

Municipality of North Cowichan Agricultural Advisory Committee AGENDA

Tuesday, April 23, 2024, 1:30 p.m.
Large Committee Room

Pages

1. CALL TO ORDER

This meeting will be conducted in-person in the Large Committee Room where the public are invited to attend to observe the meeting.

2. APPROVAL OF THE AGENDA

To consider any items of business not included in the Agenda that are of an urgent nature they must be introduced and approved at the time the agenda is adopted. Matters must be taken up in the order that they are listed unless changed at this time.

Recommendation:

THAT the Agricultural Advisory Committee approve the agenda as circulated [or as amended].

3. BUSINESS

3.1 Member Introduction

Purpose: Opportunity for members to briefly introduce themselves to the group.

3.2 Legislative Services - Meeting Procedure Overview

3 - 17

Purpose: Tricia Mayea, Corporate Officer, to provide a general overview of meeting procedures to help ensure that meetings are efficient.

3.3 Items for Information

18 - 54

Purpose: The following documents are attached for the Committee's information. Please make sure that you have read in advance of the meeting:

1. Agricultural Advisory Committee Terms of Reference
2. Agricultural Advisory Committee Procedural Guide
3. Council Standards of Conduct Policy

3.4 Ministry of Agriculture and Food - Agricultural Advisory Committees 101

Purpose: Reed Bailey, Acting Team Lead for the Land Use Planning Team with the Ministry of Agriculture, to provide a summary presentation on Agricultural Advisory Committees, including detailed information on associated legislation, roles and responsibilities, and best practices.

3.5 2024 Agricultural Advisory Committee Meeting Schedule

Purpose: To set the 2024 Agricultural Advisory Committee meeting schedule.

Recommendation:

THAT the Agricultural Advisory Committee establish the 2024 regular schedule of meetings, to be held by Electronic Means, as follows:

- Tuesday, July 30, 2024 at 1:30 p.m.
- Tuesday, October 29, 2024 at 1:30 p.m.

3.6 Richards Creek Ecological Accounting Process

55 - 94

Purpose: Dave Preikshot, Senior Environmental Specialist, to provide the Committee with a summary and presentation on the Draft Ecological Accounting Process report for Richards Creek that was prepared by the Mount Arrowsmith Biosphere Region Research Institute (Vancouver Island University). This was presented to Council at the April 9, 2024, Committee of the Whole meeting (report attached) and Council referred it to both the Environmental Advisory Committee and the Agricultural Advisory Committee for comment and review.

Recommendation:

THAT the Agricultural Advisory Committee provide the following feedback for Council's consideration:

1. [insert comment]
2. [insert comment]

3.7 Official Community Plan - Agricultural Chapter

95 - 106

Purpose: To provide a brief overview of North Cowichan's Official Community Plan and its agricultural policies.

4. ADJOURNMENT

Agricultural Advisory Committee Orientation

Legislative Services



Topics to be covered

- FAQ's
- Robert's Rules of Order
- Motions
- Rules of Decorum
- Agendas and Minutes
- Role of the Chair
- Role of Committee Members
- Managing Information /Freedom of Information
- Conflict of Interest



Frequently Asked Questions



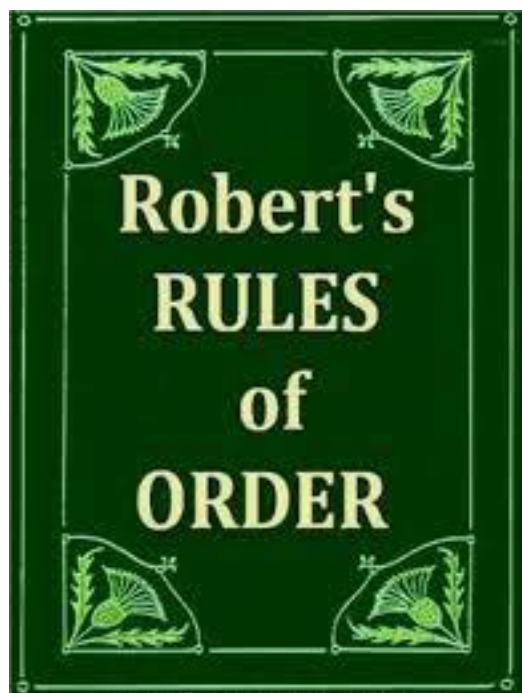
Meeting Dates and Times

What if I am unable to attend a meeting?

Are the meetings open to the public?

Who prepares the reports, agendas and minutes?

Robert's Rules of Order



Purpose: to help facilitate efficient meetings while protecting the rights of its members

It is the recognized guide to smooth, orderly, and fairly-conducted meetings

Six Steps to a Motion

1. Member **makes** a motion - obtains the floor
2. Member **seconds** a motion
3. Chair **places** question – on the floor
4. Members **debate** question – if debatable
5. Members **vote** on question – put by chair
6. Chair **announces** result – adopted / defeated

Amending a Main Motion

MOTIONS

- Main Motion
- Secondary Motions
- Sequence of Voting (Last in, first out (LIFO))



Main Motion: THAT the AgAC orders a pizza for each meeting.

Secondary Motion: THAT the main motion be amended by adding the word “pepperoni” before the word pizza.

Main Motion, as amended: THAT the AgAC orders a pepperoni pizza for each meeting.

Commonly Used Motions



Receive for information

Approve

Refer

Table

Postpone

Rules of Decorum

- Remarks must be confined to the motion
- Be courteous and void of personal attacks
- Remarks addressed through the Chair



Agendas



Agendas are distributed 3 days prior to the meeting

No debate via email

Late Items should be avoided

Minutes

- Adopted by the Committee at the next meeting
- Do not include debate or items not pertinent to the decision
- Be succinct and accurate
- Contain enough information so minutes have meaning in the future

Role of the Chair

Works with Staff
Liaison to set the
agenda

Presides and
ensures meeting
rules are followed

Establishes order
and decorum

Respects member's
views

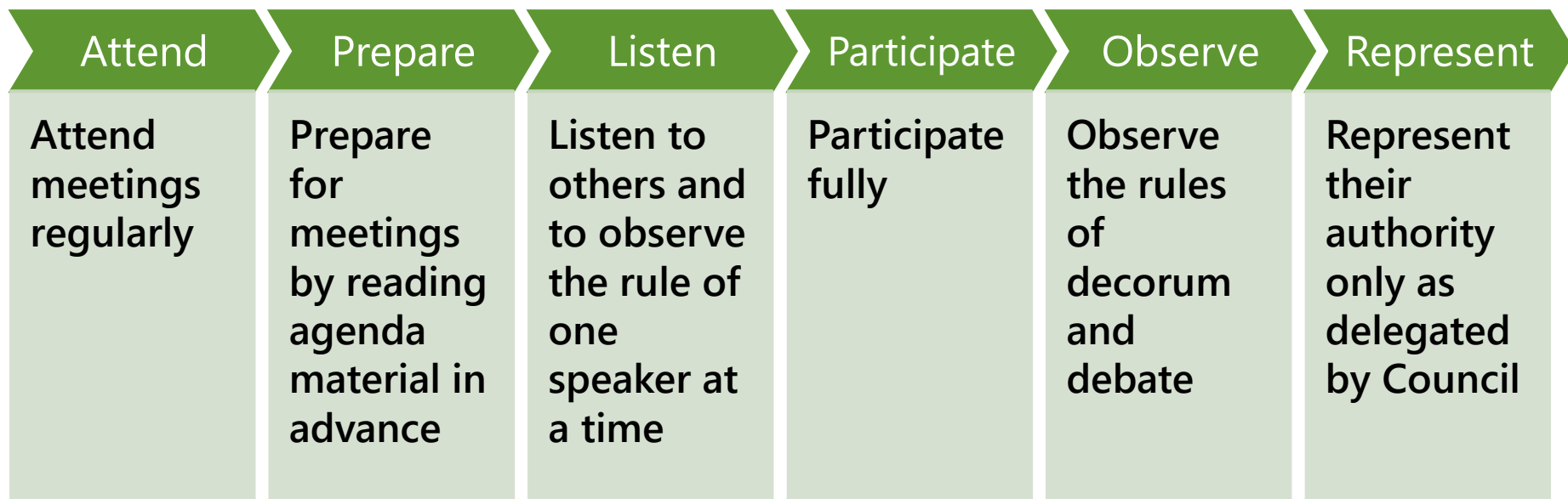
Remains open-
minded

Seeks agreement
and builds
consensus

Guides the group to
resolution

Ensures all members
are provided equal
opportunity to
participate

Role of Individual Members



Managing Communications / FOI

- Emails are subject to access requests (Freedom of Information "FOI")
- *Freedom of Information and Protection of Privacy Act* (FIPPA) provides:
 - right of access to information, and
 - privacy protections



Conflict of Interest



Always disclose why you are absenting yourself from the vote

If you have a contract with North Cowichan, you must report it

Questions?



TERMS OF REFERENCE

Agricultural Advisory Committee

Adopted by Council: November 1, 2023
Amended by Council: [Click or tap to enter a date.](#)

MANDATE

The Agricultural Advisory Committee is a select committee of Council established under section 142 of the *Community Charter*. The mandate of the committee is to provide advice to Council on a range of agricultural issues and initiatives.

DUTIES

The Committee exists to provide support to Council by:

- (1) Assisting staff and Council to conceive, develop and implement practical *Agricultural and Food Security* related programs and policies that both:
 - (a) Support an increasingly vibrant/viable and sustainable/regenerative agricultural and food sector; and,
 - (b) Advance the Municipality's goals related to economic development, climate/ environment, and agricultural/food security, as described in the Official Community Plan (OCP) and other policies or plans of Council, such as the Climate Action and Energy Plan (CAEP) and the Biodiversity Protection Policy.
- (2) Working with staff (and a consultant) and Council toward the development of an Agriculture and Food Security Strategic Plan (AFSSP).
- (3) Advising on issues referred to the Committee by Council related to:
 - (a) agricultural and food related issues, such as any land use applications, bylaws, policies, temporary use permits, etc. that impact agricultural land;
 - (b) the practice of agriculture, food processing, industry, and food security issues;
 - (c) agricultural impacts on natural areas;
 - (d) water protection; climate adaptation; and,
 - (e) other emerging issues.
- (4) *Proactively* advising Council on issues of concern to the agricultural/food security sector, as described in bullet (3) above.
- (5) Acting informally as a conduit of understanding between the municipality, the community and the agricultural/food sector, by raising broader awareness of the Committee's work as well as of agriculture and food production and its role in the local economy.

MEMBERSHIP

The Committee shall consist of nine (9) voting members including the Council member appointed as the Committee Chair.

Members must:

- (a) Be able to connect with the agricultural community and/or the community generally through interactions that provide opportunity for consideration of issues beyond the conventional committee

meeting format; and,

- (b) Have demonstrated expertise, experience or interest, in agricultural or food policy/security matters relevant to North Cowichan.

Membership may include a representative from one or more of the following sectors or areas of expertise or where applicant has a demonstrated knowledge of:

Sectors

- Agricultural producers, processors, and service providers in a variety of sectors
- First Nations
- Provincial government (e.g., District Agrologist)
- Educational Sector (Agriculture/Food)
- Cowichan Agricultural Society
- Young Agrarians

Area of Expertise

- Agricultural production, processing, and services in specific areas
- Food security
- Agrological science/economics/ecology
- Agroecology
- Soil/land Regeneration
- Agricultural Extension/Training
- Agri-tourism
- Place based food economy
- Urban farming
- Agri Food Technology

APPOINTMENT AND TERM

Members shall be appointed by resolution of Council.

The term for all members, including the Chair, will coincide with the term of Council.

STAFF SUPPORT

The Manager of Planning serves as the staff liaison to the Committee and will notify Council in writing of any First Nation or community organization representative changes (if applicable).

MEETINGS AND REPORTING TO COUNCIL

The Committee shall meet on a quarterly basis, or at the call of the Chair.

The procedures for meeting conduct and reporting back to Council are set out in the Council Procedure Bylaw and the Council Advisory Body Policy.

Municipality of North Cowichan

Agricultural Advisory Committee

Procedural Guide

Prepared by Legislative Services on: April 16, 2024

Welcome!

Welcome to your role as a Municipality of North Cowichan Agricultural Advisory Committee volunteer. This manual is intended to help make your experience a rewarding one.

Contained within this manual are the basics of how the system works. It includes an overview of roles and responsibilities and the support that Agricultural Advisory Committee shall receive to assist their work. You will also find meeting guidelines and procedural tips for committee members in this material.

We hope committee members find this information helpful.

Your feedback is always welcome.

Councillor Christopher Justice, Chair

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Heather Power, Legislative Services Staff Support (Legislative Services Coordinator)

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Who Does What?

Role of Agricultural Advisory Committee (AgAC)

Mandate under the Terms of Reference

The Agricultural Advisory Committee's (AgAC) mandate is to provide advice to Council on a range of agricultural issues and initiatives.

Under the [Terms of Reference](#), adopted by Council, the AgAC exists to provide support to Council by:

- (1) Assisting staff and Council to conceive, develop and implement practical Agricultural and Food Security related programs and policies that both:
 - a) Support an increasingly vibrant/viable and sustainable/regenerative agricultural and food sector; and,
 - b) Advance the Municipality's goals related to economic development, climate/ environment, and agricultural/food security, as described in the Official Community Plan (OCP) and other policies or plans of Council, such as the Climate Action and Energy Plan (CAEP) and the Biodiversity Protection Policy.
- (2) Working with staff (and a consultant) and Council toward the development of an Agriculture and Food Security Strategic Plan (AFSSP).
- (3) Advising on issues referred to the Committee by Council related to:
 - a) agricultural and food related issues, such as any land use applications, bylaws, policies, temporary use permits, etc. that impact agricultural land;
 - b) the practice of agriculture, food processing, industry, and food security issues;
 - c) agricultural impacts on natural areas;
 - d) water protection; climate adaptation; and,
 - e) other emerging issues.
- (4) Proactively advising Council on issues of concern to the agricultural/food security sector, as described in bullet (3) above.
- (5) Acting informally as a conduit of understanding between the municipality, the community and the agricultural/food sector, by raising broader awareness of the Committee's work as well as of agriculture and food production and its role in the local economy.

Once the committee submits a recommendation to Council, the decision is in Council's hands and may be adopted as is, amended, referred to staff or other committees, or not proceeded with at all. It is also possible that at some point in the future, the action taken could be altered without referral back to the committee.

Reporting to Council

Council receives advice from the committee through various channels which include:

- a staff report prepared by the Staff Liaison;

- a presentation by the committee at a Committee of the Whole or Council meeting; and
- through the minutes that are shared with Council through the Consent Agenda.

It is **best practice** for the Committee to speak to Council as one body, and to not have individual Committee Members providing their individual opinions on a matter to a member of Council or all of Council.

The Staff Liaison will advise the committee if a report recommendation to Council is required before staff activity on the issue can commence. For example, committees must seek Council approval for new initiatives and projects requiring a significant amount of staff time or costs to determine if resources can be allocated to the committee's initiative.

Meeting Schedule

The committee shall meet quarterly (four times per year) or at the call of the Chair. At its first meeting after its establishment, the committee must establish a regular schedule of meetings.

Each year on or before December 15, the committee shall prepare a schedule of the dates, times and place of their regular meetings for the following year. The Legislative Services Coordinator will then make that schedule available to the public by posting on the notice board at the main entrance to the Municipal Office and the Municipality's website.

Role of the Chair

The role of the Chair is critical for effective meetings. If the Chair is absent, the committee members must select a member present at the meeting to preside.

The [Council Procedure Bylaw](#) authorizes Council members who are not members of the committee to attend to observe its deliberations. The exception under the bylaw is that the Mayor is an ex-officio member of all committees and commissions and as such has the same rights as other committee members.

The Chair:

- works with the Staff Liaison and the Corporate Officer, or delegate, to set the agenda
- presides and ensure that the rules established under the [Council Procedure Bylaw](#) and the [Council Advisory Body Policy](#) are being followed
- uphold [Council's Standards of Conduct Policy](#) and help guide members whenever ethical dilemmas arise during the meeting
- prevents new issues from side-tracking meetings
- establishes order and decorum
- respects members' views and understands the issues
- seeks agreement and builds consensus
- is open-minded
- closes debate and guides the group to resolution in timely manner
- assists committee members to word motions clearly and succinctly

- ensures all members have the opportunity to participate, encourages those who hold back, prevents others from dominating
- ensures a member is not present where a conflict of interest has been declared
- reports back to the committee the outcome of any Council decisions pertaining to their recommendations
- focuses on presiding over the meeting but may participate in debate

The Chair's duties during a meeting are to:

- check if a quorum is present and open the meeting at the prescribed time
- announce the business in the proper sequence (as on the agenda)
- ensure the committee sticks to the agenda
- recognize members entitled to speak, in the order in which they request to speak (mover of a motion has the right to speak first)
- state and put the questions (resolutions which have been moved and seconded) to a vote
- enforce the rules of decorum
- expedite business
- assist committee members to word motions clearly and succinctly
- decide questions of order
- declare the meeting adjourned when business is complete

The Chair is a member of Council, Councillor Christopher Justice, appointed by Council and serves as a voting representative.

Role of Individual Committee Members

Committee members are appointed by Council to serve for a term that coincides with the Council term.

Committee members are expected to:

- regularly attend meetings;
- pick up agendas at the Municipal Office front counter or as arranged;
- prepare for meetings by reading agenda material in advance;
- listen to others – observe the rule of one speaker at a time;
- participate fully;
- observe rules of decorum and debate; and
- represent their authority only as delegated by Council.

Committee members are reminded that attendance is vital. Without quorum (quorum is a majority of voting members), the committee is unable to have an official meeting and cannot pass recommendations to Council. If you are unable to attend meetings on a regular basis or cannot dedicate the necessary time, reach out to the Chair and Staff Liaison as there may be other ways that you could support the committee.

Any member who is absent from three consecutive regular meetings, without notifying the Chair or Staff Liaison in advance, without leave of absence from the committee, or without reason satisfactory to the committee, shall cease to be a member of the committee.

The committee's goal is to come to consensus before sending a recommendation to Council. Although consensus is the goal it cannot always be achieved, and members must be willing to support the group's decision even if they were in opposition to avoid undermining the process.

Resignation of Member

Any member of the committee wishing to resign from the committee is requested to provide the resignation in writing to the Chair with a copy to the Staff Liaison who will advise the Corporate Officer. Legislative Services will then advise Council and the CAO of the resignation.

Role of the Staff Liaison

"Staff Liaison", as identified on page 1, is assigned to assist a committee in a non-voting advisory and resource capacity. Their contact information can be found on the Welcome page of this guide (page 1).

The **Staff Liaison**:

- provides information and professional advice
- manages the information shared with the committee through email and is the main point of contact for members outside of the Chair
- supports the Chair in developing agendas and supporting materials
- provides updates to the committee on 'committee work' that is in progress
- is not a member of the committee and is not entitled to vote
- reports to the department head and provides professional advice through the CAO to Council

Role of the Legislative Services Staff Support

"Legislative Services Staff Support", as identified on page 1, is not a member of the committee and therefore is not entitled to vote. Their contact information can be found on the Welcome page of this guide (page 1).

The responsibilities of the **Legislative Services Staff Support** include:

- preparing and distributing committee agendas at the direction of the Chair and Staff Liaison
- attending committee meetings to record the minutes
- ensuring that appropriate arrangements for committee meetings, including room bookings, are made in accordance with prescribed municipal procedures
- maintaining and distributing the schedule of committee meetings
- providing meeting process and procedural advice

At the Committee Meeting

Meetings Open to Public

All meetings of Council committees are open to the public and no person shall be excluded except in cases of improper conduct, or where the committee is considering an item where, in accordance with section 90 of the *Community Charter*, the exclusion of the public is permitted or required.

Committee meetings are held in person in the Large Committee Room, unless an alternate location in the Municipal Hall has been approved by the Corporate Officer or CAO. If a meeting is to be held outside of the Municipal Hall, the committee must adopt a resolution to authorize the meeting to be held elsewhere.

Rules of Procedure

In addition to the rules of procedure which Council must observe during their meetings, and which apply to committee meetings under the [Council Procedure Bylaw](#), the [Council Advisory Body Policy](#) provides additional guidelines regarding meeting schedules, agendas, minutes, recommendations to Council, media relations, conduct, etc.

Quorum

Not much can happen at committee meetings without a quorum of the members, other than calling the meeting to order to record the names of those present and then adjourning the meeting until the next scheduled meeting. All items on that agenda would be brought forward to the next meeting agenda.

A quorum is a majority of the committee members. A quorum is necessary to pass motions. Sometimes specific requirements are necessary to achieve quorum. In the event of no quorum after 15 minutes, or if quorum is lost during a meeting, the committee's official business ceases, members may leave, and the staff support will excuse themselves from the meeting.

Agendas/Minutes

Agendas are prepared by Legislative Services in consultation with the Chair and the Staff Liaison. Agendas are produced by the Legislative Services Staff Support, e-mailed to committee members, and made available on the municipal website. Paper copies of agendas are only printed upon request and can be picked up at the meeting or prior to the meeting from the Front Counter. Extra copies will not be available at the meeting, so be sure to request your paper copy in advance if you need one.

Minutes of the previous meeting are circulated in the next agenda package. Legislative Services has a schedule for agenda production, generally the items to be included in the agenda are

forwarded to Legislative Services one week prior to the meeting date to ensure that the agenda is finalized and distributed at least 72 hours prior to the meeting. The goal is to give members as much time as possible to prepare for meetings. On occasion, there may be large documents that members are expected to review prior to the meeting which the Staff Liaison will circulate prior to distribution of the agenda to provide them with more time to review the document(s).

Decision-making

Members should strive for consensus in their decision-making. However, final decisions are made by motion adopted by a majority vote.

Voting and Debating Rights

Each member of the committee, including the Chair, may make or second motions, debate motions, and vote.

All members, including the Chair, will have a vote on any question before it, and in all cases, in the event of a tie vote, the motion will be defeated. Any member who abstains from voting, without having declared a conflict of interest and leaving the meeting, will be deemed to have voted in the affirmative. Proxy votes are not permitted.

Delegations to Committees

Delegations to committees must be limited to 10 minutes unless a longer period is agreed to by unanimous vote of committee members present. Once the delegation has presented their remarks, committee members may ask questions for clarification if permitted to do so by the Chair. Once the delegation presentation is concluded and questions have been addressed, the delegation must not be permitted to participate further in the committee deliberations.

Handling the Business of the Meeting

Agendas may have many items, sometimes seemingly too many items. Some items are for action, while others may be updates or items just for information. Focus on those that are for discussion or decision, are important and urgent, and where the background work has been done. Keep the time spent just '*informing people*' to a minimum.

Recommendations to Council – Wording of Motions

Recommendations to Council should be worded in a concise, action-oriented manner. In effect, if Council agrees with the committee's recommendation, Council should be able to adopt the recommendation as is, as a Council resolution.

To Report or Not To Report (to Council)

Not all deliberations require a report/recommendation to Council. There will be motions made by the committee that do not require an action or endorsement by Council. Council is kept apprised of all committee activities through regular distribution of committee minutes.

The [Council Advisory Body Policy](#) describes when a report is required to accompany a committee recommendation and when the committee's minutes are to be included in a Consent Agenda for Council endorsement or as information.

Authority

Committees do not have the authority to communicate with other levels of government, pledge the credit of the Municipality, or authorize expenditures to be charged against the Municipality.

Common Terms and Procedures

"Unanimous Consent" is an informal method of resolving a routine and non-controversial procedural issue. For example, the presiding member may seek unanimous general consent as follows:

"Is there any objection to moving item 7 forward on the agenda and considering it now? Hearing none, we will proceed now with item 7."

"Friendly Amendment" is an informal method of making a minor change to a motion or amendment. For example, during debate, it may be indicated that a minor change to a motion or amendment would better achieve the intent of the mover. The Chair may then ask:

"Is there any objection to adding the words '.....'? Hearing no objection, the words are added and the motion now reads: '....' OR "Hearing no objection, the words are added. Would the Legislative Coordinator please read the motion? ... Is there any further discussion on the motion?"

****Caution: Overuse of the friendly amendment could result in confusion.**

Rules of Decorum and Debate

Committee meetings tend to be more informal than a Council meeting. The Chair has the duty and authority to allow the level of informality they feel would best facilitate the work of the committee.

Here are some meeting rules which may be helpful and may be used by the committee:

- the maker of a motion has a right to speak first to their motion
- to speak a second time, a member should wait until all those who wish to speak have done so for the first time
- members must remain courteous and avoid personal attacks on each other and staff
- remarks must be confined to the motion before the committee
- remarks are always directed "through the Chair"¹
- members should not interrupt another speaker and speak only when acknowledged by the Chair
- there are no limitations on the number of times a member may speak, however, they are limited to a maximum of 10 minutes total time in relation to a motion on the floor or in reply to the committee's discussion
- motions should be phrased concisely and to the point
- a decision to close debate can be called by the Chair if it appears that debate has been exhausted, or a member can introduce a motion to end debate ("I move previous question") but must pass by a 2/3 vote for debate to be closed prior to debate limits lapsing.

¹ The term "through the Chair" is an action not a statement. What that means is that when responding to a question by another member, the responding member should be speaking to the Chair as if it were the Chair who posed the question.

Basic Principles – Robert’s Rules of Order

- All members have equal rights, privileges and obligations
- No person can speak until recognized by the Chair
- Personal remarks during debate are out of order
- Only one question at a time may be considered, and only one person may have the floor at any one time
- Members have a right to know what the immediately pending question is and to have it restated (read out) before a vote is taken
- Full and free discussion of every main motion is a basic right
- A quorum must be present for business to be conducted
- A majority decides a question except when basic rights of members are involved, or a rule provides otherwise
- A 2/3 vote is required for any motion that deprives a member of right in any way (e.g., cutting off debate)
- Silence gives consent. Those who do not vote allow the decision to be made by those who do vote
- The Chair should always remain impartial

Motions and Amendments

A main motion is a proposal to take action or give direction. The steps of handling a main motion are:

1. A member makes a motion (*"I move that"*)
2. Another member seconds the motion (*"Second" or "I second the motion"*)
3. The Chair states the motion or moves directly to debate (*"It is moved and seconded that" AND/OR "Is there any discussion?"*)
4. Debate, and amendment if any, takes place.
5. The Chair puts the motion to a vote: (*"We are now voting on the motion to All those in favour? [If electronic meeting, say: Those voting in the affirmative indicate by raising your hand.] Opposed? [If electronic meeting, say: Those voting against indicate by raising your hand]"*)

Members should always clearly indicate their vote by raising their hand at the appropriate time. Those who do not vote by raising a hand are counted as voting in the affirmative.

6. The Chair announces the result (*"Motion passes." "Motion defeated." "Tie Vote - motion defeated."*). The Chair will also include the names of those members who were opposed.

Amending Motions

An amendment is a motion to change the wording of another motion before voting on it. An amendment is always dealt with before the original motion. In effect, the amendment temporarily sets aside the motion which it proposes to modify. A motion to amend a debatable motion is debatable and requires the same steps as a main motion.

Three Methods of Amending a Motion

1. By inserting or adding words

"I move that the motion be amended by inserting the word[s] ... between the word ... and the word" OR... "I move that the motion be amended by adding the word[s] ..."

2. By striking out words

"I move that the motion be amended by deleting the words"

3. By striking out words and inserting replacement words

"I move that the foregoing motion be amended by deleting the words ... and inserting the words ... in their place."

Only two levels of amendment are allowed. A main motion can be amended (primary amendment) and an amendment can be amended (secondary amendment). No amendment is permitted to a secondary amendment.

Debate on Motions and Amendments

When an amendment is made, discussion is allowed on the amendment only, not on the main motion. Once the vote on the amendment is taken, discussion proceeds on the motion (as amended if the amendment passed).

Motions Permitted While Matter is Under Debate

During debate on a motion, there are a limited number of other motions which would be considered to be in order. These are a motion to:

- amend
- lay on the table
- postpone indefinitely
- postpone definitely (to a certain time)
- move the previous question
- refer
- division of the question
- adjourn or recess the meeting

Motion to Lay on the Table

This motion in essence puts aside a Main Motion until a later, unspecified time. It places in the care of the Legislative Coordinator the pending question and everything adhering to it. The question laid on the table remains there until taken off or until the end of the next regular meeting. The motion to "Take from the Table" is used when the committee wants to continue considering the motion. This motion is used when the committee wants to address another matter immediately.

Motion to Postpone Indefinitely

A motion to postpone indefinitely is a motion to decline to take a position on an issue or motion, in effect, kills the Main Motion. The Legislative Coordinator can assist in this event. (*"I move that this item be postponed indefinitely"* OR *"I move that no action be taken on this issue at this time."* If the motion passes, there is no vote on the Main Motion which means there is no stand taken for or against the motion.

Motion to Postpone to a Certain Time

A motion to postpone to a certain time means that debate is stopped, and consideration of the issue or motion is postponed to a specific future date. It may be used if the committee needs more time to make a decision or if there is a time for consideration of this question that would be more convenient, this motion may be the answer. Often bodies use the motion to Lay on the Table when the intent is to postpone consideration until a later date or when additional information is provided.

Move Previous Question

The effect of this motion is to immediately stop debate on the primary motion and any amendments and to move immediately to a vote on the motion. It must be seconded, no debate is allowed, and a two-thirds vote is needed to close debate.

Motion to Withdraw a Motion

A motion which has been duly moved and seconded may only be withdrawn with the consent of the committee. This can be done informally by the Chair, by saying *"if there is no objection, we will withdraw the motion"* or formally (if a member objects) by the committee, by a member saying, *"I move to withdraw the motion"*. Once a motion to withdraw a motion has been carried, there is no record made in the minutes of the original motion having existed.

Motion to Refer

A motion to refer is a motion to send a main motion to a subcommittee or to staff for further study and report back. (*"I move that the foregoing motion be referred to the committee's subcommittee for review and report back to the committee by"*) If the motion passes, consideration of the matter is postponed until it is brought back on a future agenda.

Division of a Question

A motion to divide a main motion into separate motions if each part can stand on its own. This is used when a motion has been moved and seconded which includes two or more parts to it and members may be supportive of one part but not the other.

Questions of Privilege and Points of Order

Questions of Privilege and Points of Order can also interrupt proceedings.

A matter of privilege refers to:

- fix the time to adjourn
- extend or limit debate
- adjourn
- recess
- raise a question of privilege

Motion to Fix the Time to Adjourn

This motion is used when the committee has not completed all of their business and wishes to meet on another day to complete their discussions. The committee would give the date, time and location of when they would be meeting. It is not debatable and only needs a majority vote to pass.

Motion to Extend or Limit Debate

This motion can reduce or increase the number and length of speeches permitted or limit the length of debate on a specific question.

Adjourn

When a motion to adjourn is made, it means the meeting stops and will reconvene at another date and time. A motion to adjourn is not required if the agenda is completed - the Chair simply declares the meeting "closed" or "concluded".

Recess

A motion to take a break in the meeting. A motion or call for a recess should specify the amount of time to be taken for the recess.

Question of Privilege

Raising a request or motion relating to the rights or comfort of the committee or an individual. It is decided by the Chair. Typically used for an urgent request or motion relating to the privileges of the committee or a member.

Point of Order

A statement that a rule of the committee is being violated. It is ruled on by the Chair whose decision may be appealed to the committee and decided by committee resolution.

Point of Information

A request for information (e.g., from staff during debate).

Reading of Motions

A member may require the motion under consideration to be read out loud. The Legislative Coordinator would then read the motion. Sometimes the Legislative Coordinator will ask to read a motion if they are unsure what it is or if they feel others may not understand the exact motion being considered.

Standard of Conduct

The [Standards of Conduct policy](#) is a guide to assist committee members in decisions faced in the course of carrying out duties assigned by Council and to support them in being proactive toward ethical dilemmas that may arise in the course of committee activities.

Committee members must adhere to the Foundational Principles and the provisions of this policy and have an obligation to consider issues and exercise powers, duties and functions in an impartial manner that avoids arbitrary and unreasonable decisions.

Committee members must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, committee members must avoid conduct that:

- Contravenes the policy;
- Contravenes the law including municipal bylaws; or
- Is an abuse of power or otherwise amounts to improper discrimination, intimidation, harassment or verbal abuse of others.

In addition to the [Standards of Conduct policy](#), the [Respectful Spaces Bylaw No. 3796](#) is intended to provide an inclusive environment whether it be in municipal facilities or the delivery of municipal services in which all individuals have the right to be free of harassment, bullying, intimidation, violence, and discrimination, and where they are treated with mutual respect and dignity. The penalty for committing an offence under the bylaw is \$1,000.

Confidentiality

Section 117 of the *Community Charter*, duty to respect confidentiality, also applies to members of the EAC. The duty of each member is to keep in confidence:

- any record held in confidence by the Municipality, until the record is released to the public as lawfully authorized or required; and
- information considered in any part of a committee meeting that was lawfully closed to the public, until the committee discusses the information at a meeting that is open to the public or releases the information to the public.

This duty applies to both current and former members. In other words, the consequences of a member's unlawful disclosure will follow them after they leave the committee. The Municipality has the statutory authority to sue to recover damages from a member whose breach of confidentiality results in loss or damage to the Municipality.

Conflict of Interest

Committee members are subject to sections 100 to 104 of the *Community Charter*.

100 Disclosure of conflict

- (1) This section applies to council members in relation to
 - (a) council meetings,
 - (b) council committee meetings, and
 - (c) meetings of any other body referred to in section 93 [application of open meeting rules to other bodies].
- (2) If a council member attending a meeting considers that he or she is not entitled to participate in the discussion of a matter, or to vote on a question in respect of a matter, because the member has
 - (a) a direct or indirect pecuniary interest in the matter, or
 - (b) another interest in the matter that constitutes a conflict of interest,the member must declare this and state in general terms the reason why the member considers this to be the case.
- (3) After making a declaration under subsection (2), the council member must not do anything referred to in section 101 (2) [restrictions on participation].
- (4) As an exception to subsection (3), if a council member has made a declaration under subsection (2) and, after receiving legal advice on the issue, determines that he or she was wrong respecting his or her entitlement to participate in respect of the matter, the member may
 - (a) return to the meeting or attend another meeting of the same body,
 - (b) withdraw the declaration by stating in general terms the basis on which the member has determined that he or she is entitled to participate, and
 - (c) after this, participate and vote in relation to the matter.
- (5) For certainty, a council member who makes a statement under subsection (4) remains subject to section 101 [restrictions on participation if in conflict].
- (6) When a declaration under subsection (2) or a statement under subsection (4) is made,
 - (a) the person recording the minutes of the meeting must record
 - (i) the member's declaration or statement ,
 - (ii) the reasons given for it, and
 - (iii) the time of the member's departure from the meeting room and, if applicable, of the member's return, and
 - (b) unless a statement is made under subsection (4), the person presiding at that meeting or any following meeting in respect of the matter must ensure that the member is not present at any part of the meeting during which the matter is under consideration.

101 Restrictions on participation if in conflict

- (1) This section applies if a council member has a direct or indirect pecuniary interest in a matter, whether or not the member has made a declaration under section 100.
- (2) The council member must not
 - (a) remain or attend at any part of a meeting referred to in section 100 (1) during which the matter is under consideration,
 - (b) participate in any discussion of the matter at such a meeting,
 - (c) vote on a question in respect of the matter at such a meeting, or
 - (d) attempt in any way, whether before, during or after such a meeting, to influence the voting on any question in respect of the matter.
- (3) A person who contravenes this section is disqualified from holding office as described in section 108.1 [disqualification for contravening conflict rules] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

102 Restrictions on inside influence

- (1) A council member must not use his or her office to attempt to influence in any way a decision, recommendation or other action to be made or taken
 - (a) at a meeting referred to in section 100 (1) [disclosure of conflict],
 - (b) by an officer or an employee of the municipality, or
 - (c) by a delegate under section 154 [delegation of council authority],if the member has a direct or indirect pecuniary interest in the matter to which the decision, recommendation or other action relates.

- (2) A person who contravenes this section is disqualified from holding office as described in section 108.1 [disqualification for contravening conflict rules] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

103 Restrictions on outside influence

- (1) In addition to the restriction under section 102, a council member must not use his or her office to attempt to influence in any way a decision, recommendation or action to be made or taken by any other person or body, if the member has a direct or indirect pecuniary interest in the matter to which the decision, recommendation or other action relates.
- (2) A person who contravenes this section is disqualified from holding office as described in section 108.1 [disqualification for contravening conflict rules] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

104 Exceptions from conflict restrictions

- (1) Sections 100 to 103 do not apply if one or more of the following circumstances applies:
- (a) the pecuniary interest of the council member is a pecuniary interest in common with electors of the municipality generally;
 - (b) in the case of a matter that relates to a local service, the pecuniary interest of the council member is in common with other persons who are or would be liable for the local service tax;
 - (c) the matter relates to remuneration, expenses or benefits payable to one or more council members in relation to their duties as council members;
 - (d) the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in relation to the matter;
 - (e) the pecuniary interest is of a nature prescribed by regulation.
- (2) Despite sections 100 to 103, if a council member
- (a) has a legal right to be heard in respect of a matter or to make representations to council, and
 - (b) is restricted by one or more of those sections from exercising that right in relation to the matter,
- the council member may appoint another person as a representative to exercise the member's right on his or her behalf.

A conflict of interest is a situation in which the personal and professional interests of individuals may have actual, potential, or apparent influence over their judgement and actions.

Conflict of interest is about appearances and is aimed at avoiding the potential for a member to be influenced by personal interest. The question one should ask themselves if they feel they may be in conflict is whether a reasonably well-informed person would conclude that the member's personal interest in a matter might influence the member in the exercise of their duty as a member of the committee. It is critical that the member approach potential conflicts from this perspective. It does not matter whether the member believes that they can remain impartial. Nor does it matter whether the member is not in fact influenced by their personal interest. Conflict of interest is about preserving the integrity of the committee and its ability to make recommendations to Council as part of the decision-making process.

What is pecuniary conflict of interest?

A pecuniary interest is something that causes either a negative or positive financial impact for the committee member. The term interest could relate to a property interest or an interest financially that impacts the member through a personal or business relationship, or through a contract.

What is non-pecuniary conflict of interest?

A non-pecuniary conflict does not involve the potential for financial benefit but can be just as damaging to the sense of public trust as conflicts that involve financial gain.

A committee member has a non-pecuniary conflict of interest if:

- The member's interest in the matter is immediate and distinct from the public interest
- It can be reasonably determined that the member's private interest in the matter will influence his or her vote on the matter
- The member, or one of his or her relations or associates, stands to realize a personal benefit from a favorable decision on the matter
- The potential benefit to the member is not financial in nature

Exceptions from Conflict Restrictions

Section 104 of the *Community Charter* provides for some exceptions to the conflict and inside/outside restrictions. They include:

- The member's pecuniary interest is an interest in common with the electors of the municipality
- The member's pecuniary interest, related to a local service, is in common with other persons who are or would be liable for the local service
- The pecuniary interest is so remote or insignificant that it cannot reasonably be viewed as likely to influence the member

Declaring a Conflict of Interest

The rules for declaring a conflict of interest apply not only to Council meetings but meetings of committees pursuant to legislation.

When a conflict of interest matter arises during the meeting, the member must:

- Declare to committee that they have a conflict of interest and cite the specific conflict (prior to discussions and vote of the subject). The conflict will be noted in the minutes by the Legislative Services Staff Support person.
- Leave the place of the meeting;
- Make no effort whatsoever to influence committee members, Council or Staff in any decisions on the matter (prior to or after consideration of the matter);

As per the *Community Charter*, the onus of declaring a conflict of interest is on the specific member. However, should a matter arise in a public meeting where a member perceives there to be an undeclared conflict of interest by another member, the committee could do one of the following:

- a. Make a motion to move in-camera under section 90(1)(n) to see if the matter should be closed. This would be done to respect the potential personal nature of the members' affairs. The motion would need to pass by a majority of those present.

E.g., "Chair, I have a question that may relate to this matter, but I am not sure if it should be discussed in closed or not. May we please move in-camera under Section 90(1)(n) to do so?"

- b. Make a motion to postpone the matter to a future meeting until further information could be obtained or a legal opinion sought. The motion would need to pass by a majority of those present. The committee will have to consider the circumstances of each situation individually should the matter be time sensitive.

Withdrawing a Declaration

Once a declaration has been made, the member must obtain independent legal advice prior to withdrawing a declaration of conflict of interest. After receiving such advice and the member determines that they are, in fact, not in a conflict position, may withdraw the original declaration in an open meeting after stating publicly why the conflict no longer exists. From there, the member may participate in subsequent discussions and vote on the matter being considered.

Freedom of Information Requests

The Municipality is obligated to respond to a request for records made by a citizen – known as an FOI request under the *Freedom of Information and Protection of Privacy Act* (FIPPA).

FIPPA is a provincial Act requiring public bodies, to give the public a right of access to records in their custody or under their control. The Office of the Information and Privacy Commissioner (OIPC) is responsible for adjudicating disputes between the applicant (person who has made the FOI request) and the public body if the record is not release or redacted. The Municipality has a duty to make every reasonable effort to assist applicants and to respond without delay.

[Freedom of Information Bylaw No. 2617](#) guides the Municipality on how to respond to FOI requests.

What is a Record?

Any documents created or received by an organization in the course of a practical activity and maintained as evidence of that activity. A record includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means but does not include a computer program or any other mechanisms that produces records.

In electronic systems, a record is a collection of data items arranged for processing by a program. Please remember that any emails that you send out to committee members and staff are subject to FIPPA and an FOI request could be made. It is important that you do not include any unnecessary personal information in your email correspondence if you do not want it released if an FOI request is made.

Main Principles of FIPPA

1. All recorded information is available to the public unless there is a specific exception to prohibit its release.
2. A public body should only acquire the minimum amount of personal information necessary to carry out its tasks and in accordance with FIPPA.

COUNCIL POLICY STANDARDS OF CONDUCT

**Approved by
Council:** June 6, 2018

Policy Category: Administration

**Amended by
Council:** April 19 2023

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PREAMBLE FOR COUNCIL

Being a Member of the District of North Cowichan (the “District”) Council or a Committee Member answerable to the public, comes with standards of ethical behaviour that are different than the standards that may be found in one’s other roles in the community. This Standards of Conduct policy is a guide to assist Council in decisions faced while carrying out Council duties and to support them in being proactive toward ethical dilemmas that may arise in the course of Council activities.

This Standards of Conduct policy does not cover every possible situation District Council or Committee Members may face so it is important that their actions are in harmony with the spirit and intent of the standards of conduct set out in this policy

PURPOSE

The purpose of this Standards of Conduct policy is to set the expectation that District Council Members and Committee Members adhere to the standards of conduct set out in this policy in carrying out their duties and functions.

SCOPE

This Standards of Conduct policy applies to District Council Members and Committee Members. This policy applies to all interactions of District Council Members and Committee Members in relation to District matters whether in duly constituted meetings, in their interactions with Staff or the public and the use of social media.

STATUTORY PROVISIONS

The Standards of Conduct policy is a supplement to the existing statutes, laws and policies governing the conduct of Council and Committee Members including but not limited to:

- *The British Columbia Human Rights Code;*
- *The British Columbia Community Charter;*
- *The British Columbia Local Government Act;*
- *The British Columbia Local Elections Campaign Finance Act;*
- *The Worker’s Compensation Act of British Columbia;*
- *The Freedom of Information and Protection of Privacy Act;*
- *The District’s Respectful Workplace Policy; and,*
- *The Criminal Code of Canada.*

District Council Members and Committee Members must familiarize themselves with, and recognize that their behaviour is governed by, these statutes, laws and policies, as well as this Standards of Conduct policy. It is recommended this policy is reviewed biannually (every two years) by District Council Members and Committee Members in order to remind them of the expectations and obligations within this policy. Provincial legislation and other statutory obligations supersede this Standards of Conduct policy.

DEFINITIONS

Committee Member	A person appointed to a District committee, subcommittee, task force, commission, board, or other District Council established body under the <i>Community Charter</i> or <i>Local Government Act</i> .
Confidential Information	Information or records that could reasonably harm the interests of individuals or organizations, including the District, if disclosed to persons who are not authorized to access the information, as well as information to which section 117 of the <i>Community Charter</i> applies. For clarity, this includes all information and records from closed meetings of District Council until publicly released.
Conflict of Interest	A conflict of interest exists when an individual is, or could be, influenced, by a personal interest, financial or otherwise, when carrying out their public duty. Personal interest can include direct or indirect financial interest, bias, pre-judgment, close-mindedness, or undue influence.
Council	The Mayor and Councillors.
Gifts and Personal Benefits	Gifts and personal benefits are items or services of value that are received by District Council Members or Committee Members for personal use. These would include, but are not limited to, cash, gift cards, tickets to events, items of clothing, jewellery, pens, food or beverages, discounts, or rebates on purchases, free or subsidized drinks or meals, entertainment and admission fees to social functions.
Immediate Relative	A spouse (including common-law spouse), parent, parent-in-law, child, brother, sister, brother-in-law or sister-in-law, grandparent, grandparent-in-law or grandchild.
Municipal Officer	A member of Staff designated as an officer under section 146 of the <i>Community Charter</i> .
Personal Information	As defined in the <i>Freedom of Information and Protection of Privacy Act</i> .
Staff	An employee or contractor of the District. For the purposes of this Standards of Conduct policy alone, Staff includes volunteers. For clarity, District Council Members and Committee Members are not Staff.

INTERPRETATION

In this Standards of Conduct policy, a reference to a person who holds an office includes a reference to the persons appointed as deputy or appointed to act for that person from time to time.

POLICY STATEMENTS

1. Foundational Principles

These foundational principles provide a basis for how District Council Members and Committee Members fulfill their roles and responsibilities, including in their relationships with each other, Staff and with the public.

1.1 Integrity: being honest and demonstrating strong ethical principles.

District Council Members and Committee Members are expected to act with **integrity** by:

- (a) Behaving in a manner that promotes public confidence in the District, including actively avoiding any perceptions of Conflicts of interest, improper use of office or unethical conduct.
- (b) Being truthful, honest, and open in all dealings.
- (c) Upholding the public interest and making decisions in the best interests of the community.
- (d) Following through on commitments, engaging in positive communication with the community and correcting errors in a timely and transparent manner.
- (e) Acting lawfully and within the authority of the *Community Charter, Local Government Act, Workers Compensation Act of B.C. and B.C. Human Rights Code*.

1.2 Accountability: an obligation and willingness to accept responsibility or to account for one's actions.

District Council Members and Committee Members are expected to act with **accountability** by:

- (a) Being transparent in how they individually and collectively conduct business and carry out their duties.
- (b) Ensuring information is accessible, and that citizens can view the process and rationale behind each decision and action, while protecting confidentiality where appropriate or necessary.
- (c) Accepting and upholding that they are collectively accountable for local government decisions, and that individually elected or appointed officials are responsible and accountable for the decisions they make in fulfilling their roles.
- (d) Listening to and considering the opinions and needs of the community in all decision making and allowing for respectful discourse and feedback.

1.3 Respect: having due regard for others' perspectives, wishes and rights; displaying deference to the offices of local government, and the role of local government in community decision-making.

District Council Members and Committee Members are expected to act with **respect** by:

- (a) Treating every person, including other Council Members or Committee Members, Staff and the public with dignity.
- (b) Showing consideration for other Council Members, Committee Members, Staff and the public.
- (c) Creating an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as derogatory.
- (d) Valuing the role of diverse perspectives and debate in decision making.
- (e) Acting in a way that is respectful of the roles and responsibilities of the office of Mayor and Council.
- (f) Valuing the distinct roles and responsibilities of local government Staff and the community in local government considerations and operations and committing to fostering a positive working relationship between Staff, the public and Council Members and Committee Members.

1.4 Leadership and Collaboration: an ability to lead, listen to, and positively influence others; coming together to create or meet a common goal through collective efforts.

District Council Members and Committee Members are expected to demonstrate **leadership and collaboration** by:

- (a) Demonstrating behaviour that builds and inspires public trust and confidence in local government.
- (b) Calmly facing challenges and providing considered direction of the issues of the day, and enabling other Council Members, Committee Members and Staff to do the same.
- (c) Creating space for open expression by others, taking responsibility for one's own actions and reactions and accepting the decisions of the majority.
- (d) Accepting that it is the equal responsibility of the Council Members individually and collectively to work together to achieve common goals. Committee Members must also work together individually and collectively to achieve common goals.
- (e) Being an active participant in ensuring these Foundational Principles and the standards of conduct in this policy are followed.

2. General Conduct

2.1 District Council Members and Committee Members must adhere to the Foundational Principles and the provisions of this Standards of Conduct policy.

- 2.2 District Council Members and Committee Members have an obligation to consider issues and exercise powers, duties and functions in an impartial manner that avoids arbitrary and unreasonable decisions.
- 2.3 District Council Members and Committee Members must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Council Members and Committee Members must avoid conduct that:
- Contravenes this Standards of Conduct policy;
 - Contravenes the law including District bylaws; or
 - Is an abuse of power or otherwise amounts to improper discrimination, intimidation, harassment, or verbal abuse of others.

3. Roles and Responsibilities

- 3.1 District Council is the governing body of the District. It has the responsibility to govern the District in accordance with the *Community Charter* and other applicable legislation.
- 3.2 The Mayor is the head and chief executive officer of the District and has a statutory responsibility to provide leadership to the District Council and to provide general direction to Municipal Officers respecting District policies, programs and other directions of the Council as set out in the *Community Charter*.

4. Collection and Handling of Information

- 4.1 District Council Members and Committee Members must:
- (a) Collect, use and disclose personal information in accordance with the *Freedom of Information and Protection of Privacy Act* and the policies and guidelines as established by the District;
 - (b) Protect and not disclose publicly Confidential Information;
 - (c) Refrain from discussing or disclosing Confidential Information with Staff, or with persons outside the organization except as authorized;
 - (d) Take reasonable care to prevent the examination of Confidential Information by unauthorized individuals;
 - (e) Not use Confidential Information to cause harm to Council, the District, or any other person;
 - (f) Only access information held by the District for District business;
 - (g) Not disclose decisions, resolutions or reports forming part of the agenda for or from a closed meeting of District Council until a decision has been made by the Council for the information to become public;
 - (h) Not disclose details on District Council's closed meeting deliberations or specific detail on whether individual Councillors voted for or against an issue until a decision has been made by the Council for the information to become public

- (i) Not alter District records unless expressly authorized to do so; and,
- (j) Adhere to the requirements outlined in this Section when they are no longer a District Council Member or Committee Member.

5. Conflict of Interest

- 5.1 Conflict of Interest is dealt with under sections 100, 101 and 104 of the *Community Charter*. Ultimately, the interpretation of these sections is a matter for the courts. This Standards of Conduct policy is intended to provide additional guidance to District Council Members and Committee Members.
- 5.2 District Council Members and Committee Members are expected to make decisions that benefit the community. They are to be free from undue influence and not act, or appear to act, to gain financial or other benefits for themselves, family, friends or business interests.
- 5.3 District Council Members and Committee Members must attempt to resolve any conflict or incompatibility between their personal interests and the impartial performance of their duties. Council Members must ensure they are observing the statutory requirements of the *Community Charter* and Committee Members must ensure that they act in accordance with the spirit of those statutory requirements.
- 5.4 District Council Members and Committee Members are expected to be aware of appearances and strive to conduct themselves in a manner that upholds or increases the public trust by taking steps to reduce or eliminate the possible appearance of a conflict of interest.
- 5.5 District Council Members and Committee Members should not seek or accept the Chair of a Committee or sub-committee whose business is related to an interest of the Council or Committee Member or with an Immediate Relative.

6. Interactions with Staff

- 6.1 District Council Members and Committee Members are only to contact Staff (including Municipal Officers), according to the procedures authorized by Council and the District's Chief Administrative Officer regarding the interaction of Council Members and Committee Members and Staff.
- 6.2 District Council Members and Committee Members are to direct inquiries regarding departmental issues or questions to the District's Chief Administrative Officer or the department head (Director) of the appropriate department and refrain from contacting Staff directly unless the communication is minor and of a day-to-day operational nature.

- 6.3 Advice to District Council and Committees from Staff will be vetted and approved by the Chief Administrative Officer.
- 6.4 District Council and Committee Members are not to issue instructions to any of the District's contractors, tenderers, consultants or other service providers unless expressly authorized to do so.
- 6.5 District Council Members and Committee Members must not publish or report information or make statements attacking or reflecting negatively on Staff, Council, other Council Members or Committee Members. Any complaint should be brought to the attention of the Chief Administrative Officer for follow up.
- 6.6 Information obtained by any District Council Member, which is likely to be used in a District Council or political debate, should be provided to all other Council Members, and to the Chief Administrative Officer as soon as possible.
- 6.7 District Council Members and Committee Members must treat members of the public, other Councilmembers, Committee Members and Staff with respect and without bullying, abuse, or intimidation.

7. Use of Social Media

- 7.1 District Council Members or Committee Members must not purport to speak on behalf of the District or District Council unless expressly authorized to do so.
- 7.2 District Council Members and Committee Members will use caution in reporting District Council decision-making by way of their social media profiles and websites before the District has released any formal communication.
- 7.3 When speaking for themselves as individual District Council Members or Committee Members on social media or to the press, a Council Member or Committee Member will include "in my opinion" or use a similar disclaimer to ensure it is expressly clear they are speaking for themselves and not for the District or District Council as a whole.
- 7.4 District Council and Committee Members will refrain from using or permitting the use of their social media accounts for purposes that include:
 - (a) defamatory remarks, obscenities, profane language or sexual content;
 - (b) negative statements disparaging Staff or calling into question the professional capabilities of Staff;

- (c) content that endorses, promotes, or perpetuates discrimination or mistreatment based on race, religion or belief, age, gender, marital status, national origin, physical or mental disability or sexual orientation;
 - (d) statements that indicate a closed mind in relation to a matter that is to be the subject of a statutory or other public hearing; or,
 - (e) promotion of illegal activity.
- 7.5 District Council Members and Committee Members must regularly monitor their social media accounts and immediately take measures to deal with the publication of messages or postings by others that violate the terms of this Standards of Conduct policy.

8. Interactions with the Public and Media

- 8.1 In an effort to promote respect and integrity for District Council and Committee decision-making, District Council Members and Committee Members will communicate accurately the decisions of the Council or Committee, even if they disagree with the majority decision of the Council or Committee.
- 8.2 When discussing publicly whether a -District Counsel Member or Committee Member did not support a decision, or voted against the decision, or that another Council Member or Committee Member did not support a decision or voted against a decision, a Council Member or Committee Member will refrain from making disparaging comments about the other Council Member or Committee Member.

9. Gifts and Personal Benefits

- 9.1 For District Council Members, the receipt and reporting of gifts and personal benefits is dealt with under sections 105 and 106 of the *Community Charter*. Ultimately, the interpretation of those sections is a matter for the courts. This Standards of Conduct policy is intended to provide additional guidance to Council Members and Committee Members.
- 9.2 District Council Members and Committee Members must not accept a gift or personal benefit that could reasonably be expected to result in a real or perceived Conflict of Interest, and to assist in avoiding that situation, Council and Committee Members will not accept gifts or personal benefits from business or commercial enterprises having a value that exceeds \$50.00 or, where the total value of such gifts and benefits, received directly or indirectly from one source in any twelve (12) month period, would exceed \$250.00.
- 9.3 For clarity, the following are not considered gifts or personal benefits:
- (a) Compensation authorized under section 105(2)(b) of the *Community Charter*;

- (b) Reimbursement for out-of-pocket costs incurred for authorized travel, living and accommodation expenses associated with attendance at an event or in connection with authorized travel;
 - (c) A lawful contribution made to a District Council Member who is a candidate for election conducted under the *Local Government Act*; and
 - (d) A random draw prize at an event attended by a District Council Member or Committee Member.
- 9.4 District Council Members and Committee Members must disclose to the Corporate Officer any gifts or personal benefits accepted in compliance with Section 9.2 of this Standards of Conduct policy.
- 9.5 The content of the disclosure must comply with section 106(2) of the *Community Charter* and the Corporate Officer must be notified "as soon as reasonably practicable".
- 9.6 For the purposes of this Standards of Conduct policy, the value of each gift or personal benefit shall be determined by its replacement cost, i.e., how much would it cost to replace the item?

10. Breaches, Complaint Handling and Disciplinary Action

- 10.1 District Council Members and Committee Members must abide by the requirements of this Standards of Conduct policy and shall endeavour to resolve disputes in good faith, recognizing that interpersonal rancour does not facilitate good governance.
- 10.2 Complaints regarding an alleged breach of this Standard of Conduct policy may be submitted by a District Council Member or Committee Member or Staff. Complaints shall be submitted simultaneously in writing to the Mayor and the Chief Administrative Officer within six (6) months of the last alleged breach. The Mayor and Chief Administrative Officer are authorized to extend this six (6) month deadline if circumstances warrant an extension. For clarity, the public may not submit a complaint under this Standards of Conduct policy.
- 10.3 In the event that the Mayor is the subject of, or is implicated in the complaint, the complaint shall be addressed to the current Acting Mayor and Chief Administrative Officer unless that individual is the subject of the complainant or implicated in the complaint. Where the current Acting Mayor has received a complaint, they shall remain responsible for the processing of the complaint in accordance with this Standards of Conduct policy notwithstanding the appointment of a new Acting Mayor prior to the complaint being finally resolved under this policy.
- 10.4 Upon receipt of a complaint under section 10.2 or 10.3 the Mayor, or Acting Mayor, and the Chief Administrative Officer shall:

- a) Attempt to informally resolve the matter, within fifteen (15) days of receiving the complaint;
 - b) If unresolved after fifteen (15) days of receipt of the complaint, appoint an independent mediator of their choosing within fifteen (15) days of the failed informal discussion to attempt to resolve the matter under subsection 10.4(a);
 - c) If unresolved after the informal med discussion, contract an independent third party investigator, identified and agreed between the Complainant(s) and Respondent(s) who has the necessary professional skills, knowledge and experience to investigate the complaint (the "Third Party Investigator"), in accordance with subsection 10.7.
- 10.5 If the parties cannot agree on the choice of Third Party investigator, the District's solicitor will select this person.
- 10.6 The Third-Party Investigator must conduct a preliminary assessment of the complaint, at the conclusion of which the investigator may determine whether to continue the investigation or make a written recommendation that the complaint be dismissed as unfounded, beyond the jurisdiction of the Standards of Conduct policy or unlikely to succeed. This decision will be presented to Council in an open session, until such time as section 90 [Meetings that may or must be closed to the public] of the Community Charter is amended to permit such matters to be presented in a meeting that is closed to the public, or the investigation involves a member of staff.
- 10.7 If the Third Party Investigator determines to continue the investigation, the Third Party Investigator shall:
- (a) Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;
 - (b) Provide an investigation update to the Mayor or Acting Mayor, as applicable to the Chief Administrative Officer and to the Complainant and Respondent within thirty (30) days of their appointment
 - (c) Provide a written, confidential report (the "Report") of the findings of the investigation, within ninety (90) days, including findings as to whether there has been a breach of this Standards of Conduct policy, to the Mayor or Acting Mayor, as applicable, to the Chief Administrative Officer and to the Complainant and the Respondent; and,
 - (d) Provide recommendations in the Report as to the appropriate resolution of the complaint. Recommendations may include:
 - i. dismissal of the complaint;
 - ii. censure;
 - iii. removal from Committee membership;

- iv. prohibition from representing the District at events and/or attending conferences or seminars;
 - v. a recommendation that an apology be given;
 - vi. counselling and/or coaching; or,
 - vii. such other recommendations as are deemed appropriate in the judgment of the Third-Party Investigator.
 - (e) Acknowledge, where a breach of this Standards of Conduct policy has been substantiated, that the Council Remuneration Bylaw provides for an automatic reduction in the remuneration of the District Council Member found to have breached this policy.
- 10.8 The Mayor or Acting Mayor, as applicable, shall provide the Report or a summary of the Report submitted by the Third-Party Investigator under subsection 10.8 (c) to District Council
- 10.9 If a Report or a summary of a Report is presented to District Council, Council will decide whether the recommendations in the Report, whether in whole or part, will be imposed.
- 10.10 The Director of Human Resources will receive and retain all Reports.
- 10.11 Where a District Council Member or Committee Member alleges a breach of this Standards of Conduct policy by another Council Member or Committee Member all Council Members and Committee Members shall refrain from commenting on such allegations at open meetings of District Council, or Committees, pending the conclusion of the Report and any decision of Council on the Report.
- 10.12 The summary of the Report under section 10.9 and the outcome will be presented at a closed or open meeting of the District Council in accordance with Section 90 of the *Community Charter*.

Report

Date April 9, 2024
Subject Richards Creek Ecological Accounting Process

File:

PURPOSE

To provide the Committee of the Whole with a summary and presentation on the Draft Ecological Accounting Process report for Richards Creek prepared by the Mount Arrowsmith Biosphere Region Research Institute (Vancouver Island University).

BACKGROUND

At the Regular Council Meeting on November 16, 2022, a motion was carried THAT Council:

- (1) Endorse the joint application with the Regional District of Nanaimo, City of Nanaimo, the Partnership for Water Sustainability and the Mount Arrowsmith Biosphere Region Research Institute to the Union of British Columbia Municipalities' Asset Management Planning Grant program for a project to embed ecological accounting expertise within Vancouver Island University;
- (2) Direct staff to provide overall grant management; and,
- (3) Add a project to the 2022 - 2026 Financial Plan for \$30,000 in each year of 2023, 2024 and 2025, funded from the Engineering studies budget.

The Union of BC Municipalities (UBCM) approved the grant application, and work commenced in 2023. As directed by Council, North Cowichan staff have provided oversight for the work being completed by staff, faculty, and students from the Mount Arrowsmith Biosphere Region Research Institute (MABRI) at Vancouver Island University. In the North Cowichan component of the program's first year, Richards Creek was selected as the study area for an ecological accounting process (EAP) analysis. Richards Creek has a variety of habitats and development levels and thus provides good contrast for an EAP analysis.

DISCUSSION

The EAP is predicated on the notion that natural assets such as streams and riparian corridors complement infrastructure constructed by humans, e.g., stormwater drainage and flood protection. Therefore, natural asset maintenance and management assessments are necessary to continue its optimized and ongoing provision of service to the community. EAP provides communities with baseline financial allocations to meet these maintenance requirements and focuses on-stream corridor systems like Richards Creek.

To aid municipalities in budgeting for maintenance and management of stream corridor systems, EAP assesses the value of these areas on a dollar-per-square-metre basis, as informed primarily by BC Assessment data. EAP assessments are primarily prepared for municipal governments and provide the community with a baseline figure for annual budgeting for natural asset management and operationalization of ecological accounting. In the case of the Richards Creek EAP, an analysis is also provided for the potential of landowner compensation as a means to promote riparian restoration.

Completing the Richards Creek EAP is timely given the larger Natural Assets Management (NAM) project that North Cowichan will embark upon in the coming months. The NAM project will describe how natural assets, like Richards Creek, can be incorporated into the Municipality's asset management portfolio, a goal under the Council Strategic Plan.

In the next two years, the MABRI team will provide similar assessments of two other streams in North Cowichan. This work will be done in parallel with sibling EAP projects in the Nanaimo Regional District and the City of Nanaimo.

The two key conclusions of the Richards Creek EAP report are that;

- Richards Creek may be worth as much as \$31.5 million to the community; and,
- an annual maintenance budget of \$28,379 would be a reasonable allocation for riparian maintenance and management of agriculturally developed lands abutting Richards Creek.

MABRI staff will present a summary of the Ecological Accounting Process report for Richards Creek to Council. After the presentation MABRI and North Cowichan Environment staff will address any comments and feedback that Council may have on the report.

OPTIONS

1. **(Recommended Option)** THAT the Committee of the Whole direct staff to forward the draft Ecological Accounting Process report for Richards Creek prepared by Mount Arrowsmith Biosphere Region Research Institute to the Environmental Advisory Committee and the Agricultural Advisory Committee for comment and review.
 - This option will allow Council to get feedback from community members with expertise in natural assets and farming activities and use their comments to finalize the reporting and thus facilitate the commencement of activities in year two of the EAP analysis.
 - It is consistent with the Environmental Advisory Committee terms of reference of "Advising Council on referrals of issues such as natural areas, watershed protection, air quality, climate adaptation mitigation and other related projects, policies or bylaws under consideration by Council or Staff;."
 - It is consistent with the Agricultural Advisory Committee Terms of Reference to "advance the Municipality's goals related to economic development, climate/ environment..." and "advising on issues referred to the Committee by Council related to: (a) agricultural and food related issues, such as any land use applications, bylaws, policies, temporary use permits, etc. that impact agricultural land;... (c) agricultural impacts on natural areas; (d) water protection; climate adaptation; ..."

IMPLICATIONS

- Timely completion of the Richards Creek EAP will allow MABRI staff to focus on beginning year two of the EAP program.
- The information in the Richards Creek EAP will be useful for the Natural Assets management program, which will begin in the Summer of 2024.

- Management of natural assets like Richards Creek is a component of the Official Community Plan adopted by Council in 2022.

RECOMMENDATION

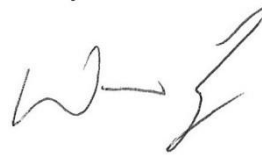
THAT the Committee of the Whole direct staff to forward the draft Ecological Accounting Process report for Richards Creek prepared by Mount Arrowsmith Biosphere Region Research Institute to the Environmental Advisory Committee and the Agricultural Advisory Committee for comment and review.

Report prepared by:



Dave Preikshot, PhD, RPBio
Senior Environmental Specialist

Report reviewed by:



David Conway, PEng
Director, Subdivision and Environmental Services

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Ecological Accounting Process Report for Richards Creek
- (2) Presentation on Richards Creek EAP by MABRI Staff

**Ecological Accounting Process
Report for Richards Creek**



Report prepared by the Mount Arrowsmith Biosphere Region Research Institute for the
Municipality of North Cowichan
January 2024

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Executive Summary

Natural assets, including riparian corridors, woodlands, and wetlands possess inherent value to surrounding forms of life. When coexisting with built infrastructure, prioritization of natural asset maintenance and management equal to that of constructed assets is necessary to ensure continuation of its optimized and ongoing health. Shared by the community and surrounding ecosystems, natural commons deliver essential services and functions that require oversight through shared responsibility from municipal asset management and community stewardship. The Ecological Accounting Process (EAP) was formulated to provide communities with baseline financial allocations to meet this requirement, focusing specifically on-stream corridor systems.

EAP was created in 2016 by the Partnership for Water Sustainability in British Columbia and refined through a series of demonstration applications in municipalities within British Columbia (BC). Utilizing BC Assessment data and GIS analysis, EAP offers a standardized and rigorous approach to appraising the value of natural assets. EAP is now being integrated into the Mount

Arrowsmith Biosphere Region Research Institute (MABRRI) at Vancouver Island University (VIU) through a three-year transition strategy to house this methodology in an environment that can train the next generation of municipal professionals. Three regional municipalities, the Regional District of Nanaimo, the City of Nanaimo, and the Municipality of North Cowichan (MNC) have committed to completing one study per municipality per year. The following report applies EAP to Richards Creek in MNC, produced in Year 1 of this partnership. An analysis of the creek's entirety was conducted, and a focus area of agricultural land parcels between Richards Trail and Herd Road received detailed review. This report suggests an overall budget allocation to pursue the research objective of providing payment to agricultural landowners for ecological services involving creekside maintenance and restoration. Mapping of tributaries and impervious areas extending an additional 200m beyond the Inner Study Area was also completed, offering further insight into the riparian condition surrounding Richards Creek.

The key takeaways from this report are that Richards Creek may be worth as much as \$31.5million to the community, and an annual maintenance budget of \$28,379 would be a reasonable amount to spend on riparian maintenance and management of agriculturally developed lands abutting Richards Creek.

Acknowledgements

We, the research team at MABRRI and VIU, extend gratitude to our partners for their unwavering support and trust as we work to integrate natural assets into municipal asset management and provide training for emerging professionals with locally relevant expertise.

EAP represents an intention to bring stewardship and sound management of waterways to the forefront of planning processes. We appreciate that the significance of natural assets addressed in this project far exceeds monetary value. By introducing a means to account for these systems in settled areas, communities can ensure continued fiscal responsibility for maintenance and management of stream systems for years to come. With that, we respectfully acknowledge that Richards Creek is situated within the ancestral lands of Cowichan Tribes. The cultural and spiritual values of these lands are of great significance, far beyond economic valuation. The intention of EAP is to provide one method to help incorporate ecological accounting into annual municipal budgeting, contributing to one piece of the working body of ecological stewardship.

Stewardship and respectful management of water systems is community-driven. We would like to acknowledge and thank all those who made contributions to the EAP process, shared their knowledge, and assisted in the creation of this document. Local waterways connect our landscapes, natural commons, and communities. EAP is one tool that can be utilized in building a legacy of continued care.

Introduction

Natural assets possess inherent value, yet determining the magnitude of this value is subjective and multifaceted. From a financial and municipal asset management perspective, placing monetary value onto natural assets within communities allows allocation of baseline budgeting for their ongoing maintenance and management. EAP enables such calculation by recognizing a stream system as a land use and finding the financial value of the area of the stream system.

Communities track the financial value of constructed assets within municipal asset planning on an annual basis to maintain these assets which support quality of life and property enjoyment. During a time of climate crisis and environmental change, it is increasingly pertinent to apply strategies to maintain and manage natural assets within communities to ensure their current and long-term health, thereby servicing all elements of the ecosystem that benefit from it. While it is recognized that financial valuation of natural assets is not compatible with all perspectives, it is one method to apply ongoing attention to natural assets within communities. Further, this attention toward the maintenance and management of natural assets aids in combating further environmental degradation or deficit resulting from human development, allowing these natural commons to be enjoyed by all communities within the surrounding environment.

EAP provides municipal governments and communities with a methodology and metrics to integrate ecological assets into municipal asset management. Regarding land use and conservation to be of equal value, EAP advocates for the same budgeting considerations towards maintenance and management of stream corridor systems (and 30m beyond on either side of the stream) as is placed on municipal infrastructure. Valuing these areas on a specified dollar per square metre basis informed primarily by BC Assessment data, EAP provides accessible baseline figures to be addressed by municipal governments and communities. Because these natural assets are shared by the public, EAP views these areas as a natural commons, requiring a shared responsibility to maintain and manage. While primarily prepared for municipal governments, EAP analyses benefit all of society by providing a baseline figure for annual budgeting for natural asset management, allowing for operationalization of ecological accounting and landowner compensation in riparian restoration. EAP analyses can be tailored to community needs and can analyze the condition and value of the land underlying the natural commons up to 230m on each side of the stream, and previous investments put into the stream by property owners, the local government, and stewardship groups. The analyses can indicate the level of riparian deficit resulting from alteration of the stream corridor by land use (subdivision and development). The community may use the indicated riparian deficit to consider shared responsibility for stewardship of the natural commons.

Recognizing the critical importance of our natural commons and the pressing need to address riparian deficits, EAP provides baseline information to foster collaborative partnerships and prioritize the ongoing management of natural assets. Opportunities for these partnerships are far-reaching, including potential for alliances between governmental bodies, communities, environmental organizations, and landowners with a shared goal of enhancing ecosystem health and resilience, and shared enjoyment of natural commons now and in the future. For more information about EAP, please refer to Appendix A.

Limitations

EAP intends to provide defensible valuations that can be referred to in natural asset management, budgeting, and capital planning; however, we recognize that EAP assessed valuations of streams do not directly engage in an in-depth consideration of social, cultural, ecological, or intrinsic value of streams. While these measures of value are certainly important and should be acknowledged, EAP valuations may be viewed as a conservative approach. The true value of a stream (with the consideration of social, cultural, ecological, and intrinsic value) may be higher than the figures presented, and it is recognized that social and cultural worth of

land should or cannot be presented as a monetary value. EAP aims to provide one tool to begin the process of accounting for ecological assets within municipalities, and initiate investment in stream restoration, maintenance, and management. The intention is for EAP to be used as one aspect of an intricate framework within a larger management plan, accounting for values beyond the quantitative and fiscal.

Within the field of natural asset management, there is an approach that works to quantify natural assets through an evaluation of their ecological services. This looks at a range of human-specific services that a natural asset may provide (such as drainage, carbon sequestration, water filtration, air quality, and more) and works to ascribe a value to the natural asset that would approximate what replacing it with built infrastructure would cost. Several municipalities across BC have begun engaging with the Municipal Natural Assets Initiative (MNAI), including creating inventories and identifying and ascribing a value to their natural assets. It should be clarified that EAP is situated within a different, but complementary, framework.

It is also important to note that EAP limits its scope to the land parcels directly adjacent to the stream channel. It provides some limited opportunity to look at rainwater pathways leading to the stream and adjacent impervious surfaces to infer water quality impacts, but the EAP analysis is not an approach that encapsulates the full watershed surrounding the stream. EAP sees the stream channel and its supporting riparian area as the backbone of the watershed but does not extend its financial analysis to parcels beyond that concentrated area. This framework is based on the “streamside protection and enhancement area” (SPEA) defined in the Riparian Areas Protection Regulation (RAPR).¹

EAP aims to reframe the financial, social, and ecological value of stream corridor systems (natural assets) by synthesizing a single Natural Capital Asset (NCA) value that makes a financial case for natural assets in an accessible format. EAP metrics for the NCA primarily concern the target SPEA (30m on each side of the stream) set out in the RAPR. EAP focuses specifically on stream corridor systems (including ephemeral and seasonal water assets, flood plain areas, and constructed waterways such as ditches and impoundments providing habitat for fish) with particular attention to the riparian areas abutting streams. It does not provide direct recommendations on funding or policy approaches. EAP should be considered alongside recommendations from qualified environmental professionals and relevant ecological and riparian protection frameworks.

One core strength of EAP is its transferrable nature as a methodology to help municipalities exercise oversight and account for continued care and upkeep of waterways to ensure long-term watershed health and sustainability. The methodology produces relatively consistent and unbiased results. While EAP uses British Columbia (BC) Assessment data to quantify allocations for maintenance and management, the methodology does not have built-in strategies that can account for fluctuations in parcel value year to year. It is a framework that depends on parcels maintaining relatively consistent value or necessitates recalculation of the NCA value at regular

¹ Ministry of Forests. (2022, June 14). *Riparian Areas Protection Regulation (RAPR)*. Province of British Columbia. <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/aquatic-habitat-management/riparian-areas-regulation>

intervals to accurately reflect current market prices. However, this may not be a considerable issue as management plans for specific areas are often made in 5–10-year increments, so the budget for maintenance and management would be estimated and allocated for that time span regardless of changes in market pricing.

Another limitation with BC Assessment data is that the framework reflects market value of a parcel and is primarily influenced by the sales history of other parcels in the area. This introduces space for misrepresentation of the true value of parcels due to boom-and-bust cycles where values are inflated or underestimated. Finally, the EAP methodology relies heavily on up-to-date GIS data, and accurate estimations may be limited in cases where this data is not available.

Ultimately, the EAP methodology provides a transferrable metric to allocate annual budgeting and valuation of stream corridors. This metric provides an educated estimation of this worth and determines baseline figures for annual budgeting of natural asset maintenance and management and is designed to act as one tool amongst many for mobilization of natural asset management now and in the future.

Richards Creek Background

Located in North Cowichan and the Somenos Basin, Richards Creek spans from the Crofton Lake Reservoir to Somenos Lake. While the primary water flow of Richards Creek is from the Crofton Lake Reservoir, it also receives flow from several springs and serves as catchment for Mount Richards and Maple Mountain.^{2,3} Richards Creek is comprised of a varying degree of ecological health, with upper reaches proving relatively intact, and lower stretches encountering flooding despite ditching in the 1970s³ and dredging in 1983.⁴ Regardless, Richards Creek is a fish-bearing stream, and supports small populations of juvenile coho salmon, cutthroat trout, chum salmon, steelhead trout, and rainbow trout.^{5,6} Some of these populations relocate to Richards Creek from Somenos Lake during the summer months as an escape from an agriculturally developed habitat, however, Richards Creek lacks optimal conditions to support healthy populations.⁷ One observed location of viable salmon habitat is in the upper reaches of Richards Creek near Richards Creek Trail.⁸ However, this is somewhat of an anomaly as many

² Demers, E. (2016). *Water quality and stream invertebrate assessments for Richards Creek North Cowichan, BC, 2008-2015*. Vancouver Island University. <https://www.viurrspace.ca/server/api/core/bitstreams/4c0c94f5-bb8b-4757-9035-75fa07bd3bbc/content>

³ Burns, T. (1999). *The Somenos - Quamichan Basin, watershed atlas and fish production plan*. Lanarc Consultants Ltd. <https://waves-vagues.dfo-mpo.gc.ca/library-bibliotheque/27449.pdf>

⁴ Sluys, C. (1986). Agricultural land drainage in British Columbia: the Richards Creek - Somenos Creek example [Unpublished master's thesis]. Simon Fraser University. https://summit.sfu.ca/flysystem/fedora/sfu_migrate/6035/b15324138.pdf

⁵ Burns, T. (2002). *A salmonid production plan for the Cowichan valley regional district*. Cowichan valley regional district. https://a100.gov.bc.ca/pub/acat/documents/r8457/cvrd_1166129937987_0869bfaec5f44733ba1d9e68890f6dcb.pdf

⁶ Guimond, E. & Sheng, M. (2005). *A summary of water quality monitoring in the Somenos Basin Pacific Salmon Commission*.

⁷ Preikshot, D., Willmott, T., & Lange, J. (2015). Somenos basin Coho Salmon summer habitat assessment. Madrone Environmental Services, Duncan BC. <https://static1.squarespace.com/static/5bf5e80b4eddecf99a694748/t/5c193c0acd8366c34717d91e/1545157646313/Somenos+Basin+Coho+Salmon+Habitat+Assessment+-+Preikshot+2015.pdf>

⁸ Demers, E. (2016). *Water quality and stream invertebrate assessments for Richards Creek North Cowichan, BC, 2008-2015*. Vancouver Island University. <https://www.viurrspace.ca/server/api/core/bitstreams/4c0c94f5-bb8b-4757-9035-75fa07bd3bbc/content>

areas along Richards Creek lack sufficient area of healthy riparian zones and vegetative cover that support fish habitat.^{3,5}

Segments of Richards Creek encountering challenges primarily lie downstream of Richards Creek Trail. These lower stretches are neighbored by agricultural land before the Creek reduces to a lower flow around and downstream of Herd Road Bridge. Challenges associated with this lower flow and low gradient lead to dissolved oxygen levels in the areas of Richards Creek spanning from Herd Road Bridge to Somenos Lake,^{9,10,5} confirmed by consistent sampling by VIU students between 2008-2015.⁸ These factors, coupled with regional flooding during winter and early spring,¹¹ ongoing challenges with invasive vegetation,¹² climate change,^{13,14} and toxic algal blooms in Somenos Lake downstream are some challenges associated with Richards Creek. The Municipality of North Cowichan requested an EAP analysis of the entirety of Richards Creek, with specific focus on the agricultural area between Richards Trail and Herd Road, in order to gather a baseline figure for maintenance and management of these areas. In this study, the agricultural focus area has been calculated with intent to provide MNC a baseline figure to support consideration of payment to agricultural landowners for ecological services. For a full review of Richards Creek please refer to Appendix C.

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- ⁹ Craig, J.D.C. (2008). *Crofton Lake/Richards Creek habitat study - final report May 2008*. Habitat conservation trust foundation. <https://static1.squarespace.com/static/5bf5e80b4eddecf99a694748/t/5c101be2c2241b9b67355990/1544559600357/Richards+Ck+habitat+study+-+BCCF+2008.pdf>
- ¹⁰ Craig, J.D.C. (2009). *Crofton Lake-Richards Creek flow augmentation - HCTF final report 2008-2009*. BC conservation foundation. Habitat conservation trust foundation. Publication No. (23735). <https://a100.gov.bc.ca/pub/acat/public/viewReport.do?reportId=23735>
- ¹¹ M. Miles and Associates Ltd. (2005). Hydrological assessment of flooding in upper Richards Creek Pastula v District of North Cowichan. <https://static1.squarespace.com/static/5bf5e80b4eddecf99a694748/t/5c1948a6898583b2f4af2055/1545160913413/Richards+Creek+flood+assessment+-+Miles+2005.pdf>
- ¹² Dewar, A. (2021). *2021 Somenos Creek parrot's feather report*. Somenos Marsh Wildlife Society.
- ¹³ Barron, R. (2023). *Lack of water licenses have many Cowichan farmers worrying about the future*. Cowichan Valley Citizen. <https://www.cowichanvalleycitizen.com/local-news/lack-of-water-licences-have-many-cowichan-farmers-worrying-about-the-future-3118007>
- ¹⁴ Cowichan Valley Regional District. (2020). *Cowichan Valley Regional District drinking water and watershed protection strategy (2020-2030)*. <https://cvrd.ca/DocumentCenter/View/102039/FINAL-CVRD-DWWP-Full-Strategy-2020>

Figure 1: Map of Richards Creek Watershed

Richards Creek Watershed



Figure 1: Map of Richards Creek Watershed

Research Question

In this study, the entirety of Richards Creek has been analyzed through GIS software and site visits. One area of focus lies between Richards Trail and Herd Road Bridge, where agricultural properties abut the creek. The research question of this study is: What is the feasibility of payment to agricultural landowners for ecological services on parcels abutting Richards Creek, as one method to apply riparian stewardship? The EAP process determines the value (NCA) of sample reaches of the riparian corridor and suggests an annual budget for its maintenance and management. This budget can indicate a compensation amount that might be paid to agricultural landowners with parcel area abutting Richards Creek for engagement in restoration activities, maintenance, and enhancement. The research focused on maintenance and management in a sample portion of the creek, targeting areas directly upstream from and within ‘problem areas’, and downstream from areas of established riparian health. Works undertaken will serve to further enhance the entire stream system. This strategy ties into the concept that restoration in one area positively impacts the entire community, and that these riparian areas are part of a natural commons of shared responsibility.

A similar research question has been explored in a previous EAP analysis: Bertrand Creek in the Township of Langley, in which they looked to a project named the Langley Ecological Services Initiative to perform maintenance and management activities on Bertrand Creek’s riparian corridor. Recommendations from this study included advising the Township of Langley to allocate an annual maintenance and management parcel fee to the creek, and work with parcel owners to find and secure funding sources in instances requiring more costly intervention. The Bertrand Creek report also suggested exploring tools and titles such as covenants to protect the riparian areas at risk, and to use EAP’s tailored NCA per parcel as a “unit ceiling rate” for compensating parcel owners. If adopted, the report stipulated that this ceiling rate can be scaled up on a case-by-case basis depending on intervention required to the agricultural parcels.¹⁵ These recommendations from the Bertrand Creek report can be transferred to the context of Richards Creek, by deducing the NCA 1% calculation for agricultural land parcels between Herd Road and Richards Trail, and proposing this as a “unit ceiling rate” per square metre to compensate parcel owners. Strategies to secure this funding and execute will require further investigation, however, this report can propose this initial figure.

¹⁵ The Partnership for Water Sustainability in BC (2022). Bertrand creek- A natural commons in the township of Langley: Use of the ecological accounting process to establish the ‘financial case for the stream system’. Author.

Figure 2: Map of Richards Creek Focus Groups

Richards Creek Focus Groups

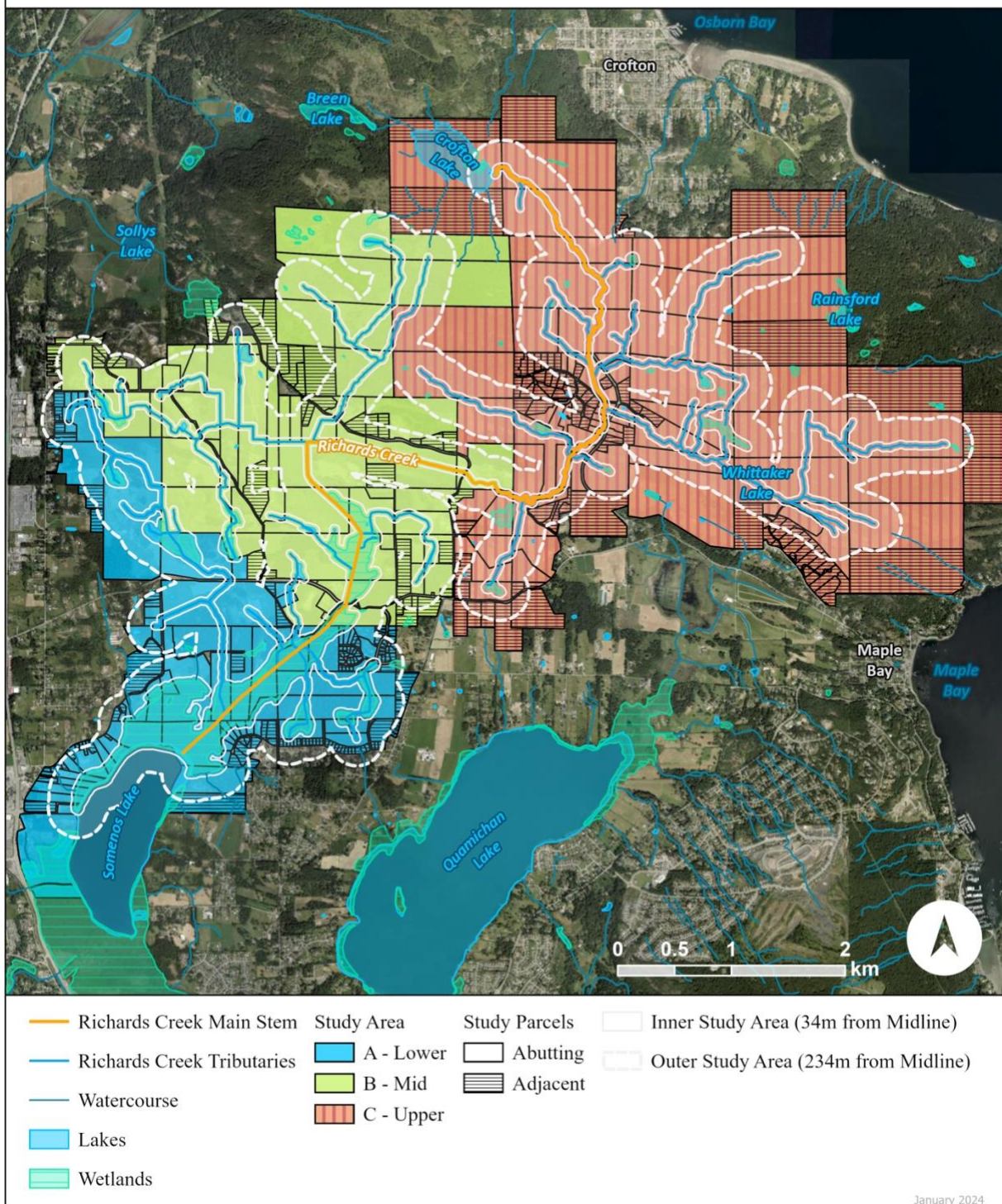


Figure 2: Map of Richards Creek Focus Groups

Methodology

This study drew upon EAP Steps 1-3, with the addition of GIS mapping of impervious surfaces in the Outer Study Area (OSA) of the entire creekshed. To allow comparison between different land use along Richards Creek, the stream was segmented into sample areas that represent the lower, mid, and upper sections of the stream. These areas are referred to in this report as Subset A, B, and C, respectively. The upper reach begins at the headwaters of Richards Creek at Crofton Lake and continues downstream to Richards Trail. Compared to downstream sections, this section is more forested than sites downstream, is home to a few residential subdivisions, and displays overall higher levels of riparian health. The mid section accounts for the areas between Richards Trail and Herd Road, reflecting primarily abutting agricultural parcels. The mid-section includes four main tributaries that feed into the main stem of Richards Creek. To isolate agricultural parcels deemed important for the overall ecological function of Richards Creek, the mid section of the stream is further parsed out to reflect a subset of farm designated parcels along the main stem. The intent of this subset is to help answer the research question of the study by offering informed baseline EAP metrics for some of the parcels most influenced by agriculture along the stream. Finally, the lower section continues past Herd Road and ends at Somenos Lake, reflecting a more degraded section of creek according to the literature review. Throughout all sections of the stream, farm designated parcels were identified by cross-referencing addresses with Farm Credit Canada data, in which active farms were identified. These farm designated parcels were separated from non-farm designated parcels for comparison and analysis.

Step 1: The calculation of the Natural Capital Asset (NCA) financial value

Streams as natural assets occupy physical space on the landscape. This land has a financial value and can represent what the community is willing to pay for the stream and the benefits it offers. The NCA calculation finds the value of a strip of land 30m wide on either side of Richards Creek, which generally aligns with the Riparian Assessment Area as defined in the Riparian Area Protection Regulation. Notably, the Riparian Area Protection Regulation also considers areas abutting ravines (10-30m from the top of bank depending on the size of ravine) as part of the Riparian Assessment Area. EAP analysis only considers the 30m of land directly abutting a stream as the Inner Study Area (ISA), and only this area is considered for NCA calculations.

The land value assessment of the ISA comes primarily from BC Assessment, which is the provincial agency responsible for standardized land valuation in BC. Farmland values are not captured reliably by BC Assessment so the value of Farm Designated parcels comes from Farm Credit Canada, which provides an accurate summation of farmland before subsidies as reflected in BC Assessment data. The total value of all land within the ISA, from both BC Assessment and Farm Credit Canada, is added together. This is considered the combined NCA value of the area occupied by the stream and its riparian area.

Because maintenance budgets are suggested based on the NCA value (see step 2 below), the combined value of land within the ISA is divided by two to emphasize a shared responsibility between private landowners and the local government/larger community. The result is the total NCA value for the stream, indicating the value that Richards Creek brings to the community. In this case, there are two NCA values: one reflecting the entirety of Richards Creek, and one reflecting the focus area indicated in the research question above, which is from Richards Trail to Herd Road Bridge.

Step 2: The calculation of a suggested Maintenance and Management budget

This step suggests what MNC could spend on maintenance and management on the entirety of Richards Creek to maintain the stream's capacity to function as an asset for the community. The NCA value derives from the aggregate assessed value (m^2), or Farm Credit Canada value, of parcels in the sample area. The target for annual maintenance and management is based on 1% of the NCA value for a section or entirety of a stream. Allocating 1% of an asset's value to its maintenance is standard practice in constructed asset management such as residential construction¹⁶ and local government budgets^{17,18}. EAP assumes that built assets, such as roads or recreational facilities, and natural assets, such as riparian corridors, each deserve a fair share of a community's resources. As such, 1% of the stream's NCA value is suggested to be allocated to the maintenance and management of the riparian corridor.

The method to find the NCA amount requires establishing the financial value of a sample of parcels based on area (m^2). The value per m^2 could be used to establish a ceiling rate for compensation to parcel owners who allow a portion of their land to be committed to maintenance and management works.

Step 3: Investigate the Riparian Deficit

NCA values can inform a Riparian Deficit, which indicates area where more spending on riparian maintenance in areas of the stream system can be justified. This is a similar concept to built infrastructure deficits, where a lack of spending can result in the deterioration of an asset.

It makes sense that areas with more dense development generally have higher land values. If more development is present in the 30m riparian setback, this means that higher NCA values could indicate that riparian condition is at a higher risk of degradation. We could justify spending more on maintenance in these areas with higher NCA values both because the riparian area may need more M&M, and because the community may be deriving more value from the stream in these areas. These are areas with a Riparian Deficit: more spending on the riparian area is needed to maintain the capacity of Richards Creek as an asset.

The reverse can also be true, as low NCA values might indicate that streamside protection has been relatively effective and/or the riparian area may be in better condition. These areas may have smaller Riparian Deficits and might not require as much management.

Note: comparisons with actual measures of ecosystem health are needed to reinforce this concept, and it is recommended that this information will spur further investigation. While this study drew from publicly available data and field visits, it is recommended for local governments

¹⁶ Scotiabank (2021). How much should I budget for home maintenance costs?

<https://www.scotiabank.com/ca/en/personal/advice-plus/features/posts/how-much-should-i-budget-for-home-maintenance-costs.html#:~:text=Learn%20more-.1%25%20rule,%245%2C000%20per%20year%20for%20maintenance>

¹⁷ City of Vancouver (2023). 2023 Budget and Five-Year Financial Plan. <https://vancouver.ca/files/cov/2023-budget-final.pdf>

¹⁸ City of Nanaimo (2023). 20 Year Investment Plan and Asset Management Plan Update.

<https://www.nanaimo.ca/docs/departments/finance/20-year-investment-plan-and-asset-management-plan-update-june-2023.pdf>

to cross-check results with internal data sources about riparian condition that might be integrated with the Riparian Deficit concept.

Results

Of the 425 parcels considered in the analysis of Richards Creek, 182 (43%) are abutting parcels used in the main NCA calculations and the remaining 243 (57%) parcels are used to provide context and inform impervious surface coverage analysis (Table 1). To allow comparisons between different reaches of the stream, these parcels are divided into upper stream, mid stream, and lower stream groups. While all three stream segments are roughly equivalent in stream length, the lower watershed has the lowest proportion of abutting farm designated parcels (13.7%). In comparison the highest proportion of abutting farm designated parcels are in the mid section which contains 44.2%, which is more than the lower and upper regions combined (13.7% and 17.5% respectively). The fewest parcels with Agricultural Land Reserve (ALR) designation were found in the upper stream (21.5%), followed by the lower stream (44.8%); the highest proportion was in the mid stream (71.4%).

The lower number of ALR designations in the upper watershed is supported by observations of large, low value parcels predominately covered by forest. The findings in Table 1 also indicate the higher number of agricultural parcels observed in the mid stream area, as it has the most abutting farm designated parcels and parcels in the ALR. Parcels in the upper section are 63% larger and have assessed values that are 19% lower than the average of abutting parcels along Richards Creek (Table 1). In comparison, parcels in the mid section are 20% larger in area and have assessed values that are 8% lower than the average of abutting parcels (Table 1). Lastly, the lower section of the stream is more heavily influenced by residential uses as parcels here are about 21% more valuable and 44% smaller than the average parcel along Richards Creek (Figure 1).

Table 1. Parcel Summary

Parcel Group	A - Lower	B - Mid	C - Upper	Total
Total Number	192	98	135	425
Abutting	73	52	57	182
Adjacent	119	46	78	243
In ALR	86	70	29	185
Not in ALR	106	28	106	240
Abutting Farm Designated	10	23	10	43
Stream Length thru Parcel Area (km)	23.66	25.07	24.14	72.87
Average Abutting Parcel Value (\$) per m²	14.51	11.10	9.77	12.03
Average Abutting Parcel Size (ha)	6.21	13.44	18.18	11.18

Ecosystem Valuation

Results of this EAP study indicate that the value of Richards Creek to the community is approximately (CAD) \$31.5 million, meaning that each linear metre of the stream is worth (CAD) \$433. (Table 2). Based on these values, it may be reasonable to spend about (CAD) \$ 315,450 annually on the maintenance and management of Richards Creek and its tributaries (Table 3). A useful place to begin might be in the agriculturally developed lands in the mid-section of this analysis, which was a focus area in this review. If beginning here, results indicate that \$28,328 is a reasonable amount to allocate towards maintenance and management in this area.

Though differences between stream segments are relatively small when compared to other EAP studies of streams on Vancouver Island, there are slightly higher per area NCA values in the lower watershed compared to mid and upper sections. In the lower watershed, NCA values are (CAD) \$7.18 per m² which is 9% to 35% higher than in the mid and upper reaches respectively. The likely reason for this is likely the contribution of higher value residential parcels in the lower watershed which may place a higher value on the benefits of the stream and related NCA amounts. This result generally supports the riparian deficit concept as the upper section of the stream has less development near the stream which results in lower NCA values. This reduced development near the stream may also translate to improved riparian health in these areas with low NCA values. The reverse may also be true where higher NCA values in lower sections of the stream correspond with higher levels of development (thus increasing land value) and potentially greater infringement on the riparian area.

Table 2: NCA Summary Table

Group	Stream Length (km)	Parcels	Natural Commons Asset Values		
			Total \$	\$ per m	\$ per m ²
A – Lower	23.66	73	12,463,094.98	526.78	7.18
B – Mid	25.07	52	10,003,036.49	398.95	6.60
C – Upper	24.14	57	9,078,682.27	376.05	5.30
Weighted Averages				432.87	6.34

Table 3: Maintenance and Management Budget

Group	NCA Total (\$)	M&M (\$)
A – Lower	12,463,094.98	124,630.95
B – Mid	10,003,036.49	100,030.36
C – Upper	9,078,682.27	90,786.82
Total	31,544,813.74	315,448.14

Ecosystem Influence

Table 4. Impervious Area Summary for Group A, B, and C

Row Labels	Parcels	OSA Total Area (m ²)	OSA Impervious Area (m ²)	Percent of OSA (%)	ISA Total Area (m ²)	ISA Impervious Area (m ²)	Percent of ISA (%)
A - Lower	192	4,513,783.63	205,441.56	4.55	1,683,436.35	13,504.42	0.80
B - Mid	98	6,430,115.88	266,240.87	4.14	1,462,513.28	27,986.47	1.91
C - Upper	135	7,835,725.37	161,372.95	2.06	1,490,001.47	22,379.08	1.50
Total	425	18,779,624.88	633,055.38	3.37*	4,635,951.10	63,869.97	1.38*
*Total percent of OSA and ISA have been averaged.							

When referring to Table 4, it is evident that the lower reaches Outer Study Area (OSA) have the highest proportion of impervious surface (approximately 5%) when compared to the OSA of the mid and upper reaches (with approximately 4% and 2%, respectively). However, the lower reach also has the lowest amount of impervious surface coverage in the Inner Study Area (ISA) of approximately 1%, compared to approximately 2% in the mid reach, and 1.5% in the upper reach. Further, the ISA in the lower reach of Richards Creek also amounted to the largest size (m²). When looking at the sizes of the ISA and OSA in the lower study area, it reflected that there was fifteen times more impervious areas in the OSA than the ISA (Table 4). While this finding might seem to contradict the riparian deficit theory of high impervious surface coverage leading to lower ecological health, it might be reasonable to argue that, based on aerial imagery and research conveyed in the literature review attached in Appendix C, denser development within the ISA of the Creek may not be possible due to stagnant, slough-like conditions.

Table 5: Subset Area B and C Parcel Comparison: Richards Creek Main Stem

	Main Stream – Farm Designated	Main Stream – not Farm Designated	All Tributaries – Combined Land use (Same as Table 1,2,3)
Subset B – Mid – Herd Road Bridge to Richards Trail			
Number of Parcels*	7	5	52
Average Parcel Size (ha)	18.7	14.3	12.9
NCA Total Values (\$)	2,837,864	1,063,008	10,003,036.49
NCA (\$) per m²	7.88**	4.28	6.60
ISA Impervious Area (%)	0.31	1.39	1.91
Subset C – Upper – Richards Trail to Crofton Lake			
Number of Parcels*	3	19	57
Average Parcel Size (ha)	13.6	14.1	18.9
NCA Total Values (\$)	1,072,873	1,681,695	9,078,682.27
NCA (\$) per m²	7.88**	3.63	5.30

ISA Impervious Area (%)	0.80	2.62	1.50
<p>*All values are abutting parcels only.</p> <p>**Farm designated parcel values are drawn from Farm Credit Canada and are allocated by region.</p>			

Based on lower riparian quality in the lower study area, Table 5 reflects the differences between the mid and upper reaches of Richards Creek, labeled as Subset B and C, respectively. As greater riparian health in Subset B and C have been observed, a comparison analysis of the two subsets was then completed. As outlined previously, Subset B contains a larger concentration of farm designated and ALR land parcels abutting the main stem of Richards Creek (Table 1). While Subset C has three farm designated parcels, they are of smaller size than the seven listed in Subset B. Meanwhile, Subset C has a higher average parcel size when all tributaries were combined when compared to Subset B, which may account for the higher density of forested parcels noted (Figure 2). The combined NCA value of parcels in Subset B is also higher than that of Subset C, supporting the deduction that Subset B contains more densely populated parcels, and while they are agricultural, this subset does have a slightly higher percentage of impervious surfaces than Subset C, which is the only section to still house viable salmon habitat.⁵

As there is strong evidence in previous EAP studies that high NCA values correlate with a high level of riparian deficit, or ecosystem degradation, it would make sense to target Subset B as a site for restoration, especially if presented with an opportunity to collaborate with willing landowners. In this case, and to provide a baseline figure in response to the research question, the combined NCA value of the farm designated parcels abutting Subset B is \$2,837,864, equating to a baseline allocation of \$28,378.64 for annual maintenance and management in this area, and offering a baseline compensation of \$7.88 to agricultural landowners for each m² undergoing maintenance and restoration (\$78,800 per hectare).

Practical Applications

To address the research objective of this study and provide justification for a payment for ecological services program on agricultural lands abutting Richards Creek, this study finds that an annual baseline maintenance and management figure of \$28,378.64 is required to engage in effective restoration (Table 5). This figure is based on farm designated parcels as designated by Farm Credit Canada and, when engaging with agricultural landowners, suggests a baseline compensation of \$7.88 per m² or \$78,800.00 per hectare for those willing to engage in ecological restoration initiatives upon their land abutting Richards Creek. When NCA value is combined across the entirety of Richards Creek and its tributaries, a larger \$315,488.14 maintenance budget is suggested, with \$100,030.36 (Table 3) attributed to the section of stream between Herd Road and Richards Trail (subset B).

To mobilize these concepts, it is necessary to implement funding pathways to ensure annual investment into maintenance and management of stream systems. It is also necessary to track all maintenance and management investment of regional creeksheds to compare to EAP analyses. As Richards Creek is facing significant degradation to the lower portions of the creek and retains a fair level of ecological integrity in the reaches upstream of Richards Trail, enhancing quality of

abutting agricultural parcels in the thirty-metre riparian area is likely to positively impact stream quality in these areas and downstream.

As illustrated in the literature review in Appendix C, despite fair health of the upper reaches of Richards Creek, the lower reaches are of poorer quality. This reduced quality can be attributed to several factors, all relating to forms of development encroaching on the riparian area. Due to the RAPR allowing agricultural areas to develop right to the stream bank, it is not unlikely that higher levels of phosphorous, nitrogen, and fecal coliforms consistently recorded downstream these agricultural parcels from 2008-2016 may be a result of this lack of riparian buffer. It would be pertinent to examine whether ecological services along agricultural land parcels within the ISA might reduce these levels of phosphorous, nitrogen, and fecal coliforms, as well as increase vegetative cover and riparian zone. Decreasing the level of nutrient loading into Somenos Lake could play a role in minimizing its toxic algal blooms, which is only one issue the area faces as it encounters climate change and invasive species. However, it is recognized that agricultural lands provide viable income for those farming it, and every square metre counts. Therefore, offering payment for ecological services to participating landowners may be a viable option. One suggestion for this is Farmland Advantage, a program to aid in ecological service management of riparian areas on farmland parcels. Recent developments have made it now possible for Farmland Advantage to receive applications for stewardship, which is an evolution from previous cases in which areas were approached based on mapping and matching criteria. While it can be challenging to secure ongoing funding for these necessary services, gathering a baseline number for maintenance and management is a first step. EAP provides baseline information to begin addressing these issues through its maintenance and management calculation for the entirety of Richards Creek, as well as by section, including the agricultural area of focus. As the NCA represents a figure of shared responsibility due to the creekshed being a natural commons, it is pertinent to seek out equal support to that provided by the municipal government. By providing a financial case for the stream, with recognition that it is based on one method of evaluation (being parcel data and defended by environmental observations), EAP provides a starting point towards informed annual budgeting towards the stewardship of riparian areas.

The Ecological Accounting Process (EAP)

Richards Creek:
Year 1 Analysis

Mount Arrowsmith Biosphere Region
Research Institute
Vancouver Island University



Overview

What to expect from this presentation

What is EAP?

1

Richards Creek

2

Research Question
Results

3

4

Applications

5

What is EAP?

A way of valuing a stream as a Natural Commons or Natural Asset.

Natural assets serve the same function as constructed assets with additional benefits.

EAP is a methodology and set of metrics to assist local governments estimate financial value of streams as natural assets.

CONSTRUCTED
COMMONS



Drainage



NATURAL
COMMONS



Recreation



Water filtration



Drainage



Biodiversity



Human health



What is EAP?



EAP Assumptions

A stream is a land use, thus the underlying land has value.

Benefits of a stream are shared, therefore, stream health is a shared responsibility.



What is EAP?



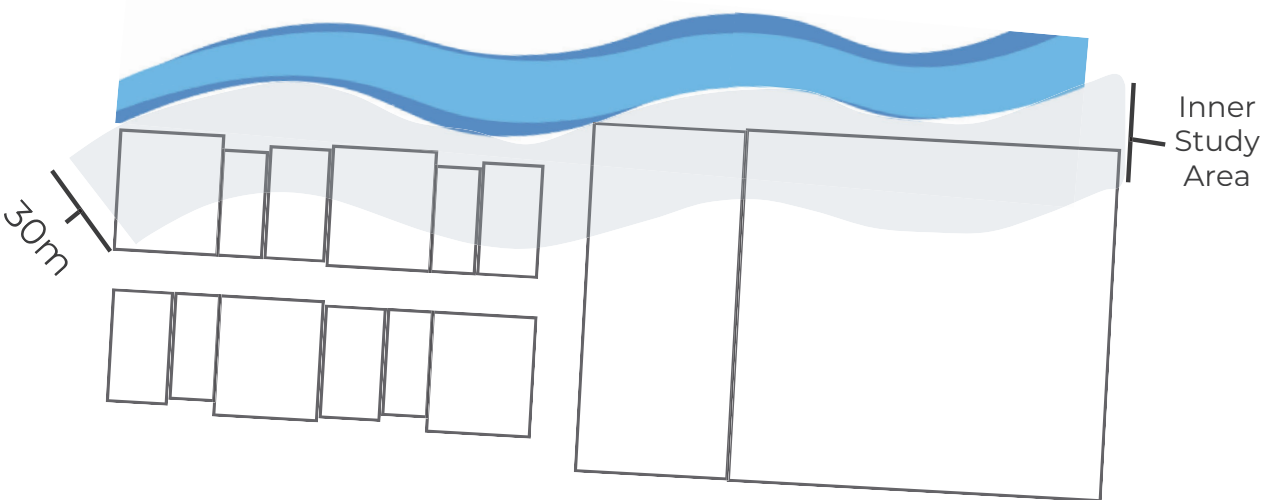
What is EAP?

A methodology and set of metrics to assist local governments operationalize maintenance and management of streams and their riparian corridors.

Natural Capital Asset (NCA) value

Maintenance and Management value (M&M)

1%



Limitations of EAP

EAP assessed valuations of streams do not directly engage in an in-depth consideration of social, cultural, ecological, or intrinsic value of streams.

EAP is not an ecosystems services approach or a direct source of funding for riparian management.



Figure 1: Map of Richards Creek Watershed
Richards Creek Watershed



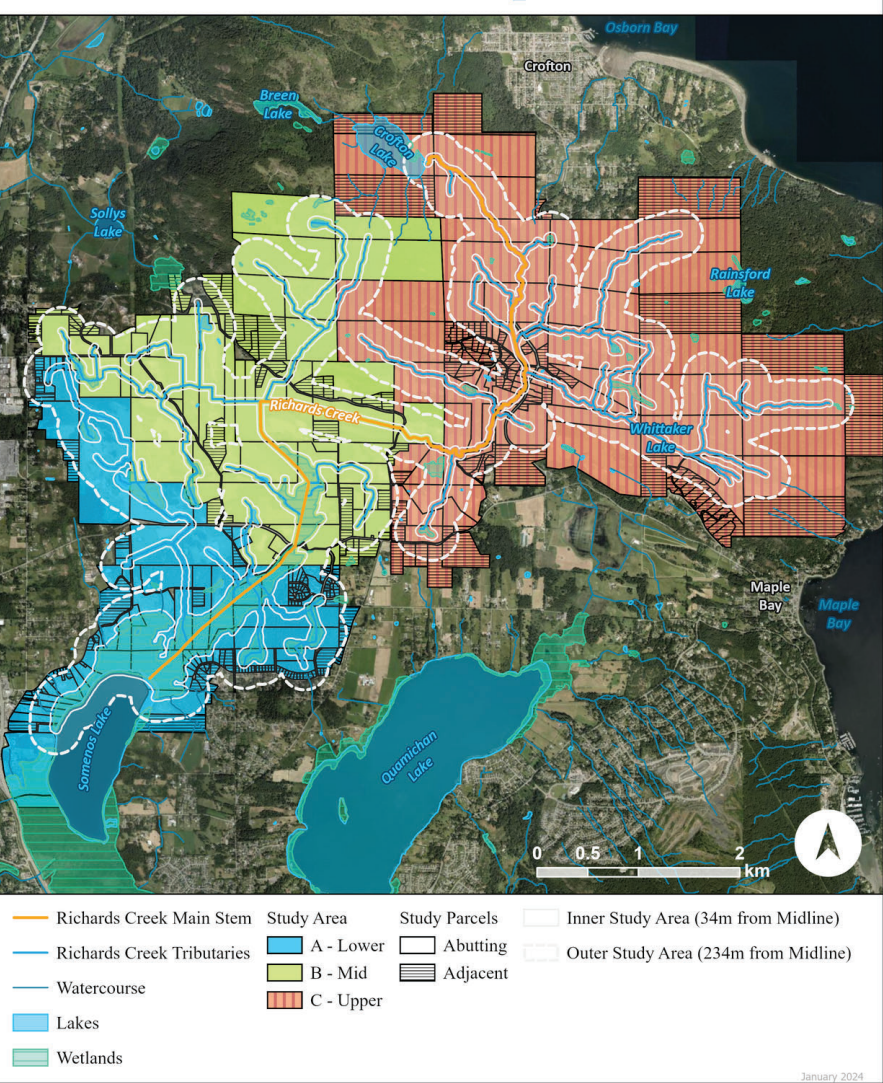
Richards Creek

Fish bearing with a range of ecological conditions.

Richards Creek lacks the optimal conditions to support healthy fish populations in the lower reaches, with degraded water quality.



Figure 2: Map of Richards Creek Focus Groups
Richards Creek Focus Groups



Richards Creek

- Upper section: relatively intact riparian area, steeper, abutted by forestry and residential land uses.
- Mid section: ditched with limited riparian areas below Richards Trail, abutted primarily by agriculture.
- Lower section: low flow and low gradient with poorer water quality, abutted by agriculture and residential uses.



Research Question

What is a baseline payment to agricultural landowners for ecological services on parcels abutting Richards Creek, as one method to apply riparian stewardship?

As a part of this: calculate NCA and M&M value of Richards Creek and highlight a sample portion of the stream in the focus area.

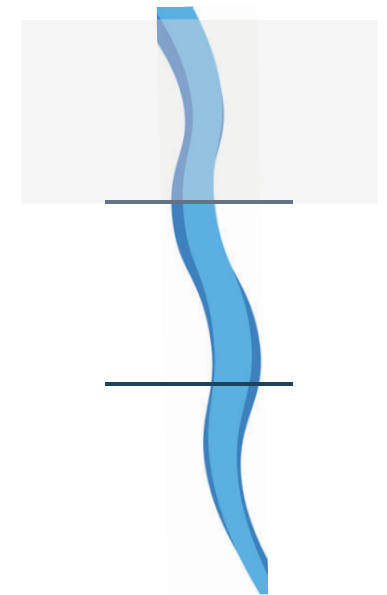


Results

The upper section of the stream is influenced by forestry as parcels here are 63% larger and valued 19% lower than the total average.

Table 1: Parcel Summary

Parcel Group	A - Lower	B - Mid	C - Upper	Total
Total Number	192	98	135	425
Abutting	73	52	57	182
Adjacent	119	46	78	243
In ALR	86	70	29	185
Not in ALR	106	28	106	240
Abutting Farm Designated	10	23	10	43
Stream Length thru Parcel Area (km)	23.66	25.07	24.14	72.87
Average Abutting Parcel Value (\$) per m ²	14.51	11.10	9.77	12.03
Average Abutting Parcel Size (ha)	6.21	13.44	18.18	11.18



Results

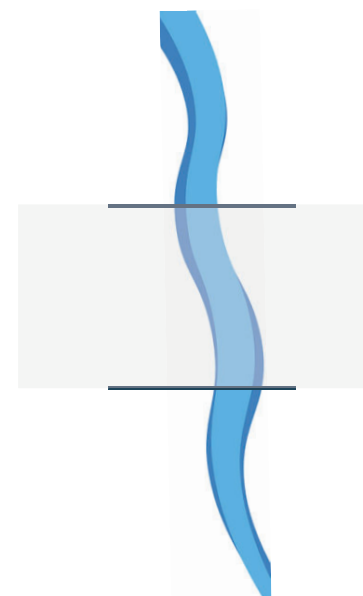


Results

44% of abutting parcels in the mid section of the stream are farm designated, with 71% of mid section parcels in the Agricultural Land Reserve (ALR).

Table 1: Parcel Summary

Parcel Group	A - Lower	B - Mid	C - Upper	Total
Total Number	192	98	135	425
Abutting	73	52	57	182
Adjacent	119	46	78	243
In ALR	86	70	29	185
Not in ALR	106	28	106	240
Abutting Farm Designated	10	23	10	43
Stream Length thru Parcel Area (km)	23.66	25.07	24.14	72.87
Average Abutting Parcel Value (\$) per m ²	14.51	11.10	9.77	12.03
Average Abutting Parcel Size (ha)	6.21	13.44	18.18	11.18



Results

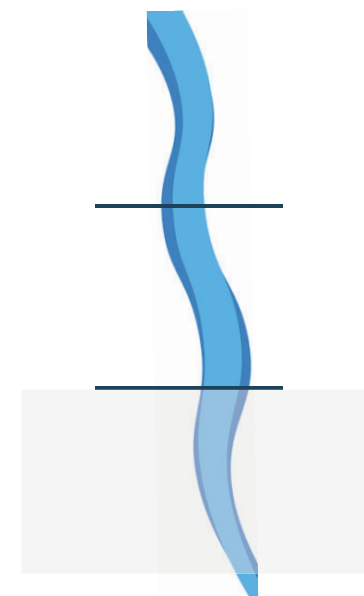


Results

The lower section is influenced by residential use as parcels here are 21% more valuable and 44% smaller than average.

Table 1: Parcel Summary

Parcel Group	A - Lower	B - Mid	C - Upper	Total
Total Number	192	98	135	425
Abutting	73	52	57	182
Adjacent	119	46	78	243
In ALR	86	70	29	185
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Results



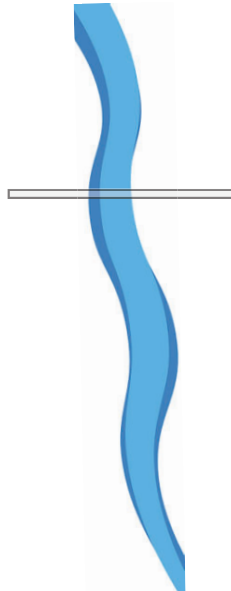
Results

The total NCA value of Richards Creek: \$31.5 million
(\$433 per metre)

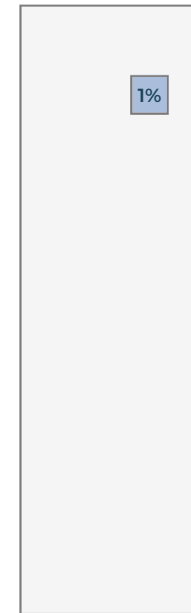
Annual M&M: \$315,450



\$31.5
million



\$433
per m



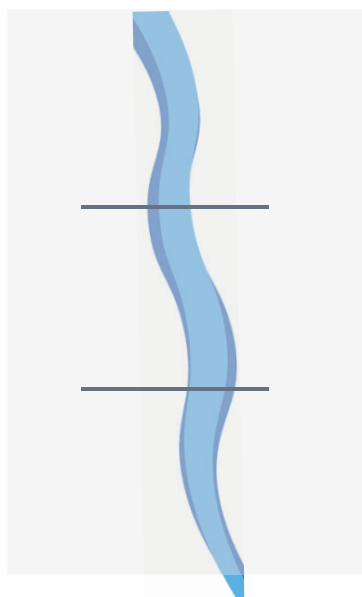
\$315,450
annually

Results



Results

Impervious surface coverage is about 1.4% of inner study area and 3.4% of outer study area. The largest proportion of impervious surface coverage in the ISA is in the mid section of the stream.



Row Labels	Parcels	OSA Total Area (m ²)	OSA Impervious Area (m ²)	Percent of OSA (%)	ISA Total Area (m ²)	ISA Impervious Area (m ²)	Percent of ISA (%)
A - Lower	192	4,513,783.63	205,441.56	4.55	1,683,436.35	13,504.42	0.80
B - Mid	98	6,430,115.88	266,240.87	4.14	1,462,513.28	27,986.47	1.91
C - Upper	135	7,835,725.37	161,372.95	2.06	1,490,001.47	22,379.08	1.50
Total	425	18,779,624.88	633,055.38	3.37*	4,635,951.10	63,869.97	1.38*
*Total percent of OSA and ISA have been averaged.							

Results

In the mid section of the stream, a subset of agricultural parcels only along the main tributary of the stream, have a NCA value of \$2.8 million (M&M = \$28,300).

Table 5: Subset Area B and C Parcel Comparison: Richards Creek Main Stem

	Main Stream Farm Designated	Main Stream not Farm Designated	All Tributaries Combined Land use (Same as Table 1,2,3)
Subset B – Mid – Herd Road Bridge to Richards Trail			
Number of Parcels*	7	5	52
Average Parcel Size (ha)	18.7	14.3	12.9
NCA Total Values (\$)	2,837,864	1,063,008	10,003,036.49
NCA (\$) per m ²	7.88**	4.28	6.60
ISA Impervious Area (%)	0.31	1.39	1.91
Subset C – Upper – Richards Trail to Crofton Lake			
Number of Parcels*	3	19	57
Average Parcel Size (ha)	13.6	14.1	18.9
NCA Total Values (\$)	1,072,873	1,681,695	9,078,682.27
NCA (\$) per m ²	7.88**	3.63	5.30
ISA Impervious Area (%)	0.80	2.62	1.50
*All values are abutting parcels only.			
**Farm designated parcel values are drawn from Farm Credit Canada and are allocated by region.			



Results



Results

In the upper section of the stream, a subset of agricultural parcels only along the main tributary of the stream, have a NCA value of \$1.1 million (M&M = \$10,100).

Table 5: Subset Area B and C Parcel Comparison: Richards Creek Main Stem

	Main Stream Farm Designated	Main Stream not Farm Designated	All Tributaries Combined Land use (Same as Table 1,2,3)
Subset B – Mid – Herd Road Bridge to Richards Trail			
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Average Parcel Size (ha)	13.6	14.1	18.9
NCA Total Values (\$)	1,072,873	1,681,695	9,078,682.27
NCA (\$) per m ²	7.88**	3.63	5.30
ISA Impervious Area (%)	0.80	2.62	1.50
*All values are abutting parcels only.			
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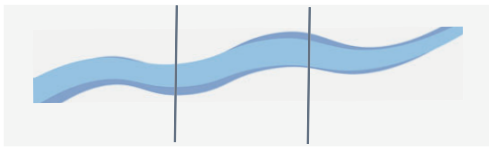


Results

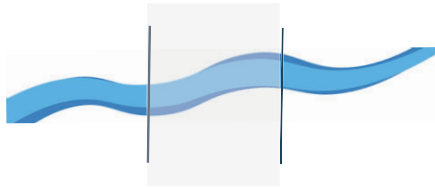


Results

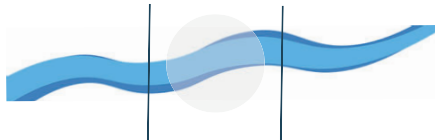
EAP analysis suggests valuations and M&M budgets for Richards Creek at different scales:



The whole stream and its tributaries is worth 31.5 million, with a suggested annual M&M budget of \$315,450.



The upper, mid, and lower sections of the stream and their tributaries are worth approximately \$9.1 million, \$10.0 million, and \$12.5 million, respectively.



The agricultural parcels abutting the main stream are worth \$2.8 million in the mid section and \$1.1 million in the upper section.

Applications

Agricultural development and fair levels of ecological integrity: enhancing quality of abutting agricultural parcels in the thirty-metre riparian area is likely to positively impact stream quality.

A baseline compensation to agricultural landowners was calculated at \$7.88 per m² or \$78,800.00 per hectare.



Applications

Funding pathways to ensure annual investment into maintenance and management of stream systems.

Tracking maintenance and management investment of regional creeksheds to compare current spending levels to what is suggested by EAP analyses.



Thank you

Questions?

**Mount Arrowsmith Biosphere Region
Research Institute
Vancouver Island University**



7

FOOD SECURITY & LOCAL AGRICULTURAL SYSTEMS





...the care of the earth is our most ancient and most worthy and, after all, our most pleasing responsibility. To cherish what remains of it, and to foster its renewal, is our only legitimate hope.

For the true measure of agriculture is not the sophistication of its equipment the size of its income or even the statistics of its productivity but the good health of the land.

-Wendell Berry



Quote by Wendell Berry from his book, 'The Art of the Commonplace: Agrarian Essays'.

7.0 INTRODUCTION AND CONTEXT

North Cowichan has a very long tradition of farming, both pre-contact and post-contact, due to its fertile soils and mild climate. In addition, the land and shoreline provides for First Nations food and medicine gathering throughout the seasons. Careful stewardship of our agricultural lands and a thriving local food system are vital for North Cowichan's social well-being, culture, economy, and environment. Agricultural lands and productive soils are defining features of North Cowichan, and its associated industries form an important sector of our local economy.

North Cowichan's character and identity are defined in part by the agricultural landscape and reputation for producing good quality food and other agricultural products. Supporting agriculture has been and continues to be a strategic priority for the Municipality. Food production is not necessarily limited to the rural areas. Urban agriculture is also an important component of North Cowichan's food systems.

The policies of this section support local agriculture and the protection of agricultural land. However, local government's limited jurisdiction over food and farming means that it cannot achieve these goals and objectives alone. It will be necessary for the Municipality to work with farmers, food processors, other government agencies, businesses, non-profit organizations, and the community.

Urban agriculture, urban farming, or urban gardening is the practice of cultivating, processing, and distributing food and natural materials in or around urban areas. This includes the use of land, buildings, structures, roof-top and balcony gardening, vertical farming, community gardening in vacant lots and parks. This use excludes the keeping of farm animals and poultry, but may include aquaculture, "urban beekeeping" and insect production with conditions.



Figure 7.1: Farmland in North Cowichan.

7.1 FOOD SECURITY

North Cowichan is a signatory to the 2009 [Food Charter](#) which defines food security as the state when all members of the community have access to nutritious, safe, ecologically sustainable and culturally appropriate food at all times. Food security is a growing concern globally. Our supply of food depends increasingly on international systems of production and distribution at a time when strains in these systems are becoming more evident, and the environmental and health consequences of such systems are becoming better understood.

Facilitating increased local production and access could help address concerns about the security of our food supply, its quality, and the environmental and human costs of a global food distribution system. By encouraging local agricultural production, addressing issues related to hunger in our community and to the relationship between low-cost housing and food access, North Cowichan has a role to play locally in promoting greater food self-sufficiency and ensuring food security.



Ensuring access to food for all residents meets the principles of social justice and equity.

7.1.1 Defining Success | Objectives

Objectives: Enhance access to healthy, affordable, locally grown, high quality, nutritionally dense food, especially for vulnerable populations. Sustain and increase local agricultural activity, especially of food systems that can improve the food security for the local population.

Progress can be measured by:

- An estimate of how much of the community's food needs are produced locally.
- The number of people who rely on food bank/food donations to meet their needs.
- Economic analyses of local farming sector.

7.1.3 The Municipality will ask developers and landowners to:

- a. Provide (within the Urban Containment Boundary (UCB)), space and supportive infrastructure (e.g. irrigation, storage) so that residents who do not have access to their own land have capacity to grow some of their own food in the urban context (community gardens, common garden areas in multi-family buildings, etc.).

7.1.2 The Municipality will strive to:

- a. Support local food initiatives and strive to reduce regulatory barriers to increase local agricultural activity and food production, as part of its commitment to food security.
- b. Consider creating a community garden strategy to guide the development and management of community gardens in a variety of appropriate locations throughout the municipality.
- c. Allow urban agriculture as a principal permitted use in all designations and zones.
- d. Allow for the use of fresh food trucks (selling veggies, poultry meat, eggs, cheese etc.) to park within neighbourhoods to provide access to residents for fresh local produce.

7.1.4 The Municipality will work with others to:

- a. Provide support for an expanded Farmer's Market, including street closures, parking and loading/unloading areas for vendors (City of Duncan).
- b. Encourage and support the initiatives of food businesses and organizations that provide access to healthy, high quality, nutritionally dense food, especially for vulnerable populations.
- c. Collaborate with the Cowichan Food Security Coalition and Cowichan Green Communities to implement and/or update the [Cowichan Food Security Plan 2010 Edition](#).
- d. Support food equity and food security initiatives by Non-Governmental Organizations, community members and other levels of government.
- e. Support initiatives to reduce the amount of food waste.

7.2 LOCAL AGRICULTURAL SYSTEMS

Food and agricultural systems encompass the interlinked value-adding activities of production, aggregation, processing, distribution and disposal of products that originate from agriculture, forestry and fisheries. They are part of the broader economic, societal and natural environments in which they are embedded.¹

Agriculture is a core sector of North Cowichan's economy.

This OCP establishes clear priorities and high-level policies to strengthen local food and agriculture systems beyond farmland protection to include the full spectrum of agricultural activities. Key documents that support these initiatives include the [Strategic Agricultural Plan](#) (2001), [Cowichan Food Charter](#) (2009) and the [Agricultural Advisory Committee Work & Implementation Plan](#) (2013).

¹ Sustainable food systems. Concept and framework. (2018). Retrieved from: <http://www.fao.org/3/ca2079en/CA2079EN.pdf> Accessed Nov 2020.

OPPORTUNITIES AND CHALLENGES

North Cowichan envisions an agricultural sector that is economically, socially, and environmentally healthy and sustainable. Key challenges to agriculture include the low rate of return on investment (driven partly by being forced to compete in a globalized food production system), the high price of land (driven in part by land speculation and demand for housing), lack of access to water, and inadequate agricultural drainage on potentially productive valley bottom soils.

Sustainable food means food produced without degrading soil quality or depleting water sources. It also means little-to-no use of fertilizers, herbicides, and pesticides. It is possible to maintain land for agricultural production while also preserving adjoining natural assets and ecosystems. Agricultural land itself can also provide valuable habitat. For example, if native plants and flowers are allowed to grow in field edges, hedgerows and around crops, pollinators, birds, bats, and other creatures, can also thrive.

Agriculture can be viewed from a climate change perspective as both a part of the complex climate change problem as well as a potential part of the solution. Agriculture and food processing generate greenhouse gas emissions through disturbance of the soil, methane from livestock, use of fuels and chemicals in crop production and the energy used in processing and transporting food. The CAEP Economic and Emissions Modelling Overview (February 9, 2021) assumes GHG emissions from agriculture will remain relatively stable until 2050. However, innovative farming techniques may create opportunities for the soil itself to be a significant carbon sink.^{2 3} Conventional farming techniques tend to unlock and release carbon from the soil.



Regenerative agriculture practices meet the climate action principle.

Recent developments in regenerative farming techniques that strive to minimize soil disturbance can restore soil health and its ability to lock in carbon. Opportunities for employing these practices in North Cowichan could be explored with partners in the agricultural community.

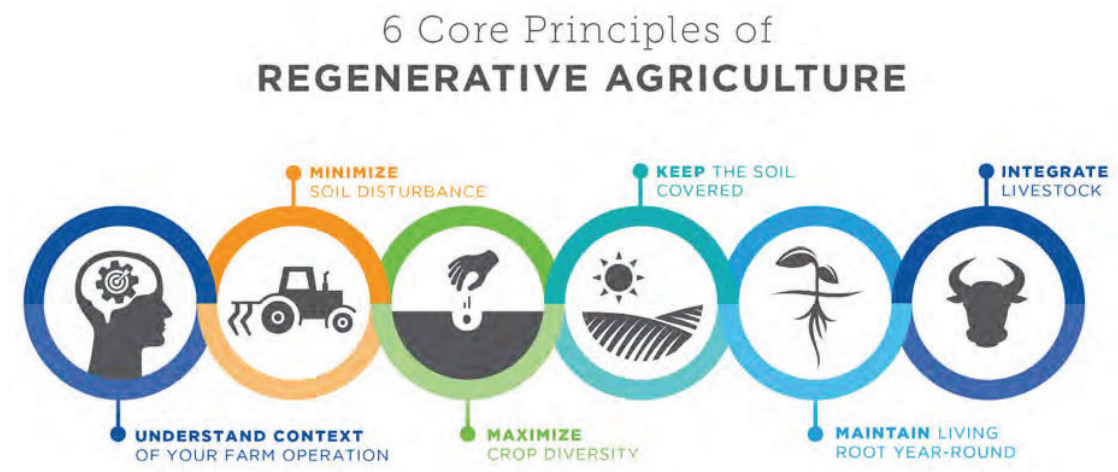


Figure 7.2: Principles of Regenerative Agriculture, retrieved from <https://www.generalmills.com/en/Responsibility/Sustainability/Regenerative-agriculture>

³ Read more about carbon release from soil here: <https://soilhealthinstitute.org/>

⁴ Read more about soil health and its ability to lock in carbon here: <https://soilhealthinstitute.org/>

7.2.1 Defining Success | Objectives

Encouraging local food production reduces our carbon footprint from food transportation and also enhances local community resilience due to reduced risk of supply chain disruption. Farmers will need to adapt to new climate norms to be able to grow food in new climate conditions.

Urban agriculture practices such as growing food in backyards or on balconies, in community gardens, in common areas in apartments and in parks can be an important contribution to local food production. Backyard chickens and beekeeping have become increasingly common in urban areas. Policies that support these initiatives such as allowing urban agriculture in a variety of land use designations will help strengthen North Cowichan's food system.

The Municipality recognizes the great value that its farmers and agricultural lands bring to North Cowichan's economy, community, and environment. The Municipality recognizes its role in reducing barriers to farming through maintaining consistency with provincial ministry guidelines for supporting agriculture. It also recognizes it has limited ability to support and regulate farming on private lands, therefore we must collaborate with farmers, food producers, land-owners and non-governmental associations, and other levels of government to achieve these objectives. Residents play an important role in supporting a thriving local food system. As food consumers, their daily choices can help support viable local farms, markets and food processors as well as support greater food security for the whole community.

Because of these trends and challenges, the Municipality must stay flexible in order to support agriculture as a future economic engine for the region, and to ensure the agricultural land base is maintained.

Objectives:

- a. Protect the agricultural and farmland base.
- b. Strengthen the economic vitality of farming by encouraging farming and food processing as a viable business enterprise, employment opportunity and way of life.
- c. Diversify and expand the local sustainable food system.
- d. Reduce greenhouse gas emissions from the food system and increase carbon storage in soils.
- e. Enhance biodiversity by preserving, connecting and enhancing habitat on agricultural lands.
- f. Work towards a "circular" - low waste - food system.
- g. Support educative, commercial and cultural initiatives pertaining to food production and processing (e.g. safe canning workshops or establishment of local food hubs).
- h. Support initiatives that promote "urban farming", including small and micro-scale production activities.

Progress will be measured by:

- Increase in the percentage of properties that are producing food.
- Reduction in annual GHG emissions from agriculture.
- Qualitative assessment on farms using organic and/or regenerative farming techniques.
- Total farm sales.

7.2.2 The Municipality will strive to:

Protect farming and the agricultural land base

- a. Protect land within the Agricultural Land Reserve (ALR) and other agriculturally-productive lands from inappropriate development.
- b. Not support exclusion of agricultural lands from the ALR and subdivision of ALR lands (including homesite severances) unless there is no net loss of ALR lands, and a net benefit to agriculture can be clearly demonstrated.
- c. Require all ALC applications for exclusions, subdivision, soil and fill operations, and non-farm use to provide documentation prepared by a qualified registered professional (e.g., soil suitability analysis results, environmental farm management plan) to demonstrate why the application is necessary and appropriate.
- d. Where non-farm use, subdivision, or exclusion from the ALR can be supported and results in materially increased development potential accruing to the landowner, the Municipality may require the landowner to contribute to the Municipal Agriculture Reserve Fund.
- e. Update the Strategic Agricultural Plan, and develop a policy or strategy for use of the Municipal Agriculture Reserve Fund and potential use of Municipally-owned property for farming activity.
- f. Minimize the footprint of housing and farm buildings on agricultural lands.
- g. Consider up to three dwelling units per parcel, within no more than two separate buildings on farmland where:
 - It supports the agricultural use of the property.
 - It will preserve and/or protect an environmental feature.
 - Driveway access, parking areas and utilities are generally shared.
 - The positioning and design complement the rural character of the immediate area.
 - The ALC has granted approval, or the housing is permitted by ALC policy and regulation.

- h. Where proposed development abuts the ALR along the Urban Containment Boundary (UCB), agricultural activity must be protected from negative urban influences through the use of buffers, restrictive covenants, and development permits.
- i. Consider supporting proposals for bio-gas systems.
- j. Review options to engage with the agricultural community on decisions and policy development regarding agricultural issues.
- k. Prevent new development, both within and outside the ALR, from impacting downstream agricultural land in watersheds, increasing run-off, compromising farmland drainage, or otherwise disrupting hydrology.

Strengthen the economic vitality of farming

- l. Update and maintain the 2001 Strategic Agricultural Plan.
- m. With the approval of the ALC, and where appropriate, agricultural soils removed as part of municipal operations and capital programs and screened for contamination and invasive species will be offered to operating farms in North Cowichan.
- n. Consider assisting organizations or initiatives that connect potential farmers to agricultural land, including farmable land owned by the Municipality.
- o. Support urban farm operations within non-agricultural commercial, industrial and residential zones.
- p. Advocate to provincial and federal governments to promote economic viability of localized food production systems.
- q. Support the establishment and expansion of farmer's markets.

Diversify and expand local sustainable food system

- r. Encourage sustainable aquaculture systems such as land-based aquaponic systems.
- s. Encourage the development of local food processing and distribution facilities that support Vancouver Island producers.
- t. Support the development of farmers' markets, community supported fisheries, cooperatives, produce box programs, and similar innovations that promote access to local food.
- u. Encourage the development of a regional food hub, including an aggregation and distribution facility to ship products to consumers in the region.
- v. Support the development of an Agricultural Development Centre that includes training and research into regenerative techniques applicable to North Cowichan's soils and climate.
- w. Support innovations in agriculture to maintain and enhance the viability of the agricultural sector.
- x. Support limited non-agricultural activities (which may or may not require ALC non-farm use application) that do not have a substantive impact on farm operations and help to supplement and maintain the viability of the farm operations as the continued primary purpose.
- y. Encourage and promote agri-tourism.
- z. Consider purchasing or leasing farmland for the purposes of a regenerative agriculture demonstration project.
- aa. Promote biological diversity and ecosystem health on farmland.
- ab. Consider cosmetic pesticide restrictions, along with restrictions on other potentially harmful substances.
- ac. Promote water conservation by restricting the use of domestic lawn watering in order to preserve the water supply and aquifers for agricultural use and ecosystems.

Work towards a "circular" (low waste) food system

- ad. Support initiatives and organizations that reduce food waste and food packaging. Single use containers, packaging, and utensils will be phased out of municipal operations wherever practical.
- ae. Consider implementation of initiatives such as plastic bag or styrofoam food container bans and install water bottle fillings stations at municipal parks and facilities.

7.2.3 Where appropriate the Municipality will ask developers and landowners to:

- a. Where conversion of agricultural land to non-agricultural uses occurs, require contribution to an Agricultural Reserve Fund.
- b. Look for ways to support local food security and farming initiatives.
- c. Provide opportunities for residents to have food producing gardens in urban areas.
- d. Provide appropriate buffers where residential land abuts agricultural lands.

7.2.4 The Municipality will work with others to:

Farmers and Agricultural Landowners

Significantly lower greenhouse gas emissions and greater carbon storage

- a. Use and promote farming methods and techniques that reduce GHG emissions, and sequester carbon in the soil.
- b. Limit the amount of water used.
- c. Minimize the use of fossil-fuel based energy and chemicals (pesticides and fertilizers).
- d. Work towards a "circular economy" and reduce food related wastes.
- e. Focus on improving the resilience and equity of the local food system.
- f. Gear production towards local markets to increase local food self-reliance.

Enhance biodiversity by preserving, connecting and enhancing habitat on and between agricultural lands

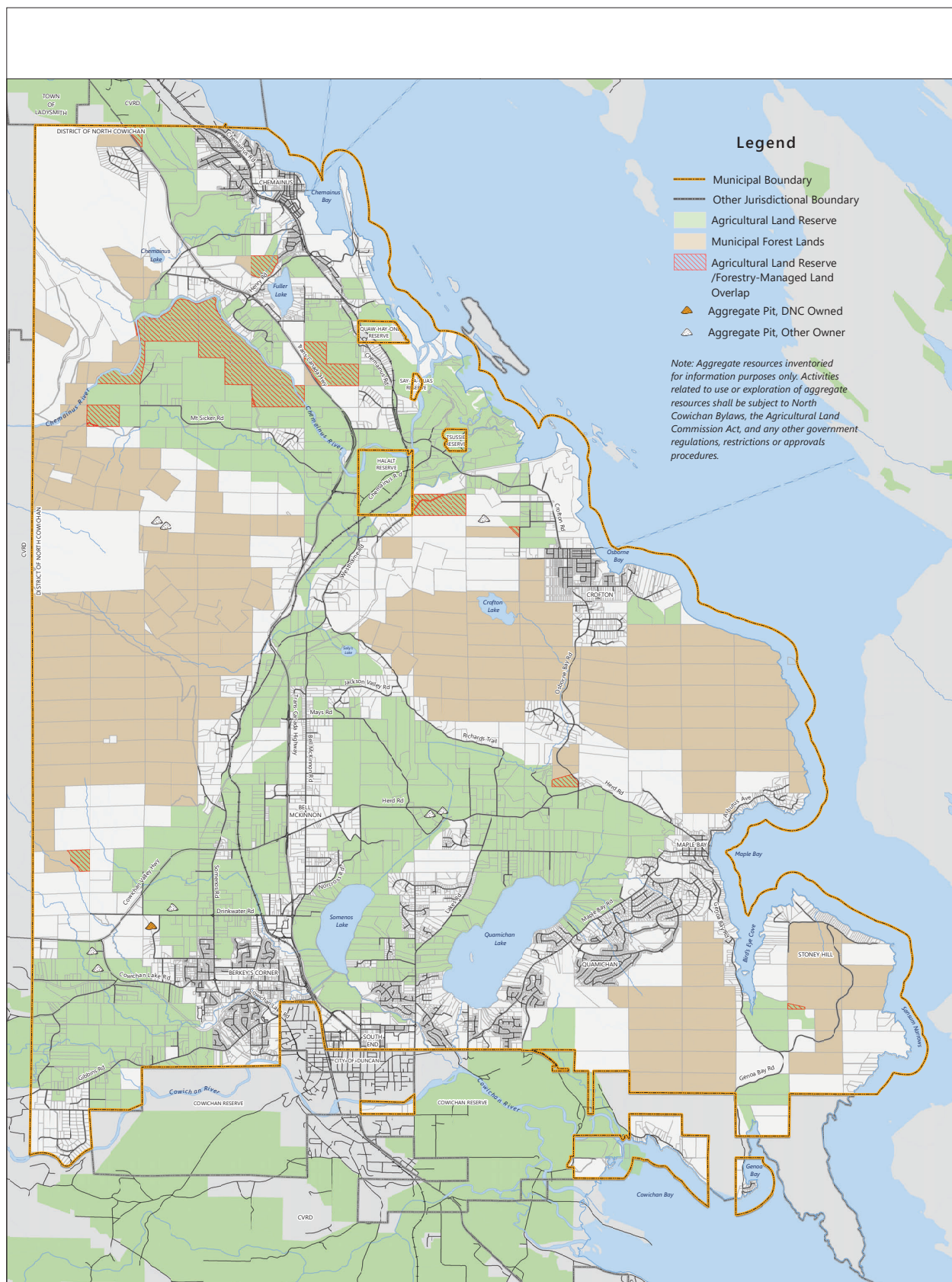
- g. Set aside and steward marginal or unused farmland for ecological purposes.
- h. Adopt and promote sustainable, regenerative farming techniques that enhance soil health, landscape complexity and farm biodiversity.
- i. Protect, preserve, and enhance biodiversity by enhancing and introducing hedgerows, copses, wetlands and irrigation ponds into the farm system.

Community Members

- j. Support local farmers, especially those using organic, regenerative techniques.
- k. Support food producers/harvesters, food processors and markets by buying locally produced and processed foods.
- l. Support farm neighbours by recognizing and understanding that farming sometimes requires the use of techniques that may impact residential quality of life.
- m. Support food equity and food security initiatives.

Other Jurisdictions

- n. Work with the Agricultural Land Commission (ALC) and the Ministry of Agriculture and Food on agricultural planning, policy, and enforcement issues and on reviewing applications for land use change within the ALR to ensure consistency with agricultural policy.
- o. Collaborate with local First Nations to strengthen indigenous food systems; and as appropriate, support sustainable wild harvesting of traditional food and medicine from municipal forest lands.
- p. Protect shorelines for food harvesting.
- q. Take a regional approach to protecting, enhancing, and supporting agriculture, working with other jurisdictions to resolve common issues that interfere with the economic vitality of farming. Such issues include drainage problems, water supply for crops, marketing and promotion, and community education. Advocate for appropriate federal and provincial resourcing of supply-managed and regulatory systems, including:
 - Licensing and inspection of facilities such as abattoirs and meat processing operations.
 - Education and enforcement relating to hunting and fishing.
 - Equitable administration of fishery quotas and ability to sell dockside to individuals and local markets.
- r. Work with Department of Fisheries and Oceans (DFO) and Island Health to improve monitoring of shellfish contamination with a view to open more areas to shellfish harvesting.
- s. Advocate to Agriculture and Agri-Food Canada to further restrict the use of pesticides and herbicides that are harmful to insect, animal, and human populations.
- t. Advocate to all levels of government to provide support for approaches to agriculture that contribute to healthy ecosystems and people.



Map 3

Aggregate Resources, Agriculture and Forestry Lands

Source: Agricultural Land Commission, District of North Cowichan.

MUNICIPALITY OF
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Cowichan



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March 30, 2022