement an accurate and comprehensive trail wayfinding system for the 707CP, including trail names, markers and maps, to improve park accessibility and safety.
- 6.2.6 Park Amenities:** Install park amenities at key locations throughout the 707CP that both suit and enhance the park's wilderness recreation experience.
- 6.2.7 Parking Areas:** Identify and develop parking areas inside the 707CP boundary to minimize impact to park neighbours and to provide a safe and accessible staging area for all park users, with minimal disturbance to the park's natural and cultural values.

6.3.1 Unauthorized Uses and Vandalism: Manage and reduce hazard risk by providing park users with information and educational opportunities explaining the impacts of vandalism and other unauthorized park uses on the cultural and ecological values of the 707CP.

6.3.2 Fire Hazard Reduction: Implement a fuel reduction program and regular fire risk assessments for the 707CP to reduce the risk of fire through natural processes and unauthorized park uses.

6.3.3 Emergency Access: Designate and maintain an emergency access route through the 707CP in collaboration with the Gabriola Volunteer Fire Department.

6.4.1 Collaborative Management: Manage the 707CP as an important ecological and cultural community space on Gabriola Island through collaborative efforts involving all stakeholders.

6.4.2 Volunteer Caretaking: Coordinate park caretaking tasks between park staff, park neighbours and the larger community of Gabriola Island to ensure regular park monitoring and maintenance, as well as continuous community involvement with the 707CP.

6.4.3 Educational Programs: Allow educational activities within the 707CP that are mutually beneficial to both park visitors and the park environment.

Operational Actions are summarized in the table below:

POLICY TOPIC		ACTIONS - LISTED IN ORDER OF PRIORITY	COST
Environmental Protection	1	Consolidate 707 parcels and register a Conservation Covenant on title.	legal costs - \$3000
	2	Implement regular monitoring and removal of invasive plants.	staff time
	3	Complete ecological assessment and develop ecosystem management strategy	labour - \$10,000
Sensitive Recreational Use	1	Secure formal access agreements for exiting park accesses through adjacent private properties.	staff time legal costs - \$1000
	2	Design and install a wayfinding system which includes maps at park entrances and signs along main trails.	staff time materials - \$8000
	3	Upgrade main trails to improve surfacing, drainage and accessibility through regrading and selective removal of vegetation.	materials & labour - \$10,000
	4	Construct permeable parking areas inside park and close to entrances off of main roads.	materials & labour - \$20,000
	5	Design and install benches along main trails and at viewpoints.	staff time materials - \$2000
Public Safety	1	Upgrade and maintain designated emergency access entrances and routes through culvert construction, regrading, selective removal of vegetation and gate installation.	materials & labour - \$20,000
	2	Implement a fuel reduction program and conduct regular fire risk assessment to reduce the risk of fire.	staff time
	3	Provide community with information regarding unauthorized park uses and vandalism through public information sessions, literature and website posting.	staff time
Community Stewardship	1	Implement a volunteer park stewardship program to ensure regular park monitoring and maintenance, as well as continuous community involvement.	n/a
	2	Organize public information and consultation sessions for management plan review and updates to ensure ongoing Collaborative Management.	staff time

TABLE OF CONTENTS

Acknowledgements.....	ii
Executive Summary.....	iii
1.0 Introduction.....	1
1.1 Park Context.....	1
1.2 Purpose of the Management Plan.....	3
1.3 Management Plan Structure.....	3
1.4 Stakeholders.....	4
1.5 Management Plan Parameters.....	4
1.6 The Plan Process.....	6
2.0 Public Consultation.....	7
2.1 Advisory Subcommittee Meetings.....	7
2.2 Open House #1.....	8
2.3 Park Neighbour Focus Group and Survey.....	9
2.4 Community Mapping Day.....	9
2.5 Open House #2.....	10
2.6 Website and Email.....	10
2.7 Park Naming.....	10
3.0 Baseline Inventory.....	12
3.1 Property and Land Status.....	12
3.2 Cultural Heritage.....	14
3.3 Current Park Conditions.....	16
3.4 Development Opportunities.....	20
3.5 Ecological Status.....	22
4.0 Summary of Issues.....	26
5.0 Vision, Principles & Goals.....	28
5.1 Vision.....	28
5.2 Principles.....	28
5.3 Management Goals.....	28

6.0 Policies.....	30
6.1 Environmental Protection.....	30
6.2 Sensitive Recreational Use.....	33
6.3 Public Safety.....	39
6.4 Community Stewardship.....	41
7.0 Operational Actions.....	43
8.0 Bibliography.....	44

Appendices

LIST OF FIGURES

Figure 1.1 707 Community Park Location.....	2
Figure 1.2 707 Community Park Context.....	2
Figure 3.1 707 Community Park - Parcels and Easements.....	12
Figure 3.2 1875 Survey Map of Gabriola Island.....	15
Figure 3.3 Detail of 1875 Map of Gabriola Island.....	15
Figure 3.4 Location of existing 707CP trails within 1875 Map.....	15
Figure 3.5 Current 707CP Conditions.....	16
Figure 3.6 Possible Future Parking Areas in the 707CP.....	18
Figure 3.7 GVFD Recommended Emergency Access Routes.....	19
Figure 3.8 707CP Connections with other Gabriola Island Parks.....	21
Figure 3.9 707CP Soil Composition.....	22
Figure 3.10 Pattern of Groundwater Run-off from 707CP.....	23
Figure 3.11 Sensitive Areas within 707CP.....	24
Figure 6.1 Conceptual Design for the 707CP.....	31
Figure 6.2 707CP Trail Amendment Plan.....	35
Figure 6.3 Revised 707CP Trail Network.....	35

LIST OF TABLES

Table 1.1 List of Stakeholders.....	4
Table 2.1 Community Consultation Activities and Events.....	7
Table 3.1 Legal Description and PID for 707CP Parcels.....	12
Table 3.2 707CP Plant Species.....	23

1.0 INTRODUCTION

1.1 Park Context



The 707 Community Park (707CP) is centrally located within the western half of Gabriola Island, approximately 2km southeast of the ferry terminal. The park is composed of 6 parcels of land with a total area of 286 hectares (707 acres) – it is currently the second largest park in the Regional District of Nanaimo’s park system and the largest park on Gabriola Island. The Park property borders private residential lands to the north, south and southeast, private forestry lands to the west, and Federal Crown Lands to the east. The Coats Marsh Regional Park is located diagonally across from the southwest corner of the Park and two small community parks border the southeastern corner of the 707CP, connecting the park to Coats Drive.



The 707CP was created in 2005 after the Gabriola Island Local Trust Committee (LTC) approved a bylaw that permitted the transfer of 35 residential densities from 286 hectares (707 acres) of forest-zoned lands, subsequently rezoning the land for Forestry-Wilderness Recreational use. The land was then transferred to the Regional District of Nanaimo (RDN) on a freehold basis for the purposes of Community Park use in Electoral Area “B”.



Before RDN acquisition, the 707CP lands had been actively logged since 1953, with the most extensive logging occurring from 1996-2005. From 1887-1953 the area was under the ownership of various coal mining companies, and from 1874-1887 the land was used for agriculture. Part of the Snuneymuxw First Nation’s traditional territory, the 707CP lands show remarkable recovery from a long history of human use. Composed of undeveloped second-growth forest land and pocket wetland, and occupying one of the highest points on Gabriola Island at an elevation of 140m, the park now plays a significant and evolving ecological role in the provision of wildlife habitat, groundwater receiving and shedding, and long-term carbon storage. Even before its designation as a community park, the 707CP provided quality passive wilderness recreation and education for both residents and visitors to Gabriola Island.



Because of the park’s history, location, prominence and ecological value, many Gabriolans care passionately for the 707CP. Both the tangible and intangible qualities of the park foster a sense of authentic human attachment and belonging. Each visitor to the park has a very individual experience triggered by the park’s isolation, views and expansiveness. While these factors help create the ‘spirit of place’ that is unique to the 707CP, they also represent some of the challenges associated with the creation of management policies that work to preserve and protect both recreational and environmental values as identified by individuals and the community.



Figure 1.1 707 Community Park Location



Figure 1.2 707 Community Park Context

1.2 Purpose of the Management Plan

This document represents the first ten-year management plan for the 707 Community Park, for the period 2010-2020. The purpose of the plan, as identified by both the LTC and the RDN at the time of land title transfer, is to establish sound management direction to guide the operations, development, and stewardship of the park based on a comprehensive analysis of ecological and cultural/ social values and community consultation, thus ensuring its protection for the enjoyment of future generations. The current plan should also address the development of necessary covenants for conservation and preservation of the environmental values, and determine a suitable name for the park.

This ten-year plan is to be reviewed after a five-year period of implementation (2015), and formally updated after a ten-year period (2020).

1.3 Management Plan Structure

The management plan has been organized into seven sections:

- **COMMUNITY CONSULTATION:**
Summarizes the methods and results of the community consultation process.
- **BASELINE INVENTORY:**
Provides a summary of research and site analysis pertaining to the natural and cultural values of the 707CP.
- **SUMMARY OF ISSUES:**
Review of management issue outlined during community consultation and baseline inventory.
- **VISION, PRINCIPLES AND GOALS**
Defines the vision and management goals developed through the process of community consultation and baseline inventory, and outlines key principles that affect park operations.
- **POLICIES AND ACTIONS**
Addresses park management issues and identifies solutions through management policies and actions.

1.4 Stakeholders

The following groups representing special interest in the use and management of the 707CP were contacted throughout the planning process, from March 2009 to June 2010, with regards to public consultation events and draft plan review:

Community	Neighbouring landowners Local residents Snunemuxw First Nation Local businesses
Government	Islands Trust Gabriola Island Local Trust Committee Regional District of Nanaimo
Organization or Special Interest	Gabriola Agricultural Association Gabriola Arts Council Gabriola Astronomy Group Gabriola Island Chamber of Commerce Gabriola Commons Gabriola Cooperative Radio Society Gabriola Emergency Social Services Gabriola Fire Protection Improvement District Gabriola 4H Gabriola Historical & Museum Society Gabriola Land Conservancy Gabriola Land & Trails Trust Gabriolans for Local Food Choices Gabriola Recreation Society Gabriola Residents & Ratepayers Association Gabriola Rod, Gun & Conservation Club Gabriola Sustainability Workshop (LTC sponsored) Gabriola Transportation Association Gabriola Walking Club Gabriola Women Institute Gabriola Rescue of Wildlife Society (GROWLS) Gathering Place Youth Centre Nanaimo Field Naturalists (Xmas Bird Count) People for a Healthy Community Rollo Seniors Centre

Table 1.1 List of Stakeholders

1.5 Management Plan Parameters

The following plans and policies serve as a management framework for the 707 Community Park:

■ **GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN**

Gabriola Local Trust Committee

Gabriola Island's OCP Land Use Bylaw No.177 establishes land and water use zones on the island and regulates the uses, buildings, and structures within each zone. Following the transfer of lands to the RDN in 2005, the 707CP was rezoned to Forest-Wilderness Recreation. The Gabriola Local Trust Committee, the governing body on Gabriola Island, is currently reviewing and updating the Gabriola Island OCP.

■ **ISLANDS TRUST ACT**

The Islands Trust is a federation of independent local governments, including Gabriola Island, which plans land use and regulates development in the trust area under the legislated authority of the Islands Trust Act. The Object Statement from the Islands Trust Act provides broad policy guidelines for Trust Council, the Trust Fund Board, and the Local Trust Committees regarding the management of development and the preservation and protection of the Trust Area:

The Object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.

■ **PARK BYLAW NO. 1399**

Regional District of Nanaimo

Bylaw No. 1399 establishes regulations, prohibitions, and requirements with respect to the management, maintenance, improvement, operation and use, including establishing a system of licenses, permits and approvals with or without terms and conditions, with respect to regional and community parks, trails and other land the RDN holds for the purpose of parks. Under the Bylaw, the 707CP is classified as a Level 4 Undeveloped Park.

■ **DEVELOP WITH CARE, 2006**

BC Ministry of Environment

Planning, siting, and managing any proposed facilities and amenities in the 707CP will follow Sections 3 and 4 of Develop with Care: Environmental Guidelines for Urban and Rural Land Development in BC to ensure environmentally valuable resources in the park will not be negatively impacted by management activities and park uses.

1.6 The Plan Process

On June 6, 2008 the RDN secured grant funding from the UBCM Community Tourism Program to undertake a management planning process for the 707CP. In February, 2009 the 707CP Collaborative – a local collaborative of independent landscape research, planning and communications specialists – was contracted to coordinate the planning process, undertake research, consult with the community, and write the management plan for the 707CP. The creation of this Management Plan was overseen by RDN park staff, Islands Trust planning staff and an Advisory Sub-Committee composed of representatives from the local government, First Nations, and the Gabriola Island community.

707CP ADVISORY SUB-COMMITTEE:

Gisele Rudischer, RDN Electoral Area “B” Director
Deborah Ferens, Gabriola Local Trust Committee
Jeff Thomas, Snuneymuxw First Nation
Cheryl Boorer, Community Member
Steve O’Neill, Community Member
Wendy Marshall, RDN Manager of Parks Services
Elaine McCulloch, RDN Parks Planner
Lesya Fesiak, RDN Parks Planner

The 707CP management planning process included the following areas of assessment and plan development:

CONSULTATION:

Community consultation guided the development of the 707CP Management Plan and was integrated into all areas of plan development including background research and baseline data, identification and analysis of park issues, trail and access identification and development, and the creation of the Vision, Goals and Policies for the management of the 707CP.

BASELINE INVENTORY:

Baseline inventory of the 707CP provided a framework for the community consultation process and informed the development of the Vision, Goals and Policies for the management of the 707CP. The baseline inventory process included site analysis of ecological, archaeological and cultural values and assessment and synthesis of property information, maps, air photos, historical records and legal documents from a variety of sources.

PLAN DRAFTING AND EDITING:

Based on public and stakeholder consultation and baseline inventory, the plan was drafted and revised with the assistance of RDN and Islands Trust staff and the Advisory Sub-Committee.

The final plan was submitted to the RDN Board for approval in August of 2010.

2.0 PUBLIC CONSULTATION

The planning process for the 707CP Management Plan adhered to guidelines established by both the RDN and the Islands Trust that mandate an inclusive, meaningful, transparent, clear, accurate and objective community consultation process. The consultant team employed an open, non-confrontational and respectful approach to community consultation in order to effectively listen, learn, clarify, and communicate with all members of the community with regard to all issues related to the management of the 707CP. Community Consultation events and activities are summarized in the following table:

DATE	EVENT OR ACTIVITY	PURPOSE
April 2, 2009	707 Advisory Sub-Committee Meeting	project start-up and direction for public process and plan issues
April 25 2009 April 26, 2009	Public Open House #1	park visioning workshop
June 27, 2009	Park Neighbours Focus Group	identification of issues and concerns for park neighbours
Aug.15, 2009	Community Mapping Day	inventory and location of park names, special uses and stories
Sep.12, 2009	707 Advisory Sub-Committee Meeting	presentation and feedback on 707CP Management Plan Draft #1
June 4, 2010	707 Advisory Sub-Committee Meeting	presentation and feedback on 707CP Management Plan Draft#2
June 26, 2010	Public Open House #2	presentation and feedback on final draft of 707CP Management Plan
continuous	Park Neighbour Survey	survey of park uses, issues and concerns for park neighbours
continuous	Park Naming Survey	online nominations and vote on alternative names for the 707CP
continuous	website: 707cp.ca	information posting, discussions and surveys
continuous	Islands Trust drop-box	community mail drop and information posting area
continuous	informal public consultation	707CP discussions at Farmers Market and various community events

Table 2.1 Community Consultation Activities and Events

2.1 Advisory Subcommittee Meetings

Minutes of the Advisory Sub-Committee Meetings held April 2, 2009, September 12, 2009 and June 4, 2010 can be found in **Appendix A: Advisory Sub-Committee Minutes**.

2.2 Open House #1

Held on April 25&26, 2009 at the Gabriola Elementary School with 60 participants, the first public event set the tone for the planning process and provided guidance for the development of a management vision for the 707CP. The summary report for Open House #1 can be found in **Appendix B: Public Meetings, April 25 & 26, 2009.**

WHAT WE LEARNED

- **MULTI-USE TRAIL ACCESS:** Participants did not see the need for separate trail networks for horses, bikes and hikers. They espoused the rural value of tolerance and were prepared to work together to share the trails and to educate their island neighbours on trail use safety.
- **DO THE MINIMUM - LET THE PARK HEAL:** There was a general feeling that nature needs to be allowed to take its course in repairing and restoring the ecosystem in the 707CP. Residents felt strongly about the use of minimal and non-invasive signage, as well as minimal trail construction, keeping the paths as natural as possible while allowing for fire and emergency access at key points.
- **SHARING THE PARK WITH FLORA AND FAUNA:** Participants felt that the park plays a vital role in providing habitat for indigenous plants and animals and that the habitats and ecosystems that are evolving in the 707CP need to be preserved and protected. There was also a strong desire to educate others on the recreational use in and protection of wilderness.
- **WATER:** There were many thoughtful, and often differing, ideas put forward about the ways in which the 707CP could be used for water storage, however, everyone agreed that the 707CP lands are vitally important to the quality and availability of water on Gabriola Island.
- **HORSE RING AND STALL SPACE:** Participants discussed ways in which equestrienne use in the park could be both accommodated and beneficial to park tourism with activities such as overnight camping and picnics. Some suggestions were given for a small horse area in the park that would be rotated to allow for regrowth and the construction of small pens or 3-wall shelters.
- **STRUCTURES - TO HAVE OR NOT TO HAVE:** Although the 707CP has been proposed as a site for wind turbines, as well as a communication tower, a majority of participants in the community consultation event felt that there should be no large-scale structures in the park. While hand-build rustic benches would be acceptable, nothing commercial or inappropriate for the wilderness setting should be allowed.
- **PARKING AND ACCESS:** Different concerns were expressed by different user groups. Neighbours felt that current access points to the 707CP draw too much traffic onto small neighbourhood streets and that main access points and parking areas should be provided along main roads. Horse enthusiasts expressed safety concerns in terms of loading and unloading horses and requested a safe hitching area. Hikers and cyclists requested trail access at both the north and south ends of the park to promote a cross-island trail system. Emergency and Fire personnel discussed the need for reliable access to the centre of the park.

- **VIEWPOINTS AND MEADOWS:** Participants enjoy and value access to the views currently available in the 707CP, one of the highest points on the island, and would like to have them maintained. Some participants also expressed interest in preserving an arbutus meadow area that is developing in the park.
- **FOOD, FIREWOOD AND FORESTRY:** Participants discussed the resource value of the 707CP and the desire to accommodate uses such as small-scale berry and mushroom picking, and kindling and firewood gathering from deadfall in the park. Some participants expressed an interest in community gardening space that would also serve as fire break in areas of the park adjacent to residential neighbourhoods, while others were interested in using a section of the park for a sustainable, managed forestry project.

2.3 Park Neighbour Focus Group and Survey

Held on June 27, 2009 at the Women's Institute Hall on Gabriola, with 12 attendees and additional phone and email responses from neighbours who were not able to attend, the event was an opportunity to identify specific issue, through informal discussions and a written Park Neighbours Survey, unique to residents whose property borders the 707CP. A copy of the survey can be found in **Appendix C: 707 Community Park Neighbours Survey**.

WHAT WE LEARNED

Most park neighbours that share an immediate boundary with the 707CP visit the park either everyday or 2 - 3 times a week. Issues of the greatest concern to drop-in session participants and survey respondents included parking along residential roads adjacent to the park (especially the blocking of access gate at Ricki Ave) and public safety in terms of hunting, motorized vehicle access, trespassing, fire and dog waste. Having lived through a decade of logging, park neighbours are passionate about preserving the park for future generations. The vast majority would like to see a management plan that focuses on letting the park heal, with minimum intervention.

2.4 Community Mapping Day

Held on August 15, 2009, 12:30-6:00pm at the Women's Institute Hall on Gabriola Island, with approximately 12 participants, the Community Mapping Day was an informal drop-in session giving residents an opportunity to share memories, perspectives, stories, information and expertise about the park and its special places, for inclusion on a map and to guide the development of the management plan.

WHAT WE LEARNED

While attendance on Community Mapping Day was low, those who dropped by contributed many stories and place names to the 707 Community Map. Trails that were thought to have no name turned out to have well-used local names that will become identifiers for the trail system. Several places in the park had more than one name, which is an indicator of the personal level of attachment community members have

to the park and to the places in the park. All of the information gathered during the community mapping sessions allowed multiple perspectives to be brought into the park planning inventory and decision-making process.

2.5 Open House #2

Held on June 26, 2010 at the Women's Institute Hall with 20 attendees, the second open house was an opportunity for community members to discuss and provide direct feedback on the draft 707CP Management Plan with RDN Park staff. Community review of the draft plan was a month long process, from June 21 to July 23. A total of 20 written responses or comments were received by RDN park staff either by email or letter. A summary report for public feedback on the draft plan can be found in **Appendix D: Public Draft Plan Review, June 21 - July 23, 2010.**

WHAT WE LEARNED

In general, feedback on the draft management plan, at the public open house, and through submitted feedback forms, email and phone conversations, was positive. Most public session attendees or mail respondents reiterated or expressed support for management plan principles and policies, the strongest support being for signage and trail markers in the park.

Aside from a few comments reflecting individual needs or concerns, there were several suggested revisions to the draft plan that were shared by a majority of respondents: the need to designate Tin Can Alley as a main trail in the 707CP (as apposed to a side trail with limited use) and the need to consult with a Professional Forester in order to assess forest conditions as the park matures (not included in first draft of plan). These suggested revisions or additions have been incorporated into the final draft of the plan.

An equal number of conflicting comments were received regarding horse-back riding in the park. Whereas some respondents suggested an outright ban on horseback riding in the park, others suggested that all trails be accessible to horses at all times. The final draft of the plan suggests a compromise by allowing horse-back riding on main trails and restricting horse access on side trails.

2.6 Website and Email

A dedicated website (www.707.cp.ca) and email address (707cpp@gmail.com) were created to provide easy community access and feedback on information about the 707CP management plan events and meeting minutes. While the website hosted discussion boards that were readily used by 48 registered users to post ideas, question or opinions about various topics of their choosing, email provided community members with direct and private correspondence with consultants - a total of 92 emails were received by consultants from community members with regards to the management of the 707CP. Website posting and email correspondence proved to be a valuable component to a clear and open public consultation process.

2.7 Park Naming

The 707CP name was assigned to the land at the time of parkland designation and references the size of the park, which is 707 acres or 286 hectares. Although established informally as a temporary name for the park, most community members have become accustomed to the name and feel comfortable with its continued use, regardless of the park's ultimate size. Alternative park names were solicited using an open-ended process through the website discussion boards, meeting conversations, emails and suggestions left in the project mail drop-box at the Islands Trust office.

On July 1, 2009, the following park name nominations, listed in alphabetical order, were posted on the website for an on-line poll:

- **707 Acre Forest**
- **707 Acre Community Park**
- **707 Acre Wood**
- **707 Thuthiqut (meaning "707 Forest" in Island Halkomelem)**
- **707 Wilderness Reserve**
- **Central Park**
- **Gabriola Watershed Park**
- **Gaviota Park**
- **Heartlands Wilderness**
- **The Coast Salish Ridge**
- **The Salish Forest**

Community members were directly informed by email about the on-line poll. In addition, a press release was sent to Gabriola Island's two local newspapers, The Flying Shingle and The Gabriola Sounder. The website's polling tool (VIZU) instantly tabulated and displayed polling results in a bar graph. On October 25, 2009, with only 50 total votes received, the on-line poll was closed. Because there was a tie between the **Heartland Wilderness** and the **707 Acre Community Park**, a final decision was referred to the Advisory Sub-Committee.

At the final Sub-Committee meeting on June 4, 2010, the park was officially named the **707 Community Park**.

3.0 BASELINE INVENTORY

707CP research and site analysis findings are summarized within the following sections:

- Property and Land Status
- Cultural Heritage
- Current Park Conditions
- Opportunities

3.1 Property and Land Status

The RDN holds fee simple title to the six parcels that comprise the 707CP. The Property Identification Number (PID) and Legal Description of each 707CP parcel are provided in the following table as well as referenced in the map below:

PARCEL	PID	LEGAL DESCRIPTION
1	006654843	NE 1/4, Section 13, Gabriola Island, Nanaimo District
2	006655335	NW 1/4, Section14, Gabriola Island, Nanaimo District
3	006649815	S1/2 OF NE1/4, Section 14, Gabriola Island, Nanaimo District
4	006649599	SE1/4, Section14, Gabriola Island, Nanaimo District
5	006656498	N 1/2 OF SW1/4, Section 15, Gabriola Island, Nanaimo District
6	006649408	E1/2 OF NE1/4, Section 10, Gabriola Island, Nanaimo District

Table 3.1 Legal Description and PID for 707CP Parcels



Figure 3.1 707 Community Park - Parcels and Easements

3.1.1 Easements

Because of previous land ownership, the RDN has existing easement over two properties that border the 707CP:

- **Easement EK142270** allows access from **707CP parcel 1** to a 244 square meter area located in the northeast corner of the private forestry land to the west of the park (PID 006-655-254, legally described as The East 1/2 of the Northwest 1/4 of section 13, Gabriola Island, Nanaimo District). This easement provides access to an undeveloped road right-of-way (Tin Can Alley) that connects the 707CP to North Rd.
- **Easement EK142283** allows blanket access from 707CP parcel 3 to the Crown Federal property to the east of the park (PID 026-319-322 legally described as Lot A Section 15 Gabriola Island, Nanaimo District).

3.1.2 Land Use Bylaw Zoning

The 707CP is currently zoned as **Forestry-Wilderness Recreation (FWR)**. Permitted uses for **Forestry-Wilderness Recreation** lands include: (a) forestry, (b) forest wilderness oriented recreation, (c) ecological reserves, and (d) environmental protection. Permitted structures include portable sawmills and structures to accommodate passive outdoor recreational activities, environmental protection projects, forestry and forestry research, and education.

In keeping with the conditions established when the park was created, future rezoning should see the 707CP designated for **Passive Recreation Community Park (P2)** use. Permitted uses under **Passive Recreation Community Park** zoning include: (a) passive outdoor recreational activities, including walking, hiking and nature appreciation. All buildings are prohibited under P2 zoning and only structures that accommodate passive outdoor recreational activities are allowed.

3.1.3 Management and Maintenance

The 707CP is managed by the RDN as an Area “B” community park. Annual operational costs associated with community park maintenance are funded under the Area “B” Community Parks Function which serves a total of 30 community parks on Gabriola Island, Mudge Island and Decourcy Island.

Currently, there is one RDN Park Planner responsible for the long term management and development of all RDN community parks (a total of 172 parks within 7 electoral areas), and two RDN Parks Technicians responsible for the daily maintenance of all RDN community and regional parks and trails (over 2,632 hectares of parkland). The Area “B” Parks and Open Space Advisory Committee, composed of 4-6 community members, provides advice and guidance to RDN staff on issues pertaining to community parks and trails.

Although a volunteer park program is currently under development for all Regional RDN parks and trails, there is already a strong spirit of community involvement and stewardship present on Gabriola Island. In the 707CP, informal way-finding markers

have been posted throughout the park by the Gabriola Land and Trails Trust, while hazards and other park issues have been noted and relayed to park staff by park neighbours.

3.2 Cultural Heritage

The 707CP lands are part of the Snuneymuxw First Nation’s territory. The chronology of post-contact land status and human use within the 707CP lands is summarized in the following timeline:

Before 1874	Coastal Douglas Fir Forest
1874 - 1887	Agriculture land (Alexander Easson)
1887 - 1953	Coal Prospecting area (New Vancouver Coal Mining & Land Co.)
1953 - 2005	Forestry land (Various Owners)
After 2005	707 Community Park (Electoral Area “B”, RDN)

3.2.1 Archaeological Assessment

An archaeological reconnaissance of the 707CP lands was conducted on August 22 and 23, 2009. All existing trails, as well as several accessible off-trail areas in the park were examined by way of a walking survey - no subsurface tests were undertaken. A complete archaeological assessment for the 707CP can be found in **Appendix E: 707CP Archeological Assessment Report**.

Considering the density of cultural remains or activities documented on Gabriola Island (inland shell middens, lithic scatters, isolated stone tool finds, burial cairns, camas, and/or shellfish processing pits, and petroglyphs), an occurrence of material evidence was anticipated within the 707CP. However, with the exception of some by-products of historic logging activities, no clear evidence of any of these cultural materials was documented during the walking survey. Two possible culturally modified trees (CMTs), four possible groundstone fragments, and one possible basalt core were recorded.

The high density of cultural remains on Gabriola Island and the surrounding region suggests that there may be a high likelihood of cultural materials in the 707CP, however the probability of identifying or recovering such materials is low given the poor visibility coupled with the destructive nature of recent intense logging activity. If any new development in the park is planned, such as new trails, trail realignment, trail grading or any activity requiring ground clearing or earth moving, the services of a professional archaeologist must be secured to monitor the activity during the planning and/or construction phases.

3.2.2 1875 First Survey of Gabriola Island

The first survey map of Gabriola Island, dated 1875, indicates that an historic trail cuts across the 707CP lands. The trail is labelled “Road to John Dick’s Swamp” and is currently referred to as “Central Road” by residents. There is some likelihood that cultural deposits or isolated artifacts may be associated.



One of four possible groundstone fragments.



One possible basalt core.



One of two possible culturally modified trees.

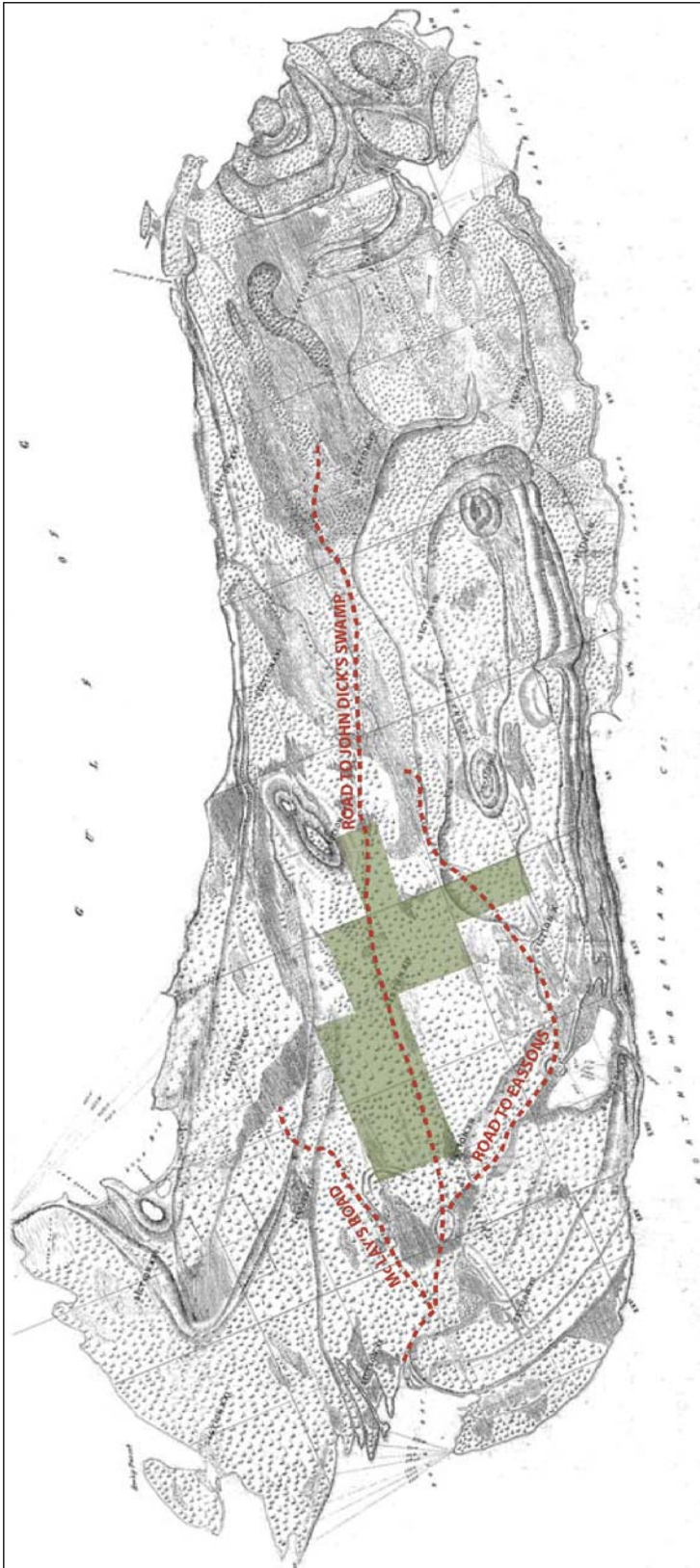


Figure 3.2 1875 Survey Map of Gabriola Island . Location of 707CP indicated in green. Historic road locations indicated in red.

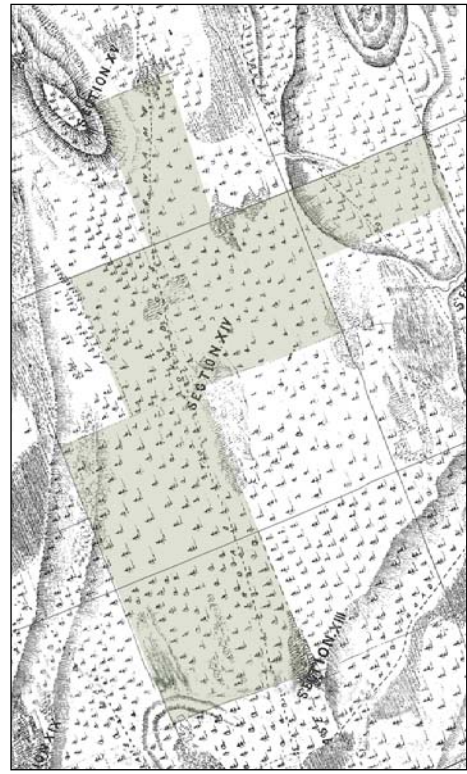


Figure 3.3 Detail of 1875 Survey Map of Gabriola Island. Location of 707CP indicated in green.

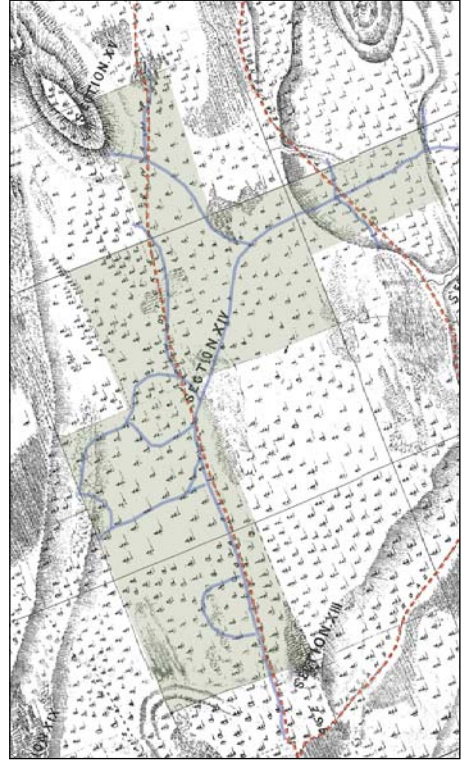


Figure 3.4 Location of existing 707CP trails (2010) indicated in blue. Location of historic Gabriola Island roads (1875) indicated in red.

3.3 Current Park Conditions

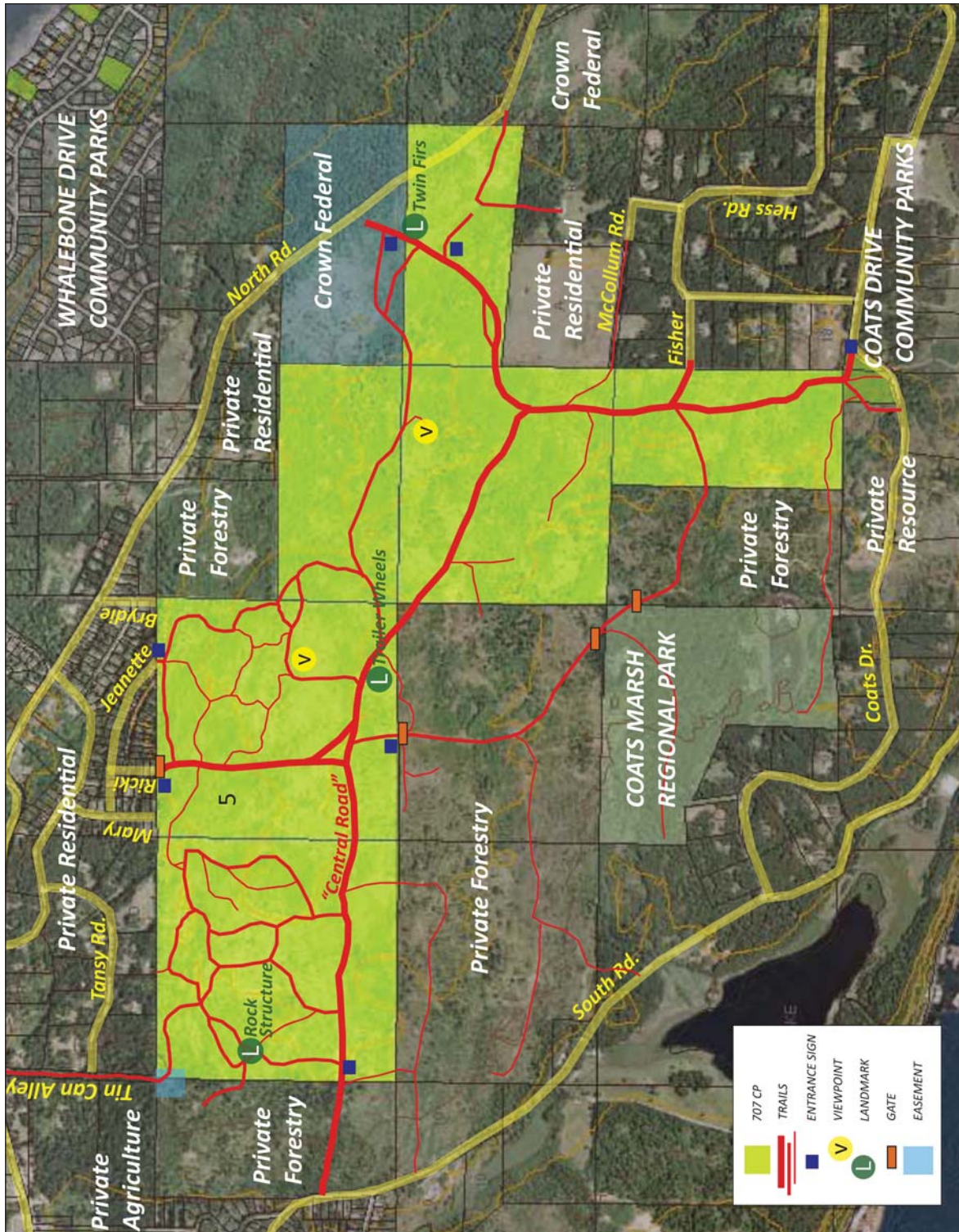


Figure 3.5 Current 707CP Conditions

3.3.1 Recreational Use

Although the 707CP was in private ownership before 2005, these former forestry lands were used informally by residents of Gabriola Island for a variety of activities including:



Biking in the 707CP.

- hiking
- biking
- cross-country skiing
- snow-shoeing
- children's fort building
- picnicking
- horseback riding
- dog walking
- berry and mushroom picking
- camping and campfires
- motorized vehicle use
- firewood collecting
- hunting



Walking in the 707CP.

With the exception of activities that are prohibited by the RDN Park Bylaw 1399 (camping, campfires, ATV use, firewood collecting, hunting), most of the established 707CP activities can be maintained and encouraged within the parameters of community park use established by both the RDN and the community of Gabriola Island.

There are currently no structures or recreational facilities in the 707CP.

3.3.2 Trails



Signs of motorized vehicle use and erosion on trails in the 707CP

The existing trail system in the 707CP follows old logging skid trails or worn human walking paths; the trail widths (which range from 1-4m) are a measure of use over many decades. Although no formal trail design or construction standards have been used, the informal multi-use trail system has accommodated walking, biking, dog-walking and horseback riding. Special user needs, such as high-pruning of trail vegetation to accommodate horseback riding, is currently done by volunteers.

Some trails are widening due to flooding and erosion, creating muddy conditions and loose surfaces. In addition, illegal use of motorized vehicles, which are entering the park through open trails, as well as getting around existing gates and ditches, has caused trail braiding, compaction and erosion, as well as noise issues for park users and neighbours.



GaLTT trail marker in the 707CP.

3.3.3 Way-Finding and Signage

While some community members feel that it is impossible to get lost in the 707CP, others are concerned that it is too easy to get lost and that it would be too difficult to be found or accessed during an emergency. With the exception of installed RDN community park entrance signs at Ricki Rd, Jeanette Ave, Fisher Rd and Coats Drive, signage in the 707CP is ad hoc, inconsistent and scattered -

often the directional message is unclear or misleading. The Gabriola Land and Trails Trust has posted yellow trail markers on trees, considered by different park users to be either very helpful, very confusing, or aesthetically offensive, while regular park users mark their trail routes with stone arrows and cairns or simply refer to familiar landmarks, such as distinct trees, as a means of navigating through the park.

Although some community members have become reluctant to invest in formal park signage due to an increase in incidents of sign vandalism, an accurate and comprehensive trail marker system within the park, and trail maps made available at park access gates and on the RDN parks website, would greatly improve park accessibility and safety.

3.3.4 Access and Parking

Access into the 707CP from public roads or right-of-ways occurs at four locations: Ricki Avenue (currently gated), Jeanette Avenue, Fisher Road and Coats Drive. Two undeveloped public road accesses, Mary Rd, and Brydie Rd, two undeveloped road right-of-ways, Tin Can Alley and McCollum Rd, and two existing easements to the west and east of the 707CP, provide opportunities for future park access development (Figure 3.2). There are also several established accesses into the 707CP through bordering private and crown federal lands which will need to be either formalized through easements or agreements with owners or blocked from future use.

Road-side parking currently occurs at the four public road access points to the park (Ricki Ave, Jeanette Ave, Fisher Road and Coats Drive), however, these informal parking areas can only accommodate 1-2 cars and have become problematic for local residents whose driveways have been blocked by park visitors. At public consultation sessions, community members have requested that parking space be made available either inside the park or along main roads. Three potential parking areas within the 707CP were identified during public consultation and site assessment: the west side of the park with access from South Road; the east side of the park, with access from North Road (previously used as a parking area); and the south end of the park inside two adjacent community parks with access off of Coats Drive. Each site would need to accommodate an informal, permeable parking area for approximately 5 cars (68 square metres or 740 square feet).

3.3.5 Emergency Response Services

Although fire, police, and ambulance assistance on Gabriola Island are provided by the Gabriola Volunteer Fire Department (GVFD), the RCMP and the BC Ambulance Service respectively, there is no road access into or throughout 707CP.



Located at the west side of the property, approximately 350m west of North Rd, “The Twin Firs” are an important 707CP way-finding landmark.



Figure 3.6 Possible future parking areas inside the 707CP: South Road, North Road, and Coats Drive.



Fire pit inside the 707CP.

The greatest hazard in the 707CP is the risk of fire associated with neighbouring residential areas and human activities in the park such as smoking, campfires, and the use of motorized machinery and vehicles. Gabriola Island falls entirely within the Gabriola Fire Protection Improvement District which oversees operations of the GVFD. Additional firefighting assistance may be requested from the Ministry of Forests and Range (MoFR) Coastal Fire Centre. Costs for the Coastal Fire Centre's services are charged back to the local government and generally based on risk and fire initiation cause (BC Wildfire Regulation 38/2005, 70/2009). The GVFD has requested assistance from the Coastal Fire Centre only once in the last twenty years for an escaped slash-burn on the 707CP lands.



Figure 3.7 GVFD recommended emergency access routes between South Rd, North Rd and Fisher Rd.

The GVFD has identified a main east-west emergency access route through the park, from South Rd to North Rd, a portion of which is currently composed of an existing trail referred to as "Central Road". Access to a future emergency access from South Rd would require an easement through the bordering property to the west of the park.

There are currently several clearings in the 707CP wide enough to accommodate a helicopter landing in the event of a serious medical emergency requiring off-island evacuation. A designated helipad site would need to be identified and managed to prevent reforestation.

3.3.6 Unauthorized Uses and Vandalism

The following incidents of vandalism and unauthorized park use have been reported by community members or observed during site assessment:



Informal notices posted by park neighbours inside the 707CP.

- sign destruction and removal
- dumping
- long-term camping
- campfires
- smoking
- native plant removal
- tree cutting
- hunting
- motorized vehicle use (dirt bike, ATV, pick-up truck, snowmobile)



Dumping in the 707CP

Because it is neither possible to fence the entire perimeter of the park property nor to ensure daily monitoring and by-law enforcement, preventative measures such as public education and stewardship need to be taken in order to reduce the incidents of vandalism and unauthorized park use which continue to create issues around community safety, park maintenance and forest regeneration in the 707CP.

3.4 Opportunities

The 707CP provides several cultural and recreational opportunities for residents and visitors to Gabriola Island.

3.4.1 Education

The 707CP provides many non-profit, outdoor educational opportunities for students of all ages and level:

- **ecology**
- **bird watching**
- **photography**
- **sketching and painting**

A future junior warden or “Students to Stewards” program for elementary and secondary students would connect Gabriola children and youth to the natural environment while contributing significantly to the management of the 707CP.

As children, we need time to wander, to be outside, to nibble on icicles and watch ants, to build with dirt and sticks in a hollow of the earth, to lie back and contemplate clouds and chickadees. These simple acts forge the connections that define a land of ones own -- home and refuge for both girls and boys. Mentors help, answering the questions we bring back from the land. With these childhood experiences we begin. They form the secure foundation to which we return again and again in our struggle to be strong and connected, to be complete.

- **Gary Naghan & Stephen Trimble**

(The Geography of Childhood: Why Children Need Wild Places, 1994)

3.4.2 Cross-Island Trail Network

As the largest and most central parcel of public land on Gabriola Island, the 707CP provides integral off-road connections between all Gabriola Parks, including one major cross-island connection:

Descanso Bay Regional Park to Drumbeg Provincial Park

Although a completed cross-island trail system for Gabriola Island will require planning, negotiation with private landowners, funding and time, three trail developments within the 707CP would significantly contribute to this goal:

- **Tin Can Alley:** An improved trail connection along an undeveloped portion of Tin Can Alley would link the northwest corner of the 707CP with North Road.
- **Central Road:** The “Central Road” trail within the 707CP follows an historic 1875 road alignment that runs between North Rd and South Rd. An access agreement through private forestry land on the west side of the park would restore this connection.
- **Tunnel Trail:** A road-side pedestrian trail along North Rd from the west side of the 707CP to Elder Cedar Nature Reserve (currently under development), would account for 1/3 of the distance between the 707CP and Drumbeg Provincial Park.

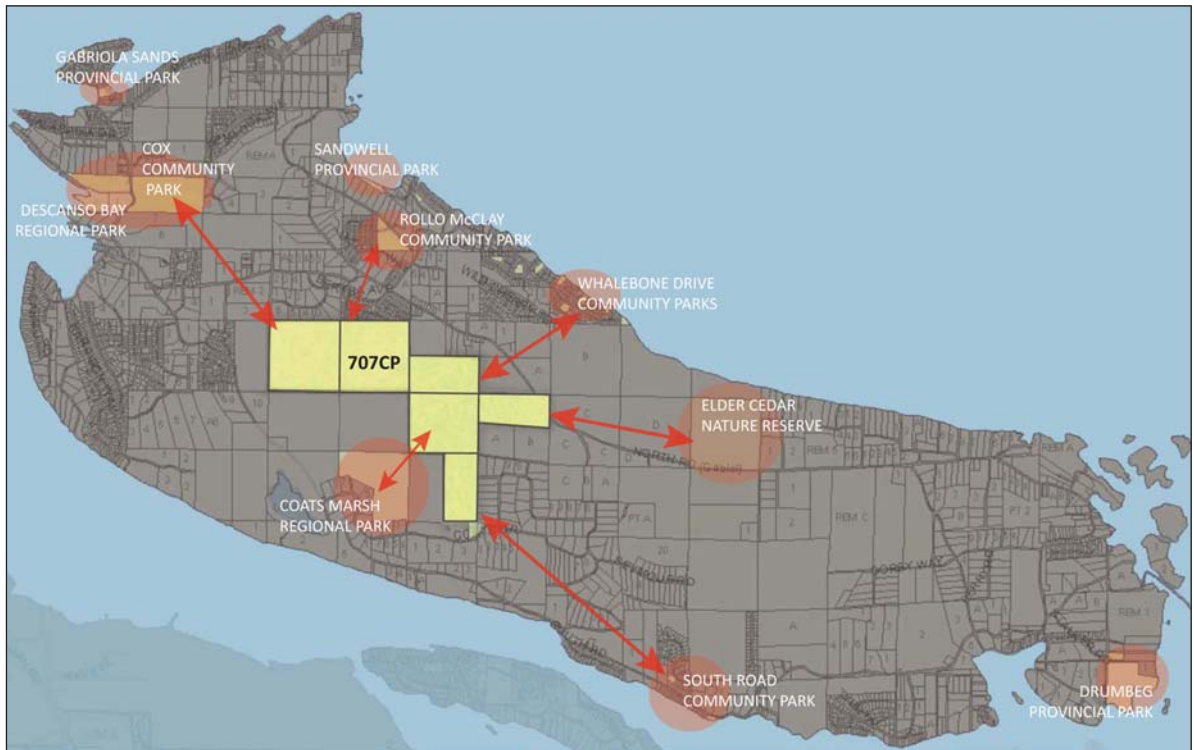


Figure 3.8 707CP connections with other Gabriola Island parks

3.4.3 Tourism

There are currently 26 registered visitor accommodations on Gabriola Island ranging from inns and resorts to B&B and a bunkhouse catering to bicyclists; Descanso Bay Regional Park, located at the northwest end of the island, has 32 camp sites. The Official Visitor Guide & Map for Gabriola Island, published by The Gabriola Chamber of Commerce, identifies all provincial, regional and community parks on Gabriola, including the 707CP. Amongst the several suggested activities listed in the guide, one activity is well suited to the 707CP: “See deer on a hike through acres of quiet trails...”

Nature-based tourism, when properly managed, is a way of offering low impact experiences that result in a diversity of benefits to tourists and the local economy and ultimately to the natural area itself through raised awareness about the efforts required to preserve and protect its qualities.

3.5 Ecological Status

The 707CP lands are recovering quickly and naturally from a long history of agriculture, mining and logging. This is due to a combination of factors including good soils, mild climate, presence of seed trees, low physical disturbance to understory layers during logging, and rapid growth of pioneer and successional species (particularly Red Alder, Douglas-fir, and Arbutus). Natural recovery is in keeping with the community’s desire to “do the minimum” and “let the park heal”. Some small-scale restoration work may be required to prevent trail erosion, to remove small patches of invasive plants and to retain key views.

3.5.1 Soil Composition

Soils particular to a site influence and affect hydrology and plant communities, which in turn influence and affect wildlife species. Soil composition also has implications for site development in terms of permeability, compaction and stability. The various soil types and related management implications are summarized the following table and as well as referenced in the map below:

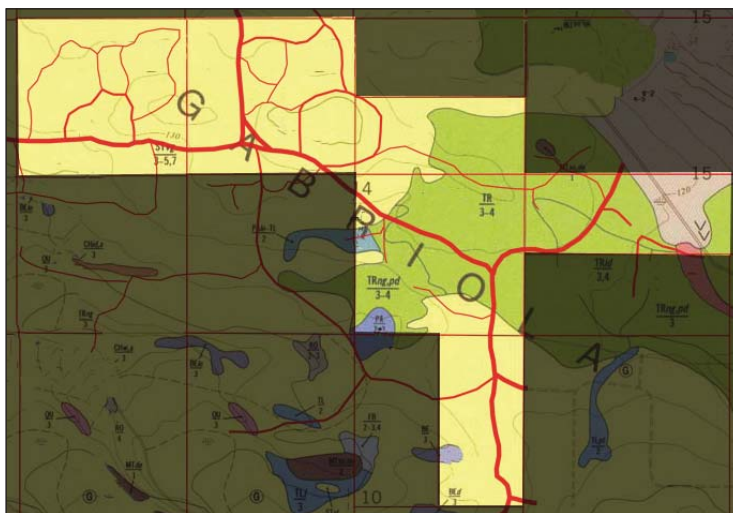








Figure 3.9 707CP Soil Composition - location of existing trails shown in red.

SOIL TYPE	DESCRIPTION	IMPLICATION
 Saturna	thin deposits of sandy-loam with sandstone rock fragments	well drained
 Trincomali	gravelly sandy loams developed over a veneer of sands and gravels	well drained
 Parksville-Tolmie	marine till overlain by poorly drained silty clay loam to sandy clay loam	flooding implications, relocate trails
 Brigantine	sandy clay loam soils developed on marine till materials	poorly drained, relocate trails
 Mexicana	deep deposits of compact, loam to sandy loam over glacial till on side slope	imperfectly drained, wetland indicator
 Baynes	Deep, sandy loam in a depressional drainage way	imperfectly drained, wetland indicator

3.5.2 Hydrology

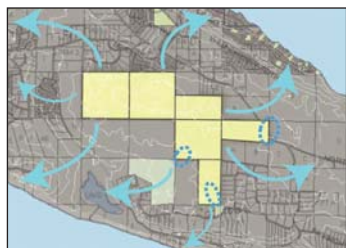


Figure 3.10 Pattern of groundwater run-off from the 707CP site. Area of water retention within the 707CP indicated with blue dotted line.

All of the groundwater on Gabriola Island results from the rain and snow that falls on the island. Comprising 6% of Gabriola Island's total land base and the highest point on the island, the 707CP lands provide ecological services for Gabriola Island that extend well beyond the park boundary.

The 707CP watershed receives precipitation, which is then filtered by the land, stored as groundwater and shed downhill to rural residential wells outside the park where the water table is much closer to the surface and has less storage capacity. Several depressional areas in the park store water through the late fall and winter months, and support seasonal wetland communities.

3.5.3 Plant Communities

COASTAL DOUGLAS-FIR BIOGEOCLIMATIC ZONE:

Gabriola Island falls entirely within the moist-maritime **Coastal Douglas-fir (CDF) Biogeoclimatic Zone**. The characteristic and dominant tree species of this zone is Douglas-fir. A few of the most common occurring tree and shrub species also associated with the CDF and occurring in the 707CP are listed in the table below. A complete plant inventory can be found in **Appendix F: 707CP Ecological Inventory**.



Douglas-fir: the dominant tree species in the 707CP



Salal: dominant understory shrub species in the 707CP

	BOTANICAL NAME	COMMON NAME
trees	<i>Pseudotsuga menziesii var.menziesii</i>	Douglas-fir
	<i>Arbutus menziesii</i>	arbutus
	<i>Abies grandis</i>	grand fir
	<i>Thuja plicata</i>	western red cedar
	<i>Tsuga heterophylla</i>	western hemlock
	<i>Alnus rubra</i>	red alder
	<i>Acer macrophyllum</i>	big leaf maple
shrubs	<i>Prunus emarginata</i>	bitter cherry
	<i>Gaultheria shallon</i>	salal
	<i>Mahonia nervosa</i>	dull Oregon-grape
	<i>Holodiscus discolor</i>	oceanspray
	<i>Vaccinium parvifolium</i>	red huckleberry
	<i>Vaccinium ovatum</i>	evergreen huckleberry
	<i>Salix spp</i>	willows
	<i>Rubus spectabilis</i>	salmonberry
	<i>Rubus parviflorus</i>	thimbleberry
<i>Spiraea douglasii</i>	hardhack	

Table 3.2 Plant species of the Coastal Douglas-fir Biogeoclimatic Zone occurring in the 707CP

Distribution of different plant species throughout the 707CP depends on varying soil conditions (moisture and nutrient regimes) and levels of site disturbance. Most plant communities are currently in the early successional stages of forest regeneration. In the oldest logged areas, post-logging pioneer species such as red alder are already being replaced by Douglas-fir. In drier areas within the 707CP, typically at higher elevations, Arbutus trees are thriving and growing at a rate of 1-1.5 metres per year.



Arbutus: Arbutus groves have become established on dry, rocky sites in the 707CP.

SENSITIVE SITES:

Because the 707CP lands were being actively logged during the Sensitive Ecosystems Inventory (SEI) of Eastern Vancouver Island (1993-1997) there were no SEI sites noted during the study. However, there are a few distinct areas in the 707CP that are rare within the southern Gulf Islands and which deserve recognition as sensitive areas within the park:



Oceanspray: shrub commonly found in areas of the 707CP dominated by Douglas-fir and Arbutus

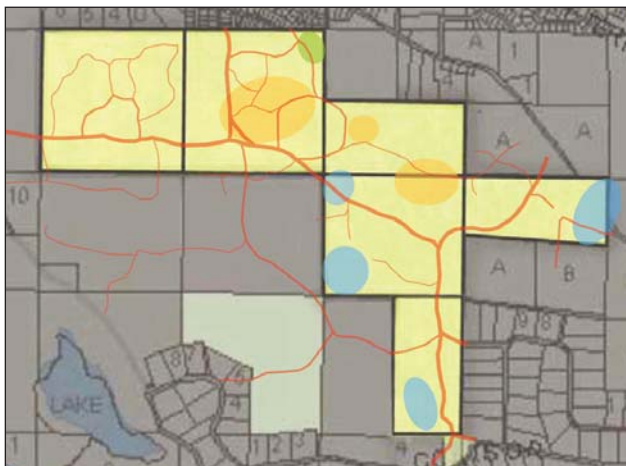


Figure 3.11 Sensitive areas within the 707CP: wetlands (blue), meadows (orange) and old forest (dark green).

ROCKY MEADOW: Shallow soils veneered onto sandstone bedrock outcrops support woodland meadow plant communities. Although the sites are dominated by introduced grasses and forbs, native species, including interesting mid-season lilies, were found.

OLDER FOREST: Area contains several Dougl’s-fir trees that are greater than 90 years of age. This site slopes to the north on richer mesic soils and is dominated by large big leaf maple, Douglas-fir and sword fern. Appears to have been less impacted by previous logging.

WETLAND: Two distinct marsh plant communities exist in several moist, depressional sites. A wetland area on either side of North Rd, with a layer of greater than 20cm of organic soil and the only area with year-round water retention in the 707CP, is dominated by western red cedar, red alder, Pacific crab apple, slough sedge, bluejoint grass and skunk cabbage. An area adjacent to Coats Marsh Regional Park, commonly referred to as “Groundwater Lake”, which appears to be relatively undisturbed, is seasonally wet with the presence of grand fir.



Wet area located on the western boundary of 707CP, diagonally northeast from Coats Marsh RP.



Meadow plant community occurring on rocky sites within the 707CP.



Scotch Broom in the 707CP.

EXOTIC INVASIVE PLANTS:

Because of the extensive disturbance on the 707CP site as a result of agriculture and logging, the following disturbance-responsive, **exotic invasive** plant species are found in the park, mostly along the trails and road margins:

- Cytisus scoparius (Scotch Broom)
- Leucanthemum vulgare (oxeye daisies)
- Arctium minus (Common burdock)
- Convolvulus arvensis (Field bindweed)
- Plantago lanceolata (English plantain)
- Cirsium arvense (Canada thistle)
- Festuca occidentalis (western fescue)
- Dactylis glomerata (orchard grass)

Priority for invasive removal should be given to Scotch Broom, however occurrence of broom is restricted mainly to trail edges. A complete list of exotic invasive plant species can be found in **Appendix F: 707CP Ecological Inventory**.

3.5.4 Wildlife



Band-tailed Pigeon

Decades of logging in the 707CP lands has provided a habitat for a suite of wildlife species that would not have been present prior to logging. Forest successional changes will again see a turnover in species. During site visits conducted in 2009, coastal black-tailed deer were seen browsing throughout the site, as were several bird species such as typical summer songbirds, woodpeckers and raptors. The park supports a variety of invertebrates including species of dragonfly, butterfly, and bumblebees which are food for insectivorous birds. A complete list of wildlife species observed in the 707CP during site visits in 2009 can be found in **Appendix F: 707CP Ecological Inventory**

Three species at risk were observed in the park during 2009 site visits: Band-tailed Pigeon (*Patagioenas fasciata*), Turkey vulture (*Cathartes aura*), and Red-legged frog (*Rana aurora*). There are currently no species at risk records for the 707CP at the BC Conservation Data Centre.



Red-legged Frog

3.5.5. Restoration

Natural regeneration has been rapid in most areas of the park and only spot tree planting may be required in the few places where trees have not established, or in the case of scotch broom removal along trails. In the absence of periodic fire, natural successional processes will result in a continuous Douglas-fir canopy cover, and the loss of key viewpoint areas within meadows and arbutus groves. If views are to be retained, Douglas-fir seedling need to be removed from selected areas, effectively holding succession in place as an Arbutus Woodland Meadow. This scenario would require a commitment from park stakeholders and RDN to actively manage for this ecosystem type.

4.0 SUMMARY OF ISSUES

The following 13 management issues, as identified during the process of community consultation, research and site inventory, directly inform the management direction for the 707CP:

■ **RESTORATION AND PRESERVATION:**

Allowing the 707CP forest to regenerate by way of environmental protection and natural ecological succession while selectively preserving distinct park features such as viewpoints, developing arbutus groves and trails.

■ **RECREATIONAL USE:**

Accommodating appropriate recreational uses within the community wilderness environment of the 707CP that are consistent with the park's overarching management objectives of environmental protection, community safety and inclusiveness.

■ **ACCESSES AND TRESPASSES:**

Securing formal access agreements with neighbouring landowners whose properties provide key access routes into the 707CP by way of easements and future parkland dedication. Blocking and rerouting existing park accesses that create trespassing and security issues for park users and neighbouring landowners.

■ **EMERGENCY RESPONSE:**

Identifying an effective emergency response route from main public roads, through the 707CP and ensuring that road surfacing, grade, width and overhead clearance are maintained to accommodate fire, ambulance and police vehicle access. Maintaining a potential helicopter landing site along the main emergency route.

■ **PARKING:**

Locating and developing vehicle parking / horse hitching areas in the 707CP with minimal impact to the natural environment (i.e. existing clearings adjacent to major public roads).

■ **TRAIL SYSTEM:**

Managing a trail system that accommodates non-motorized park uses through the designation and distinction of multi-use and limited-use trails within the 707CP. Making necessary improvements to existing trails to maintain accessibility and visibility and to reduce the risk of user injury and property damage.

- **WAYFINDING:**
Creating a clear, comprehensive and unobtrusive wayfinding system for park users through the use of trail names, signage, markers and maps.
- **PARK AMENITIES:**
Identifying key locations and design standards for appropriate 707CP amenities such as hand-made park benches and community information kiosks and trail markers.
- **PARK MISUSES AND VANDALISM:**
Dealing effectively with vandalism, littering, defacement and other inappropriate activities within the 707CP.
- **PARK MANAGEMENT:**
Ensuring cooperative management of the 707CP by the community of Gabriola Island, the RDN, the LTC, and the Snuneymuxw First Nation.
- **STEWARDSHIP AND MAINTENANCE:**
Supplementing general park maintenance by park staff with volunteer stewardship programs that focus on regular park monitoring, invasive plant removal and wildlife protection.
- **CROSS-ISLAND TRAIL CONNECTIONS:**
Identifying and developing key access routes between the 707CP and major roads and trails on Gabriola Island as part of a cross-island trail network linking Descano Bay Regional Park with Drumbeg Provincial Park.
- **TOURISM:**
Managing the 707CP as a community space primarily for residents of Electoral Area "B" without active promotion of tourism-based activities in the park.

5.0 VISION, PRINCIPLES & GOALS

5.1 Vision

In the heart of Gabriola Island, the 707 Community Park is a special wilderness recreation sanctuary providing a deep ecological and spiritual connection between humans and nature, with minimal impact to the environment.

Although it takes 250 years to grow a Douglas-fir tree from seed to an old growth tree in the Coastal Douglas-fir Biogeoclimatic Zone, the residents of Gabriola Island feel passionately about restoring and preserving the 707CP lands for future generations. The vision statement for the 707CP reflects the community's commitment to stewardship, education and sensitive recreational use for the first ten-year period of 707CP management, and ultimately for the long-term process of restoration and conservation.



Deer emerging from a densely forested area in the 707CP.

5.2 Principles

The underlying principle for management of the 707CP is **minimal intervention**. In addition, all policies and actions regarding the 707CP must reflect management guidelines outlined in Section 1.5 and summarized below:

- Gabriola Island Official Community Plan
- Islands Trust Act
- RDN Park Bylaw No.1399
- Develop with Care Guidelines, BC Ministry of Environment



A red alder lined walkway in the 707CP.

5.3 Management Goals

The following four goals form the framework for policies and management actions in the 707CP for the ten-year period of park management from 2010-2020:

- **ENVIRONMENTAL PROTECTION:** To preserve and protect both natural and cultural heritage values within the park by managing recreational use and allowing the natural process of ecological succession to continue with minimal intervention.



Meadowlands on "Jimmy's Ridge" in the 707CP.

- **SENSITIVE RECREATIONAL USE:** To provide recreational opportunities that are compatible with the 707CP vision of a wilderness recreation sanctuary and that avoid conflict with park neighbours, while providing access for the whole community and creating connections with other Gabriola Island parks and trails.
- **PUBLIC SAFETY:** To create a safe environment in the 707CP for park visitors and park neighbours through hazard reduction, wildfire protection, regular park monitoring for unauthorized park uses, improved accessibility and trail signage, and increased community awareness and understanding.
- **COMMUNITY STEWARDSHIP:** To ensure active community involvement in the management, maintenance and development of the 707CP through collaborative efforts involving all stakeholders (Gabriola Island residents, Snuneymuxw First Nation, the Gabriola Local Trust Committee, the Island's Trust and the RDN), and through the development of stewardship and educational opportunities in the 707CP.



Distinct Douglas-fir trees retained in the 707CP throughout periods of logging.

6.0 POLICIES AND ACTIONS

The following Policies and Actions reflect the themes of the Management Goals for the 707CP while addressing all park issues summarized in section 4.0.

6.1 Environmental Protection

6.1.1 Conservation Covenant

Register a Conservation Covenant on title for the 707CP property in order to preserve and protect the land while restricting further sale or subdivision.

A condition for the creation of the 707CP was that a **Conservation Covenant** for the property be held by the Trust Fund Board and one other local group in order to preserve, protect, and restrict further sale or subdivision of the land. A draft of the Conservation Covenant for the 707CP is included in **Appendix G: Conservation Covenant**.

There are currently six titles comprising the 707CP, as well as two adjoining community park parcels south of the park along Coats Drive. Prior to covenant registration, all eight parcels will be consolidated to restrict further sale or subdivision.

The Trust Fund Board will take the lead role as one of two necessary Land Trust organizations holding the covenant and will be responsible for annual monitoring of its terms. Two other local groups on Gabriola Island, the Gabriola Historical and Museum Society (GHMS) and the Gabriola Land and Trails Trust (GaLTT), are authorized by the BC Ministry of Agriculture and Lands to accept covenants under Section 219 of the Land Title Act, and to accept statutory rights of way under Section 218 of the Land Title Act. Other off-island land trusts working in the area include the Nanaimo and Area Land Trust (NALT), and The Land Conservancy (TLC). The second holder of the Conservation Covenant will be chosen in collaboration with the Trust Fund Board.

The terms of the Covenant will reflect the specific management directions for the 707CP defined through this Management Plan and should be reviewed after five years of registration. The management plan will need to be distilled into a Summary of Site Conditions and attached to the Covenant as Schedule B. The Land Title Office (LTO) provides guidelines for report format, graphic style and submission to which the summary report must adhere.

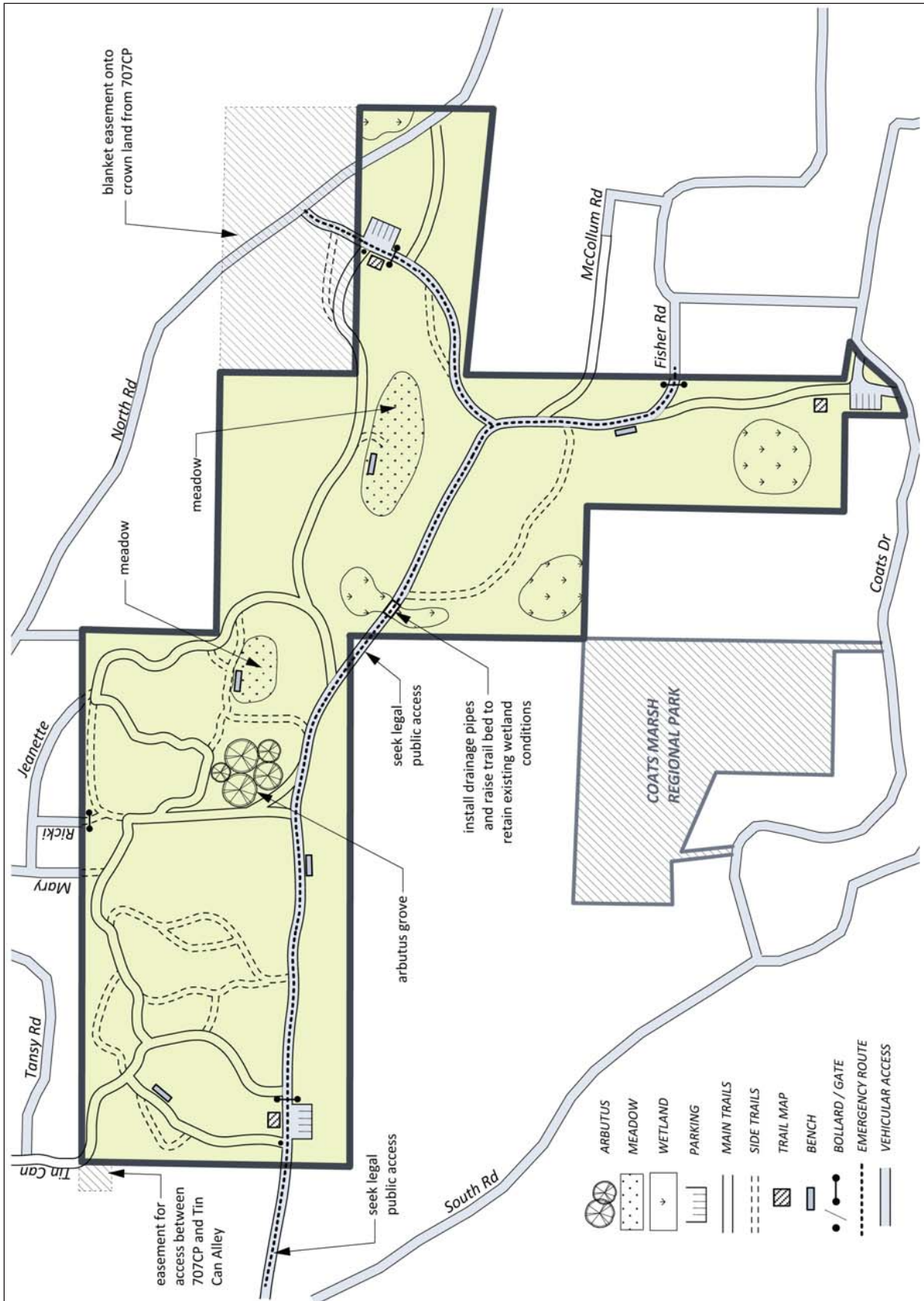


Figure 6.1 Conceptual layout of 707CP areas and features.

6.1.2 Invasive Plant Management

Implement regular monitoring and removal of invasive plant communities in the 707CP.

Although successional changes will increase shade cover and reduce opportunities for invasive plant species such as scotch broom and blackberry to spread through the park, the 707CP will be regularly monitored and maintained for invasive plant removal by park staff, park neighbours and volunteer park stewards, following guidelines and methods established by the Invasive Plant Council of BC. Additionally, RDN Park Bylaw 1399 prohibits activities such as dumping of garden waste in public parks in order to decrease the likelihood of invasive plant introduction.

Although several exotic invasive plant species were identified throughout the 707CP, priority should be given to Scotch Broom and English Holly removal because of the aggressive tendencies of these plants and because of isolated occurrences within the park which can be easily managed. Areas of invasive plant removal should be replanted with native trees and shrubs from within the park. A complete invasive plant inventory for the 707CP can be found in **Appendix F: 707CP Ecological Inventory** and an invasive plant summary can be found in Section 3.5.3.

6.1.3 Restoration

Allow natural successional change to be the dominant restorative force in the 707CP.

Ecosystems in the 707CP will be slowly restored, managed and sustained through natural processes. However, active restoration management programs will be implemented when natural processes are not effective due to interfering human activities that cannot be controlled, or where other efforts to recover species and ecosystems at risk require intervention.

Supplementary restorative measures that benefit both ecosystem health and trail quality should be favoured, for example, replanting areas of invasive plant removal, slash-pile removal and trail closure with plants currently obstructing emergency access routes. As the land recovers and the forest of the 707CP matures, the services of a professional ecosystems biologist should be employed to assess park conditions and to guide park planning and maintenance practices in order to ensure a healthy forest ecosystem.

6.1.4 Preservation

Identify and preserve distinct ecological and cultural areas and features within the 707CP.

- **ECOLOGICAL FEATURES:** To avoid negative impacts to **sensitive areas** in the 707CP (rocky meadows, older forest and wetlands), and associated wildlife communities, including several **species at risk** observed in the park (Band-tailed Pigeon, Turkey vulture and Red-legged frog), the park trail system will be maintained and managed to encourage sensitive recreational use.
- **HISTORICAL FEATURES:** To avoid negative impacts to **pre-historic and historic cultural heritage features** and values in the park, the services of a professional archaeologist will be secured to monitor any activity requiring ground clearing or earth moving, such as new trails construction, trail realignment and trail grading, where a site has not been previously disturbed by trail surface maintenance or excavations. Additionally, a **historic trail alignment** identified on a 1875 survey map of Gabriola Island will be preserved by restoring a trail access through the 707CP between South Rd and North Rd.

6.2 Sensitive Recreational Use

6.2.1 Authorized Park Uses

Maintain existing recreational uses, and consider future recreational opportunities, that are in keeping with the community vision for the 707CP as a “wilderness recreation sanctuary” - activities that cause minimal disturbance to the park’s natural and cultural resources and require little if any infrastructure.

All noninvasive, nondestructive, environmentally and socially conscientious and beneficial human activities are welcome in the 707CP. While new proposed activities will be assessed for suitability for the 707CP by both the RDN and the community of Gabriola Island, the **established recreational activities** that fit this description and will be maintained are:

- hiking
- biking
- cross-country skiing
- snow-shoeing
- picnicking
- horseback riding
- dog walking

Unintrusive **educational activities**, which do not harm the park's environment or interfere with other recreational activities, are also welcome in the 707CP. Possible activities include:

- **ecological research**
- **geological research**
- **bird watching**
- **photography**
- **sketching and painting**

Some areas of the 707CP are designated for limited access (low impact, pedestrian and bike access only) because of ecological sensitivity. Refer to Figure 6.1 for location of side trails with limited access for pedestrians and cyclists only.

No commercial activity of any kind is allowed in the 707CP. All other prohibited park uses for the 707CP correspond with RDN Park Bylaw 1399, which can be found on the RDN website (www.rdn.bc.ca).

6.2.2 Park Trails

Manage the multi-use trail network to protect sensitive areas from recreational impacts while providing opportunity for safe, sustainable community recreation and cross-island active transportation.

Because an important park management task is to sustain balance between recreational use and environmental protection, the 707CP trail system will provide visitors the opportunity to experience the park's natural environment while limiting access and potential damage to surrounding vegetation and wildlife habitat.

Based on requests made by the community during public consultation sessions, the existing, informal trail system in the 707CP will continue to function largely as a multi-use system accommodating non-motorized recreational activities such as hiking, running, biking, dog-walking and horseback riding. Trail users are to employ common trail etiquette such as yielding to pedestrians and removing animal waste from trails.

Although most of the existing trails will retain their existing trail alignment, width and surfacing, a few trails will be upgraded to prevent erosion and to improve accessibility for wheelchair and medi-cart use, while others will be realigned in order to avoid trespassing onto neighbouring properties. Some trails will be restricted to horseback riding because of environmental sensitivity or safety concerns. Refer to Figure 6.2 for required amendments to the existing 707CP trail system and Figure 6.3 for a revised trail network plan .

In addition to recreational activities within the park, the 707CP provides trail connections to other parks and trails on Gabriola Island. The RDN will work with GaLTT to develop a road-side trail along North Road from the west side of the 707CP to Elder Cedar Nature Reserve which will account for 1/3 of the distance between the 707CP and Drumbeig Provincial Park - a significant portion of Gabriola Island's cross-island trail plan.

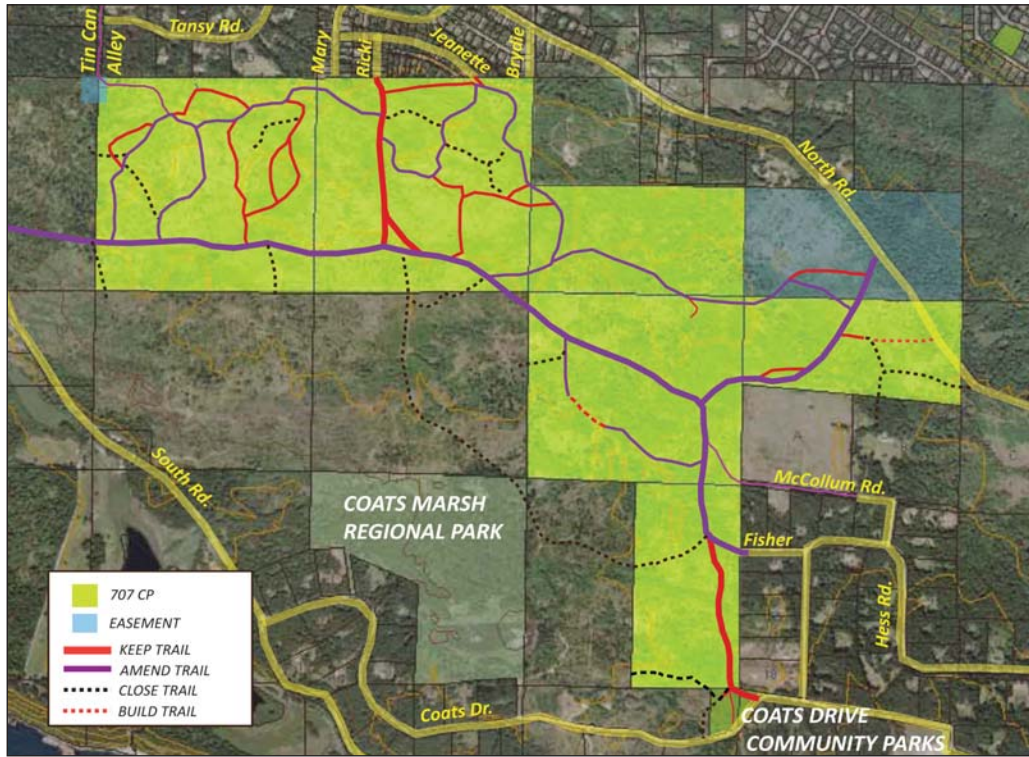


Figure 6.2 707CP Trail Amendment Plan

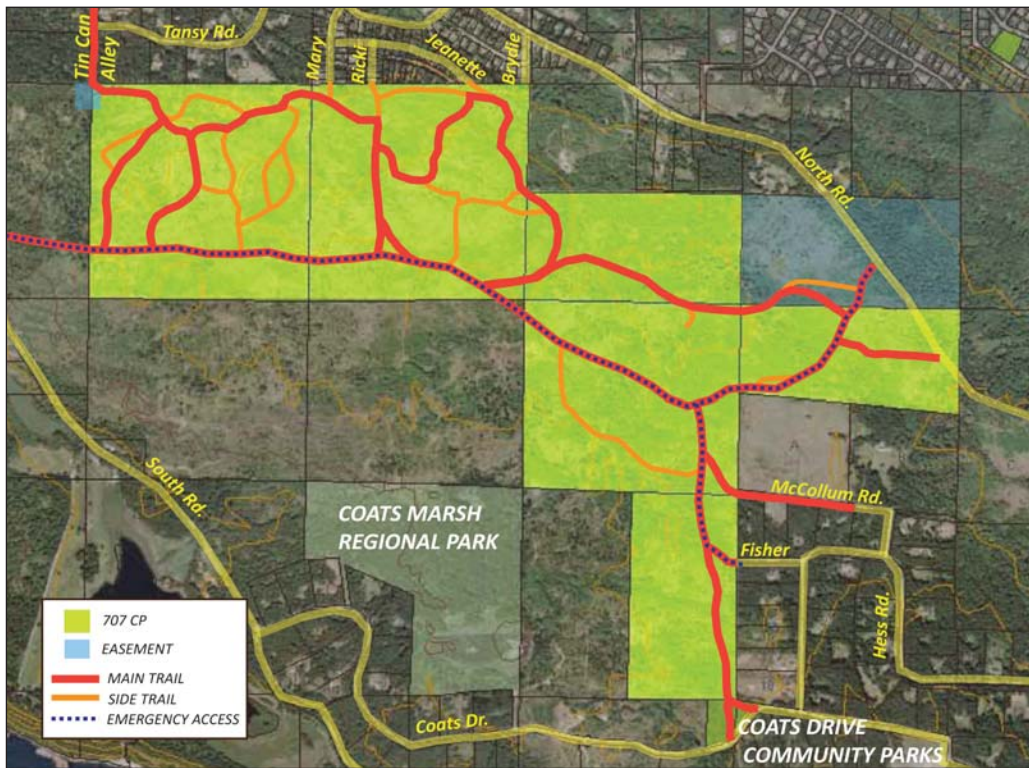


Figure 6.3 Revised 707CP Trail Network

6.2.3 Park Access

Work with neighbouring property owners to develop formal access agreements for existing informal park accesses into the 707CP that are to be retained.

The following neighbouring properties currently provide informal accesses into the 707CP which could be retained through formal access agreements with current land-owners:

- **PRIVATE FORESTRY LAND WEST OF 707CP PARCEL 1:** This neighbouring property, legally described as the EAST 1/2 OF THE NORTH WEST 1/4 OF SECTION 13, GABRIOLA ISLAND, NANAIMO DISTRICT EXCEPT PART IN PLAN 21531 AND VIP75042, currently provides informal pedestrian access into the park along a 390m long trail from South Rd. The trail would also provide future access for parking and an emergency vehicles route through the park.
- **PRIVATE FORESTRY LAND SOUTH OF 707CP PARCEL 2:** This neighbouring property, legally described as THE SOUTH WEST 1/4 OF SECTION 14, GABRIOLA ISLAND, NANAIMO DISTRICT, currently includes a portion of the 707CP Central Trail in its north-west corner. The property would also provide a future trail connection to Coats Marsh Regional Park.
- **PRIVATE FORESTRY LAND WEST OF 707CP PARCEL 6:** This neighbouring property, legally described as THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 10, GABRIOLA ISLAND, NANAIMO DISTRICT, provides trail connections between the 707CP and Coats Marsh Regional Park.

6.2.4 Park Entrances

Designate and manage distinct access types into the 707CP to ensure public safety, avoid or reduce impacts to natural values and minimize adverse impacts on park neighbours.

All authorized accesses into the 707CP are for non-motorized multi-use (hiking, biking, horse-back riding, wheelchair), unless specified as limited access (no horse-back riding), or vehicular access to parking (refer to Figure 6.3). Limited Access is associated with narrow, rough side trails within the 707CP, while vehicular access into parking areas is from main roads such as South Rd, North Rd and Coats Drive. Gate installation will be necessary at emergency vehicle entrance points to prevent regular motorized vehicle access.

Trail width, grading and clearance height will correspond with following park entrance classifications:



Limited access route into 707CP.

- **LIMITED ACCESS (SIDE TRAILS):** 1 meter maximum width, 2 meter vertical clearance, rough grading and surfacing, limited to pedestrian and cyclist use only.
- **NON-MOTORIZED MULTI-USE (MAIN TRAILS):** 2.5 meter width, 3 meter minimum clearance, regrading and resurfacing where necessary to accommodate wheelchair, stroller, pedestrian, bicycle and horse access.
- **VEHICLE ACCESS (EMERGENCY ACCESS ROUTE):** 4 meter width, 3 meter clearance, regrading and resurfacing where necessary to accommodate motorized vehicle access.

6.2.5 Trail Wayfinding and Signage

Develop and implement an accurate and comprehensive trail wayfinding system for the 707CP, including trail names, markers and maps, to improve park accessibility and safety.

The existing, informal trail system in the 707CP will be improved and amended as necessary for the purpose of park accessibility and public safety. Because many community members feel that it is currently too easy to get lost in the park, and because there is currently no way for park visitors to identify or reference their location within the park in the event of an emergency, a trail hierarchy and trail naming system will be implemented to facilitate trail wayfinding and emergency communication in the 707CP.

The preliminary trail concept plan, showing proposed trail classification, is shown in Figure 6.3. Trails will be assigned names based on either existing informal trail names identified during public consultation, or connecting street names. Trails will be classified as either **main trails** or **side trails**:



Possible wood post trail marker.

- **MAIN TRAILS:** Existing trails which are clearly defined, well used and provide main connections to all other trails within the 707CP will be classified as main trails. These trails will be multi-use, named, and maintained at a minimum width of 2.5m and a minimum vertical clearance of 3m. Some regrading, culverting and resurfacing is required along portions of main trail to improve accessibility.
- **SIDE TRAILS:** Existing narrow trails which receive infrequent use and provide access through environmentally sensitive areas within the 707CP will be classified as side trails. These trails be maintained at a maximum width of 1m and a maximum vertical clearance of 2m. While still referenced on the 707CP trail map and designated with trail markers, side trails will remain unnamed and will be limited to pedestrian and cyclist use only. Some existing side trails that create trespassing issues will not be signed or maintained.

The RDN will work in consultation with residents of Gabriola Island to finalize a trail naming system and trail signage design that will be in keeping with the community's desire for unobtrusive and rustic park signage. A few simple trail marker options include wood posts along main trails or distinct rocks along side trails.

Once the trail marker system is finalized, all existing informal signage in the 707CP will be removed and replaced by new trail markers and name signs. Based on the amended trail marker system, an updated trail map will be completed and posted on park entrance signs as well as at key points throughout the park. The 707CP trail map, along with a cross-island trail map for Gabriola Island, will also be made available on the RDN Parks website.

6.2.6 Park Amenities

Install park amenities at key locations throughout the 707CP that both suit and enhance the park’s wilderness recreation experience.

Because park visitors are required to stay on designated trails and to take their litter with them, large-scale structures and urban amenities that could potentially increase park litter and recreational activity within sensitive ecological areas (i.e. commercial play structures, picnic tables, picnic shelters and garbage cans) will not be installed in the 707CP.

Only park amenities that enhance the park’s recreational function with no negative impact on its ecological and cultural values will be installed along main trails and accesses. The following amenities are allowed inside the 707CP:

- **entrance signage**
- **trail signage or markers**
- **rustic benches**



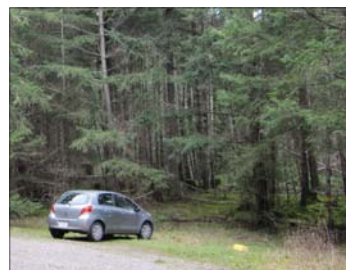
Possible log bench inside the 707CP.

6.2.7 Parking Areas

Identify and develop parking areas inside the 707CP boundary to minimize impact to park neighbours and to provide a safe and accessible staging area for all park users, with minimal disturbance to the park’s natural and cultural values.

At public consultation sessions, community members have requested that parking space be made available either inside the 707CP or along main roads. Three potential parking areas with access from main roads have been identified:

- **WEST PARKING:** located in 707CP parcel 1 with access from South Rd through neighbouring forestry land.
- **EAST PARKING:** located in 707CP parcel 5 with access from North Rd by way of a blanket easement through neighbouring crown land.
- **SOUTH PARKING:** located inside two community parks south of 707CP parcel 6 with access from Coats Drive.



Informal, permeable parking area to accommodate 4-5 cars.

Parking area selection is based on topography (flat sites), drainage (well drained sites), and existing vegetative cover (cleared sites requiring little or no tree removal). Each of the identified locations need to accommodate an informal and permeable parking area for 5 cars (68 square metres or 740 square feet). Refer to Figure 6.3 for parking area locations within the 707CP.

6.3 PUBLIC SAFETY

6.3.1 Unauthorized Uses and Vandalism

Manage and reduce hazard risk by providing park users with information and educational opportunities explaining the impacts of vandalism and other unauthorized park uses on the cultural and ecological values of the 707CP.



Typical fire risk meter.

All authorized recreational activities for the 707CP are restricted to trails, meadow clearings and other designated areas. All prohibited park uses for the 707CP correspond with RDN Park Bylaw 1399, which can be found on the RDN website, www.rdn.bc.ca. Unauthorized uses that have been noted inside the 707CP include:

- sign destruction and removal
- littering
- dumping
- dog and horse defecation on trails
- camping
- campfires
- native plant removal
- tree cutting
- hunting
- motorized vehicle use (dirt bike, ATV, pick-up truck, snowmobile)

Because it is not possible to block all park accesses or to conduct regular bylaw enforcement inspections, it will be necessary to raise awareness amongst park users of the risks associated with unauthorized park uses. During the process of public consultation, community members suggested that public educational sessions, educational literature, park signage and stewardship programs be developed in order to reduce the incidents of park misuse and vandalism.

6.3.2 Fire Hazard Reduction

Implement a fuel reduction program and regular fire risk assessments for the 707CP to reduce the risk of fire through natural processes and unauthorized park uses.

Campfires and motorized vehicle use, which increase the risk of wildfire, are prohibited by RDN Park Bylaw 1399. A No Smoking rule will also be imposed in the 707CP whenever the Province bans campfires in provincial parks and on Crown lands during the summer months. During periods of extreme fire hazard, the Gabriola Volunteer Fire Department (GVFD), in consultation with the RDN, will have the authority to close down the park to public access.

Although slash-piles provide denning, hibernating, nesting, perching and resting sites for a variety of park wildlife, they also create extreme fire risks within the 707CP. Remaining slash piles will be assessed by both the GVFD and Strategic Forest Management Inc. (SFMI) during the development of detailed fuel reduction prescriptions for the 707CP. Select logs and branches from prescribed slash-pile removal should be reused for construction of park amenities whenever possible.



Remaining slash pile in the 707CP.

6.3.3 Emergency Access

Designate and maintain an emergency access route through the 707CP in collaboration with the Gabriola Volunteer Fire Department.

The GVFD has identified three possible emergency access points and two connecting access routes through the 707CP:

- **EAST-WEST ROUTE** - Running between South Road and North Road along a portion of existing trail referred to as Central Road, this emergency access route will require a formal access agreement with a neighbouring property owner and the construction of a new park entrance at North Rd.
- **NORTH-SOUTH ROUTE** - Extending southward from the EAST-WEST ROUTE to Fisher Rd, this emergency access route will require entrance construction and gate installation at Fisher Rd.

The RDN will develop emergency access routes through the 707CP that will be maintained at a 4m width and a 4m vertical clearance in order to accommodate the GVFD vehicle height and wheel span. Entrance construction, gate installation and trail regrading (as well as culverting along wet portions of trail) will also be required to ensure emergency vehicle accessibility. Refer to Figure 6.1 for locations of designated emergency accesses in the 707CP.



Gabriola Volunteer Fire Department's emergency vehicle.

6.4 Community Stewardship

6.4.1 Collaborative Management

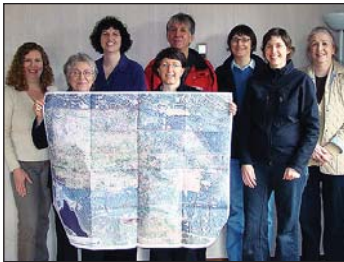
Manage the 707CP as an important ecological and cultural community space on Gabriola Island through collaborative efforts involving all stakeholders.

The management of the 707CP is a collaborative effort between the community of Gabriola Island, the Snuneymuxw First Nation, the Islands Trust, the Gabriola Local Trust Committee and the Regional District of Nanaimo.

As with the development of the 707 Management Plan, representatives from all interest groups will collectively review the completed plan after a five-year period (2015) and formally update the plan after a ten-year period (2020).

The RDN will communicate with all stakeholders through public information sessions, website updates, media releases and special advisory meetings. Park staff can be regularly reached by phone, email and in person:

RDN Recreation and Parks
Oceanside Place
830 West Island Highway
Parksville BC, V9P 2X4
parks@rdn.bc.ca
1-888-828-2069



707CP Management Plan Advisory Subcommittee composed of members from the Gabriola Island community, the Snuneymuxw First Nation, the Islands Trust, the Gabriola Local Trust Committee and the RDN.

6.4.2 Volunteer Caretaking

Coordinate park caretaking tasks between park staff, park neighbours and the larger community of Gabriola Island to ensure regular park monitoring and maintenance, as well as continuous community involvement with the 707CP.

There is a strong spirit of community involvement and stewardship already present on Gabriola Island. In the 707CP, volunteer groups and individuals have posted trail markers and hazard signage, maintained trails, removed litter and reported incidents of unauthorized park use and vandalism to RDN park staff.

Because of limited funds available for park maintenance and development through the Area 'B' Community Parks Function (which serves a total of 30 community parks on Gabriola Island, Mudge Island and Decourcy Island), as well as limited staffing resources (one RDN Park Planner, one RDN Operations Coordinator and one RDN Park Technician for 172 parks within 7 electoral areas), volunteer caretaking will be an essential component of 707CP maintenance and development.



Poster for new RDN Volunteer program for Regional Parks.

The RDN is currently developing a Park Warden Program in select Regional Parks. Because of the size and nature of the 707CP, the development of a similar volunteer program is appropriate. After the completion of an application and training process, Park Wardens will be expected to complete the following duties:

- **visit park weekly, biweekly or monthly**
- **observe conditions of the park**
- **promote park protection**
- **report observations after every visit**

In addition to general park monitoring, the establishment of formal operational agreements with volunteer community groups such as GaLTT and the organization of volunteer park events would support necessary development and maintenance tasks in the 707CP: invasive plant removal, park bench construction, trail sign installation and litter removal.

6.4.3 Educational Programs

Allow educational activities within the 707CP that are mutually beneficial to both park visitors and the park environment.

Educational Programs, like Stewardship Programs, increase public awareness and connectivity with the park's natural environment and provide support to general restoration and conservation efforts by park staff. The 707CP provides many non-profit, outdoor educational opportunities for students of all ages and levels, however, programs that are developed in collaboration with local educational institutions will be particularly beneficial to both students and the ecological and cultural values in the 707CP.

A broad range of non-destructive **research opportunities** for students of Vancouver Island University, including biodiversity inventories, forest succession monitoring and archeological surveys and research, would help to increase understanding and documentation of ecosystem structure and pre-contact history for the 707CP. **Junior Warden programs** for students of Gabriola Elementary School, which could be integrated with the school curriculum, would contribute significantly to the management of the 707CP while giving local children the opportunity to connect with their natural environment.



Possible ecological field courses conducted in the 707CP.

7.0 OPERATIONAL ACTIONS

POLICY TOPIC	ACTIONS - LISTED IN ORDER OF PRIORITY	COST	FUNDING	INVOLVEMENT
Environmental Protection	1 Consolidate 707 parcels and register a Conservation Covenant on title.	legal costs - \$3000	Area B Community Parks Function	RDN staff, Islands Trust, GaLLT
	2 Implement regular monitoring and removal of invasive plants.	staff time	Area B Community Parks Function	RDN staff, Community Volunteers
	3 Complete ecological assessment and develop ecosystem management strategy	labour - \$10,000	Area B Community Parks Function, Grant Funding	Consultant
Sensitive Recreational Use	1 Secure formal access agreements for exiting park accesses through adjacent private properties.	staff time legal costs - \$1000	Area B Community Parks Function	RDN staff, Neighbouring Landowners
	2 Design and install a wayfinding system which includes maps at park entrances and signs along main trails.	staff time materials - \$8000	Area B Community Parks Function, In-kind donations	RDN staff, GaLLT, Community Volunteers
	3 Upgrade main trails to improve surfacing, drainage and accessibility through regrading and selective removal of vegetation.	materials & labour - \$10,000	Area B Community Parks Function	RDN staff, Contractors
	4 Construct permeable parking areas inside park and close to entrances off of main roads.	materials & labour - \$20,000	Area B Community Parks Function	RDN staff, Contractors
	5 Design and install benches along main trails and at viewpoints.	staff time materials - \$2000	Area B Community Parks Function, In-kind donations	RDN staff, Community Volunteers
Public Safety	1 Upgrade and maintain designated emergency access entrances and routes through culvert construction, regrading, selective removal of vegetation and gate installation.	materials & labour - \$20,000	Area B Community Parks Function	RDN staff, Contractors, GVFD
	2 Implement a fuel reduction program and conduct regular fire risk assessment to reduce the risk of fire.	staff time	Provincial Grant Funding	RDN staff, GVFD, Consultants
	3 Provide community with information regarding unauthorized park uses and vandalism through public information sessions, literature and website posting.	staff time	Area B Community Parks Function	RDN staff, Community Volunteers
Community Stewardship	1 Implement a volunteer park stewardship program to ensure regular park monitoring and maintenance, as well as continuous community involvement.	n/a	n/a	RDN staff, Community Volunteers

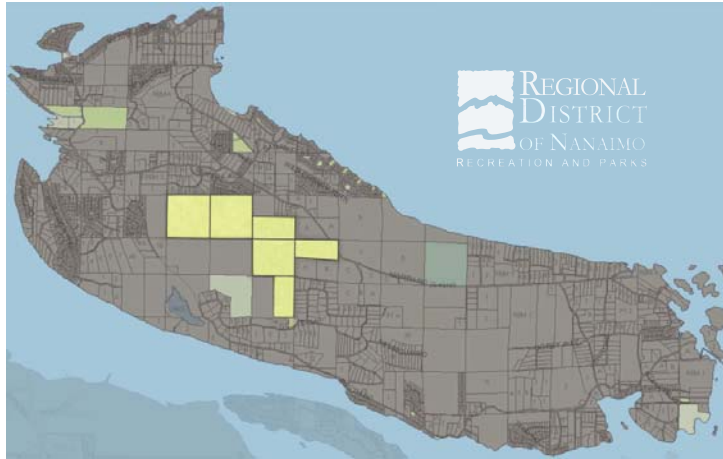
8.0 BIBLIOGRAPHY

- BC Ministry of Mines. 1889. Annual Report of the Minister of Mines for the Year Ending 31st December, 1888, being an account of the Mining Operations for Gold, Coal, etc., in the Province of British Columbia.
- BC Ministry of Mines. 1896. Annual Report of the Minister of Mines for the Year Ending 31st December, 1895, being an account of the Mining Operations for Gold, Coal, etc., in the Province of British Columbia.
- Bentley, M. and T. Bentley. 1998. Gabriola: Petroglyph Island (2nd edition).
- Burley, D. 1980. Marpole: Anthropological Reconstructions of a Prehistoric Northwest Coast Culture Type.
- Canning, R.A. and A.P. Harcombe (eds.) 1990. The vertebrates of British Columbia: Scientific and English names. Royal British Columbia Museum Heritage Record No. 20; Wildlife Report No. R24.
- Cassidy, S., M. Cranny, and P. Murton. 1974. Report of the Gulf Islands Archaeological Survey.
- Doe, N. 2007. "New Radiocarbon Dates for False Narrows", SHALE 16:29-42.
- Doe, N. 2009. "Additions and Corrections to Dates for Archaeological Sites Around False Narrows", Shale 21:43-52.
- Ecosystems Working Group. 1995. Standards for Terrestrial Ecosystem Mapping in British Columbia. A discussion paper prepared for the Terrestrial Ecosystems Task Force, Resources Inventory Committee.
- Earle, S. and E. Krogh. 2004. "Geochemistry of Gabriola's Groundwater", SHALE No.7: 35-42.
- Green, R.N. and K. Klinka. 1994. A field guide to site identification and interpretation for the Vancouver Forest Region. BC Ministry of Forests, Land Management Handbook No. 28.
- Grier, C. 2003. Dimensions of Regional Interaction in the Prehistoric Gulf of Georgia In *Emerging from the Mist: Studies in Northwest Coast Culture History*, edited by R.G. Matson, G. Coupland, and Q. Mackie, pp. 170-187.
- Katnick, D and P. Mustard,. 2003. "Geology of Denman and Hornby Islands, British Columbia: implications for Nanaimo Basin evolution and formal definition of the Geoffrey and Spray formations, Upper Cretaceous Nanaimo Group", *Canadian Journal of Earth Science*, 40: 375-393.
- Kenney, E.A., L.J.P. van Vliet and A.J. Green. 1990. Soils of the Gulf Islands of British Columbia: Volume 4 Soils of Gabriola and lesser islands. Report No. 43, British Columbia Soil Survey.
- Land Trust Alliance of BC. 2006. LTABC Guide to Baseline Inventories. Accessible online at http://www.landtrustalliance.bc.ca/docs/LTABC_Guide_to_Baseline_Inventories_2006.pdf

- Land Trust Alliance of BC. 2009. Conservation Covenants A Guide for Developers and Planning Departments. Accessed online at http://www.landtrustalliance.bc.ca/docs/covenants_developers_planners_2009.pdf
- Littlefield, L. 2000. "The Snuneymuxw Village at False Narrows", Shale 1:3-11.
- Littlefield, L. 2001. "Coast Salish Place Names on Gabriola", Shale 2:21-26.
- Meidinger, D. and J. Pojar (editors). 1991. Ecosystems of British Columbia. BC Ministry of Forests Special Report Series 6, Victoria, BC.
- Mustard, P.S. 1994. "The Upper Cretaceous Nanaimo Group, Georgia Basin; in Geology and Geological Hazards of the Vancouver Region, Southwestern British Columbia, (ed.) J. W.H. Monger", Geological Survey of Canada, Bulletin 481, p. 27-95.
- Pojar, J. and A. MacKinnon. 1994. Plants of coastal British Columbia including Washington, Oregon and Alaska.
- Province of British Columbia. Wildfire Regulation. Reg. 38/2005, Consolidated to June 27, 2006 Last Amendment: B.C. Reg. 70/2009
- Royal British Columbia Museum. 1989. Senewélets: Prehistory of the Nanaimo Coast Salish and the False Narrows Midden.
- Stryd, A. 2001. Culturally Modified Trees of British Columbia: A Handbook for the Identification and Recording of Culturally Modified Trees. Resources Inventory Committee, Archaeology Branch, B.C. Ministry of Small Business, Tourism, and Culture.
- Turner, N. 1975. Food Plants of British Columbia Indians: Coastal Peoples. British Columbia Provincial Museum Handbook.

707 COMMUNITY PARK

2010 - 2020 Management Plan



August 2010

APPENDICES

TABLE OF CONTENTS

Appendix A: Advisory Sub-Committee Meeting Minutes.....	A1
Appendix B: Public Meetings, April 25 & 26, 2009.....	A6
Appendix C: 707 Community Park Neighbours Survey.....	A15
Appendix D: Public Draft Plan Review, June 21-July 23, 2010.....	A19
Appendix E: 707CP Archeological Assessment Report.....	A23
Appendix F: 707CP Ecological Inventory.....	A26
Appendix G: Draft Conservation Covenant.....	A33



APPENDIX A: Sub-Committee Meeting Minutes

Minutes of 707 Sub-Committee Meeting - April 2, 2009

April 2, 2009, The Commons, Gabriola Island, 10:00am - 1:00pm

In Attendance: Giselle Rudischer (RDN Electoral Area 'B' Director), Cheryl Boorer (Community Member), Deborah Ferens (Gabriola Local Trust Committee), Jeff Thomas (Snuneymuxw First Nation)

Regrets: Steve O'Neill (Community Member)

Staff: Wendy Marshall (RDN Manager of Parks Services), Elaine McCulloch (RDN Parks Planner)

Consultants: Kathy Dunster and Wendy Farmer O'Neil (The 707 Collaborative)

Observers: Chris Bowers (The Flying Shingle)

Minutes recorded by 707 Collaborative

1. Introductions were made by Committee members, consultants and RDN staff.

2. Kathy provided a brief overview of the project to date: methods, milestones, timeline.

While behind schedule due to delays in appointing the sub-committee and finding a common meeting time, overall the project is still on schedule.

Due to insurance requirements, project management duties will shift to Denise Cook, and some work tasks will be re-assigned within the 707 collective.

Weekends and evenings are best for sub-committee meetings because everyone is working. Jeff is working away from Nanaimo a lot in the summer, but home on weekends.

3. Elaine and Wendy Marshall clarified the working and reporting relationships between sub-committee and consultant.

The consultant will keep the sub-committee informed of events planned and timing (to avoid possible local conflicts with other events), coordinate with Islands Trust on such things as shared meeting times, use of front counter for handouts, mail outs for surrounding property owners, press releases, etc.

The sub-committee will provide assistance to the consultant re people to contact, etc. Cheryl mentioned that she would act as the 4-H contact and noted they are active horse riders on the 707 lands (40+).

4. There was a discussion regarding who has authority for decision-making on this project (ultimately RDN Board). Purpose of the sub-committee is to provide assistance to RDN Area B Director and help ensure the community is satisfied with the management plan before it goes to the RDN. The sub-committee will also oversee drafts so that community involvement and decisions made during the public process will retain integrity as the plan moves to political adoption and implementation.

5. Wendy Farmer O'Neil gave a general overview of public process; principles and steps for successful public participation. Methods proposed include a community visioning consultation (open space workshop), community mapping day, interactive website, and stakeholder survey/meetings. Because fire risk, water, and user impacts have a direct impact on adjacent property owners, consultants will work with Islands Trust to identify adjacent property owners and seek their input. A handout from the BC Auditor General on open community consultation was provided to the meeting.

6. The sub-committee reviewed what is open for public input and what is not, based on the conditions of transfer of the 707 lands to the RDN. The current zoning was reviewed and its relation to mandatory uses allowed under the FLR (which covered the 707 lands before transfer). A discussion regarding possible changes in zoning that might occur due to new directions from the public process (eg sawmills currently allowed under zoning – could this be dropped if the community does not want this type of activity?) ,A backgrounder was handed out regarding the definition of “Forest Wilderness Oriented Recreation” (FWR1 Zone – permitted uses), and there was some discussion regarding refining this definition to fit the community’s idea about what activities make sense for Gabriola. This will be raised as a discussion point at the open space workshop.

7. At 11:15 The Flying Shingle arrived to take pictures of the group to go with the press release.

8. The sub-committee discussed the park naming part of the project, which was a condition of the transfer to the RDN (707CP was supposed to be a temporary name). The RDN has a policy (C1.3) for regional parks regarding acceptable names.

Regional parks should be named for the significant geographical features for which the park has been established.

Regional parks should be named after people only when that person has donated the land for the park and when that person specifically requests that the park be named after them.

In terms of the 707CP, this may not be applicable because it is a community park. Other options include a First Nations place name or bilingual name (such as the Elder Cedars Nature Reserve); a name reflecting or relating to some aspect of the history of the park (places, events, or local pioneers/personalities); or a name reflective of predominant ecosystem in the park (eg “XYZ swamp”). Because of the years lapsed since the transfer, the use of 707 Lands or 707CP has become commonly accepted use by the community.

The park naming process will go ahead, with a general call out to the entire community to contribute names. This will be done via the website, a box at the IT office, newspapers, possible table at market, etc. Depending on appetite for a new name, a voting process can be set up (ballots at IT), on-line vote etc.

9. Wendy Farmer-O'Neil talked about the Open Space process to be used in the community visioning workshop to be held on April 25/26 @ Gabriola Elementary School, Saturday - 9-5, registration at 8:30; Sunday 9-noon.

All sub-committee members were invited to attend, and would be introduced at the opening and invited to speak for a few minutes if they liked.

The sub-committee reviewed the wording of invitation to the community to participate in the workshop.

10. The meeting ended around 1:00 pm.

Minutes of 707 Sub-Committee Meeting - September 12, 2009, W.I. Hall

September 12, 2009, The Women's Institute Hall, Gabriola Island, 10:00 am - 1:00pm

In Attendance: Giselle Rudischer (RDN Electoral Area 'B' Director), Cheryl Boorer (Community Member), Steve O'Neill (Community Member), Deborah Ferens (Gabriola Local Trust Committee)

Regrets: Jeff Thomas (Snuneymuxw First Nation)

Staff: Lesya Fesiak (RDN Parks Planner)

Consultants: Kathy Dunster, Denise Cook, Wendy Farmer-O'Neil (The 707 Collaborative)

Observers: Derek Kilbourn (Gabriola Sounder), Chris Bowers (The Flying Shingle)

1. The meeting began at 10am with introductions by all Committee members, RDN staff and consultants.
2. L.Fesiak gave an overview of the meeting agenda and explained that the purpose of this meeting was to review project development and draft vision, management goals and policies. Following a slide presentation by the consulting team, Committee members would have an opportunity to ask questions and make comments about any points made during the presentation.
3. K.Dunster, a member of the consulting team, the 707 Collaborative, provided committee members with an update on the draft plan development with a synopsis of public consultation events, public feedback, site assessment and historical research. A draft vision statement, management goals and policies were then presented with a power point presentation highlighting the main ideas and themes of the draft plan.
4. Committee members generally agreed with the draft visions, goals and policies. Several committee members objected to the suggestion that a portion of the park be reserved for forestry / logging and with the idea of having one designated off-leash dog area in the park. Committee members felt that the focus for park management should be conservation and appropriate recreation. The park should be maintained for non-motorized, multi-use recreation such as walking, cycling, horseback-riding and off-leash dog walking, with users being asked to employ proper trail etiquette.
5. K.Dunster provided the Committee with an summary of meeting discussions and required changes to the draft vision, goals and polices.
6. Committee members felt that the meeting was insufficient for valuable draft review and recommended a supplementary meeting. L.Fesiak explained that after a draft plan was completed, committee members would receive a copy of the plan for detailed review and comments. Another Sub-Committee meeting would be held to discuss draft plan revisions before the draft plan is made available for public circulation.
7. The meeting was adjourned at 1:15 by L.Fesiak.

Minutes of 707 Sub-Committee Meeting - June 4, 2010

June 4, 2010, The Women's Institute Hall, Gabriola Island, 10:00 am - 12noon

In Attendance: Giselle Rudischer (RDN Electoral Area 'B' Director), Jeff Thomas (Snuneymuxw First Nation), Steve O'Neill (Community Member), Deborah Ferens (Gabriola Local Trust Committee)

Regrets: Cheryl Boorer (Community Member)

Staff: Lesya Fesiak (RDN Parks Planner)

Observers: Chris Good (Snuneymuxw First Nation), Pat Maloney (Islands Trust), Derek Kilbourn (Gabriola Sounder), Chris Bowers (The Flying Shingle)

Minutes recorded by Lesya Fesiak (RDN Parks Planner)

1. Agenda: The meeting began at 10am with an overview by L.Fesiak of meeting agenda and purpose. The goal of the meeting would be to receive guidance from committee members on the main ideas and larger issues surrounding the management of the 707 for the next 10 years, so the Policies section would be the main focus of the meeting. This meeting would also be an opportunity to resolve outstanding issues such as the name of the park.

2. Introductions: All sub-committee members and guest observers introduced themselves to the group.

3. Round-Table: Each committee member was invited to give a brief, general comment about the draft plan as a whole. Committee members were asked to save specific plan details for the next portion of the meeting.

D.Ferens requested that there be another public session after the Sub-Committee meeting.

P. Maloney stated that she was at the meeting to observe conversations only.

C. Good expressed his support for the conservation polices in the draft plan\

S. O'Neill reiterate the need for minimal intrusion in the park. The 707CP is an important place for solitude, however access by emergency vehicles was understood.

G. Rudischer agreed that a minimal amount of intrusion was necessary. She felt strongly that the park should not be promoted for tourism and felt that RDN staff were still confused about whether the 707CP was a Community or Regional Park.

4. Vote on Park Name: L.Fesiak presented the results of an on-line poll in which community members suggested and voted on alternative names for the 707 Community Park. Two alternative park names that received an equal number of votes were "Heartland Wilderness" and "707 Acre Community Park". The issue was discussed amongst all Committee-Members and put to a vote. Committee members voted unanimously on "707 Community Park" as the official name.

5. Detailed Plan Review: Each section of the plan was introduced by L.Fesiak and then discussed in detail by all Committee members. The discussion followed the order of draft plan sections: Introduction; Public Consultation; Baseline Inventory: Issue Summary; Vision, Principles, Goals; Policies and Actions.

Introduction: G.Rudischer corrected wording around the park as part of the traditional territory of the Snuneymuxw First Nation on pg.1. D.Ferens pointed out a typo on pg.5.

Public Consultation: Typos were corrected on pg.9.

Baseline Inventory: Suggested rezoning of the park was discussed by D.Ferens and G.Rudischer with the suggestion that the park be rezoned as Parkland and not as Wilderness Recreation land. D.Ferens suggested that the section 3.4.3 Education be placed before section 3.4.1 Cross-Island Trail Network, because of its cultural importance. G.Rudischer felt that it was appropriate to describe the state of tourism on Gabriola Island but not to make any specific references to the 707CP as a tourist destination.

Issue Summary: A request was made by the Committee to reword the last paragraph describing the issue of tourism in order for it to more accurately reflect community concerns.

Vision, Principles, Goals: D.Ferens suggested changes to sentence structure and noted typos on pg.28. The Committee requested that “wildfire protection” be added to public safety paragraph on pg.29.

Policies: D.Ferens noted that it was the “Islands Trust Fund Board” and not the “Islands Trust” that would act as coholder of the conservation covenant. G.Rudischer noted that parcel consolidation would need to come before covenant registration. Several typos were caught on pg.34. Committee members suggested providing another a different photo of possible trail markers, something more natural like untreated cedar posts. The Committee asked that “nature-based tourism” be removed from section 6.2.5 Trail Wayfinding and Signage. “Littering” was added to list of unauthorized park uses. G.Rudischer asked that “liaise between the public and RDN staff” be removed from the list of suggested volunteer park warden duties.

Operational Actions: The Committee asked that parking area construction be moved up the list of priority actions, above bench installation.

6. Conclusion: L.Fesiak summarized the meeting discussions and results and described the next steps towards plan completion which included plan revisions based on meeting discussions, public circulation of the draft, a Public Open house, final draft preparation based on public consultation and finally POSAC review and Board approval.

7. Adjournment: The meeting was adjourned at 12noon.

APPENDIX B: Public Meetings, April 25 & 26, 2009

Discussion Title: Multi-Use Trail Access

Convenor: Kerry Marcus

Session Participants: Kerry, Trish Grey, Jinny Hayes, Derek Kilbourne, , Nicole Berthelot, Charlotte Cameron, John Gambriel, Christine McKin, Lawrence Mayles

Discussion summary recorded by 707 Collaborative

Focused our discussion on recreational access on the trails. There were spill-overs to structures, parking, maintenance etc, many of which were parked for another group session.

Trail access is important for recreation and transportation. Shared use wherever possible. Consider sensitive areas as well as access.

Multi use trails desirable with minimum of managed restricted use (ie limited bikes and horses in sensitive areas or seasonally wetted areas)

Protection of sensitive areas will be important – redirect, boardwalk, manage use, etc, consider sensitive species impacts when planning trails

Who will maintain, who will manage and who will pay?

Rationalise a Trails Plan that links all adjacent neighbourhoods, that form transportation corridors for transiting the park on foot. Bike, horseback

Work with adjacent land owners to link neighbourhoods, the Coats wetland new park, etc as well as manage sensitivities

Designate a dog off leash zone in the park so that there can be a dogs on leash requirement in the main cycle/horse access areas

Shared bike and horse access trails can benefit each other

No motorized vehicle access on trails other than maintenance/emergency

Wheel chair access of interest ultimately, consider how – access from a parking lot at edge or from a driving route to a viewpoint area etc (for Structures discussion..)

Use signage, maps, and guidelines to manage rather than active “policing”

Some theme trails with an educational aim that take advantage of the natural feature such as a wetland, a disturbed forest trail (i.e. near sustainable forestry project), viewpoints,

Other exchange programs that may be of use for trails development work Katimavick, Canada Youth Exchange, St Georges or Pearson College, and of course community groups like GaLTT, etc to partner and to fundraise

Staging area for horses discussed (may belong in Structures group discussion) temporary rope moveable pen option like (some other park) to minimize footprint

Talk of motorized vehicle access and windmills, but proponents for such activities did not seem to be present.

Consider habitat preservation areas in terms of adjacent private land areas (i.e. Forest or wetland) to maximize benefits of large protected areas

Discussion Title: Do the Minimum / Let the Park Heal

Convenor: Veronica Hartman

Session Participants: Deb Ferens ,Catherine Williams, Nick Doe, Gill Elcock, Steve O'Neil ,Bruce Halliday, Cheryl Boore, Jeff Thomas, Liz Coicea, Linnet Kartar.

Discussion summary recorded by 707 Collaborative

What's Minimal?

Show respect for the land.

Minimal policy on the park ie: If you allow a use, humans have a tendency to do more than the allowed use.

Pack it in--- Pack it out.

The 707 acre park is a community park so all costs of all maintenance and structures will be paid for by the Gabriolans.

The park is a quiet sanctuary for all. No Quads

Let it grow.

Remove or contain invasive plants.

Identify natural plants. Protect

Fire / climate change/ may need management.

Winter hikers and walkers go for the sunshine.

Open up natural meadows for sunny spots.

Fire and emergency access.

Pot growers in the park to pay a tax.

Leave flexibility in park management plan for future generations.

Main entrance to be located on North or South Rd.

Not in a residential neighbourhood.

No toilets. No signage.

Zone, so humans do not have priority.

Discussion Title: Sharing the Park with Flora and Fauna

Convenor: Liz Coicea

Session Participants: Liz, Judith, Charlotte, Linnet, Lawrence, Dean, Veronica, Nicole

Discussion summary recorded by 707 Collaborative

Leave wilderness untouched

Encourage swampy areas – do not fill

Protect trees during nesting season

Keep dogs from roaming

Leave snags for nests and perch trees

Remove invasive species

Encourage indigenous plants

Naturalist/biologists identify indigenous species

Signage informative but kept to a minimum

Small interpretive centre information about the park

Summer student programme to investigate inform and inspire

Discussion Title: Sustainable Managed Forestry Park Project

Convenor: Dyan Dunsmoor-Farley

Session Participants: Hank Sirlin, Dean Gaudry, Cheryl Boorer, Allison Sirlin, Elaine McCullough

Discussion summary recorded by 707 Collaborative

Objectives:

To manage part or all of the 707 lands to achieve following objectives:

1. To preserve and sustain native plant species and ecosystems;
2. To extend and preserve forest watersheds;
3. To create a demonstration project which can serve to educate the public about how a managed forest ecosystem works;
4. To provide habitat for native species;
5. To eliminate invasive plants and encourage native plants with a secondary objective of providing native food sources;
6. Managing for wildfire risks;
7. To provide resources (i.e. income) for ongoing park management;

Discussion:

The primary purpose of the project would be to provide environmental, ecological and educational benefits: commercial values would be secondary. The project would be compatible with all other uses: for instance a managed forest can serve as a system of trails and park spaces. Almost all other activities can be incorporated and some are complementary (i.e. using horses for limited logging).

Managing within the current ecosystem would likely not yield harvestable cuts for at least 30 years. Any logging that takes place would be based on sustainability, not productivity. The first step would be to assess the current resource base and develop a forestry management plan. Considerations could include: ensuring multi-species (i.e. diversity of native plants). Consideration should be given to working with the existing growth (e.g. alder) which currently provides excellent nitrogen fixing properties and can be a source of wood for cabinetry and flooring. The plan would encourage local use and value added use. Merv Wilkinson's Wildwood project is an internationally recognized example of sustainable logging and could form the foundation for how this project is managed. Examples of his practices include: culling trees for disease; and managing the canopy to open up light for the next generation of trees to grow up from the understory.

Benefits:

1. The ability to demonstrate sustainability to future generations;
2. Production of carbon credits and reduction of greenhouse gases;
3. Locally sourced wood supply for local trades, craftspeople and artisans;
4. Source of native food crops such as elderberry, serviceberry, salal, and mahonia
5. Elimination of invasive non-native plants;
6. Healthier forest
7. Healthier watershed;
8. Reduced fire hazard
9. Beautiful to look at and be in.

Discussion Title: Water

Convenor: Randy Young

Session Participants: Liz Ciocea, Tom Cameron, Alison Fitzgerald, Lawrence Miles, Mary Rose, Linnet Kartar

Discussion summary recorded by 707 Collaborative

Pond for Wildlife & Emergency

Groundwater Lake

The current National Geographic shows a very interesting projection of a future rainfall decrease in the Pacific Coastal area of about 10%. The cause is a projection that the Hadley Cell southern dry weather pattern will eventually extend this far north. Gabriola is also in the rain shadow of the Vancouver Island Mountains, so we might see even less rain. There is some evidence from Erik Boulton's rainfall records that this is happening now. Our 36" of winter rainfall is more than enough for everyone, the problem is storing the water during the summer drought. Many of us use underground aquifers for this storage, tapping from individual wells.

There is a potential one quarter mile long groundwater lake on the marsh land in the 707 at an elevation that can feed the central island. A very low berm, similar to the existing road which is acting as a berm, can store many acre feet of water which will feed into the groundwater during the summer. What we don't need is for someone to insist on winter road access, and install a culvert in the present road.

Discussion Title: Horse Ring Stall Space

Convenor: Nicole Berthelot

Session Participants: Nicole Berthelot, Dean, Deborah Ferens, Kelly Berthelot

Discussion summary recorded by 707 Collaborative

- Lack of access to a ring
- Funding /maintenance
- Decided against a ring but small horse area ok
- 3-wall shelter –Could be multi use, for human shelter
- Could just be a few 10ft by 10ft pens.
- Rotational area to allow regrowth
- Designated area for them on a corner of the park.
- Overnight camping, & picnics with horses would promote tourism
- 4-H may help with maintenance cost of pens

Discussion Title: Structures - To Have or Not To Have

Convenor: Derek Kilbourn

Session Participants: A whole lot of bumblebees

Discussion summary recorded by 707 Collaborative

- Construction of anything is dependant on taxpayers dollars, keep that in mind with anything being put up.
 - A lookout sounds like a good idea, whether for watching fires or birds
 - Problem with lookout is while currently it may be higher than the trees, as the 707 matures, it won't be high enough, why build it now if it won't serve a purpose in 30 or 40 years?
 - Lookout transitioned to discussion on communications towers. Group was opposed to towers going up. While small towers such as the 60-watt proposed by the Gabriola Radio Society seem ok, small effect, they open the door to large telecommunications towers coming in.
 - End effect of this could mean TILMA coming into power and allowing other industry in if communications industry can get in.
 - absolutely no windmills
 - picnic shelters were discussed – thoughts were again, if built, construction and maintenance are directly paid for through Gabriola tax dollars, therefore don't bring in a cost that isn't needed.
 - small bridges and other 'trail' amenities brought up – no clear consensus on whether they should be used or not. Main purpose is to protect wet or other delicate areas of the trails from heavy use/traffic.
- Washroom facilities are not needed inside the main area of the park, but having them at designated entrances to the park is probably a good idea.
- concerns voiced about washrooms were that washrooms are sometimes a collecting point for garbage and vandalism.
 - A balance needs to be struck between the need for facilities, in a park of this size, with it being the garbage dumping site.
 - Garbage cans probably not a good idea – pack it in pack it out concept – but have the 'funnel' style cans for dog waste bags.
 - Facilities should be compostable outhouses or some other form that won't directly enter the ground.
- Discussion on having pens, whether mobile or permanent, for horse users to use as a staging area pointed out any horse users who aren't simply riding to the park will probably have a trailer to tie the horse to.
- if something is needed, hitching rails would be a better way to go than stalls or pens.
- Signage to mark trails – not a bad idea, a kiosk with a map similar to the structure at Drumbeg would be ideal at the main entrance point if something is needed to give guidelines about park use, where the major points are, et cetera.
- if such a kiosk is built, should include the story of the 707 – how it came to be, including the community process of how the land came to be set aside.
 - Signage open to commercial interests, aka advertising, will not be allowed in the park.
- The signage discussion on advertising led to a discussion on 'commercial interests' in the park – how do we decide what can be operated, what can't, should it be permitted.
- example of horseback and mountain bike tours through the park was brought up, art classes being run
 - argument of public vs private use – if the impact of a private use is no different than a public use, what is the difference?
 - If an activity is done with a permit, others then are kicked out (This permit allows so and so to do this at this site, therefore no one else can use this site) – so better to have no permit-based uses, rather allow users to interact and likely sort things out.
- Most uses are likely to be small scale.

Discussion Title: Parking Access

Session Participants: Randy Young, Steve O'Neill, Eileen Kaaremaker, Liz Ciocea, Dean Gaudry
Discussion summary recorded by Cheryl Boorer

Identify Main Areas of access, and are they appropriate – North Rd, Ricki, Jeanette, Tin Can Alley
View point access by road with parking inside the park – great for elderly, or handicapped to enjoy park
The Gaudry family is considering formalizing an access from the South Rd (near Crestwood) with the RDN to allow access to the park Would also consider off road parking area.
Block unwanted motorized vehicle access – garbage still be dumped in the park and “off- roading” is still happening.
Balance the Accesses thru all the entrances – make sure the traffic is not concentrated thru one entrance.
Parking within the park vs on the streets... some roads not developed for heavy traffic, closed dead end neighbourhoods, formalize access outside neighbourhoods .
Dog Fecal issues at access points
Focus on pedestrian access thru neighbourhoods
Restricting access to the park during high fire season
Wheelchair access off the end of Jeannette, develop gate, remove berm – very level would not be an expensive project. Nice trees, about ¼ mile flat walking spot.

Discussion Title: Viewpoints & Meadows

Convenor: John Gabmbrill
Session Participants: Tom & Charlotte Cameron, Gill Elcock, Dean, Deborah, Hendrick de Wilde
Discussion summary recorded by 707 Collaborative

A ridge of high land exists in the park that provides vistas to both Vancouver Island and to the mountains of the lower mainland. The land below the vista points should be meadow (no tall trees), and the meadow provides a perfect space for encouraging and re-establishing native shrubs, grasses and wildflowers.
The trails and meadow provide an educational element for visitors to the park. Signage at the Vista points and by the meadows should be provided.
We need to:
Establish trails to vista points (2 trails exist)
Take advantage of the highest (or close to it) points on Gabriola
Provides a destination point for trail walkers.
The group raised a number of issues that need to be addressed:
Do the vistas that exist that need to be worked on? i.e. cut trees to create the vistas, or on-going maintenance to keep the views.
Concern of horses and bikes disturbing the trails on steeper ground.
Management Plan needed for maintaining the vistas.
Identify meadow potential and eco-systems of the cleared slopes below the vistas.

Discussion Title: Firewood

Convenor: *Hendrik deWilde*

Session Participants: *Tom Cameron*

Discussion summary recorded by *707 Collaborative*

DEER : We can draw the deer out of the neighbourhoods, and our gardens, back into the park; thru meadows, and especially thru at least 5 RESERVOIRS [as well as naturally dammed groundwater lake] ; We thus need to ask advice from RDN engineer about finding a lot of heavy-duty POND LINER.

These proposed reservoirs will also create a new micro-climate, are needed for FIRE CONTROL, and may enable pockets of ALLOTMENT GARDENS near the neighbourhoods.

In view of deer management, we must ask a rep from the fish & Game club to sit on a future Park council or POSAC.

Let us aim for the sale of FROZEN DEER MEAT at the Farmers' market.

The value of a look-out tower is enormous. It draws hikers and bikers into the park; the views give us, and visitors, a sense of place, and of the ISLAND AS A WHOLE. It will preclude the need to "maintain viewscapes "from the ground. Make it steel, against vandals, time.

To reduce fire hazard, we can have a semi-commercial FIREWOOD OPERATION, to form fuel-free zones, reduce our carbon footprint, and help fund the park, or a bus service.

With the likelihood of COMING FOOD SHORTAGES, we need to look at the 707 as a major factor in making Gabriola more self-reliant.

Discussion Title: Respect for the Land

Convenor: *Steve O'Neill*

Session Participants: *Everyone*

Discussion summary recorded by *707 Collaborative*

- Noticed that throughout the two days respect for each other's ideas and voices was obvious and this mirrors the respect for the land that was so evident in all the discussions throughout the two days
- General awareness of how we (humans) impact the land
- Take the time/do research to learn about and protect indigenous plants and animals and make the protection of them a priority
- awareness and respect for the history and the current approaches of the First Nations with the land
- Approach the planning/visioning process with the concept of "minimal intervention." (We need to arrive at a clear definition of "minimal intervention.")
- "Let it Be" (possible theme song and guiding principle for the park.)
- Maintain our sense of wonderment
- Be aware of traditional/past uses of some parts of the park (eg: picking mushrooms.) Establish some general agreements regarding these past practices.
- Be aware that covenants are about uses and preservation and can restrict or enable.

- Need for “Covenant Monitors”
 - The intent is for covenants to be held by the Islands Trust Fund and another partner
 - Develop clear agreements re: private uses vs. commercial uses.
 - Be aware of the definition and potential limitations or challenges of the term “in perpetuity” and be aware that it is possible for the concept to be overturned
 - Use the developed “Vision” as a compass for the direction of the management plan for the park
 - Consider activities within the management plan (eg: hunting)
 - Consider how the park may eventually play a part in the “self-sufficiency” of Gabriola and her residents
 - Be aware that the park cannot meet all community needs
 - Consider how to develop and manage a “forest recovery plan”
 - Arrive at a clear definition of what we (Gabriolans) mean by “wilderness recreation”
 - How does the park fit with the concept of “self-sufficiency”
-
- Consider the differences between “leaving it alone” and providing gentle management, looking to the end result of allowing a “same age forest” or encouraging a “managed forest recovery” allowing for a diversity of landscapes (meadows, viewpoints, wet lands, etc.)
 - Develop clear zoning definitions that relate specifically to the park and the vision (eg: a zoning that describes “sanctuary.”)

Follow-up Considerations:

- Discussion re: how to keep the conversation alive and inclusive. Suggestions included: advertise and utilize the internet (707 web site) as one method of continuing the conversation; orchestrate additional community meetings/gatherings; have some of these gatherings in the park as on-site visits
- Mapping day towards the end of May
- Awareness that Gabriola taxpayers will fund any actions in/for the park (eg: managed forest recovery; managed forest; signs; etc.)
- Consider accessing individuals, BCIT, etc to acquire specialized knowledge/insight
- View and thoughtfully consider the insights the video “Thinking Like a Forest”

Note: The important thing is that the land is now protected, allowing time for a vision and plan to be developed.

Discussion Title: Legacy

Convenor: Steve Tom Cameron

Session Participants: Everyone

Discussion summary recorded by 707 Collaborative

The legacy is the gift.

It is what is there now in it's totality, culturally and ecologically. And the legacy is also what this parkland will provide for future generations. The mapping and inventory process for the park will help tell us what we have now on sites and biodiversity.

- planning for the next 400 years will help us to to think beyond our lifetimes and our own narrow perspectives
- planning for Seven Generations from now, is an acknowledgment that these lands are not owned but rather held in trust for the future
- the present ecological character of much of the park is a result of the massive disruptions of clearcut logging, If we choose to "let it be" we are essentially making a management decision that a single-age forest is our long term objective.
- while forest succession is sometimes thought of a natural progression towards "old growth forest" the reality is that there are many active influencing factors such as:
 - browsers, disease (such as root rot), fire, invasive plants and animals including insects
 - wind throw and snow loading are currently very active influences on Gabriola
 - limate (and weather) change are one of the very real imponderables that will influence our society and environment
- it is noteworthy that many current park users are "delighted" with the open early successional stage of the forest, people visit the the park and the heights of land for the big sky, the sunlight and the views of and from our island

Please edit as appropriate these words attributed to individuals!

Neil discussed the planning time frame. We can make some predictions and perhaps some prescriptions for the active and passive management of the landscape and forests for the next 30 years. We are not starting from a mature forest like Wildwood managed forest and we are going to have to use adaptive management and adjust the problems and community need that arise at various stages.

Debra and others spoke about the "movable feast" that is one of the legacies of the community park. Berries, mushrooms and other foodstuffs is a legacies that is available to those with the interest and knowledge to utilize them. Legacy thinking needs to be the touchstone for our thinking and planning for the future of these lands.

Ken (Gabriola Radio Society) spoke about one of the legacies of the density transfer process that created the park, is that it doesn't provide lower priced properties but rather may be a driver towards bigger, more expensive homes. He also talked about the geography of the park and the height of land as is relates to the line-of-sight that reaches the most household on Gabriola as apposed to the largest geographical extent.

Eric cautioned against excluding interest groups. In planning we need to value the real needs of the community now and in the future. There is room for people, dogs and horses. Happy families and happy children are what make our community.

Leslie commented that horses are one of the historical uses of the area and the island.

Darcy mentioned that we should be looking and the example of other islands and other park that might help to provide us a way forward. Some of the recent developments in Pacific Spirit Park (Point Grey, Vancouver) could be a lesson in how things can change over time. There is a need for a steadfast vision for these park lands.

APPENDIX C: 707CP Neighbours Survey

Park Neighbour Focus Group

Park Neighbours were identified during the Community Workshop as an important stakeholder group that required further consultation. A letter inviting approximately 400 park neighbours (residents who live in areas that border the park or share access roads into the park) to a drop-in session on June 27, 2009 at the WI Hall was mailed out by the Islands Trust .About a dozen people attended the drop-in and several more phoned or emailed the consultants to express concerns and ask questions.

June 10, 2009

Dear Neighbour

Since the community workshop on April 25/26, the 707CP consultant team has been busy with research and preparing draft management policies for the 707 Community Park. The 707 Acre Community Park Management Plan (707CPMP) is a strategic plan that will define the future direction, policies, priorities, and actions for the Regional District of Nanaimo in the short and long term with a 10 year focus (2010-2020).

The 707 neighbours have been identified as a special stakeholder group because the park shares common property boundaries with you and access points into the park may pass your property. We also know you are the eyes and ears for the park, and probably use the park more often than others.

We would like to hear from you about any specific concerns you may have such as sharing boundaries, road/trail access and parking, noise, illegal activities, and emergency access. Do you have any wildlife observations, bird lists, or other natural history notes you can share? Do you have any thoughts you would like to share on what the 707 lands were like before the last logging happened?

Do you have a few minutes to complete the enclosed survey and drop it off at the Islands Trust office (700 North Road, 8:30-4:30 Monday to Friday)?

We'd like to meet you! You are invited to an informal drop-in session for park neighbours from 1-5 on June 27th at the WI Hall . If you can't make that day, but would like to talk with us, please call or email 707cpp@gmail.com to get in touch with us. We are also planning to be at the farmer's market on various Saturdays this summer – dates will be posted to the website www.707cp.ca

Yours truly,
for the 707CP Collaborative

ps The park management plan has its own website – www.707cp.ca where you can find background information, proceedings of the community workshop, discussion boards and places to post questions or ideas.

A survey was developed and distributed at the drop-in session, via the Islands Trust front counter drop-box, via email in pdf format or hand-delivered when requested. At the request of community members that had attended the Workshop, the survey was designed to be anonymous, asking only that participants circle a map in the survey showing the neighbourhood in which they lived.

What We Learned

Park neighbours assisted in developing a deeper understanding of some of the issues raised in the Community Workshop. Having lived through a decade of logging, park neighbours are passionate about preserving the park for future generations. The vast majority would like to see a management plan that focuses on letting the park heal, with minimum intervention.

Most park neighbours that share an immediate boundary with the park visit the park every day, or 2 to 3 times a week.

Most park neighbours are concerned about cars parking on access roads and blocking the gates at Ricki Avenue and Jeanette Avenue, public safety (hunting, motorized vehicles, fire, trespassing, dog waste).

707 Community Park Neighbour Survey

Thank you for taking time to share your opinions and ideas. We would like to know how often you use the 707CP and what management issues concern you as a neighbour to the park.

Circle or X on the map which neighbourhood you live in.

How often do you visit the 707CP?

- Every day
- 2-3 times a week
- 2-3 times a month
- 2-3 times a year
- Never

Who do you come with? (check all that apply)

- Alone
- With my pet (dog horse cat) - circle
- With kids
- With teens
- With adult friends from Gabriola
- With adult friends (off-island visitors)

What do you value most about the 707CP? (check all that apply)

- Gabriola wilderness / natural setting
- Appreciation of nature
- Chance to meet other people
- Close distance from my home
- Solitude and quiet
- Uncrowded
- Exercise and outdoor recreation
- Exercise
- A safe, secure setting
- Relaxation
- To be together with family and/or friends
- Other _____

What activities do you do in the 707CP? (check all that apply)

- Walking/hiking
- Dog Walking

- Horse-riding (on-trail)
- Cross-country skiing
- Biking on trails
- Off-trail biking
- Dirt-bike (motorized)
- Wildlife viewing and/or Birdwatching
- Christmas Bird Count
- Star gazing/astronomy
- Picnicking
- Environmental education/learning
- Photography, painting, sketching, writing, music
- Berry picking/ mushroom harvesting, etc.
- Other: _____

As a park neighbour, do you have any concerns about the following? (check all that apply)

- Cars parking on access roads and/or blocking private driveways
- Not enough parking spaces at access points
- Too much parking space already provided at access points

Are park users trespassing through your property to get into park?

- Yes
- No

Are you bothered by noise in the park? (check all that apply)

- Morning
- Afternoon
- Evening
- All-night

Are you aware or concerned about vandalism in the park? (check all that apply)

- To trails
- To signs
- Open camp fires
- Other : _____

Are you aware of any Garbage/Litter problems? (check all that apply)

- In park
- At parking and access points
- Along access roads

Are off-leash dogs a problem in the park?

- Yes
- No

Do off-leash dogs invade your property?

- Yes
- No

Is this a concern to you?

- Yes
- No

Is horse manure on trails a problem?

- Yes
- No

Are invasive plants such as broom appearing along your boundary with the park?

- Yes
- No

Should some basic services be provided? (check all that apply)

- Outhouse/privies at main access points?
- Litter bins
- No litter bins (pack it in, take it home)
- Interpretive signage
- Trail marking
- Trail surfacing for wheelchairs/stroller accessibility

Other Concerns or Comments:

Thanks for helping!

APPENDIX D: Public Draft Plan Review

Public Draft Plan Circulation

June 21 - July 23, 2010, RDN Website, Islands Trust Office, Gabriola Public Library

Community review of the draft plan was a month-long process from June 21 to July 23, 2010. A draft plan was available for viewing on the RDN website and hard copies of the plan were available for public circulation at the Islands Trust office and the Public Library on Gabriola Island. A total of 19 written responses or comments were received by RDN park staff either by email or letter.

Summary of Feedback Forms and Letters	
1	<ul style="list-style-type: none"> - generally positive - spelling and grammar - factual errors - logistical errors - soil errors - water should not be stored on the surface, but should be allowed to infiltrate - daisies should be included in the exotic invasive plants list - professional forester should be consulted for plan and in general management of park - there is a conflicting ideas of both promotion and no promotion of tourism - no culverting - don't like idea of emergency access and resurfacing for the sake of safety - don't like park name – would prefer that it be called 707 Forest
2	<ul style="list-style-type: none"> - generally positive - make sure the trail network provides a useful transportation route (for bike users and walkers) and connects to main roads throughout Gabriola - suggestion for marker types (photos attached) markers should have pictures not words
3	<ul style="list-style-type: none"> - generally positive - identification of three important accesses for horse riders: new ped. access from North road, Tin Can Alley, Jimmy's Ridge trail
4	<ul style="list-style-type: none"> - generally positive - principal of "minimal intervention" needs to be spelled out so that people understand the term - sign destruction has been issue, needs to be monitored, who will monitor and enforce - don't separate trails based on use, only for environmental and safety reasons - definitely should be way-finding signage - services of a professional forester should be used for park management process - support connection to south road - Tin Can alley needs to be a main trail
5	<ul style="list-style-type: none"> - should be 5 reservoirs in the park for water storage - should be areas for community gardens for future food shortage - selective logging or forestry (but this ahead of time) - food planning in general for deer and horticulture

Summary of Feedback Forms and Letters	
6	<ul style="list-style-type: none"> - put a note in the plan about structures not being over 4' - put that no communication towers, antennae, transmitting devices be permitted
7	<ul style="list-style-type: none"> - install a pond leveller instead of a culvert - trails need ditching along edge for drainage - should be connector trails via Tin Can Alley, North Road, Jeannette, Mary and Ricki - should be frequent markers, should be able to see one marker from the next - in United States multiple paint strips on trees are used - broom and daphne need to be removed - doggy bags and bins should be provided at parking areas
8	<ul style="list-style-type: none"> - leave park alone as much as possible - leave trees along edge of trails as much as possible - no horse specific structures or amenities - horse hooves do damage to trails, horse poop is gross - keep the park people and dog friendly
9	<ul style="list-style-type: none"> - needs to be extensive signage : street signs and marker posts with maps and "you are here" Xs - need enforcement for vandalism, four wheeled vehicles, etc, in order to keep the park public
10	<ul style="list-style-type: none"> - horse riders should be required to remove horse poop from trails - should be 4 week suspension of horse use if poop is found on trails - horses should be banned in summer
11	<ul style="list-style-type: none"> - generally positive - need to know what trails will be named - more natural colour of trail marker for 707 - don't need heli landing pad - main trails too close to Jeanette, Rick and Mary roads
12	<ul style="list-style-type: none"> - generally positive - no culverting, need water to replenish Marsh areas - sign all trials signs will need to be heavy, in order not vanish (so not with materials found in park)
13	<ul style="list-style-type: none"> - generally positive - Cross park trails coordinate with GaLTT - make connections suitable for cycling - consider water retention ponds to augment summer flow into Coats Marsh - maintain views at high points - do not block public pedestrian access at existing roads
14	<ul style="list-style-type: none"> - generally positive - typos so check - Tin Can Alley and McCollum road should be multi-use - horses should be allowed in all area unless environmentally sensitive - educating for shared use is important - look into funding contribution for parking areas (space for one or two trailers would be adequate) - signage, maps very important to make the park user friendly, should include benefit to all BC
15	<ul style="list-style-type: none"> - generally positive - keep idea of developing a pond in marshy spot where trail crosses - need Management Advisory Committee for the 707CP
16	<ul style="list-style-type: none"> - generally positive - good hierarchy of main trails and wild trails

Summary of Feedback Forms and Letters	
17	<ul style="list-style-type: none"> - generally positive - consolidation of titles is good - need to make it clear that horses are allowed in park - should be trail signage and markers - agree with horse hitching posts - needs to be work with adjacent land owners for access
18	<ul style="list-style-type: none"> - generally positive - minimal signage and infrastructure is good - need to be more links with Coats Marsh and connectivity with other trails and roads - ensure volunteer stewardship to maintain the park and views - no vehicles, restrict vehicle access at side trails by ditching intersections
19	<ul style="list-style-type: none"> - generally positive - happy with culverting planned – trails get flooded and very wet in winter

Open House for Draft Plan Review and Feedback

June 26, 2010, Women's Institute Hall, Gabriola Island, 10:00am-3:00pm

Held on June 26, 2010 at the Women's Institute Hall with 20 attendees, the second open house was an opportunity for community members to discuss and provide direct feedback on the draft 707CP Management Plan with RDN Park staff. The following list is a summary of comments received by park staff during discussions with Open House attendees:

- dam the wetland in the park, don't let it drain, no culverts
- have vehicular access right to a look out for elderly / disabled users
- need signs and maps along trails, people get lost, have to be concrete because removed
- need signs and markers and maps
- interest in being a park warden or volunteer care giver
- concern over widening of trails for emergency access
- would like horse access to all trails
- would like parking and hitching area for horse use
- interested in a multi-use bike/walking/horse trail through Tin Can Alley
- would like to see more trails accessible by horses
- some concern about selective removal of veg for arbutus grove
- would like to see viewpoints maintained
- don't feel much needs to be done to trails
- main use is biking through trails, want to see this preserved
- concerned about horses on trail and damage to trails in winter

Summary of all Public Feedback on Draft Plan

Comment in support of Draft Plan	No. Respondents
signage needed	10
like park name	3
enforcement needed	3
want hitching areas in parking	2
no promotion of tourism	2
don't create reservoirs	3
concerns about horse poop on trails	2
culverting along Central Rd good	1
support trail hierarchy	1

Suggested Revisions/ Changes to Draft Plan	No. Respondents
Tin Can Alley should be main trail	6
trail connectivity with roads and other trails	3
dam the wetland, create reservoirs	3
no culverting	3
all trails should be multi-use (horses everywhere)	3
no vehicles anywhere or emergency access	3
vehicle access to viewpoints	2
service of professional forester should be used	2
no heli-landing pad	2
horses should be banned in winter	1
horses should be banned in summer	1
need garbage can dog poop bins parking	1
don't want to pick up horse poop	1
explain "minimal intervention" better	1
management advisory committee	1
need trail connection with Coats Marsh	1
minimal signage	1
no horse structures	1

APPENDIX E: 707CP Archeological Assessment Report

Archeological Assessment conducted August 22 and 23, 2010.

Report submitted by 707 Collaborative.

The long and complex material record of the history of First Nations use and occupation of Gabriola Island and surrounding regions structures expectations about the potential of finding such evidence during the archaeological overview assessment of the 707 CP lands. In particular, inland shell midden, lithic scatters, isolated stone tool finds, burial cairns, camas, and/or shellfish processing pits, and petroglyphs have been documented on Gabriola Island and in the region in general (Bentley and Bentley 1998; Burley 1980, 1989; Cassidy et al. 1974; Doe 2007, 2009; Grier 2003; Littlefield 2000). Culturally modified trees, are known to occur on the Gulf Islands (e.g., McLay – Valdes survey). Historic sites include evidence of quarrying (see Gehlbach 2008) and logging. Considering the density of all of these these kinds of cultural remains or activities documented on Gabriola Island thus far, it is likely that material evidence of some of them may also occur in the 707CP. However, with the exception of some by-products of historic logging activities, no clear evidence of any of these cultural materials was documented during the reconnaissance. Two possible culturally modified trees (CMTs), four possible groundstone fragments (see Photo #1 and Photo #2 for examples), and one possible basalt core (Photo #3) were recorded.

The possible groundstone objects are all unshaped sandstone pieces identified as possibly cultural due to the presence of one surface that is smoother than the others and/or exhibits striations. This type of object is typically recovered in midden contexts in the area. Identified as “abraders” or “abrasive stones” such objects are assumed to be used in the manufacture of ground slate or bone tools (e.g., Burley 1989; Carlson 1970; Mitchell 1971). Since they occur as isolated finds and are unshaped, there is currently no practical way to confirm or falsify the notion that the four identified pieces are artifactual. The possible core is made from basalt or dacite and exhibits a negative bulb area (near the top of the photo) with one associated flake removal surface (no platform preparation apparent) and two other removal surfaces below it.

Identification of all of the stone objects is equivocal due to a number of factors, primarily relating to the context in which the materials occur. For assessment purposes, the 707 CP consists of two main areas: off road/trail and on the roads/trails. In the vast majority of the “off road” areas (~90%), visibility is extremely poor. Ground visibility obviously increases greatly when in the road or trail beds. However, vehicles or heavy machinery that have travelled on the roads have caused harder brittle rocks to fracture and caused abrasion striations to form on softer materials. These are the very features (striations resulting from abrasion on groundstone and conchoidal fractures) that are diagnos-



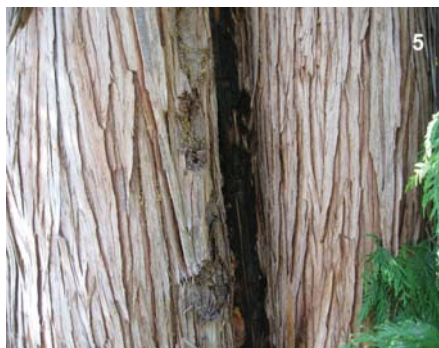
tic of cultural modification on stone in archaeological contexts. Thus, although raw materials appropriate for making ground and chipped stone tools occur within the park (basalt-dacite, andesites, and sandstones are all abundant), the identification of the recorded objects as artifacts is far from secure, primarily due to the context in which they were found.

As previously mentioned, two possible culturally modified trees (CMTs) were also noted during the survey. The identification of both of these trees as culturally modified is not certain. Traditional tool marks were not observed on either tree. The first example (WPT 21, Photo #4) is badly damaged by the modern cultural activity of logging. The scar noted may in fact be a result of being scraped by trees falling against it during logging (c.f. Stryd 2001), although evidence of healing argues against this. Nevertheless, damage has occurred and some rotting is also apparent, making firm identification problematic. The second example (WPT 133, Photos #5-6), occurs near the Jeanette Avenue entrance to the park. It exhibits some evidence of modern axing and burning and is also not a clear case of aboriginal cultural modification.

Of major historic interest is the discovery of an 1875 map of the island that indicates an historic trail cuts across the 707CP lands. The trail is labelled “Road to John Dick’s Swamp” on the historic map and is shown as “Main Trail (MT)” on the archaeological overview assessment map below. It is likely that this trail was originally built and constructed by Snuneymuxw and their ancestors, and if so, there is some likelihood that cultural deposits or isolated artifacts may be associated.

Also of historic interest is the large number of stumps recorded that exhibit evidence of springboard notches used by early commercial loggers. The notches enabled insertion of a board upon which the loggers could stand to get higher up off the ground to cut the tree. Although springboard notches were not recorded on all of the large stumps observed, most of the stumps were within the same size range (~ 4-5 metre circumference) indicating that they may have been logged around the same time. One unusual high cut stump with notching was recorded (Photos #7-9), One large fire ring was recorded (Photo # 10), though it is probably quite recent.

In summary, the archaeological field assessment of the 707CP emphasized the road and trail areas due to issues of access and ground visibility. As a result, the possible stone artifacts recorded exhibit features that are problematic for identification. The potential of the area to contain archaeological sites and other cultural materials may be high. However, the probability of identifying or recovering such materials is low given the poor visibility coupled with the destructive nature of recent intense logging activity.





Recommendations

The high density of cultural remains on Gabriola Island and the surrounding region suggests that there may be a high probability of cultural materials in the 707CP. If any new development in the park is planned, such as new trails, trail realignment, trail grading or any activity requiring ground clearing or earth moving, the services of a professional archaeologist must be secured to monitor the activity during the planning and/or construction phases.

APPENDIX F: 707CP Ecological Inventory

Submitted by 707 Collaborative

707 Community Park Native Plant Inventory

<i>COMMON NAME</i>	<i>BOTANICAL NAME</i>
western redcedar	Thuja plicata Cw
coastal Douglas-fir	Pseudotsuga menziesii var. menziesii Fdc
grand fir	Abies grandis Bg
western hemlock	Tsuga heterophylla Hw
shore pine	Pinus contorta var. contorta Plc
western yew	Taxus brevifolia Tw
red alder	Alnus rubra Dr
Pacific crab apple	Malus fusca Up
black cottonwood	Populus balsamifera ssp. trichocarpa Act
trembling aspen	Populus tremuloides At
Arbutus	Arbutus menziesii Ra
paper birch	Betula papyrifera Ep
bitter cherry	Prunus emarginata Vb
Pacific dogwood	Cornus nuttallii Gp
bigleaf maple	Acer macrophyllum Mb
vine maple	Acer circinatum Mv
Pacific willow	Salix lucida Wp
Scouler's willow	Salix scouleriana Ws
Sitka willow	Salix sitchensis Wt
Indian plum	Oemleria cerasiformis
salmonberry	Rubus spectabilis
thimbleberry	Rubus parviflorus
red elderberry	Sambucus racemosa
snowberry	Symphoricarpos albus
salal	Gaultheria shallon
dull Oregon-grape	Mahonia nervosa
baldhip rose	Rosa gymnocarpa
oceanspray	Holodiscus discolor
hardhack	Spiraea douglasii ssp. douglasii
hairy honeysuckle	Lonicera hispidula
red huckleberry	Vaccinium parvifolium
evergreen huckleberry	Vaccinium ovatum
trailing blackberry	Rubus ursinus
black raspberry	Rubus leucodermis
sticky currant	Ribes viscosissimum

COMMON NAME	BOTANICAL NAME
red-flowering currant	Ribes sanguineum
red-osier dogwood	Cornus sericea
twinflower	Linnaea borealis
black twinberry	Lonicera involucrata
sword fern	Polystichum munitum
lady fern	Athyrium felix-femina
deer fern	Blechnum spicant
licorice fern	Polypodium glycyrrhiza
bracken fern	Pteridium aquilinum
three-leaved foamflower	Tiarella trifoliata
vanilla leaf	Achlys triphylla
wall lettuce	Lactuca muralis
slough sedge	Carex obnupta
water-parsley	Oenanthe sarmentosa
Cooley's hedge-nettle	Stachys cooleye
Siberian miner's-lettuce	Claytonia siberica
bleeding heart	Dicentra formosa
small bedstraw	Galium trifidum
cleavers	Galium aparine
sweet-scented bedstraw	Galium triflorum
wild mint	Mentha arvensis
sweet cicely	Osmorhiza chilensis
skunk cabbage	Lysichitum americanum
false bugbane	Trautvetteria caroliniensis
Idaho fescue	Festuca idahoensis
red fescue	Festuca rubra
blue wildrye	Leymus glaucus
Alaska oniongrass	Melica subulata
bluejoint	Calamagrostis canadensis
Western starflower	Trientalis latifolia
tiger lily	Lilium columbianum
Gairdner's yampah	Perideridia gairdneri
spring-gold	Lomatium utriculatum
Yerba Buena	Clinopodium douglasii
pearly everlasting	Anaphalis margaritacea
stinging nettle	Urtica dioica
spreading dogbane	Apocynum androsaemifolium
cattail	Typha latifolia
common horsetail	Equisetum arvense
scouring rush	Equisetum hyemale

COMMON NAME	BOTANICAL NAME
palm tree moss	Leucolepis menziesii
coastal leafy moss	Plagomnium insigne
Oregon beaked moss	Kindbergia oregana
step moss	Hylocomium splendens
lanky moss	Rhytidiadelphus loreus
electrified cat's-tail moss	Rhytidiadelphus triquetrus
juniper haircap moss	Polytrichum juniperinum
awned haircap moss	Polytrichum piliferum
rough moss	Claopodium crispifolium
yellow moss	Homalothecium fulgescens
swamp moss	Philonotis fontana
sidewalk moss	Tortula ruralis
red roof moss	Ceratodon purpureus

707CP Non-native Agronomic Grasses Inventory

COMMON NAME	BOTANICAL NAME
colonial bentgrass	Agrostis capillaris (A. tenuis)
redtop	Agrostis gigantea (A. alba)
creeping bentgrass	Agrostis stolonifera (A. alba)
early harigrass	Aira praecox
annual vernalgrass	Anthoxanthum aristatum
sweet vernalgrass	Anthoxanthum odoratum
tall oatgrass	Arrhenatherum elatius
small quaking grass	Briza minor
smooth brome	Bromus inermis
cheatgrass	Bromus tectorum
hedgehog dogtail	Cynosurus echinatus
orchardgrass	Dactylis glomerata
quackgrass	Elymus repens (Agropyron repens)
sheep fescue	Festuca trachyphylla (F. ovina)
common velvet-grass	Holcus lanatus
perennial ryegrass	Lolium perenne
common timothy	Phleum pratense
annual bluegrass	Poa annua
Canada bluegrass	Poa compressa
Kentucky bluegrass	Poa pratensis

707CP Exotic Invasive Plant Inventory

<i>COMMON NAME</i>	<i>BOTANICAL NAME</i>
Scotch broom	Cytisus scoparius
Common burdock	Arctium minus
Canada thistle	Cirsium arvense
Field bindweed	Convolvulus arvensis
English Holly	Ilex aquifolium
English plantain	Plantago lanceolata

707CP Species at Risk (SAR) Inventory

Red-legged frog (*Rana aurora*) – Provincial Blue-list, COSEWIC Special Concern, SARA Schedule 1

Throughout its range, habitats are becoming increasingly lost and fragmented due to land conversions and other human activities. As a SARA listed species, measures to protect and recover red-legged are being developed and implemented.

Band-tailed Pigeon (*Patagioenas fasciata*) – Provincial Blue-list, COSEWIC Special Concern

The species is long-lived (up to 22 years) and has a slow reproductive rate; females typically lay only one or two eggs per year. Forestry may negatively affect habitat in the long term, creating dense second-growth forests with few berry-producing shrubs; the pigeons also are susceptible to disturbance at isolated mineral sources needed for their nutrition.

Turkey vulture (*Cathartes aura*) – Provincial Blue-list

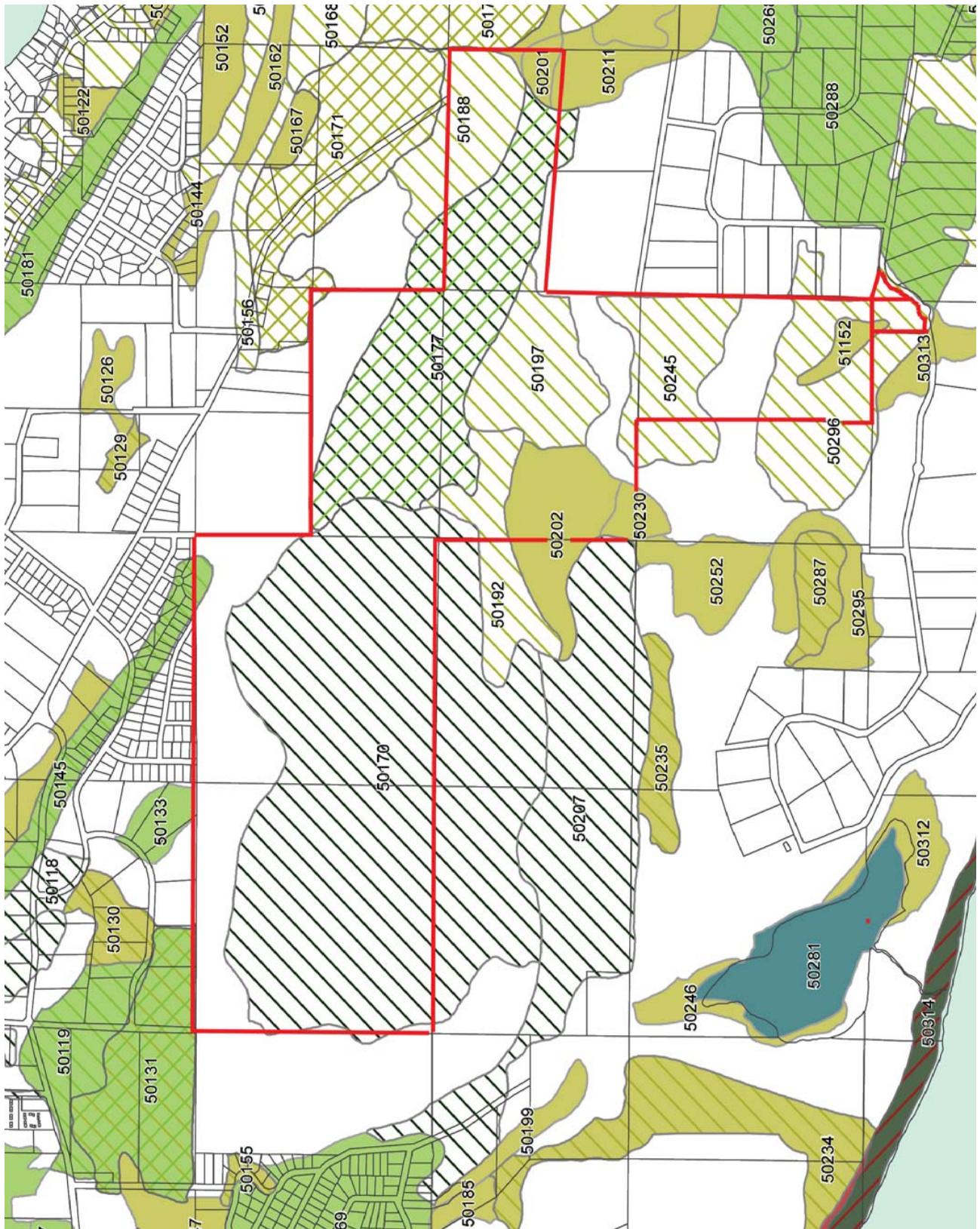
Island Marble Butterfly (*Euchloe ausonides insulanus*) is currently listed as extirpated in Canada, but is last known from Gabriola Island. This butterfly was thought to have gone extinct in 1908, but was rediscovered 90 years later on San Juan Island in Washington State in 1998. There, the Island Marble lays eggs on non-native, sometimes invasive host food plants species such as field mustard, tall tumble mustard and tall peppergrass that grow in disturbed grassy areas. Larva are known to migrate from the host plants to non-native grasses such as common velvet grass, where they pupate and hibernate until the following spring. Because so little is known about the historic Island Marble population on Gabriola, and because the butterfly species has the proven ability to persist and “re-appear” after many decades, its potential to reappear somewhere in the 707CP should not be discounted. Monitoring for the presence of these annual weedy plant species and the butterfly should happen in April and May, and management should favour the potential needs of the butterfly rather than removal of a weedy plant species because of its invasiveness.

707CP Bird Inventory

Band-tailed pigeon
Steller's Jay
Common Raven
Northwestern Crow
Black-capped Chickadee
Chestnut-backed Chickadee
American Goldfinch
Pine Siskin
House Finch
Fox Sparrow
Song Sparrow
Violet-green Swallow
Northern Roughwinged Swallow
Rufous Hummingbird
Dark-eyed Junco
Rufous-sided Towhee
Red-winged Blackbird
Winter Wren
Bushtit
Yellow Warbler
Townsend's Warbler
Red-breasted Sapsucker
Pileated Woodpecker
Hairy Woodpecker
Northern Flicker
Golden-crowned Kinglet
American Robin
Varied Thrush
Bald Eagle
Barred Owl
Red-tailed Hawk
Turkey Vulture

Sensitive Ecosystems in the 707CP

Polygon # (Figure 6)	Sensitive Ecosystem Description
50145	60% Mature Douglas-fir - Salal Forest (mixed); 30% Mature Douglas-fir - Salal Forest (coniferous) includes "The Maples." This site slopes to the north on richer mesic soils and is dominated by large bigleaf maple, Douglas-fir, and sword fern.
50170	60% Not Sensitive Douglas-fir-Salal Forest (shrub/herb stage); 30% Douglas-fir - Shore Pine - Arbutus Woodland (shrub/herb stage) - currently open meadows at high elevations on shallow soils veneered onto sandstone bedrock, historic air photos indicate the thin dry soils may hold this plant community in check at the shrub/herb stage.
50177	70% Not Sensitive Douglas-fir Salal Forest (pole sapling stage); 20% Douglas-fir - Shore Pine - Arbutus Woodland (shrub/herb stage)- - currently open meadows at high elevations on shallow soils veneered onto sandstone bedrock, historic air photos indicate the thin dry soils may hold this plant community in check at the shrub/herb stage; 10% Mature Douglas-fir Salal Forest
50188	90% Not Sensitive Douglas-fir-Salal Forest (shrub/herb stage); 10% Western redcedar - Vanilla leaf Swamp Wetland (shrub/herb stage)
50192	90% Not Sensitive Douglas-fir-Salal Forest (shrub/herb stage); 10% Western redcedar - Vanilla leaf Swamp Wetland (pole sapling stage)
50197	60% Not Sensitive Douglas-fir Salal Forest (pole sapling stage); 40% Western redcedar - Vanilla leaf Swamp Wetland (pole sapling stage), this is known as "Groundwater Lake" which is dominated by bluejoint grass (<i>Calamagrostis canadensis</i>), slough sedge, wild mint (<i>Mentha arvensis</i>), hardhack, and red alder. The swamp edges are dominated by younger Western redcedar, Pacific crab apple, and Grand fir.
50201	100% Western redcedar - Vanilla leaf Swamp Wetland (shrub/herb stage) associated with the historical Rock Creek that flowed through this area. Natural drainage patterns for the wetlands were altered when they were bisected by the construction of North Road, resulting in more surface water on the western side. With a layer of greater than 20 cm of organic soil, this was the only site visited within the study area that had water remaining at the surface in July and August. The swamp is dominated by Western redcedar, red alder, Pacific crab apple (<i>Malus fusca</i>), slough sedge (<i>Carex obnupta</i>), bluejoint grass, and skunk cabbage (<i>Lysichiton americanus</i>).
50202	90% Western redcedar - Vanilla leaf Swamp Wetland (pole sapling stage).
50245	50% Not Sensitive Douglas-fir Salal Forest (pole sapling stage); 50% Western redcedar - Vanilla leaf Swamp Wetland (pole sapling stage)
50296	90% Not Sensitive Douglas-fir-Salal Forest (shrub/herb stage); 10% Western redcedar - Vanilla leaf Swamp Wetland (pole sapling stage)
51152	100% Western redcedar - Vanilla leaf Swamp Wetland (pole sapling stage)



APPENDIX G: Draft Conservation Covenant

Page 1 of 22

Yellow HIGHLIGHTS INDICATED SECTIONS TO EDIT OR INSERT –

Blue HIGHLIGHTS INDICATE SECTIONS INSERTED

LAND TITLE ACT
FORM C

(Section 219.81)

Province of
British Columbia

GENERAL INSTRUMENT - PART I (This area for Land Title Office Use)

Page 1 of 3

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

2. Parcel Identifier(s) and Legal Description(s) of Land

006649408 E1/2 OF NE1/4, SECTION 10, GABRIOLA ISLAND, NANAIMO DISTRICT
006649599 SE1/4, SECTION 14, GABRIOLA ISLAND, NANAIMO DISTRICT
006649815 S1/2 OF NE1/4, SECTION 14, GABRIOLA ISLAND, NANAIMO DISTRICT
006655335 NW1/4, SECTION 14, GABRIOLA ISLAND, NANAIMO DISTRICT
006654843 NE1/4, SECTION 13, GABRIOLA ISLAND, NANAIMO DISTRICT
006656498 N 1/2 OF SW1/4, SECTION 15, GABRIOLA ISLAND, NANAIMO DISTRICT

389631 N PART OF SE 1/4, SECTION 10, GABRIOLA ISLAND, NANAIMO DISTRICT VIP75929
388981 SW1/4, SECTION 9, GABRIOLA ISLAND, NANAIMO DISTRICT, VIP 69975

3. Nature of Interest:*

DESCRIPTION	DOCUMENT REFERENCE	PERSON ENTITLED TO INTEREST
Section 219 Covenant	Entire Instrument	Transferees
Rent Charge	Pages 13-15 Paragraph 11	Transferees
Section 218 Statutory Right of Way	Page 12-13 Paragraph 9	Transferees
Priority Agreement granting Covenant _____, Rent Charge _____ and Statutory Right of Way _____ priority over Mortgage _____	Page 21	Transferees

4. Terms: Part 2 of this instrument consists of (select one only)

- (a) Filed Standard Charge Terms D.F. No.
(b) Express Charge Terms Annexed as Part 2
(c) Release There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the Land described in Item 2.

5. Transferor(s):

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

6. Transferee(s): (Including occupation(s), postal address(es) and postal code(s))*

Trust Fund Board, 200-1627 Fort Street, Victoria, BC V8R 1H8

TLC The Land Conservancy of British Columbia (Incorporation .No. S-36826), 301-1195 Esquimalt Road, Victoria, BC V9A 3N6

7. Additional or Modified Terms:*

N/A

LAND TITLE ACT
FORM C

(Section 219.81)
Province of
British Columbia

GENERAL INSTRUMENT - PART I

8. Execution(s): **This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s):

EXECUTION DATE
Y M D

Party(ies) Signature(s)

TRANSFEROR

print name and address below

10

Regional District of Nanaimo

NAME OF LANDOWNER

TRUST FUND BOARD

by its authorized signatory

print name and address below

10

print name:

**TLC The Land Conservancy of
British Columbia** by its authorized
signatories

(as to both signatures)
print name and address below

10

print name:

print name:

OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116 to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space is insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space is insufficient, continue executions on additional pages in Form D

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

8. EXECUTION(S): **This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature:

EXECUTION DATE
Y M D

Party(ies) Signature(s)

NAME OF BANK

by its authorized signatory(ies):

print name:

09

(as to both signatures)
print name and address below

print name:

OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116 to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space is insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space is insufficient, continue executions on additional pages in Form D.

TERMS OF INSTRUMENT – PART 2

**Section 219 Conservation Covenant and
Section 218 Statutory Right of Way**

This Agreement dated for reference _____ is

AMONG:

**Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2**

(the "Owner")

AND:

Trust Fund Board, a corporation under the *Islands Trust Act* (British Columbia) with its office at 200-1627 Fort Street, Victoria, B.C. V8R 1H8

(the "Board")

AND:

TLC The Land Conservancy of British Columbia, a society registered in British Columbia (Inc No. S-36826) with a mailing address at 301-1195 Esquimalt Road, Victoria, BC V9A 3N6

(the "Co-covenant Holder")

(collectively, the "parties")

WHEREAS:

- A. The Owner is the registered owner in fee simple of the Land;
- B. The Covenant Area contains significant recreational, cultural, and natural area values and amenities including flora, fauna and natural features of great importance to the Owner, the Covenant Holders and the public;
- C. The Owner wishes and has agreed to grant to the Covenant Holders a covenant pursuant to section 219 of the *Land Title Act*, to restrict the use of the Covenant Area, and a statutory right of way pursuant to section 218 of the *Land Title Act*;
- D. A statutory right of way in favour of each Covenant Holder is necessary for the operation and maintenance of the undertakings of each Covenant Holder;
- E. The Co-covenant Holder has been designated by the **British Columbia Minister of Agriculture and Lands** as a person authorized to accept covenants under Section 219 of the *Land Title Act* and as a person authorized to accept statutory rights of way under Section 218 of the *Land Title Act*; and

- F. The Board is a Crown agent and is authorized to accept covenants and statutory rights of way under Sections 219 and 218 of the *Land Title Act*, respectively.

In consideration of the payment of \$2.00 now paid by each of the Covenant Holders to the Owner, the receipt and sufficiency of which is acknowledged by the Owner, and in consideration of the promises exchanged below, the parties covenant and agree as follows, in accordance with sections 218 and 219 of the *Land Title Act*:

1. INTERPRETATION

- 1.1 In this Agreement, in addition to the words defined above:
- (a) "Administration Fee" means a fee of \$150.00 adjusted in each year as provided in section 12.2, charged by the Covenant Holders to cover the administration costs of providing approvals, inspections or other actions at the request of the Owner;
 - (b) "Amenities" includes those recreational, natural, scientific, environmental, wildlife, plant and cultural values relating to the Covenant Area as identified in the Report, including any natural area values and amenities of the Covenant Area as prescribed by regulation for the purposes of Part 7.1 of the *Islands Trust Act*;
 - (c) "Business Day" means any day other than Saturday, Sunday or British Columbia statutory holidays;
 - (d) "Certificate" means a certificate issued by the Covenant Holders under subsection 8.3(a) or section 14.1;
 - (e) "Covenant Area" means all of the Land except that portion shown outlined in heavy black line and identified as "Area Required" on the Plan;
 - (f) "Covenant Holders" means, unless the context otherwise requires, the Board and the Co-covenant Holder, collectively and "Covenant Holder" means either of them, as the context may require;
 - (g) "CPI" means the All-Items Consumer Price Index published by Statistics Canada, or its successor in function, for Vancouver, BC, where 2010 equals 100;
 - (h) "Land" means the parcels of Land legally described as Parcel Identifier

006649408	E1/2 OF NE1/4, SECTION 10, GABRIOLA ISLAND, NANAIMO DISTRICT
006649599	SE1/4, SECTION 14, GABRIOLA ISLAND, NANAIMO DISTRICT
006649815	S1/2 OF NE1/4, SECTION 14, GABRIOLA ISLAND, NANAIMO DISTRICT
006655335	NW1/4, SECTION 14, GABRIOLA ISLAND, NANAIMO DISTRICT
006654843	NE1/4, SECTION 13, GABRIOLA ISLAND, NANAIMO DISTRICT
006656498	N 1/2 OF SW1/4, SECTION 15, GABRIOLA ISLAND, NANAIMO DISTRICT

389631	N PART OF SE 1/4, SECTION 10, GABRIOLA ISLAND, NANAIMO DISTRICT VIP75929
388981	SW1/4, SECTION 9, GABRIOLA ISLAND, NANAIMO DISTRICT, VIP 69975

- (i) "Natural State" means the state of the Covenant Area as described in the Report;
 - (j) "Notice of Enforcement of Rent Charge" means a Notice of Enforcement of Rent Charge given under section 11.6;
 - (k) "Notice of Breach" means a notice of breach given under section 10.1;
 - (l) "Plan" means the Reference Plan over part of the Land certified correct by INSERT NAME OF SURVEYOR, B.C.L.S., dated INSERT DATE OF SURVEY, and deposited in the Land Title Office under number VIP _____, a reduced copy of which is attached as Schedule A;
 - (m) "Rent Charge" means the rent charge granted by the Owner under section 11.1;
 - (n) "Rent Charge Amount" means the amount set out in Article 11, the payment of which is secured by the Rent Charge; and
 - (o) "Report" means the baseline documentation report that describes the Covenant Area and the Amenities in the form of text, maps, and other records of the Covenant Area as of the date of registration of this Agreement, a copy of which is on file with each of the parties at the addresses set out in Article 13, and a condensed version of which is attached as Schedule B.
- 1.2 Where this Agreement provides that something is in the "sole discretion" of a party, that thing is within the sole, absolute and unfettered discretion of that party.
- 1.3 This Agreement must be interpreted in accordance with the laws of British Columbia and the laws of Canada applicable in British Columbia, and the parties agree that the courts of British Columbia have exclusive jurisdiction over any proceeding concerning this Agreement and to attorn to the jurisdiction of such courts.
- 1.4 This Agreement is comprised of the recitation of the parties, the recitals to this Agreement, the Schedules to this Agreement, Part 1 of the *Land Title Act* Form C to which this Agreement is attached, and these Terms of Instrument.
- 1.5 In this Agreement:
- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context otherwise requires;
 - (b) where a word or expression is defined in this Agreement, other grammatical forms of the same word or expression have corresponding meanings;
 - (c) reference to a particular numbered Article or section, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered Article, section or Schedule of this Agreement, except where otherwise provided;
 - (d) Article headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
 - (e) the word "enactment" has the meaning given to it in the *Interpretation Act* on the reference date of this Agreement;

- (f) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (g) reference to an enactment is to an enactment of the province of British Columbia except where otherwise provided;
- (h) reference to a "party" or the "parties" is a reference to a party or the parties to this Agreement and their respective successors, assigns, trustees, administrators and receivers; and
- (i) reference to a "day", "month" or "year" is a reference to a calendar day, calendar month or calendar year, as the case may be, unless otherwise expressly provided.
- (j) Reference to "Community" or "the Community" is a reference to the residents and ratepayers of Gabriola Island.

2. REPRESENTATIONS AND WARRANTIES

- 2.1 The Owner represents and warrants to the Covenant Holders that the facts set out in Recitals A and C are true as of the date of this Agreement.
- 2.2 The Co-covenant Holder represents and warrants to the Board and the Owner that the facts set out in Recitals D and E are true as of the date of this Agreement.
- 2.3 The Board represents and warrants to the Co-covenant Holder and the Owner that the facts set out in Recitals D and F are true as of the date of this Agreement.
- 2.4 Each party represents and warrants to each other party that the facts set out in Recital B are true as of the date of this Agreement.

3. INTENT OF AGREEMENT

- 3.1 The parties agree that the intent of this Agreement is:
 - (a) to protect, preserve, conserve, maintain, enhance and, if applicable from time to time restore, the Natural State of the Covenant Area and the Amenities; and
 - (b) to prevent any occupation or use of the Covenant Area that will impair or interfere with the Natural State of the Covenant Area or the Amenities;
 - (c) to prevent any future subdivision or severances of the Land;

and the parties agree that this Agreement is to be interpreted, performed and applied in that context.

- 3.2 This Agreement shall be perpetual to reflect the public interest in the protection, preservation, conservation, maintenance and enhancement of the Covenant Area and the Amenities.

4. RESTRICTIONS ON USE OF THE COVENANT AREA

- 4.1 Except as expressly permitted in this Agreement, the Owner must not do anything, omit to do anything, allow anything to be done or allow the omission of anything, that

does or could reasonably be expected to destroy, impair, diminish, negatively affect or alter the Covenant Area or the Amenities from the condition described in the Report.

- 4.2 Without restricting the generality of section 4.1, the Owner must not, except with the prior written approval of both Covenant Holders, in the sole discretion of each of them:
- (a) use or permit the use of the Covenant Area for an activity or use which:
 - (i) causes or allows silts, leachates, fills or other deleterious substances to be released into any watercourse on the Covenant Area;
 - (ii) causes the erosion of the Covenant Area to occur;
 - (iii) causes or facilitates the loss of soil on the Covenant Area;
 - (iv) alters or interferes with the hydrology of the Covenant Area, including by the diversion of natural drainage or flow of water in, on or through the Covenant Area, **save for public safety, trail and road maintenance as described in the Report;**
 - (v) causes or allows fill, rubbish, ashes, garbage, waste or other material foreign to the Covenant Area to be deposited in, on or under the Covenant Area;
 - (vi) causes or allows any component of the Covenant Area, including soil, gravel or rock, to be disturbed, explored for, moved, removed from or deposited in or on the Covenant Area, **save for public safety, trail and road maintenance as described in the Report;**
 - (vii) causes or allows pesticides, including but not limited to herbicides, insecticides or fungicides, to be applied to or introduced onto the Covenant Area; or
 - (viii) causes or allows any indigenous flora on the Covenant Area to be cut down, removed, defoliated or in any way tampered with, **save for public safety, trail and road maintenance as described in the Report;**
 - (b) use or permit the use of the Covenant Area for hunting, fishing, gathering or grazing of domestic animals;
 - (c) construct, build, affix or place on the Covenant Area any buildings, structures, fixtures or improvements of any kind;
 - (d) lay out or construct any new roads or paths on the Covenant Area; and
 - (e) lease or license the Covenant Area or any part thereof unless the lease or license is expressly made subject to the provisions of this Agreement and expressly entitles the Owner to terminate the lease or license if the tenant or licensee breaches any of the provisions of this Agreement.

5. BASELINE DOCUMENTATION REPORT

- 5.1 The parties each agree that the Covenant Area and the Amenities are described in the Report and that the Report provides an accurate description of the Covenant Area and its Amenities as of the date of this Agreement.
- 5.2 The parties agree that the Report is intended to serve as an objective information baseline for monitoring compliance with the terms of this Agreement.
- 5.3 The Covenant Holders will provide a copy of the full Report to the Owner upon request from the Owner from time to time.
- 5.4 The parties each acknowledge that the flora and fauna on the Covenant Area will evolve through natural succession over time and, unless otherwise expressly stated, references to the Report are intended to take into account the natural succession of the flora and fauna over time, without human intervention other than as expressly permitted by this Agreement.

6. DISPUTE RESOLUTION

- 6.1 If a breach of this Agreement occurs or is threatened, or if there is disagreement as to the meaning of this Agreement, either Covenant Holder or the Owner may give notice to the other parties requiring a meeting of all parties within 10 Business Days of receipt of the notice.
- 6.2 Upon receipt of a notice under section 6.1, all parties must immediately cease any activity giving rise to a breach or threatened breach of this Agreement, and any activity giving rise to a disagreement as to the meaning of this Agreement.
- 6.3 The parties must attempt to resolve the matter, acting reasonably and in good faith, within 20 Business Days of receipt of the notice under section 6.1.
- 6.4 If the parties are not able to resolve the matter within the time set out in section 6.3, the parties may, by agreement, appoint a mutually acceptable person to mediate the matter, and the parties must act reasonably and in good faith and cooperate with the mediator and with each other in an attempt to resolve the matter within 30 days after the mediator is appointed.
- 6.5 The costs of mediation under this section, not including costs incurred by a party for legal counsel, will be shared equally among the parties.
- 6.6 This Article does not affect the right of a Covenant Holder to pursue any other legal or equitable remedy in relation to a breach or a threatened breach of this Agreement, including without limitation under Articles 10 and 11, and a Covenant Holder may pursue other remedies concurrently with any dispute resolution under this Article.

7. OWNER'S RESERVED RIGHTS

- 7.1 Subject to Article 4, the Owner reserves all of its rights as owner of the Land, including the right to use, occupy and maintain the Covenant Area in any way that is not expressly restricted or prohibited by this Agreement, so long as the use, occupation or maintenance is consistent with the intent of this Agreement.

- 7.2 Without limiting the generality of section 7.1 the following rights are, subject to Article 4¹, expressly reserved to the Owner:
- (a) to maintain, restore or replace improvements such as ditches, berms, signs, fences and gates existing on the Covenant Area as of the date of registration of this Agreement (the location of which are indicated in the Report);
 - (b) to maintain, replace or restore the trails existing within the Covenant Area at the time of registration of this Agreement (the location of which are identified in the Report), so long as the location of each trail remains the same and the size is the same or smaller;
 - (c) to install, maintain or replace a reasonable number of signs for the purposes of public safety or informing the public about the Covenant Area and the Amenities, so long as each sign is not larger than 1 metre by 1 metre in size; and
 - (d) to remove up to four cords of firewood per year from naturally fallen trees and branches on the Covenant Area for use as firewood to be distributed to the Community for non-commercial purposes.
- 7.3 Subject to section 7.4, nothing in this Agreement restricts or affects the right of the Owner to do anything reasonably necessary to:
- (a) prevent potential injury or death to any individual; or
 - (b) prevent, abate or mitigate any damage or loss to any real or personal property.
- 7.4 If the Owner intends to do, or permit to be done, anything described in section 7.3, the Owner must give at least 30 days' prior written notice to each Covenant Holder, describing in reasonable detail the intended action, the reason for it and its likely effect on the Covenant Area and the Amenities. Where the Owner gives notice under this section, the Owner must permit each Covenant Holder to enter upon the Land and inspect the Covenant Area. The Covenant Holders may comment on the proposed action and the Owner must take those comments into consideration before taking or permitting the proposed action to be taken under section 7.3.
- 7.5 Notwithstanding section 7.4, in the case of an emergency situation where the Owner must take immediate action under section 7.3, the Owner may take such necessary action without first notifying the Covenant Holders. As soon as possible after the action is taken, the Owner must notify each Covenant Holder of the circumstances of the action taken, including the actual or likely affect of the action on the Covenant Area and the Amenities. Where such emergency action is taken, the Owner must permit each Covenant Holder to enter upon the Land and inspect the Covenant Area.

8. OWNER'S OBLIGATIONS

- 8.1 The Owner retains all responsibilities and bears all costs and liabilities related to the ownership, use, occupation, and maintenance of the Land.
- 8.2 The Owner must indemnify the Covenant Holders, their directors, officers, employees, agents and contractors, from and against any and all liabilities, damages,

¹ Owners reserved rights would generally be subject to Article 4, so that the reserved rights do not override the specific restrictions in section 4.

losses, personal injury or death, causes of action, actions, claims, and demands made, suffered or incurred by or on behalf of any person, arising out of any act or omission, negligent or otherwise, in the use, occupation and maintenance of the Land or its Amenities by the Owner or its officers, employees, contractors, invitees, licensees or agents.

- 8.3 The Owner is liable for any and all breaches of this Agreement, but the Owner is not liable for:
- (a) breaches of this Agreement which occurred prior to the Owner becoming the registered owner of any interest in the Land, provided the Owner has received a Certificate issued by the Covenant Holder certifying that there were no violations of this Agreement as of the date of issuance of the Certificate;
 - (b) injury or alteration to the Covenant Area and the Amenities resulting from natural causes, or causes beyond the Owner's reasonable control, including accidental fire, flood, storm, vandalism, trespass and earth movement, but excluding injury or alteration resulting from actions of the Owner or any other person with the actual or constructive knowledge of the Owner;
 - (c) any prudent action taken by the Owner under emergency conditions to prevent, abate, or mitigate significant injury to the Covenant Area (including improvements) or the Amenities, resulting from natural causes, including accidental fire, flood, storm and earth movement; or
 - (d) injury or alteration to the Covenant Area caused by the Covenant Holders exercising their rights under this Agreement.
- 8.4 Without limiting the generality of sections 8.1, 8.2 and 8.3, the Owner:
- (a) is solely responsible and liable for any loss or damage, or liability of any kind (whether civil, criminal or regulatory), in any way connected with the existence in, on, from, to or under the Land (whether through spill, emission, migration, deposit, storage or otherwise) of any pollutant, contaminant, waste, hazardous waste, or any matter that harms the environment; and
 - (b) must indemnify each Covenant Holder from and against any loss, fine, penalty, damage, liability, cause of action, action, proceeding, regulatory action, order, directive, notice or requirement, including those of any government agency, incurred, suffered or brought against the Covenant Holders, or either of them, in any way associated with anything described in subsection (a).
- 8.5 Where, as provided in subsection 8.3(b), the Owner is not responsible for injury or alteration to the Covenant Area or the Amenities due to trespass or vandalism, the Owner will take all reasonable steps to identify and seek a prosecution of the person responsible and to seek financial restitution for the injury or alteration. On request by the Owner, a Covenant Holder may, in its sole discretion and on such terms and conditions it considers appropriate, provide financial assistance to the Owner where the costs associated with seeking such financial restitution are excessive.
- 8.6 The Owner must pay when due all taxes, assessments, levies, fees and charges of whatever description which may be levied on or assessed against the Land and must pay any arrears, penalties and interest in respect of any such unpaid amounts.

- 8.7 The Owner must indemnify each Covenant Holder from and against any fee, tax or other charge which may be assessed or levied against the Owner or a Covenant Holder pursuant to any enactment, including the *Income Tax Act* (Canada), with respect to the Land or this Agreement, including any fee, tax or other charge which may be assessed or levied against the Owner or Covenant Holder as a result of the amendment or termination of this Agreement.
- 8.8 Any debts or other amounts due from the Owner to the Covenant Holders under this Agreement, if not paid within 30 days after notice, will bear interest at the annual interest rate that is 1 per cent greater than the prime rate of interest. For the purposes of this section, the "prime rate of interest" is the annual rate of interest charged from time to time by the Bank of Montreal, at its main branch in Vancouver, BC, for demand Canadian dollar commercial loans and designated from time to time by the Bank of Montreal as its prime rate.
- 8.9 The indemnities granted by the Owner to the Covenant Holders under this Article are indemnities granted as an integral part of the section 219 *Land Title Act* covenant created by this Agreement.

9. STATUTORY RIGHT OF WAY

- 9.1 The Owner grants to each Covenant Holder a licence, and a statutory right of way pursuant to Section 218 of the *Land Title Act*, permitting each Covenant Holder to do the following:
- (a) enter upon the Land to access and inspect the Covenant Area at all reasonable times upon prior written notice by a Covenant Holder to the Owner of at least 24 hours, unless, in the opinion of a Covenant Holder, there is an emergency or other circumstance which makes giving such notice impractical;
 - (b) as part of inspection of the Covenant Area under subsection (a), take soil, water or other samples, photographs, and video and sound recordings as may be necessary to monitor compliance with and enforce the terms of this Agreement;
 - (c) enter upon and protect, preserve, conserve, maintain, enhance, rehabilitate or restore, in the Covenant Holder's sole discretion and at the Covenant Holder's expense, the Covenant Area or the Amenities to as near the condition described in the Report as the Covenant Holder considers is practicable or desirable, if an act of nature or of any person other than as described in subsection (d) destroys, impairs, diminishes, or negatively affects or alters the Covenant Area or the Amenities from the condition described in the Report;
 - (d) in accordance with Article 10, enter upon and protect, preserve, conserve, maintain, enhance, rehabilitate or restore, in the Covenant Holder's sole discretion and at the Owner's expense, the Covenant Area or the Amenities to as near the condition described in the Report as in the Covenant Holder's sole discretion is practicable or desirable, if an action of the Owner or any other person acting with the actual or constructive knowledge of the Owner contravenes any term of this Agreement;
 - (e) carry out or evaluate any program agreed upon by the parties for the protection, preservation, conservation, maintenance, restoration or enhancement of all or any portion of the Covenant Area or the Amenities;

- (f) place survey pegs or other markings on the Land to clearly identify the Covenant Area or access to the Covenant Area, or to increase the visibility of existing survey pegs or other markings; and
 - (g) erect a plaque or other sign on the Land, in a tasteful manner and at the expense of the Covenant Holder, indicating that the Covenant Holder (or the Covenant Holders) holds a covenant on the Covenant Area, provided that the size, style and location of the plaque or sign must be approved by the Owner prior to its placement, such approval not to be unreasonably withheld.
- 9.2 The Covenant Holders may bring workers, contractors and employees, and vehicles, equipment and other personal property, onto the Land when exercising their rights under this Article.

10. ENFORCEMENT REMEDIES OF THE COVENANT HOLDERS

- 10.1 If either Covenant Holder, in its sole discretion, believes that the Owner has failed to perform any of its obligations under this Agreement, or is otherwise in breach of any term of this Agreement, that Covenant Holder may give a Notice of Breach to the Owner and the other Covenant Holder setting out particulars of the breach, including the Covenant Holder's estimated maximum costs of remedying the breach.
- 10.2 On receipt of a Notice of Breach, the Owner must
- (a) immediately cease all activities giving rise to the breach; and
 - (b) within 60 days remedy the breach or make arrangements satisfactory to the Covenant Holder to remedy the breach, including with respect to the time within which the breach must be remedied.
- 10.3 For clarity, the requirement in subsection 10.2(b) to remedy a breach requires the Owner to undertake such rehabilitation or restoration necessary to remedy any damage done to the Covenant Area contrary to this Agreement, at the Owner's sole expense.
- 10.4 If the Owner does not comply with the requirements of section 10.2 within the time required or agreed upon, either Covenant Holder may enter upon the Land and take any required actions to cease any activities giving rise to the breach, and to remedy the breach or carry out the arrangements referred to in section 10.2. The Owner must reimburse that Covenant Holder for any expenses incurred in taking any action under this section, up to the estimated maximum costs of remedying the breach as set out in the Notice of Breach.
- 10.5 Expenses incurred by the Covenant Holder under this Article, until paid, are a debt owed by the Owner to the Covenant Holder and the Owner agrees to indemnify the Covenant Holder for such expenses, which indemnity forms an integral part of the covenant under section 219 of the *Land Title Act* created by this Agreement.
- 10.6 By this section, each Covenant Holder appoints the other its agent for the purpose of recovering any debt owed by the Owner to the Covenant Holder who incurred expenses under this Article, including through legal proceedings, and the Covenant Holder who recovers the debt holds it, less reasonable legal fees and disbursements and other reasonable expenses of recovery, as agent for the Covenant Holder that incurred the expenses.

11. RENT CHARGE AND ITS ENFORCEMENT

- 11.1 As security for the performance of the Owner's obligations under this Agreement, the Owner grants to the Covenant Holders a perpetual rent charge against the Land. The Rent Charge is granted both under section 219 of the *Land Title Act* as an integral part of the statutory covenant created by this Agreement and as a fee simple rent charge at common law.
- 11.2 The Rent Charge secures payment to the Covenant Holders by the Owner of the sum of \$5,000 per year, subject to adjustment under section 11.3.
- 11.3 The Rent Charge Amount will be adjusted on January 1 of each year by increasing or decreasing, as the case may be, the Rent Charge Amount by the amount determined by multiplying the Rent Charge Amount on December 31 immediately preceding by the percentage increase or decrease, as the case may be, in the CPI between the previous January 1 and that December 31, and adding the amount so determined to the Rent Charge Amount as it stands on that December 31. If Statistics Canada, or its successor in function, ceases to publish a CPI or comparable indicator as determined by the Covenant Holder in its sole discretion, the parties agree that the factor to be used in determining the annual increase in the Rent Charge Amount for each year is 3%.
- 11.4 For each breach of this Agreement, the Rent Charge Amount will be increased by a sum equal to 110% of the market value at the date of the breach of any flora or fauna, soil, rock, gravel or minerals which have been altered, damaged, destroyed, moved, harvested, or removed in connection with the breach.
- 11.5 The Rent Charge is suspended unless and until the Owner is in breach of any provision of this Agreement.
- 11.6 A Covenant Holder that wishes to enforce the Rent Charge must give a Notice of Enforcement of Rent Charge to the Owner and the other Covenant Holder, stating the intention to enforce the Rent Charge and demanding immediate payment of the Rent Charge Amount. The Notice of Enforcement of Rent Charge may be given at any time after a Notice of Breach is given under section 10.1.
- 11.7 The Owner must, within 10 days of receipt of the Notice of Enforcement of Rent Charge, pay the full Rent Charge Amount to the Covenant Holder who delivered that notice.
- 11.8 The Covenant Holders may enforce the Rent Charge by any of the following:
- (a) an action against the Owner for the Rent Charge Amount;
 - (b) distraint against the Land to the extent of the Rent Charge Amount;
 - (c) an action for appointment of a receiver in respect of the Land; or
 - (d) an order for sale of the Land.
- 11.9 The Covenant Holders are entitled to recover from the Owner all reasonable expenses incurred as a result of enforcement of the Rent Charge.
- 11.10 The Covenant Holder receiving the Notice of Enforcement of Rent Charge has 30 days from receiving it to send notice to the notifying Covenant Holder that it wishes to

enforce the Rent Charge jointly and, if it does not do so, it is deemed to have elected not to enforce the Rent Charge.

11.11 If the Rent Charge is enforced jointly:

- (a) reasonable expenses incurred as a result of the enforcement of the Rent Charge must be shared equally between the Covenant Holders, and
- (b) the net proceeds obtained as a result of the enforcement of the Rent Charge must be shared equally between the Covenant Holders,

unless otherwise agreed in writing between the Covenant Holders.

11.12 If the Covenant Holder receiving the Notice of Enforcement of Rent Charge does not wish to enforce the Rent Charge jointly, that Covenant Holder is not entitled to the Rent Charge unless otherwise agreed in writing between the Covenant Holders.

11.13 A Covenant Holder who declines to enforce the Rent Charge jointly must execute all documents which may be necessary for the enforcement and collection of the Rent Charge by the notifying Covenant Holder.

12. ADMINISTRATION FEE

12.1 The Owner agrees that the Covenant Holders may charge an Administration Fee to the Owner in each and any case where the Covenant Holders are requested to provide any review, approval or assessment of any action of the Owner. This Administration Fee applies whether or not the Covenant Holders grant the approval requested.

12.2 The Administration Fee will be adjusted on January 1 of each year by increasing or decreasing, as the case may be, the Administration Fee by the amount determined by multiplying the Administration Fee on December 31 immediately preceding by the percentage increase or decrease, as the case may be, in the CPI between the previous January 1 and that December 31, and adding the amount so determined to the Administration Fee as it stands on that December 31. If Statistics Canada, or its successor in function, ceases to publish a CPI or comparable indicator as determined by the Covenant Holder in its sole discretion, the parties agree that the factor to be used in determining the annual increase in the Administration Fee for each year is 3%.

13. ASSIGNMENT OF AGREEMENT OR DISSOLUTION OF THE COVENANT HOLDERS

13.1 This Agreement is assignable by a Covenant Holder, but a Covenant Holder may only assign its rights and obligations under this Agreement to a person or entity authorized to hold statutory rights of way under section 218 of the *Land Title Act* and covenants under section 219 of the *Land Title Act*.

13.2 Each Covenant Holder agrees that before it assigns this Agreement under this Article, it must notify the Owner and the other Covenant Holder with respect to the proposed assignee.

13.3 In the event of a pending winding-up or dissolution of a Covenant Holder, that Covenant Holder must use its best efforts to assign and transfer all of its interest under this Agreement to a person or entity authorized to accept statutory rights of way under section 218 of the *Land Title Act* and covenants under section 219 of the *Land Title Act*.

14. NOTICE OF CHANGE IN OWNERSHIP BY OWNER

- 14.1 The Owner must notify the Covenant Holders of any change of ownership prior to the registration of any such change in the land title office.
- 14.2 The Owner may request that the Covenant Holders visit the Land and jointly issue a Certificate indicating whether or not there are any violations of this Agreement as of the date of the Certificate. Each Covenant Holder may charge the Administration Fee plus expenses for this visit and Certificate.
- 14.3 Failure by the Owner to comply with section 14.1 does not affect the enforceability of this Agreement against the Owner or its successors in title to the Land.

15. NOTICE

- 15.1 Any notice or other communication (collectively a "notice") required or permitted under this Agreement must be in writing and must be:
 - (a) delivered in person;
 - (b) sent by facsimile to the parties at their respective facsimile numbers set out in section 15.3, followed by a copy sent by ordinary mail; or
 - (c) sent by pre-paid registered mail addressed to the parties at their respective addresses set out in section 15.3.
- 15.2 Unless otherwise provided, a notice
 - (a) delivered in person is deemed received on delivery;
 - (b) sent by facsimile is deemed received on the day indicated on the confirmation of transmission; and
 - (c) sent by pre-paid registered mail is deemed received on the fourth Business Day following the day on which the notice was sent.
- 15.3 The addresses of the parties for notices under this Article are as follows:
 - (a) The Owner:
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2
 - (b) The Board:
Trust Fund Board
200-1627 Fort Street
Victoria, BC V8R 1H8
Fax: 250-405-5155
 - (c) Co-covenant Holder:
TLC The Land Conservancy of British Columbia

(Incorporation .No. S-36826),
301-1195 Esquimalt Road
Victoria, BC V9A 3N6
Fax: 250-744-2251

15.4 Each party agrees to give written notice immediately to the other parties of any change in its address or facsimile number from those set out in section 15.3.

16. ACCESS

16.1 Except if expressly provided in this Agreement, no right of access by the general public to any portion of the Land is conveyed by this Agreement.

17. NOTICE OF COVENANT

17.1 The Owner agrees that the Covenant Holders may publicize the existence of this Agreement in a tasteful manner.

18. NO LIABILITY IN TORT

18.1 The parties agree that this Agreement creates only contractual obligations and obligations arising out of the nature of this Agreement as a covenant under seal. Without limitation, the parties agree that no tort or fiduciary obligations or liabilities of any kind are created or exist between the parties in respect of this Agreement, and nothing in this Agreement creates any duty of care or other duty on any of the parties to anyone else. For clarity, the intent of this section is to, among other things, exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract and the law pertaining to covenants under seal.

19. WAIVER

19.1 An alleged waiver of any breach of this Agreement is effective only if it is an express written waiver signed by each of the Covenant Holders, and is only effective to the extent of that express waiver and does not operate as a waiver of any other breach.

19.2 The failure for any reason of either or both Covenant Holders to require performance by the Owner at any time of any obligation under this Agreement does not affect either Covenant Holder's right to subsequently enforce that obligation.

20. JOINT AND SEVERAL OBLIGATIONS

20.1 Where at any time there is more than one Owner in this Agreement, the obligations of those Owners are joint and several.

21. REMEDIES NOT EXHAUSTIVE

21.1 Exercise or enforcement by a party of any remedy or right under or in respect of this Agreement does not limit or affect any other remedy or right that party may have against the other parties in respect of or under this Agreement or its performance or breach.

22. COVENANT RUNS WITH THE LAND

22.1 Every obligation and covenant of the Owner in this Agreement constitutes both a personal covenant and a covenant granted under section 219 of the *Land Title Act* in

respect of the Land, and the provisions of Article 9 constitute a statutory right of way granted under section 218 of the *Land Title Act*. This Agreement burdens the Land and runs with it and binds the successors in title to the Land and each and every part into which the Land may be subdivided by any means and any parcel with which the Land or any part of it is consolidated.

23. REGISTRATION

23.1 The Owner agrees to do everything necessary, at the Owner's expense, to ensure that this Agreement, and the interests it creates, are registered against title to the Land, with priority over all financial charges, liens and encumbrances, including options to purchase, rights to purchase and rights of first refusal, registered or pending registration in the applicable provincial land title office at the time of application for registration of this Agreement.

24. SEVERANCE

24.1 If any part of this Agreement is held by a court to be invalid, illegal or unenforceable, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement is to remain in force unaffected by that holding or by the severance of that part as if the part was never part of this Agreement.

25. NO OTHER AGREEMENTS

25.1 This Agreement is the entire agreement between the parties and it terminates and supersedes all other agreements and arrangements regarding its subject.

26. INDEPENDENT ADVICE

26.1 The Owner acknowledges and agrees that the Owner has had an opportunity to seek and obtain, to the Owner's satisfaction, independent advice from an accountant or other tax expert with respect to the income tax and other tax implications of this Agreement and acknowledges that it does not rely and has not relied on either Covenant Holder for advice in this regard and that the Covenant Holders have given no representation or warranty in that regard.

26.2 The Owner acknowledges and agrees that the Owner has been advised by the Covenant Holders that the Owner should seek independent legal advice as to the meaning and effect of this Agreement, and the Owner further acknowledges and agrees that no legal advisor of either of the Covenant Holders has advised the Owner on the meaning or effect of this Agreement or in connection with this Agreement.

27. AMENDMENTS

27.1 This Agreement is intended to be perpetual and may only be changed by a written instrument signed by all the parties.

28. DEED AND CONTRACT

28.1 By executing and delivering this Agreement, each of the parties intends to create both a contract and a deed and covenant executed and delivered under seal.

29. RIGHTS OF COVENANT HOLDERS

29.1 A Covenant Holder may exercise its rights under this Agreement through its directors, officers, employees, agents or contractors.

As evidence of their agreement to be bound by the above terms, the parties each have executed this Agreement under seal by signing Part 1 of the *Land Title Act* Form C to which this agreement is attached.

The schedules referred to throughout this document are attached after this page.

DRAFT

SCHEDULE A

REFERENCE PLAN

Attached to and forming Part of the Conservation Agreement between the Owner and the Covenant Holders dated for reference [REDACTED], 2010.

INSERT REDUCED COPY OF PLAN

DRAFT

SCHEDULE B

SUMMARY OF SITE CONDITIONS REPORT

Attached to and forming part of the Covenant Agreement between the Owner and the Covenant Holders dated for reference [REDACTED], 2010.

INSERT REDUCED COPY OF BASELINE REPORT(Management Plan)

DRAFT

CONSENT AND PRIORITY AGREEMENT

RE-WRITE AGREEMENT– There are no mortgages

WHEREAS the INSERT NAME OF BANK ("Chargeholder") is the holder of a mortgage registered against title to the Land, which Land is described in the Section 219 Covenant (including Rent Charge) and Section 218 Statutory Right of Way, to which this Agreement is attached ("Covenant and Right of Way"), which mortgage is registered in the Victoria Land Title Office under instrument no. XXXXXXXX ("Prior Charge").

This Consent and Priority Agreement is evidence that in consideration of payment of Two Dollars (\$2.00) by each of the Transferees described in Item 6 of Part 1 of the *Land Title Act* Form C to which this Agreement is attached ("Transferees"), the receipt of which is acknowledged by the Chargeholder, the Chargeholder grants to the Transferees priority for the Section 219 Covenant and the Statutory Right of Way created by the Covenant and Right of Way, but does not grant priority over the Rent Charge, over the Chargeholder's right, title and interest in and to the Land and the Chargeholder hereby postpones the Prior Charge, and all of its right, title and interest under the Prior Charge, to the Covenant and Right of Way as if the Covenant and Right of Way had been executed, delivered and registered prior to the execution, delivery and registration of the Prior Charge.

AS EVIDENCE of its agreement with the Transferees to be bound by the above terms, the Chargeholder has executed and delivered this Agreement by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

END OF DOCUMENT