

**POWELL RIVER REGIONAL DISTRICT
BOARD MEETING
AGENDA
Thursday, September 24, 2009**

11. Industrial Licence Application, Vicinity of DL 400, Davie Bay, Texada Island

THAT the Board concur with the recommendation of the Planning Committee to advise the Integrated Land Management Bureau that the Powell River Regional District has the following comments, concerns and recommendations pertaining to Lehigh Cement Ltd.'s application for a 10 year licence for light industrial purposes over +/- 3.984 ha of Crown foreshore and upland fronting District Lot 400 on Texada Island for a barge loading facility for the shipment of aggregate material:

- 1) Texada Island Zoning Bylaw No. 99, 1982 permits the quarry operation and the use of the upland and foreshore for a conveyor system and barge loading facility; however, an application for rezoning or alternatively an application to the Board of Variance for a waiver of Section 10.1 of the bylaw which states, "*No building or structure shall be sited less than 15 metres from the natural boundary of any watercourse*" will be required.
- 2) Public use of the roads that cut through Lehigh's private property has been at the discretion of Lehigh. If approval is granted for the load out facility the Board is very concerned that public access will be curtailed to the Davie Bay foreshore, the island containing the conveyor, the 66 ft. strip of Crown land fronting District Lot 235 and the existing UREP fronting District Lot 303. The Board recommends that ILMB negotiate a land exchange with Lehigh, in consultation with the Powell river Regional District, where-by the island under application and the 66 ft. strip of Crown land fronting District Lot 235 are exchanged for an equivalent amount of District Lot 303 fronting the existing UREP along with the construction of an access road to this site.
- 3) If approved, the lease agreement with Lehigh should include provisions which will ensure that disturbance of the vegetation and foreshore is kept to the minimum required to facilitate the construction and operation of the conveyor system (5 m) and barge loading facility as outlined by the proponent in their application.
- 4) Approval should be contingent upon Federal Fisheries being satisfied that the marine habitat will not be adversely affected and Ministry of Environment being satisfied that the operation will not impact any red or blue listed species.
- 5) The conveyor system should be covered and designed to minimize dust as per the applicant's proposal.

12. **Referral re Notice of Work and Reclamation Program, Davie Bay, Texada Island**

THAT the Board concur with the recommendation of the Planning Committee to advise the Ministry of Energy, Mines and Petroleum Resources that the Powell River Regional District has the following recommendations and comments pertaining to the Notice of Work and Reclamation Program submitted by Lehigh Hanson Materials Limited for the Texada South Quarry which is to be located on District Lots 400 and 235 (private land) and District Lot 573 (Mining Lease #308820), Texada Island District as described in the Mine Plan dated May 15, 2009:

- 1) That the Ministry weigh the short-term economic gain against the long-term economic, social and environmental impact on the Island community when considering this proposal.
- 2) Public access though Lehigh's property to Shingle Beach and the hydro substation should be formalized.
- 3) That the Ministry provide strict enforcement of provincial regulations governing the development, operation and termination of major mining projects, with particular regard for those related to environmental protection, site reclamation and public safety.
- 4) A karst assessment should be carried out by a qualified karst professional to identify any direct and indirect impacts that may result from the quarry operation and to determine what actions could be taken to prevent or mitigate these impacts.
- 5) The applicant should be encouraged or required to retain as much of the upland adjacent to Davie Bay (including the 66 ft. of strip of Crown land fronting District Lot 235) as identified by the Sensitive Ecosystem Inventory, in its natural state.
- 6) If future production levels of the proposed quarry exceed the levels specified in the application, the local government and the community would like an opportunity to review and comment on the change.