

Langdale Dock Alternative Approval Process

July 2011

Background

- Spring 2009 - BC Ferries announces that private boats will no longer have access to the Langdale float due to safety, security and liability issues.
- March 14, 2009 - Open house at the Gambier Community Hall with BC Ferries.
- On March 31, 2009 - BC Ferries agrees to defer closure to October 2009 pending a review of options by the SCRD.
- April 20, 2009 – The inaugural meeting of the Langdale Access Working Group (LAWG) is held.
- April 25, 2009 – SCRD public meeting at the Gambier Community Hall to review options.

Options

1. Maintain Status Quo

1. Continue to provide access to the Stormaway float
2. Construct separate float for private boats

2. New float north of Langdale terminal.

1. Construct new float and walkway
2. Use YMCA float (subject to agreement)

3. Use existing facilities

1. Hopkins Landing
2. Gibsons Marina

Conclusions

1. A new float at a different location would be costly, involve a lengthy environmental process and would not likely address the needs of boaters and others.
2. Hopkins Landing and Gibsons Marina are not practical options, and in the case of Hopkins there is no adjacent parking and potential conflicts with swimmers.
3. The impact of the closure of the Stormaway float would be lessened by expanding the Stormaway hours of operation.
4. Options to retain access to the Stormaway float or attached an alternative float are subject to the agreement of BC Ferries.
5. BC Ferries has committed to maintain 24 hour emergency access to the Stormaway float.

Background cont.

- May 7, 2009 – staff submitted a report to the SCRD Board summarizing options to address the issue of access to the Langdale terminal.
- July 2009 – SCRD staff, members of the LAWLG and other interested parties attempted to quantify the use of the Stormaway dock in support of funding applications.
- August 2009 – BC Ferries develops a possible option for a separate float near the existing Stormaway float.
- September 2009 – staff report to the SCRD Board concerning the option of a constructing a new float near the Stormaway float.

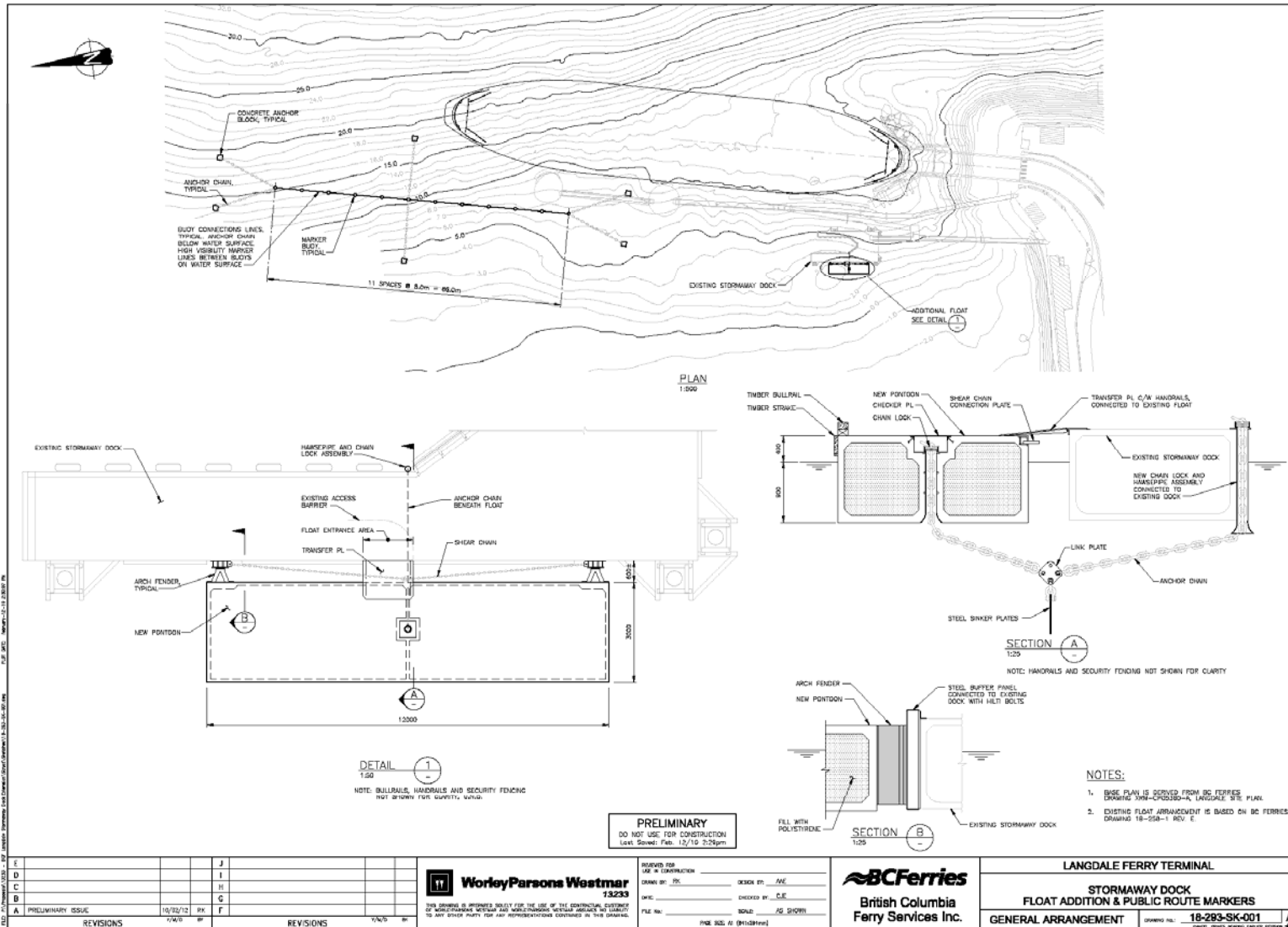
Background cont.

- September 2009 – staff make preparations to move forward with a feasibility study.
- During 2009 and 2010 there were efforts to obtain federal and provincial funding for a separate remote dock connected to the terminal parking lot. Funding requests at the federal and provincial level were not successful.
- November 2009 – SCRD, the LAWG and BC Ferries begin the process of developing a license agreement that will govern the operation of the new dock.

Background cont.

- January 2010 – the SCRD approves the draft agreement and directs staff to move towards a final agreement.
- March 2010 – BC Ferries presents a new proposal whereby they will construct and maintain a new dock subject to a License Agreement with the SCRD.

Proposed Float



Background cont.

- June 2010 – ongoing discussions with BC Ferries concerning liability and indemnity provisions in the agreement.
- April 5, 2011 – final meeting with BC Ferries on License Agreement.
- April 28, 2011 – SCRD Board approves draft License agreement and directs staff to undertake the Alternative Approval Process (AAP).

License Agreement

- Based on the lease between BC Ferries and the B.C. Transportation Financing Authority.
- Term – 20 years + 10 year option.
- Fee - \$35,000 per year + SCRD expenses for total estimated cost of \$40,280.
- BC Ferries retains control of the terminal including the new float.
- BC Ferries accepts all costs and liability.
- Any operational issues will be referred to the SCRD's Public Wharves Advisory Committee or other standing committee.

License Agreement cont.

- Destruction of the dock may result in termination of the agreement.
- After 5 years either party may terminate the agreement.
- BC Ferries would be able to terminate the agreement if the SCRD or parties related, are in breach.
- No access from 10 minutes prior to ferry arrival until 10 minutes after ferry departure (20 minutes for first and last ferry trips).
- Permitted uses are for loading and unloading of passengers and baggage.

License Agreement cont.

- Limited moorage time.
- No uses that would compete with BC Ferries or Route 13 (excludes unscheduled water taxis).

Alternative Approval Process (AAP)

- Required in order to establish a function and tax area property owners for the annual costs of the new float.
- Annual cost of up to \$40,280 (2032) includes:
 - \$35,000 annual lease fee
 - 1,500 staff support (2012 costs + 20 years inflation)
 - 3,780 administration (2012 costs + 20 years inflation)
- Participation includes Area F islands only.
- Rate would be \$12.19 per \$100,000 of assessed value in 2012 (assuming a mid-2011 implementation) falling to \$7.79 in 2013.

Alternative Approval Process (AAP)

- Property owners who are not in favour of the proposed function complete an elector response form.
- The SCRD may proceed with the new function unless 10% of electors of the area indicate their opposition.
- If 10% of electors oppose, then the SCRD would have the option to go to referendum.