

# NORTHWEST NANOOSE RESIDENTS ASSOCIATION

## DIRECTORS MEETING

DECEMBER 4, 2018 AT 7:15

1951 SEAHAVEN ROAD, NANOOSE BAY

### In Attendance:

Kirke MacMillan  
Lewis Vermeulen  
David Jamieson  
Colin Springford  
Michael Kosich

### Not Available:

Sherilene Chycoski  
Mark Thomson

- 1) Call to order: by Kirke at 7:15
- 2) Treasurer's Report  
Lewis reported no changes in the financial area.
- 3) Minutes of November 7, 2018 Meeting  
Minutes approved as circulated
- 4) Wall Beach Correspondence Update  
Kirke brought the group up to date with the recent correspondence with the Ministry of Forests, Lands and Natural Resources. A copy of the correspondence is attached for reference.
- 5) Annual General Meeting, Tuesday, January 15, 2019 @ 7:15 PM
  - Location—options included Nanoose Library, Pacific Shores, etc.
  - Michael was to F/U to determine what was available
  - Agenda ---Review of activities of 2018
    - Guest Speakers-- Michele Stilwell-- Kirke to confirm
    - RCMP -- Lewis to F/U
    - New issues of concern
    - Election of Board of Directors
  - AGM Notices & Circulation Options
- Notice of meeting to be posted on the bulletin Boards
  - Kirke to F/U using contacts in the Madrona area
  - Michael to F/U using contacts in the Wall Beach area
  - Notice of meeting, including Agenda, to be placed on the Nanoose Facebook site
- 6) Next NNRA Meeting to be held after the Annual Meeting. Date to be decided. David Jamieson agreed to host.
- 7) Meeting Adjourned

## A. Kirke MacMillan

---

**From:** Hadway, Sharon L FLNR:EX <Sharon.Hadway@gov.bc.ca>  
**Sent:** December 3, 2018 9:36 AM  
**To:** Norlock, Jim D FLNR:EX  
**Cc:** Donnelly, Nick FLNR:EX; 'akmacmillan@shaw.ca'; Mayser, Rudi E FLNR:EX  
**Subject:** NNRA Letter of Concern - Incidental Use for AT Guiding Purposes  
**Attachments:** NNRA Letter to Mike Donnelly Oct. 30, 2018.docx

**Importance:** High

Hi Jim,

I spoke with Kirke MacMillan representing the Northwest Nanoose Residents Association (email address in the cc list) this morning and based on that discussion, I thought that your compliance and enforcement team should be made aware of the concerns about potential non-compliance issues at Wall Beach with the Adventure Tourism Incidental Use Policy. I have attached correspondence on this matter below for your consideration and any further action.

Thank you.

---

### Sharon Hadway

Regional Executive Director | **West Coast Region**  
Ministry of Forests, Lands, Natural Resource Operations  
and Rural Development  
2100 Labieux Road  
Nanaimo, BC., V9T-6E9  
Phone: 250. 751-7161 | Fax: 250. 751-7196  
Mailto:Sharon.Hadway@gov.bc.ca

---

**From:** A. Kirke MacMillan [<mailto:akmacmillan@shaw.ca>]  
**Sent:** November 26, 2018 1:42 PM  
**To:** 'Donnelly, Nick FLNR:EX' <[Nick.Donnelly@gov.bc.ca](mailto:Nick.Donnelly@gov.bc.ca)>  
**Subject:** RE: October 30, 2018 NNRA Letter of Concern - Incidental Use for AT Guiding Purposes

Hi Nick,

Thank you for your November 20<sup>th</sup> e-mail. Unfortunately, it did little to address the concerns of the NNRA.

In your e-mail you state that the Adventure Tourism (AT) Land Use Policy is intended to provide guidance for decision makers, but is not meant to be prescriptive. However, we are having a problem squaring your current position on the intent of the Policy with the position taken in your January 20, 2018 letter to Mr. Tom Osborne of the RDN. In that letter you state:

"Of particular relevance in this policy is *Appendix 1: Incidental Use for AT Guiding Purposes*, which outlines a number of conditions that are to be met by a "tourism operator". These conditions speak to issues of safety, liability, and compatibility with other activities."



In looking at the Land Use Policy : Adventure Tourism it states that “ The Incidental Use activities listed above will not require Tenure under this policy if all of the following conditions are met.” Seven conditions are then listed in the Policy.

In our October 30<sup>th</sup> letter we provided you a summary of those conditions that we believed were not being met by Adventuress Kayaking. Unfortunately, your November 20<sup>th</sup> e-mail chose to completely dismiss addressing the non-compliance issues we had raised.

We are not in any way suggesting that your Ministry should be pursuing an application for tenure with Adventuress Kayaking at this time. What we are seeking is clarification as to why your Ministry has, to date, refused to take any initiative to address these non-compliance issues.

We also wish to advise that we do not believe your Ministry would condone the manner in which you summarily dismissed a meeting you had agreed upon in your October 10<sup>th</sup> e-mail, subject to our providing further information regarding our concerns. Those concerns were outlined in our October 30<sup>th</sup> e-mail referred to above.

We were pleased to hear that in your office’s opinion, “that the activities undertaken by Adventuress Kayaking on public foreshore are of minimal impact to land and meet the intent of Incidental Use”. It is unfortunate that the minimal impact claim does not also hold true for local residents living in the Wall Beach area.

In future, you may be hearing directly from your Ministry as we will be forwarding copies of our recent correspondence to them.

Regards,  
Kirke

---

**From:** Donnelly, Nick FLNR:EX [mailto:Nick.Donnelly@gov.bc.ca]  
**Sent:** November 20, 2018 10:10 AM  
**To:** 'A. Kirke MacMillan' <akmacmillan@shaw.ca>  
**Cc:** Engels, Simone FLNR:EX <Simone.Engels@gov.bc.ca>  
**Subject:** RE: October 30, 2018 NNRA Letter of Concern - Incidental Use for AT Guiding Purposes

Good morning Kirke,

Thank you for your October 30, 2018 letter regarding the Northwest Nanoose Residents Association’s concerns of Adventuress Kayaking’s operations.

The *Incidental Use for AT Guiding Purposes Appendix* of the Adventure Tourism (AT) Land Use Policy was developed to recognize those AT activities that have minimal impact on the land. Its intent is to provide guidance for decision makers, but it is not meant to be prescriptive, and activities may be assessed on a case-by-case basis. It is this office’s opinion that the activities undertaken by Adventuress Sea Kayaking on the public foreshore are of minimal impact to the land and meet the intent of Incidental Use, and we will therefore not be pursuing an application for tenure at this time.

With regards to your concerns over issues of traffic and safety, I will reiterate the previous correspondence on those matter:

- The road to the beach and the road right-of-ways are public and are administered by the Ministry of Transportation and Infrastructure. Possible signage with respect to parking, blind

corners and converting the road access back to a walk through should be discussed with a representative of the **Ministry of Transportation and Infrastructure, by phone at 250-334-6951.**

- Traffic issues, parking, vehicle congestion, and safety are matters for the Royal Canadian Mounted Police to address. The non-emergency phone number for **Oceanside Community Policing Office in Parksville is 250 248-6111.**

Our office continues to hold the opinion that these concerns are more suitably dealt with by the agencies listed above. As such, we do not believe that a meeting is necessary at this time. Should you wish to further discuss the Adventure Tourism policy and how it relates to this activity, you can contact Vera Vukelich, Manager of Land Policy and Programs. Her phone number is 250-356-7040 and email is [vera.vukelich@gov.bc.ca](mailto:vera.vukelich@gov.bc.ca).

Regards,

**Nick Donnelly**

**Sr. Authorizations Officer, West Coast Region Authorizations**

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Suite 142 - 2080 Labieux Road

Nanaimo, BC V9T 6J9

Ph: (250) 751-7239

---

**From:** A. Kirke MacMillan [<mailto:akmacmillan@shaw.ca>]

**Sent:** Monday, November 19, 2018 11:21 AM

**To:** Donnelly, Nick FLNR:EX

**Cc:** Engels, Simone FLNR:EX

**Subject:** RE: October 30, 2018 NNRA Letter of Concern - Incidental Use for AT Guiding Purposes

Hi Nick,

Thank you for the confirmation you had received our October 30, 2108 e-mail.

As per your October 10, 2018 e-mail, we are prepared to meet with your Ministry staff, at your convenience, on any working day between November 21<sup>st</sup> and November 28<sup>th</sup>.

We have some commitments in Victoria on November 29<sup>th</sup> and 30<sup>th</sup>, but could also meet the following week.

Please advise on your availability.

Regards,

Kirke

---

**From:** Donnelly, Nick FLNR:EX [<mailto:Nick.Donnelly@gov.bc.ca>]

**Sent:** November 16, 2018 4:43 PM

**To:** 'A. Kirke MacMillan' <[akmacmillan@shaw.ca](mailto:akmacmillan@shaw.ca)>

**Cc:** Engels, Simone FLNR:EX <[Simone.Engels@gov.bc.ca](mailto:Simone.Engels@gov.bc.ca)>

**Subject:** RE: October 30, 2018 NNRA Letter of Concern - Incidental Use for AT Guiding Purposes

Hi Kirke,

Thanks for the follow up and for your patience. I just wanted to confirm that we have received your October 30<sup>th</sup> email. I will follow up with a proper response to it next week.

Thanks,

**Nick Donnelly**

**Sr. Authorizations Officer, West Coast Region Authorizations**

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Suite 142 - 2080 Labieux Road

Nanaimo, BC V9T 6J9

**Ph:** (250) 751-7239

---

**From:** A. Kirke MacMillan [<mailto:akmacmillan@shaw.ca>]

**Sent:** Friday, November 16, 2018 11:17 AM

**To:** Donnelly, Nick FLNR:EX

**Cc:** Engels, Simone FLNR:EX

**Subject:** October 30, 2018 NNRA Letter of Concern - Incidental Use for AT Guiding Purposes

Hi Nick,

On October 10<sup>th</sup> you sent us an e-mail requesting further information about our concerns before scheduling a meeting with your Ministry staff. On October 30<sup>th</sup> we forwarded you an e-mail with an attached letter and photos outlining those concerns.

As we have not received any correspondence from you since that time, we thought it appropriate to follow up and ensure that you had, in fact, received our October 30<sup>th</sup> e-mail.

We look forward to your reply and trust we can schedule a meeting with your Ministry staff in the near future.

Best regards,  
Kirke