



ARCS: 292- 30
File: TRA-2015-51148

July 22, 2015

Sent via email: ^{s.22}

s.22

Dear ^{s.22}

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Transportation and Infrastructure. Your request is for:

Copies of letters and information regarding past negotiations, old survey maps of the property showing locations of old wharf and floats in Tucker Bay; Maps showing the old trails and travel portion [of] Tucker Bay Rd and the log dump etc.; Copies of all documents relating to the Tucker Bay Rd. matter involving ^{s.22} from the Ministry.

Please find enclosed a copy of the records located in response to your request. Some information has been withheld pursuant to section(s) 22 (Disclosure harmful to personal privacy), Section 3 of *FOIPPA*, Scope of this Act, section 3(1)(j), has been applied to the records. Please note, as part of the responsive records the ministry provided an audio/video record as part of the responsive records. This audio/video record is being withheld under section 22 of *FOIPPA*.

A complete copy of *FOIPPA* is available online at:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Your file is now closed.

The Ministry has determined that these records will not be published on the BC Government's Open Information website. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

.../2

If you have any questions regarding your request, please contact Elizabeth Babecy, the analyst assigned to your request, at 250 952-6353. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250 952-6353.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Babecy', written in a cursive style.

Elizabeth Babecy, Freedom of Information Analyst
Business and Infrastructure Team
Information Access Operations

Enclosures

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>

If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

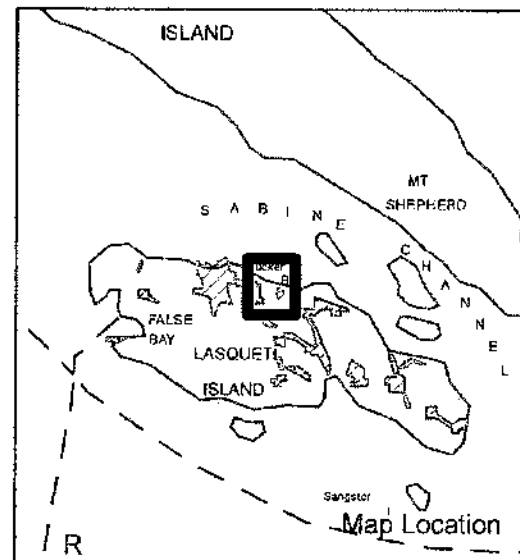
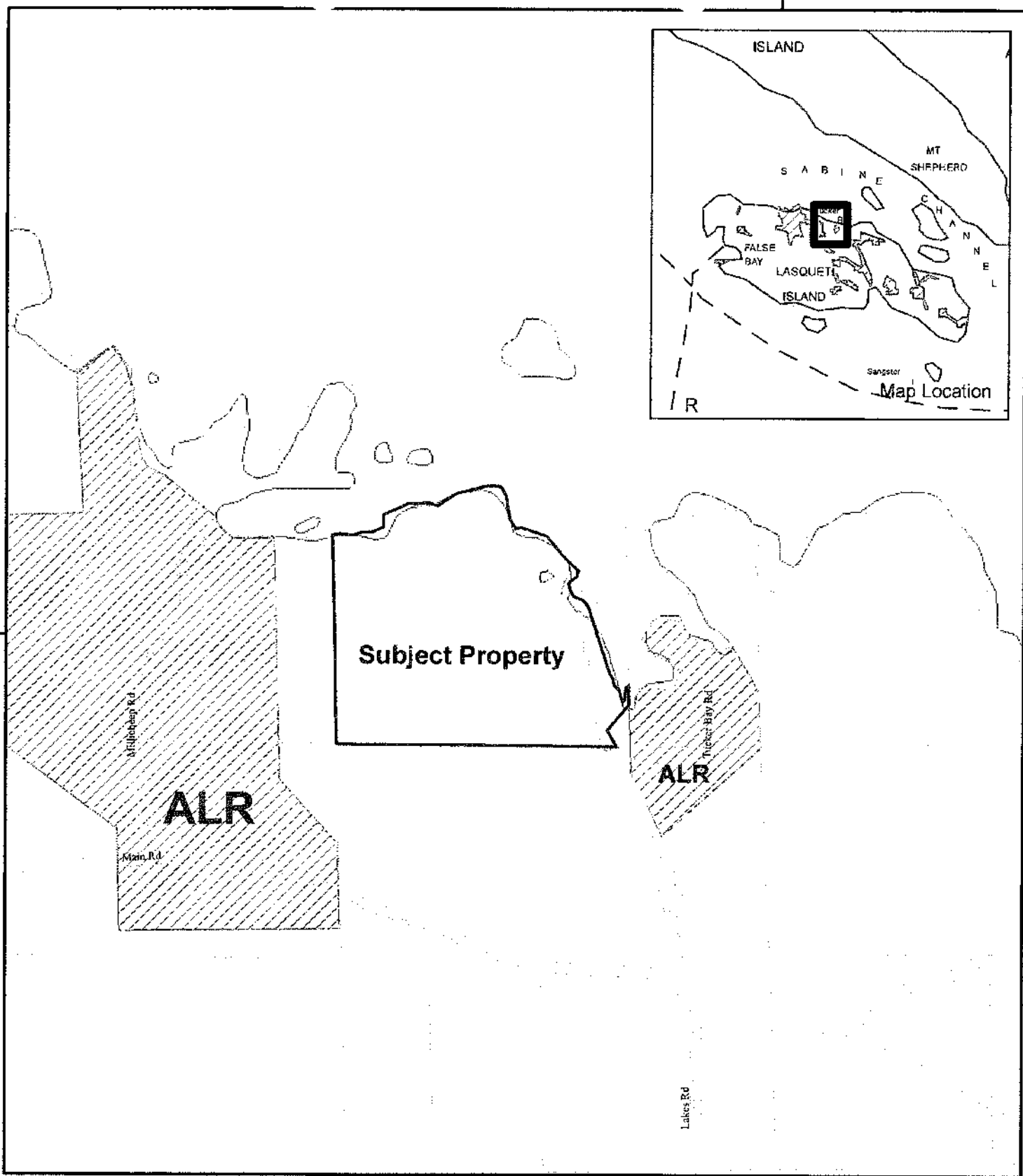
Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.





ALC Context Map

Map Scale: 1:10,000

0 60 120 180 240 300 360



Meters

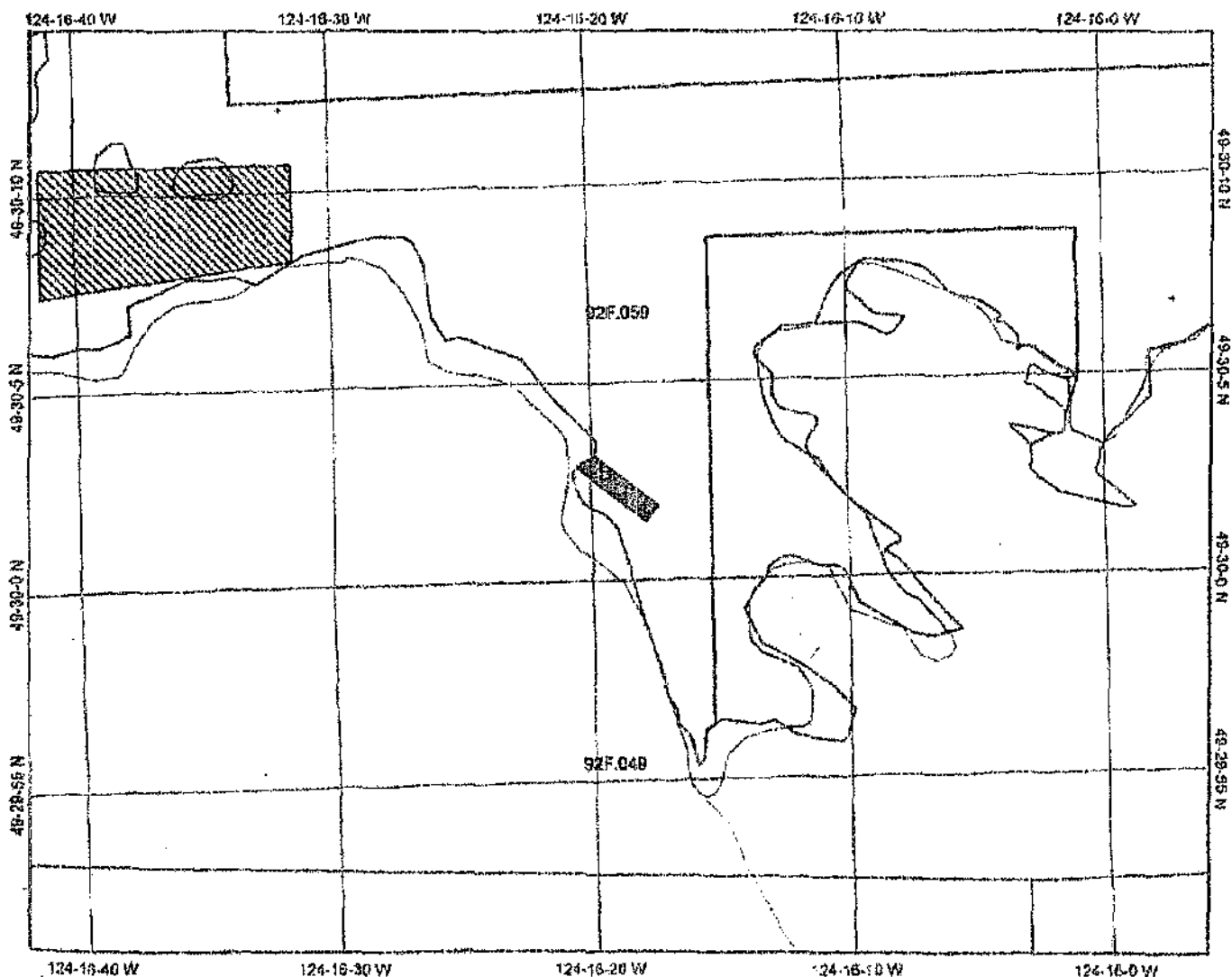
Application 011-751-304

Mapsheet #: 92F.049, 92F.059

Map Produced: Nov 5, 2014

Regional District: Powell River

DL 280, Nanaimo Land District



Legend

- Interest Parcels**
 - Provincial Park
 - Crown Grant
 - Application
 - Lease
 - Development / Agreement
 - Licence
 - Permit
 - Reserve
 - Right of Way
 - Transfer of Admin. Control
 - Section Disposition Transactions
 - OGC (Ecological) Reserve
 - Domestic Patent
 - Inventory Site
 - Uncoded / Unknown
- Survey Parcels**
 - Primary
 - Indian Reserves Primary
 - Mineral Claim
 - Trucker Licence
 - Subdivision
 - Indian Reserves Subdivision
 - Right of Way
 - Unknown
 - PMA, SDA, TMA, etc.
- Transportation - Points (TRIM)**
 - Helipad
- Transportation - Lines (TRIM)**
 - Airfield
 - Airport
 - Airship
 - Airport / Abandoned
 - Ferry Route
 - Road (Gravel Undivided) - 1 Lane
 - Road (Gravel Undivided) - 2+ Lanes

0 150 300 450 m.

Map center: 48° 30' 2.3" N, 124° 15' 18.9" W



Scale: 1:5,000

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

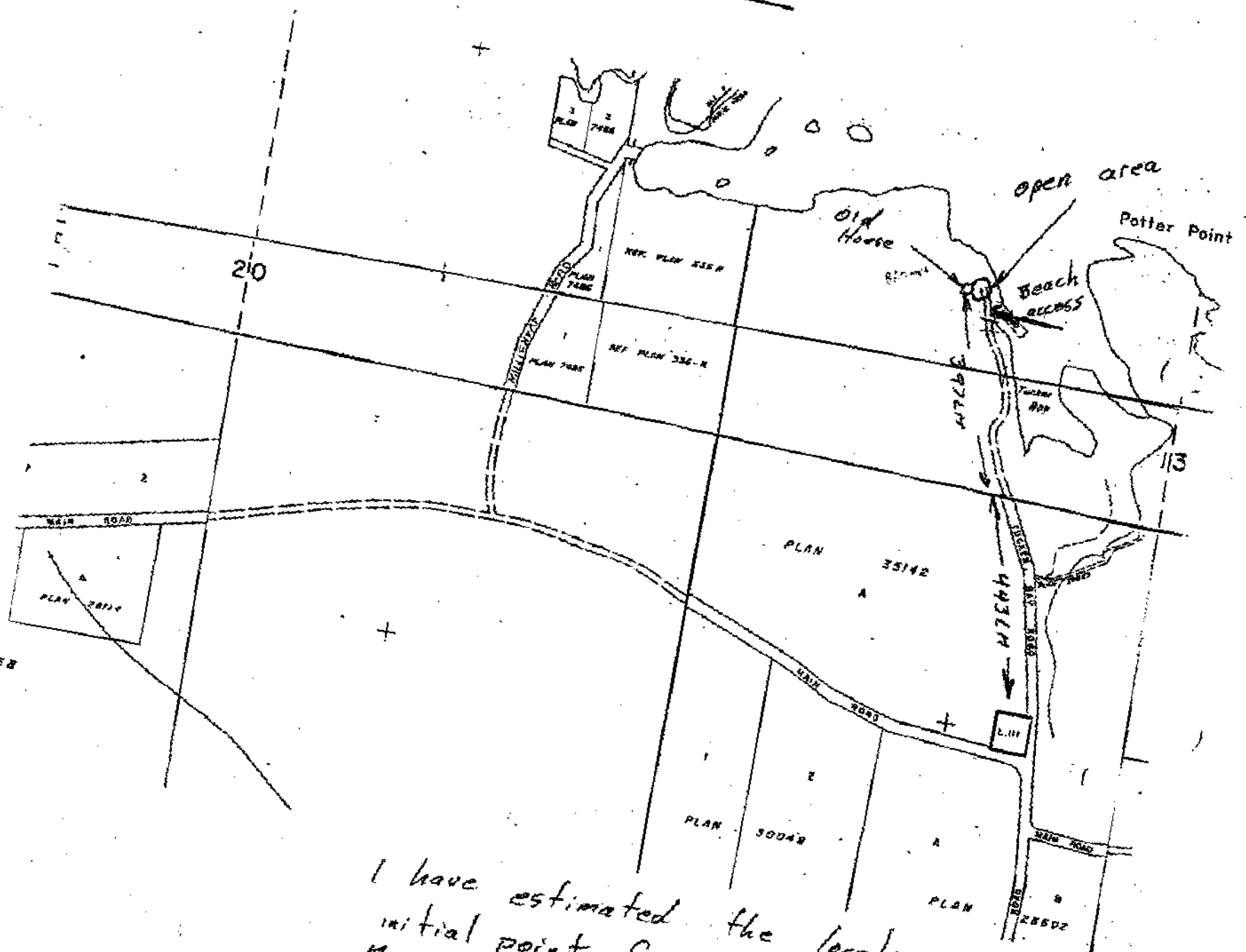
Nov 20 2014 14:25 PM

2503338733-250-751-3280
EMCONSERVICE

2014/NOV/18 4:20:48 PM

BC Government 250-751-3280

2503338733



I have estimated the location
initial point for Tucker Bay Rd
Measured 840 Meters -

Page 006

Withheld pursuant to/removed as

Copyright

008182566

008182566

DJSB-17

DJSB-17

008182566

008715652

APPROX. LOCATION
OF LAST CULVERT

240 meters

DJSB-17

END OF DITCHING

TUCKER BAY ROAD

IRON PIN

60 meters

BROWN HOUSE

10m. x 25m DJSB-17
(APPROX. LOCATION NOT TO SCALE)

011751304

023548877

DJSB-16

DJSB-16

DJSB-15

DJSB-15

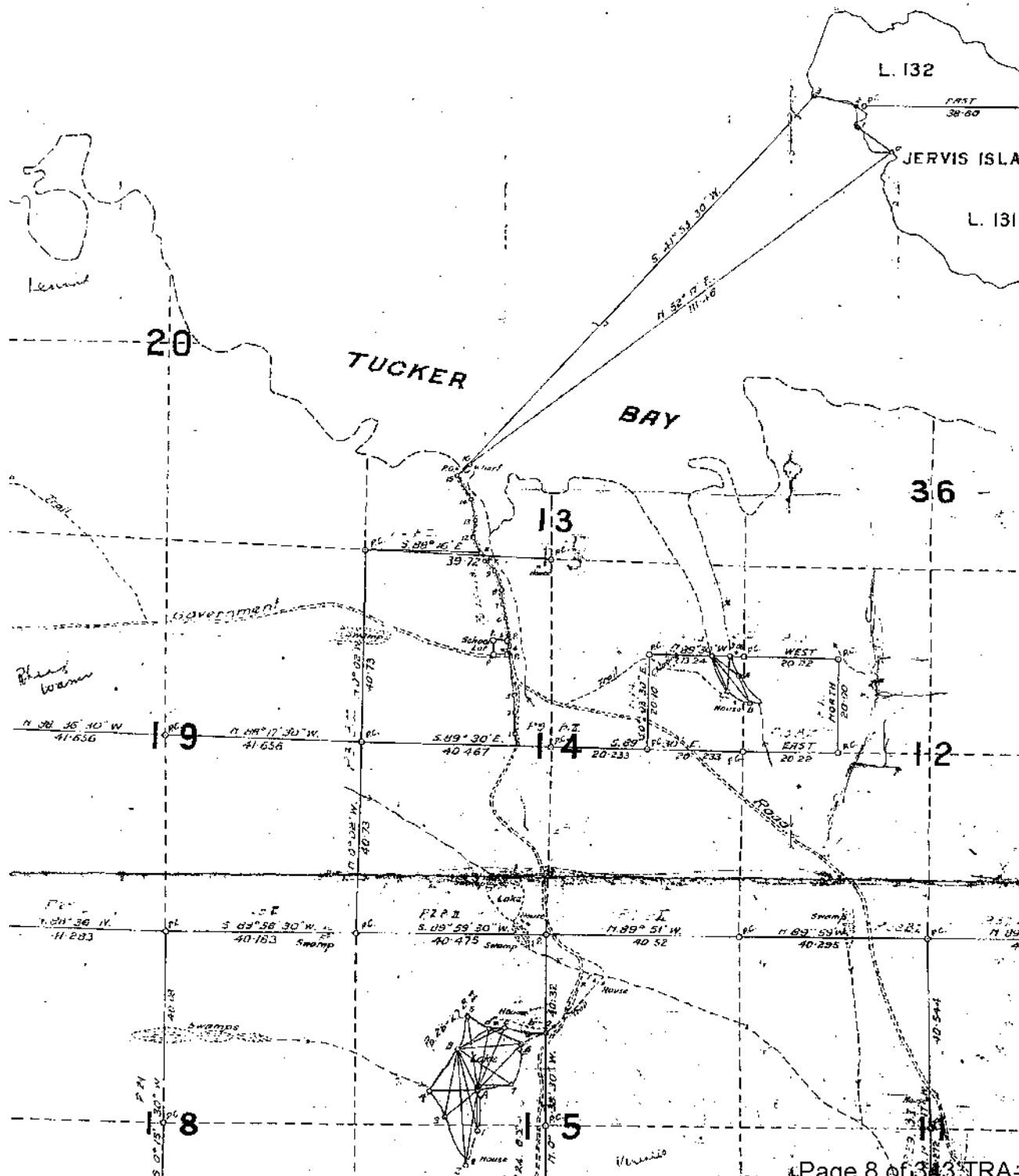
008721142

008721053

008721142

- 1919 -

— SCALE = 20 CHAINS = 1 INCH. —



SUBDIVISION PLAN OF PART OF THE
FRACTIONAL NORTH WEST ¼ OF SECTION 14
LASQUETI ISLAND, NANAIMO DISTRICT

SCALE 1:2500 (METRIC)



ST. 1: 6.41 m, 44° MAG, 0.25 m PINE
8.08 m, 340° MAG, 0.60 m DOUGLAS FIR
15.79 m, 355° MAG, 0.60 m DOUGLAS FIR.



SEC. 13

ALL DISTANCES ARE IN METRES

LEGEND

BEARINGS ARE ASTRONOMIC AND
DERIVED FROM PLAN 30046

- * OIP DENOTES OLD IRON POST FOUND
- * IP DENOTES IRON POST SET
- ⊙ O'BUCK DENOTES STANDARD ROCK POST FOUND
- C DENOTES CAWM
- m DENOTES METRES
- MAG DENOTES MAGNETIC

NE ¼
SEC. 19

A

(21.21 ha)

REM. NW ¼
SEC. 14

S.22

S.22

I, ROSS N. GLOVER A BRITISH COLUMBIA LAND SURVEYOR
OF COURTNEY IN BRITISH COLUMBIA, CERTIFY THAT
I WAS PRESENT AT AND PERSONALLY SUPERINTENDED
THE SURVEY REPRESENTED BY THIS PLAN AND THAT
THE SURVEY AND PLAN ARE CORRECT. THE SURVEY
WAS COMPLETED ON MAY 24th, 1991.

Ross N. Glover B.C.L.S.

APPROVED UNDER THE LAND TITLE ACT.
THIS 27th DAY OF JUN 1991

Darila A. Ross
APPROVING OFFICER FOR THE MINISTRY OF
TRANSPORTATION AND HIGHWAYS.

REAPPROVED UNDER THE LAND TITLE ACT.
THIS 27th DAY OF APRIL 1991

Darila A. Ross
APPROVING OFFICER FOR THE MINISTRY OF
TRANSPORTATION AND HIGHWAYS.

THIS PLAN LIES WITHIN THE POWELL RIVER REGIONAL DISTRICT.

Plan 30046

A
Plan 28602

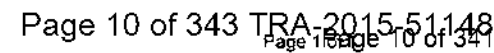
McELHANNAY ASSOCIATES
PROFESSIONAL LAND SURVEYORS
SUITE D - 555 ENGLAND AVENUE
COURTNEY, B.C. V9N 2N2
FILE 302522

PLAN 35142

DEPOSITED IN THE LAND TITLE OFFICE
AT VICTORIA, B.C.
THIS 3rd DAY OF JUNE 1991

[Signature]
REGISTRAR

K9455



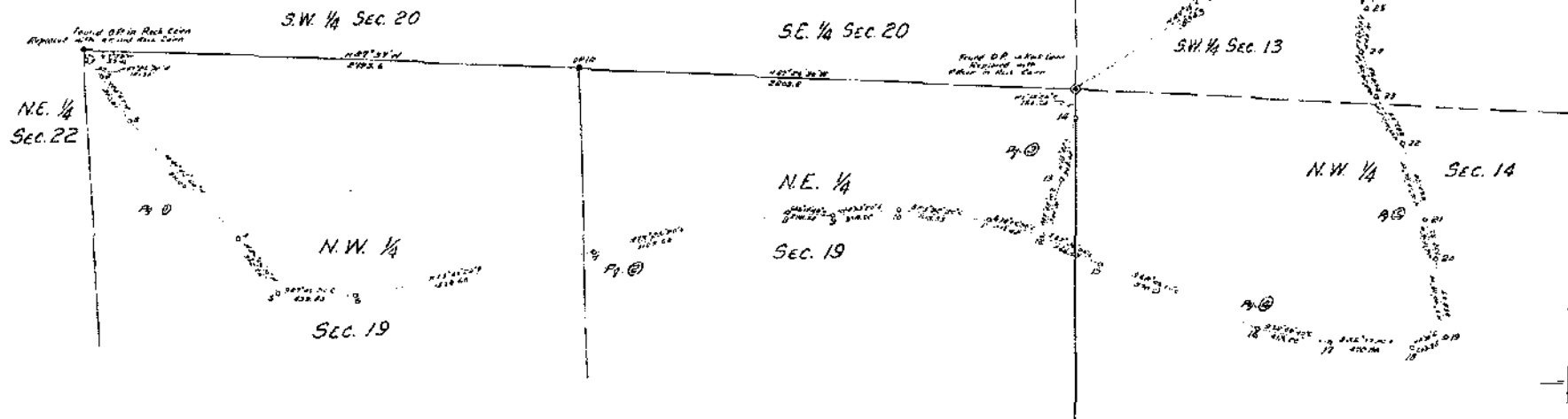
J.W.P. Matthews, BCLS 1956 Survey of Lot 280
for Department of Public Works Canada

NAN R.N.H.F.B. 310/56

PUBLIC WORKS OF CANADA, SITE OF FORESHORE RESERVE AT TUCKER BAY, B.C.

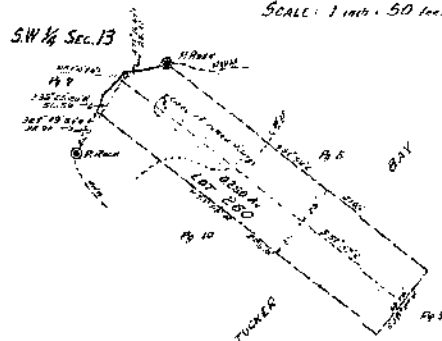
PLAN of LOT 280
NANAIMO DISTRICT
BRITISH COLUMBIA

Scale: 1 inch = 400 feet



PLAN of LOT 280
NANAIMO DISTRICT

Scale: 1 inch = 50 feet



LEGEND

- IP Denotes iron post set.
- QUP Denotes old wood post found.
- PP Denotes standard pipe post set.
- RP Denotes standard rock post set.
- IS Denotes traverse mark.

Bearings are magnetic and are derived from the 1956 Survey of N.W. 1/4 Sec. 19.

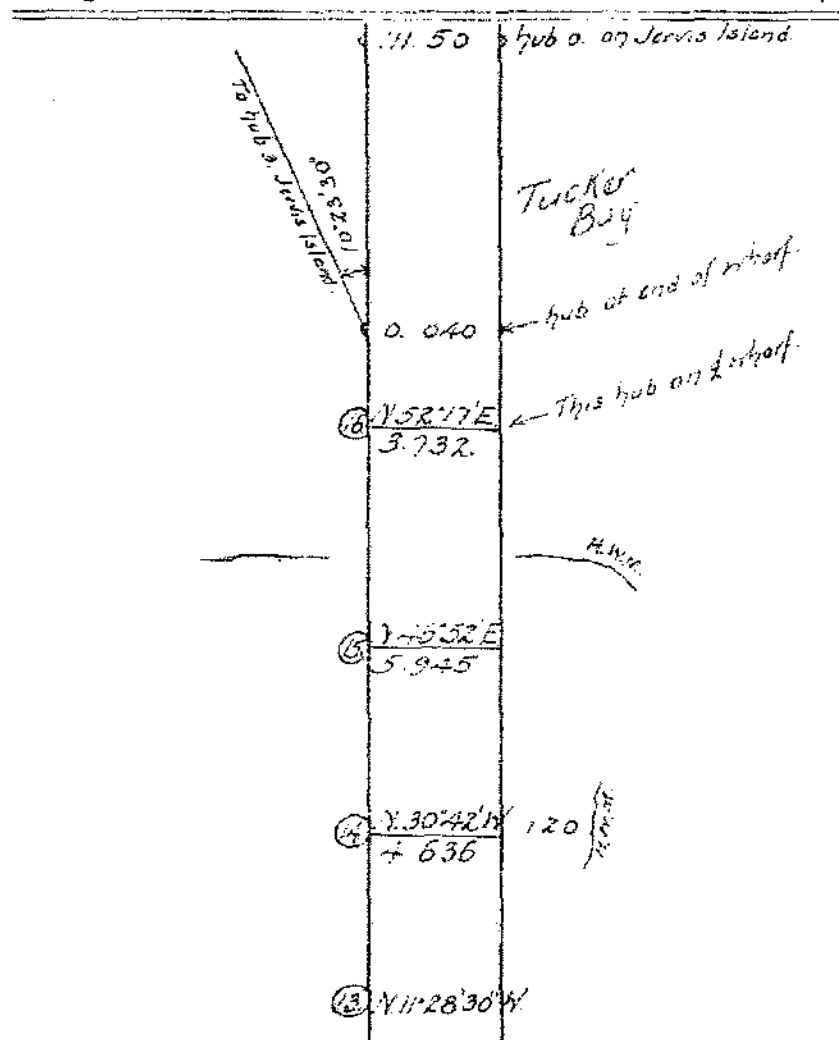
Certified Correct J.W.P. Matthews
Nanaimo B.C. 1956

McCluskey, Miller, Smith & Smith
Surveyors & Engineers,
1240 West Pender St.,
Vancouver, B.C.
1956 464 & 480

Traverse (continued)

18.

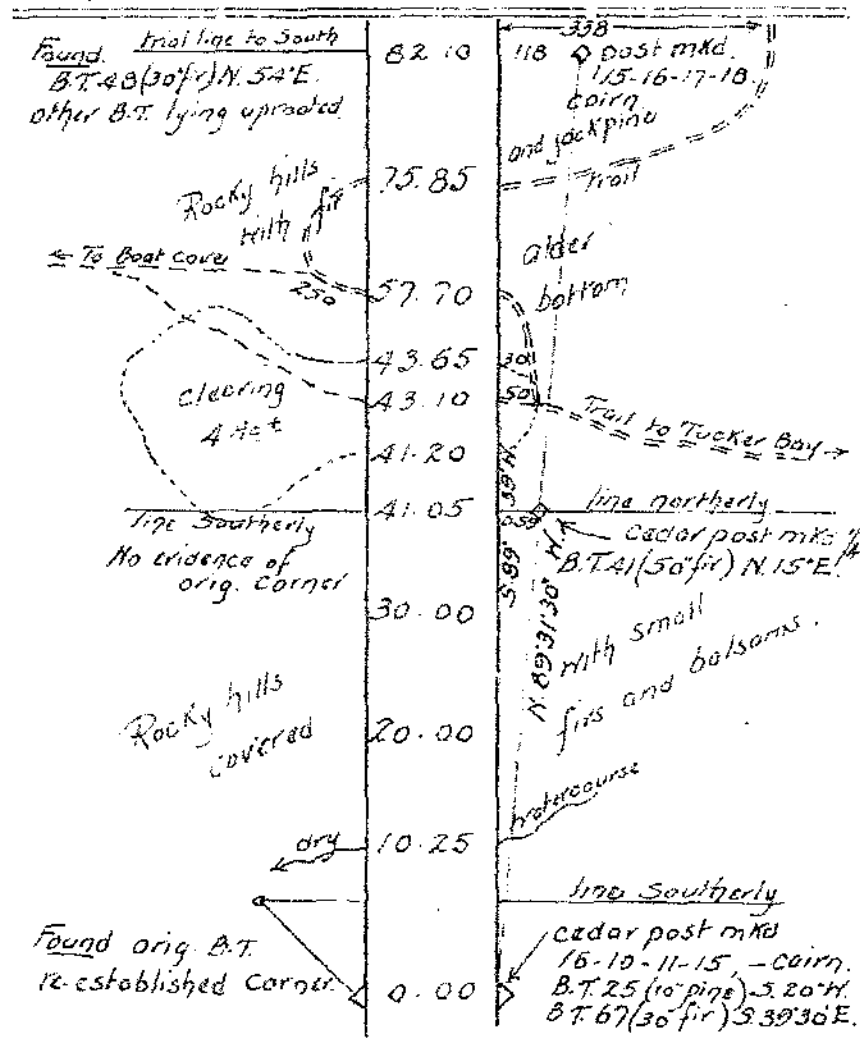
Lot No. District.
Bearing. Boundary.



The above line was run the 21st day of September 1919
Rued

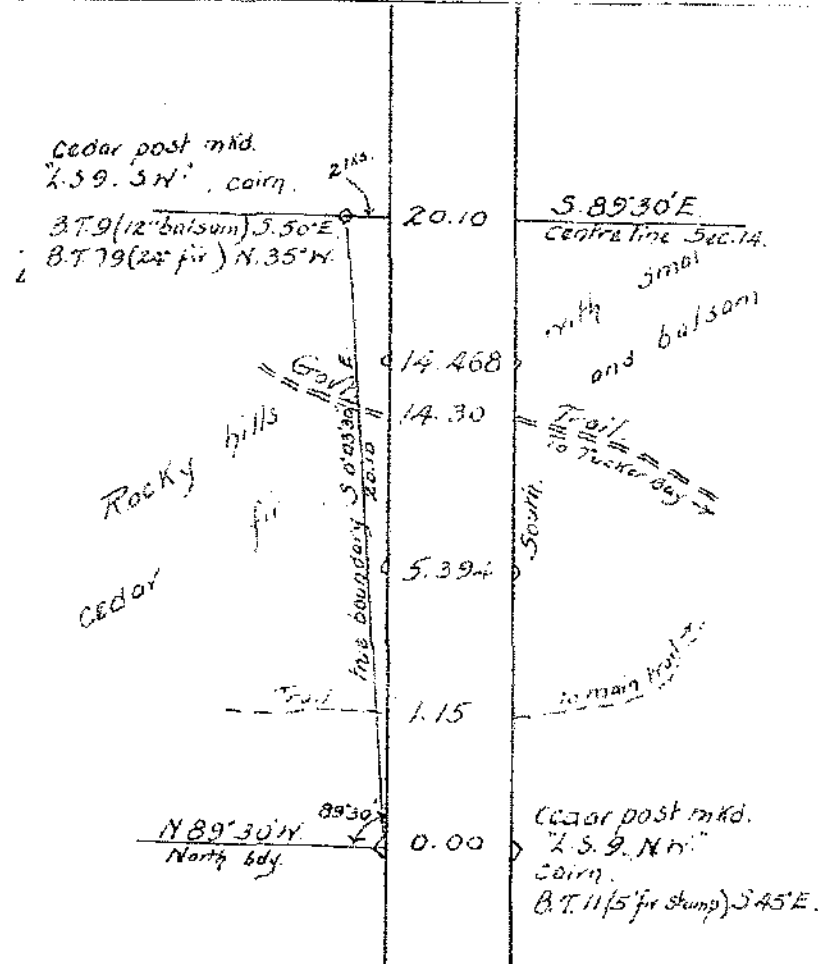
Line between Sec. 16 and Sec. 15

Lot No. District.
Bearing N 89° 31' 30" N. Boundary.



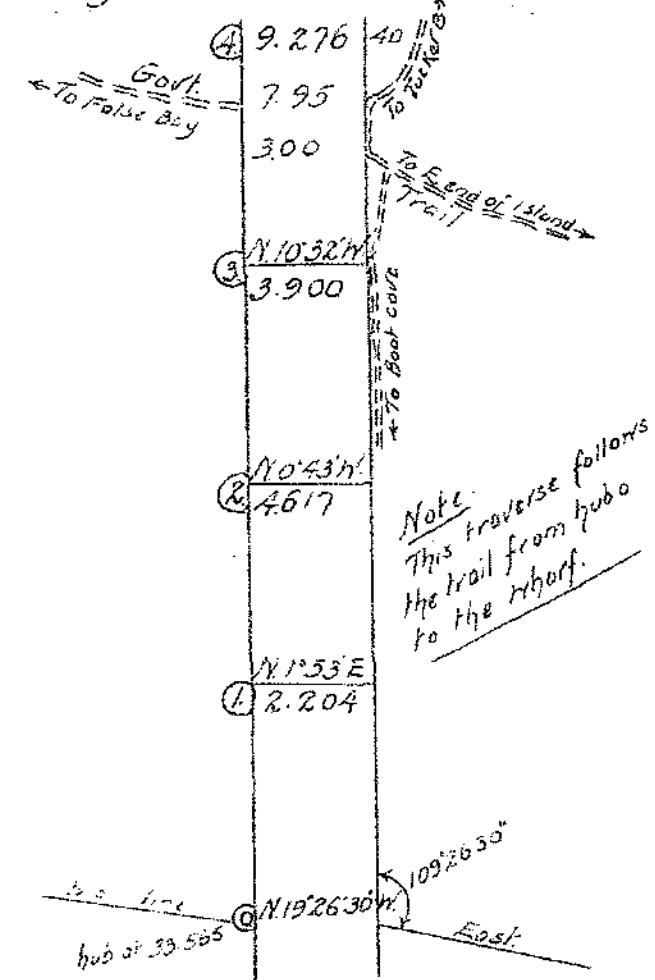
The above line was run the 1st & 3rd day of October 1919
Rued

Legal subdivision 9
Section 14
Bearing S. 0° 03' 30" E. West Boundary.



The above line was run the 27th day of September, 1919.
B. B. 57

Traverse across Section 14
from hub 33.565 on trial line
Bearing along centre line Sec. 14 (see p. 9) Boundary.



The above line was run the 27th day of September, 1919.
B. B. 57

1934 Canadian Hydrographic Survey chart

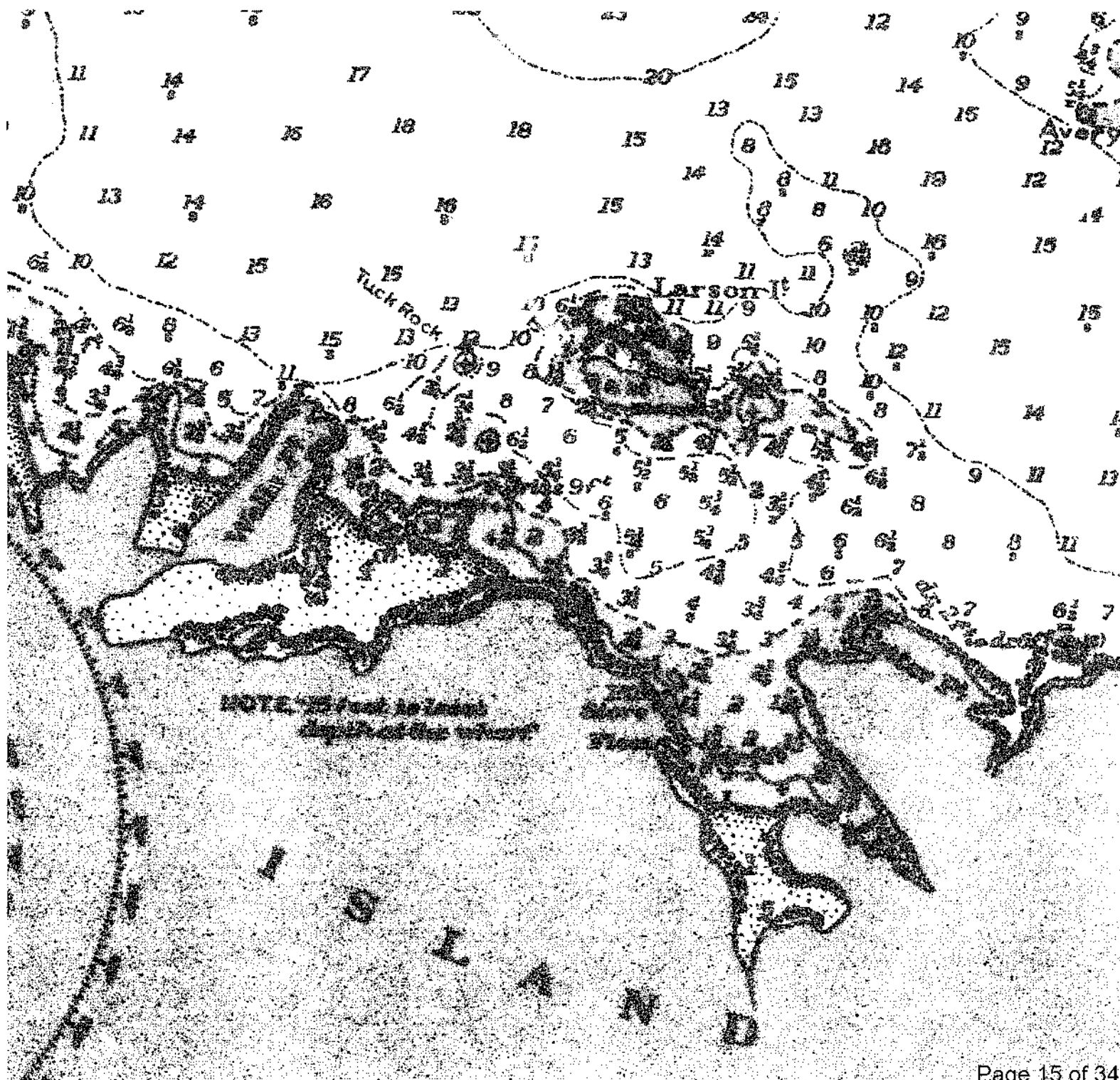
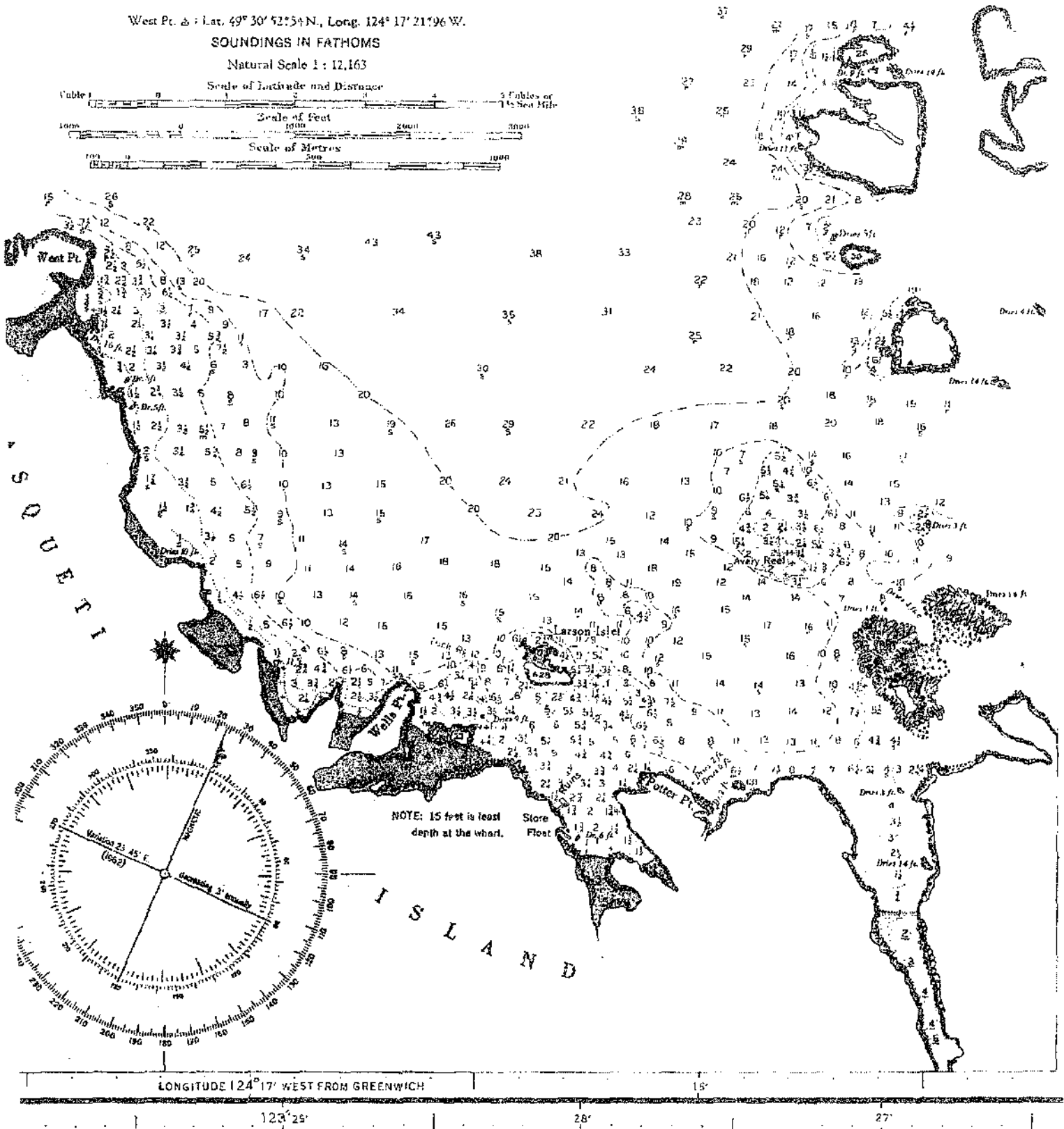
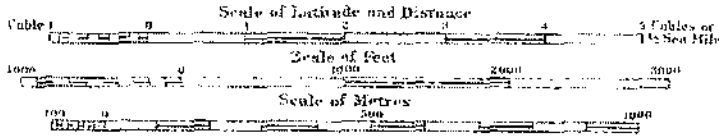


chart 3508

West Pt. Δ : Lat. $49^{\circ} 30' 52.54''$ N., Long. $124^{\circ} 17' 21.96''$ W.

SOUNDINGS IN FATHOMS

Natural Scale 1 : 12,163



NOTE: 15 feet is least
depth at the wharf.

Store
Front

LONGITUDE 124° 17' WEST FROM GREENWICH

123456

15

He will not diminish what we have achieved.

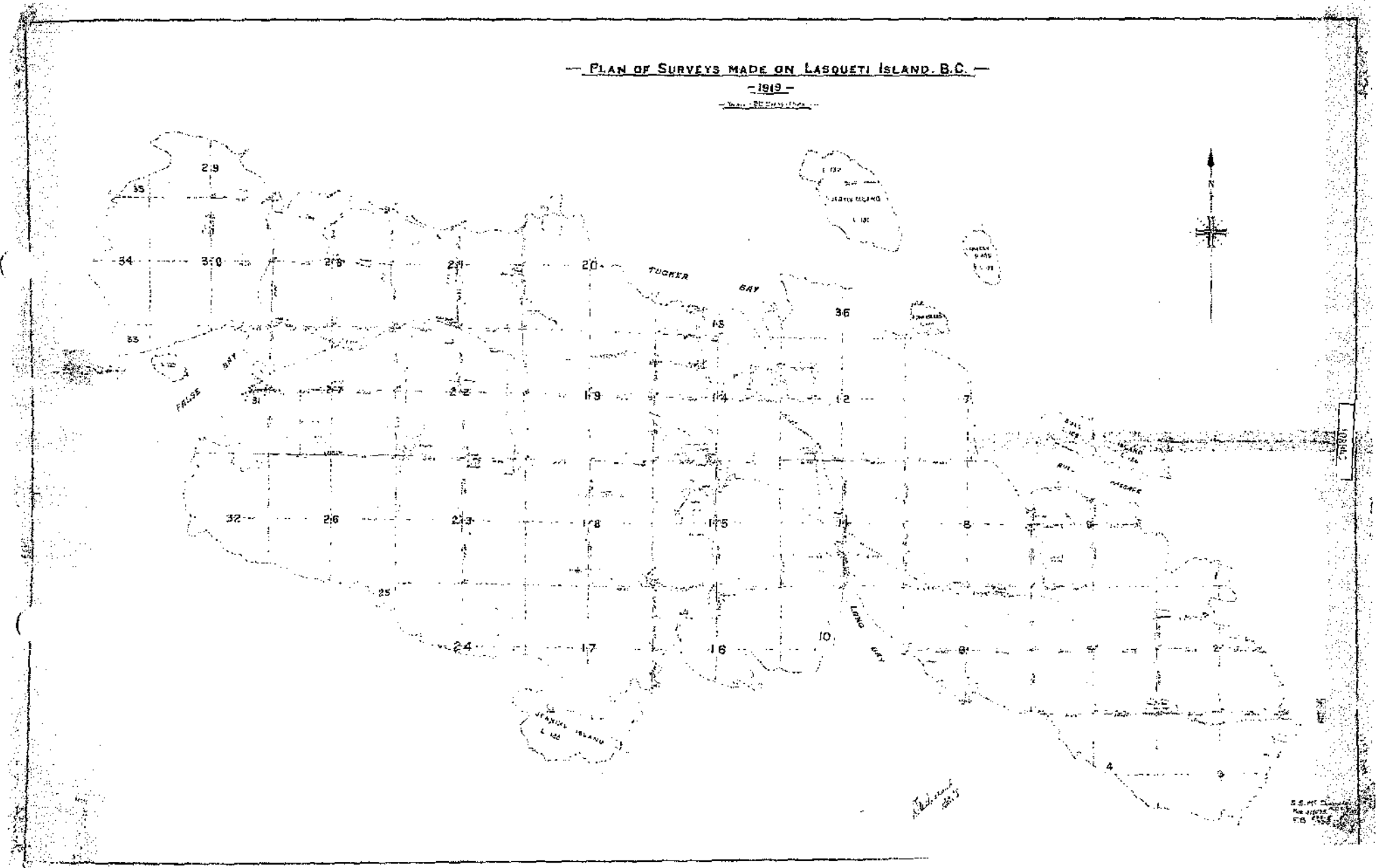
Table 1

$$d\lambda_{\alpha}(x) = \frac{1}{\alpha} \frac{d\lambda_{\alpha}(x)}{d\lambda(x)} d\lambda(x) = \frac{1}{\alpha} \frac{d\lambda_{\alpha}(x)}{d\lambda(x)} d\lambda(x)$$

— PLAN OF SURVEYS MADE ON LASQUETI ISLAND. B.C. —

— 1919 —

— SCALE —



Traverse line was run the morning of 1911

An observation of Polaris was made at hub (see p. 6) on the day of the second lot which checked the solar observations but the record of some has been lost.

Lot No. _____
 B. C. L. S. _____
 Boundary _____

SS. McDIARMID

Lot No. _____
 B. C. L. S. _____

TRAVERSE TABLE OF line across Secs. 14 & 15

No. of Station	Bearing	Distance	North	South	East	West	Total Latitude	Total Departure
1	N 19° 26' 36" W	2.204	2.078			0.734	2.078	-0.734
2	N 1° 53' E	4.617	4.615		0.151		6.693	-0.583
3	N 0° 43' W	3.900	3.900			0.047	10.593	-0.630
4	N 10° 32' W	9.276	9.119			1.695	19.712	-2.325
5	North	3.210	3.210				22.922	-2.325
6	N 6° 34' W	3.750	3.725			0.428	26.647	-2.753
7	N 17° 16' 30" W	3.220	3.082			0.959	29.729	-3.712
8	N 3° 03' W	2.932	2.928			0.156	32.657	-3.868
9	N 23° 06' W	4.310	3.964			1.691	36.621	-5.559
10	N 41° 58' W	2.844	2.104			1.902	38.725	-7.461
11	N 23° 35' W	2.140	1.961			0.656	40.686	-8.317
12	N 25° 31' 30" W	3.140	2.833			1.353	43.519	-9.670
13	N 1° 34' 36" E	3.776	3.775		0.094		47.294	-9.576
14	N 11° 28' 30" W	4.636	4.543			0.922	51.837	-10.498
15	N 30° 42' W	5.945	5.112			3.035	56.949	-13.533
16	N 46° 52' E	3.732	2.552		2.723		59.501	-10.810
Hub to Section 1	N 52° 17' E	111.500	68.204		88.196		127.705	-77.386

AFFIDAVIT.

I, S.S. McDIARMID
of Robson B.C., a duly authorized
Land Surveyor for the Province of British Columbia, make oath and
say as follows:—

- (1.) I have surveyed part of Lasqueti Island
- (2.) I commenced the said survey on the 20th day
of August 1912, and completed it on
the 9th day of November 1912.
- (3.) I was present at and did personally superintend the said
survey on the dates set out in annexed field-book and marked "A."
- (4.) The notes contained in the field-book are a correct representa-
tion of the work done on the ground by me.

Sworn before me

this 2nd day
of February
A.D. 1912

McDiarmid

Commissioner of Lands

Form 1c.

DECLARATION.

(To accompany Surveyor's Field-notes.)

DOMINION OF CANADA:
Province of British Columbia
To Wit:

In the Matter of the Sale of Crown Lands
under Section 34 of the "Land Act."

I, S.S. McDIARMID

B.C.L.S.

of Robson B.C. in the Province of British Columbia, do
solemnly declare that I have surveyed Fractional S.H. in Sec 21
Lasqueti Island District, containing 117.9 acres,
and have made careful
examination of said land and classify the same as follows:—

(1st.) Mineral Claims (2-50-51-52) 46.9 acres (2000)

1st class lands 20.0 acres.

2nd class lands 51.0 acres.

Total 117.9 acres.

(2nd.) In my opinion, 0 acres of this land is likely to be required
for a townsite.

In my opinion, 0 acres is likely to be required for a fishing
station.

(3rd.) In my opinion, the granting of the land or any of it will not prevent
or hamper the development of any adjoining natural resources.

And I make this declaration in full and freely believing it to be true, and
that it is of the same force and effect as if made under oath and by virtue
of the "Canada Evidence Act, 1893."

Declared before me at this

2nd day of February

at Robson B.C.

My Commission

21

Notary Public

McDiarmid

Commissioner of Lands

21

Notary Public

CROWN GRANT.

DB 29647



Hugh Nelson
Lieutenant-Governor.

F. E. Vernon
Chief Commissioner of Lands and Works.

No. 658.

Surveyor-General.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland,
Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, Greeting:

KNOW YE, that WE do by these presents, for US, Our Heirs and Successors, in consideration of the
sum of *Five hundred and one* Dollars,
to Us paid, give and grant unto *Morris Moss*

heirs and assigns, All that Parcel or Lot of Land situate in *Lasqueti Island, Nanaimo*
District, said to contain *Five hundred and one* acres,
more or less, and more particularly described on the map or plan herewith annexed and coloured red, and numbered
Sections Thirteen (13) and Twenty (20)

on the Official Plan or Survey of the said *Lasqueti Island, Nanaimo* District
in the Province of British Columbia, to have and to hold the said Parcel or Lot of Land, and all and singular the
privileges hereby granted, with their appurtenances, unto the said *Morris Moss*

heirs and assigns for ever.

PROVIDED, NEVERTHELESS, that it shall at all times be lawful for Us, Our Heirs and Successors, or
for any person or persons acting in that behalf by Our or their authority, to resume any part of the said lands which
it may be deemed necessary to resume for making roads, canals, bridges, townships, or other works of public utility
or convenience, so nevertheless that the land so to be resumed, shall not exceed one-twentieth part of the whole of
the lands aforesaid, and that no such resumption shall be made of any lands on which any buildings may have been
erected, or which may be in use as gardens or otherwise for the more convenient occupation of any such buildings.

PROVIDED, also, that it shall at all times be lawful for Us, Our Heirs and Successors, or for any person or
persons acting under Our or their authority, to enter into and upon any part of the said lands, and to mine and get
thereout any GOLD or SILVER ORE which may be thereupon or thereunder situate, and to use and enjoy any
and every part of the same land, and of the easements and privileges thereto belonging, for the purpose of such mining
and getting, and every other purpose connected therewith, paying in respect of such mining, getting, and use, reason-
able compensation.

PROVIDED, also, that there shall be, and there is hereby reserved to Us, Our Heirs and Successors, a royalty
of five cents upon and in respect of each and every ton of coal raised or gotten from the lands hereby granted.

PROVIDED, also, that it shall be lawful for any person duly authorized in that behalf by Us, Our Heirs and
Successors, to take and occupy such water privileges, and to have and enjoy such rights of carrying water over,
through, or under any parts of the hereditaments hereby granted, as may be reasonably required for mining or agricul-
tural purposes in the vicinity of the said hereditaments, paying therefor a reasonable compensation to the aforesaid.

Morris Moss heirs and assigns.

PROVIDED, also, that it shall be at all times lawful for any person duly authorized in that behalf by Us,
Our Heirs and Successors, to take from or upon any part of the hereditaments hereby granted, without compensation,
any gravel, sand, stone, lime, timber, or other material which may be required in the construction, maintenance, or
repair of any roads, ferries, bridges, or other public works.

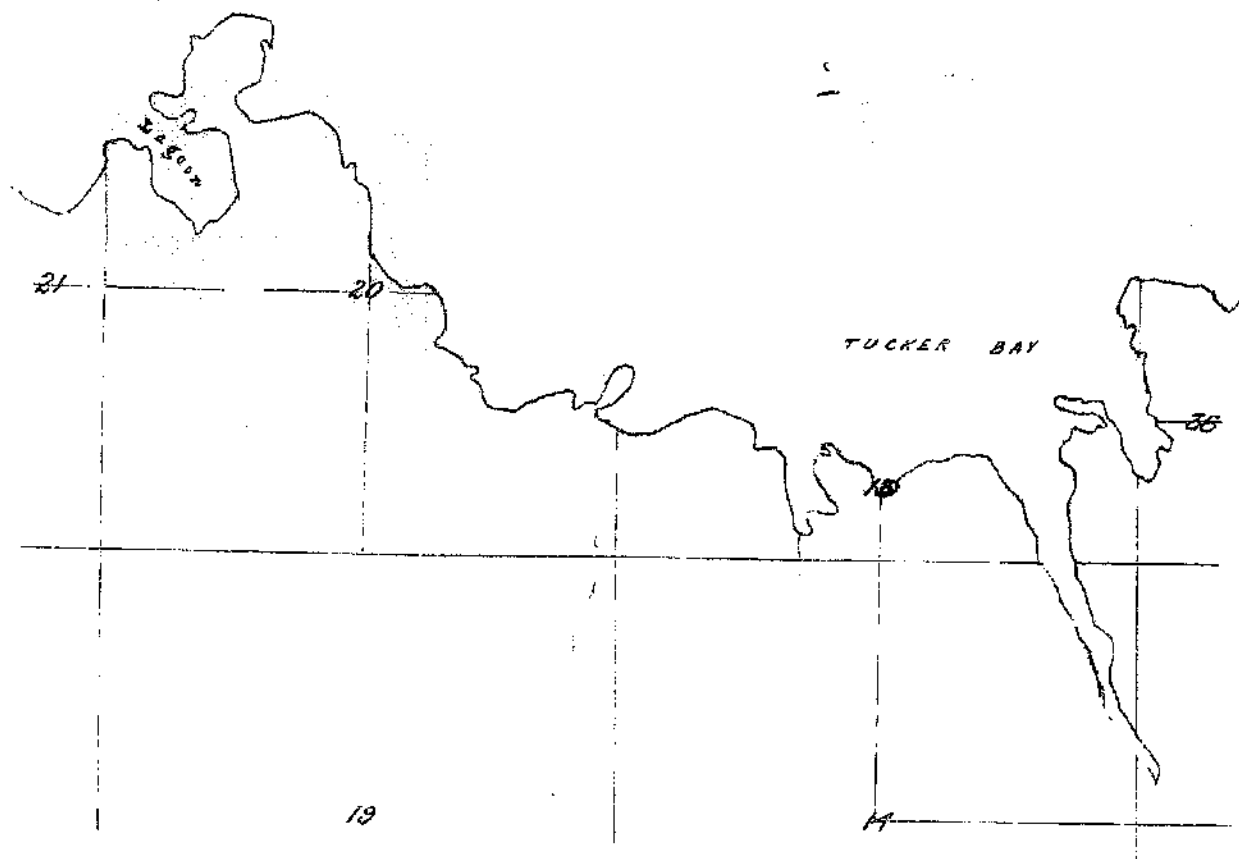
In testimony whereof, We have caused these Our Letters to be made Patent, and the
Great Seal of Our Province of British Columbia to be hereunto affixed. Witness His
Honour *Hugh Nelson* Lieutenant-Governor
of Our Province of British Columbia and its Dependencies, at Our Government House, in Our City
of Victoria, this *Second* day of *August*, in the
year of Our Lord One thousand eight hundred and *Eighty nine*, and in the
Eighty third year of Our Reign.
By Command.

Macpherson
Provincial Secretary.

Lasqueti Island
Morris Moss

66-658

DD



Santa Fe Charles One Fish

>

PARCEL IDENTIFIER (PID): 002-564-734

SHORT LEGAL DESCRIPTION: S/11034/////1
MARG: REM.

TAXATION AUTHORITY:

- 1 NANAIMO/CONICHAH ASSESSMENT AREA
- 2 NORTH CEDAR IMPROVEMENT DISTRICT

FULL LEGAL DESCRIPTION: CURRENT

LOT 1, SECTION 11, RANGE 4, CEDAR DISTRICT, PLAN 11034,
EXCEPT PARCEL A (DO 81269-N) THEREOF

MISCELLANEOUS NOTES:

211121G -EASEMENT (IMAGED)

ASSOCIATED PLAN NUMBERS:

SUBDIVISION PLAN V1P11034

AFB/IFB: MN: Y PE: 0 SL: 1 TI: 1

0466-5N C12 R2700

>

PARCEL IDENTIFIER (PID): 002-564-530

SHORT LEGAL DESCRIPTION: U/CEDAR//4///11
MARG:REM*

TAXATION AUTHORITY:
1 NANAIMO/COWICHAN ASSESSMENT AREA
2 NORTH CEDAR IMPROVEMENT DISTRICT

FULL LEGAL DESCRIPTION: CURRENT
SECTION 11, RANGE 4, CEDAR DISTRICT, EXCEPT THAT PART IN PLAN 11034

MISCELLANEOUS NOTES:
KP 369
E & N GRANT DF R29916
211121G --EASEMENT (IMAGED)
E & N GRANT IMAGED UNDER EX140187--ORIGINAL E & N PLAN FILED IN
VAULT IN POCKET # 6974N

ASSOCIATED PLAN NUMBERS:
SUBDIVISION PLAN VIP11034

AFB/IFB: MN: Y PE: 0 SL: 1 TI: 1

*2.29916
(6974N (EX 140187))*

2005 NOV 2
15:00

EX140187

VICTORIA, B.C.

Date: _____, 20 ____

Registrar
Land Title Office
PO Box 9255
Victoria, B.C. V8W 9J3

E + N grant of Sect. 11 and
East 40 acres of Sect. 10
Range 4 Cedar District

Please receive herewith the following document (s) for filing:

Fee Payable ☒

002 - 564 - 530
010 - 489 - 584

Signature

NAME OF APPLICANT: _____

ADDRESS: _____

TELEPHONE: _____

Handwritten: 2/2/67

Deed of Conveyance made this twenty fifth day of July 1896

A. D. one thousand eight hundred and eighty six between the **Esquimalt and Nanaimo Railway Company** of the one part, and **Richard Henry Batt and George Bonlockway** of the other part

Witnesseth that in consideration of the sum of One hundred and forty dollars, paid by the said Richard Henry Batt and George Bonlockway to the said Company, the receipt of which said sum of One hundred and forty dollars, the said Company do hereby acknowledge and of and from the same and every part thereof, do hereby acquit and release the said Richard Henry Batt and George Bonlockway their heirs, executors and administrators. They the said Company do hereby grant and convey unto the said Richard Henry Batt and George Bonlockway their heirs, and assigns all that piece or parcel of land situated in the District of **Cedar** Vancouver Island, in the Province of British Columbia, and upon the Official map of the said District, known and numbered as **Section 11, and the East forty acres of Section 10, Range 18, in Cedar District aforesaid**

and which said piece or parcel of land is said to contain **One hundred and forty** acres, more or less, and is more particularly shown upon the plan or sketch hereunto annexed and thereon colored red.

To Have and to Hold the said land unto and to the Use of the said Richard Henry Batt and George Bonlockway their heirs and assigns for ever, subject nevertheless to the reservations hereinafter mentioned, that is to say:

Saving and Reserving to the said Company, their successors and assigns, and their agents, servants, contractors and workmen, the right to enter into and upon the said land, and cut and carry away any timber therefrom for railway purposes, without paying compensation therefor.

And Saving and Reserving also to the said Company, their successors and assigns, rights of way for their Railway through the said land, and the right for themselves, their agents, servants, contractors and workmen to enter upon and take such parts of the said land as may be required for the stations and workshops of the said Company without paying compensation therefor.

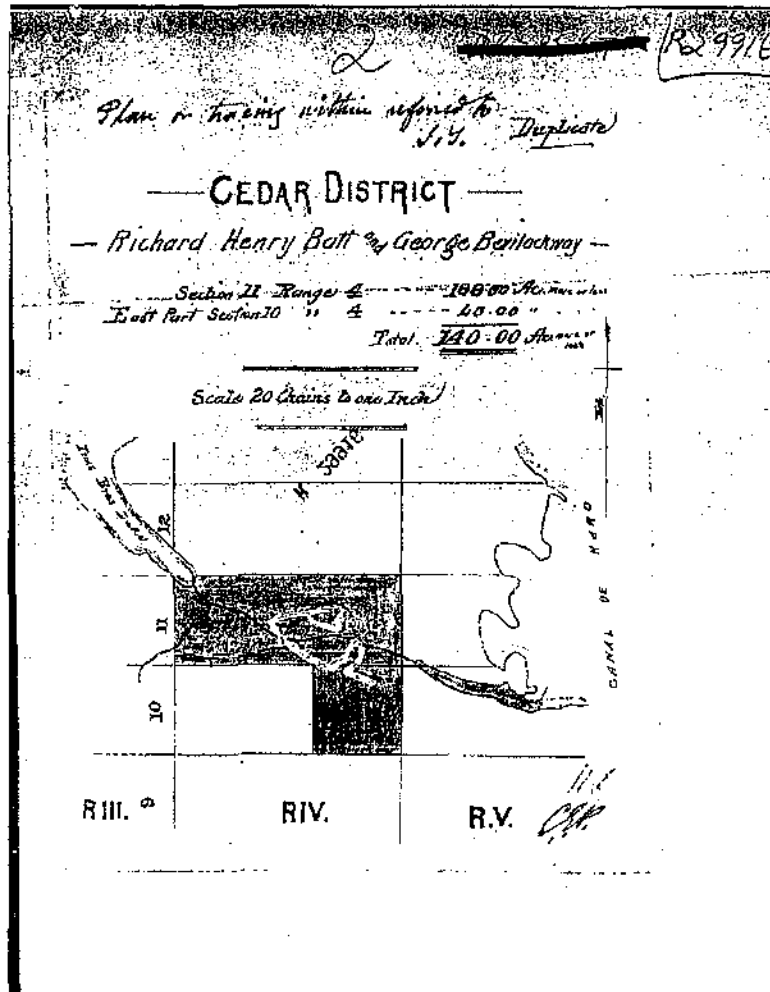
And Saving and Reserving to the said company, their successors and assigns, all coal, coal oil, iron, mines and minerals, whatsoever, in, on or under the land hereby granted or expressed so to be, with full liberty of ingress, egress and regress at all times for the said Company, their successors and assigns and their servants, agents and workmen in, to and upon the said land, and either with or without railways, horses or other cattle, carts and wagons and other carriages, for the purpose of searching for, working, getting and carrying away the said coal, coal oil, iron, mines and minerals, and with full liberty, also for the said Company, their successors and assigns, and their servants, agents and workmen, to sink, drive, make and use pits, shafts, drifts, adits, tunnels, and water courses, and to erect and set up fire and other engines, machinery and works, and to upon roads in, upon, under and over the said land, or any part or parts thereof, for the purpose of more conveniently working and carrying away the said mines and minerals, and also to appropriate and use any part of the surface of the said land for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be gotten from the said mines and minerals, the Company, their successors or assigns, paying reasonable compensation for such of the substances of the said land as may be taken, damaged or destroyed by such searching, working, getting and carrying away.

In Witness Whereof the Common Seal of the said Company has been hereunto affixed by order of the Board of Directors.

Scaled by order of the Board of Directors, made at a meeting held the **second** day of **June** 1896

Handwritten: R. D. [Signature] Secretary

Handwritten: R. D. [Signature] President



* The original of this plan is filed in the Vault
in pocket # 6974 N

>

PARCEL IDENTIFIER (PID): 00C-076-741

SHORT LEGAL DESCRIPTION: S/40138/////1

MARG:

TAXATION AUTHORITY:

1 PORT ALBERNI ASSESSMENT AREA

FULL LEGAL DESCRIPTION: CURRENT

LOT 1, DISTRICT LOT 40, ALBERNI DISTRICT, PLAN 40138

MISCELLANEOUS NOTES:

ASSOCIATED PLAN NUMBERS:

SUBDIVISION PLAN VIP40138

APB/IFB: MN: N PE: 0 SL: 1 TT: 1

*E + D Creation - N A
PD 6376 - Sit
DD 4855 - Sit*

DTSC 2

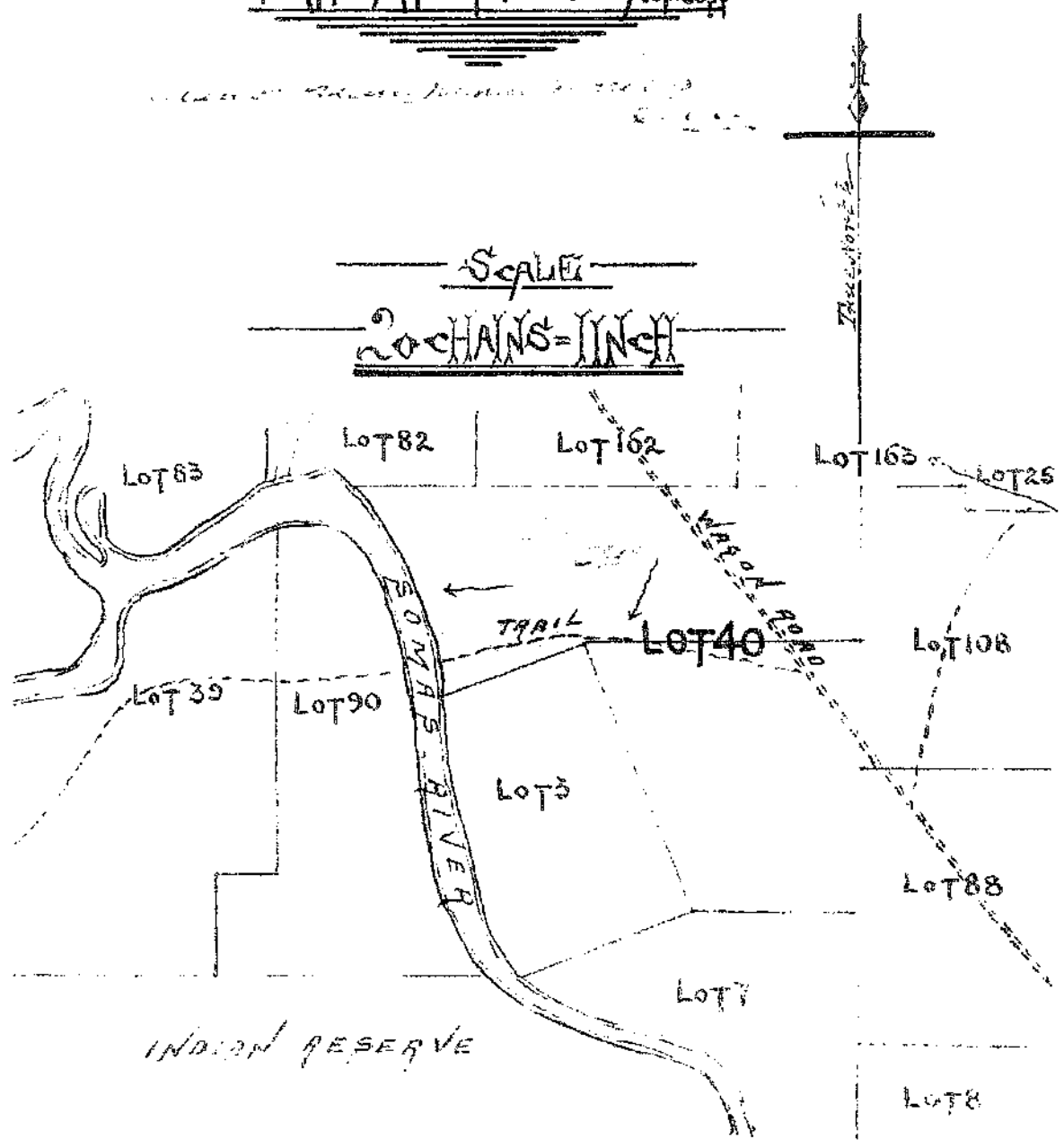
ALBERNI DISTRICT

HENRY HILLS

NORTH PART LOT 40 = 180 AC. ^{more} 12 1/2

SCALE

20 CHAINS = 1 INCH



DD 6376

628

THIS **Indenture**, made this fourth

day of December

A D. one thousand eight hundred and ninety eight between the **ESKIMO AND NANTINO RAILWAY COMPANY** of the one part, and Henry Mills

Witnesseth that in consideration of the sum of One hundred and eighty dollars, paid by the said Henry Mills of the other part to the said Company, the receipt of which said sum of One hundred and eighty dollars, the said Company do hereby acknowledge, and of and from the same and every part thereof, do hereby acquit and release the said Henry Mills

They the said Company do hereby grant and convey unto the said Henry Mills his heirs, executors and administrators his heirs, and assigns All that piece or parcel of land situated in the District of Albion Vancouver Island, in the Province of British Columbia, and upon the Official map of the said District, known and numbered as The North part of Lot 40. Albion District aforesaid

and which said piece or parcel of land is said to contain One hundred and eighty acres, more or less, and is more particularly shown upon the plan or tracing hereunto annexed and thereon colored red.

To Have and to Hold the said land **unto and to the Use** of the said Henry Mills his heirs and assigns for ever, subject nevertheless to the regulations hereinafter mentioned, that is to say:

Saving and Reserving to the said Company, their successors and assigns, and their agents, servants, contractors and workmen, the right to enter into and upon the said land, and cut and carry away any timber therefrom for railway purposes, without paying compensation therefor.

And Saving and Reserving also to the said Company, their successors and assigns, rights of way for their Railway through the said land, and the right for their engines, cars, agents, servants, contractors and workmen to enter upon and take such parts of the said land as may be required for the stations and workshops of the said Company without paying compensation therefor.

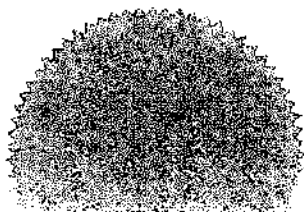
And Saving and Reserving to the said company, their successors and assigns, all coal, and oil, ores, mines and minerals, whatsoever, in, on or under the land hereby granted or expressed so to be with full liberty of ingress, egress and regress at all times for the said Company, their successors and assigns and their servants, agents and workmen in, to and upon the said land, and either with or without railways, horses or other cattle, carts and wagons and other carriages, for the purpose of searching for, working, getting and carrying away the said coal, and oil, ores, mines and minerals, and with full liberty, also for the said Company, their successors and assigns, and their servants, agents and workmen, to sink, drive, make and use pits, shafts, drifts, adits, courses, and water courses, and to erect and set up fire and other engines, machinery and tracks, and to open roads in, upon, under and over the said land, or any part or parts thereof, for the purpose of more conveniently working and carrying away the said mines and minerals, and also to appropriate and use any part of the surface of the said land for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be gotten from the said mines and minerals, the Company, their successors or assigns, paying reasonable compensation for such of the surface of the said land as may be taken, damaged or destroyed by such searching, working, getting and carrying away.

In Witness Whereof the Common Seal of the said Company has been hereto affixed by order of the Board of Directors.

Sealed by order of the Board of Directors, made at a meeting held the 9th day of Decr. 1898.

Secretary.

President.

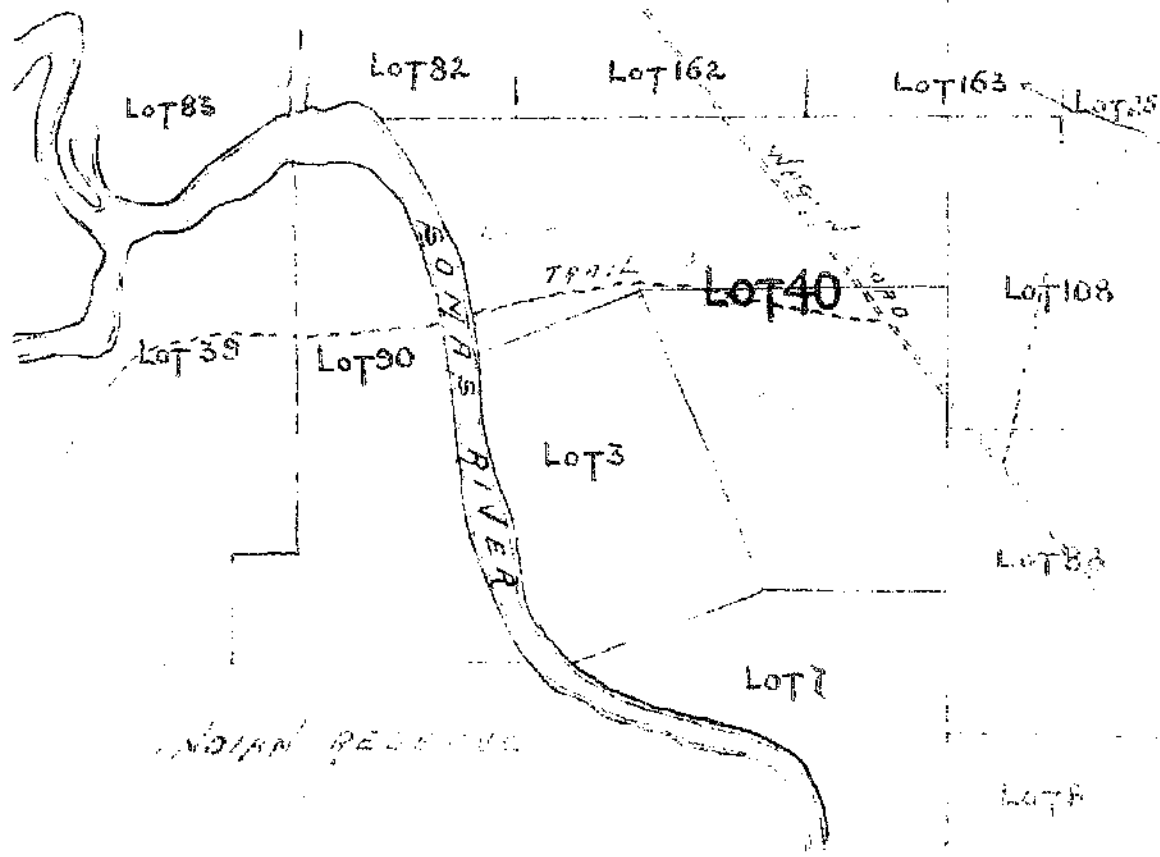


ALBERNI DISTRICT
JAMES HILLS
SOUTH PART LOT 40 = 140 Acres

2. ...



SCALE
20 CHAINS = 1 INCH



458

PLAN WHEN ISSUE DEPOSITED NO. 2454838

629

Chris Indenture, made this Fourth day of December A. D. one thousand eight hundred and eighty between the ESQUIMAULT AND NANAIMO RAILWAY COMPANY of the one part, and James Mills of the other part.

Witnesseth that in consideration of the sum of One hundred and forty dollars, paid by the said James Mills to the said Company, the receipt of which said sum of One hundred and forty dollars, the said Company do hereby acknowledge and of land from the same and every part thereof, do hereby acquit and release the said James Mills

Then the said Company do hereby grant and convey unto the said James Mills his heirs, executors, and administrators All that piece or parcel of land situated in the District of Alberni Vancouver Island, in the Province of British Columbia, and upon the Official map of the said District, known and numbered as The South part of Lot 40 Alberni District aforesaid

and which said piece or parcel of land is said to contain One hundred and forty acres, more or less, and is more particularly shown upon the plan or tracing hereto annexed and thereon colored red.

To Have and to Hold the said land unto and to the Use of the said James Mills his heirs, and assigns for ever, subject nevertheless to the reservations hereinafter mentioned, that is to say:

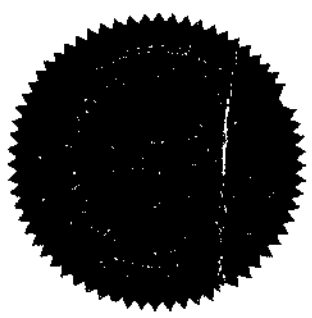
Saving and Reserving to the said Company, their successors and assigns, and their agents, servants, contractors and workmen, the right to enter into and upon the said land, and cut and carry away any timber therefrom for railway purposes, without paying compensation therefor.

And Saving and Reserving also to the said Company, their successors and assigns, rights of way for their Railway through the said land, and the right for themselves, their agents, servants, contractors and workmen to enter upon and take such parts of the said land as may be required for the stations and workshops of the said Company without paying compensation therefor.

And Saving and Reserving to the said company, their successors and assigns, all coal, coal oil, ores, mines and minerals, whatsoever, in, on or under the land hereby granted or expressed as to be, with full liberty of ingress, egress and regress at all times for the said Company, their successors and assigns and their servants, agents and workmen in, to and upon the said land, and either with or without railways, horses or other cattle, carts and wagons and other carriages, for the purpose of searching for, working, getting and carrying away the said coal, coal oil, ores, mines and minerals, and with full liberty, also for the said Company, their successors and assigns, and their servants, agents and workmen, to sink, drive, make and use pits, shafts, drifts, adits, courses, and water courses, and to erect and set up fire and other engines, machinery and works, and to open roads in, upon, under and over the said land, or any part or parts thereof, for the purpose of more conveniently working and carrying away the said mines and minerals, and also to appropriate and use any part of the surface of the said land for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be gotten from the said mines and minerals, the Company, their successors or assigns, paying reasonable compensation for such of the surface of the said land as may be taken, damaged or destroyed by such searching, working, getting and carrying away.

In Witness Whereof the Common Seal of the said Company has been hereunto affixed by order of the Board of Directors.

Sealed by order of the Board of Directors, made at a meeting held the Second day of June 1887.
Secretary. President.



>

PARCEL IDENTIFIER (PID): 001-823-671

SHORT LEGAL DESCRIPTION: U/ALBERNI/////82
MARG:REM*

TAXATION AUTHORITY:

- 1 PORT ALBERNI ASSESSMENT AREA
- 2 BEAVER CREEK IMPROVEMENT DISTRICT

FULL LEGAL DESCRIPTION: CURRENT

LOT 82, ALBERNI DISTRICT, EXCEPT THE RIGHT OF WAY OF THE ESQUIMALT
AND NANAIMO RAILWAY COMPANY CONTAINING 5.73 ACRES, MORE OR LESS AND
SHOWN ON PLAN 66 RW AND EXCEPT PART IN PLAN 24430

MISCELLANEOUS NOTES:

KP 558
E & N GRANT DD 18187
VIP57157 SRW

ASSOCIATED PLAN NUMBERS:

SUBDIVISION PLAN VIP24430
STATUTORY RIGHT OF WAY PLAN VIP57157
PLAN VIP62016

APB/TPB: MN: Y PE: 0 SI: 1 TJ: 1

DD/18187

DP 18/87

445

This Indenture, made this Twenty first day of November

A. D. one thousand eight hundred and ~~eighty~~ ^{ninety} one between the VICTORIA AND NARATHO RAILWAY COMPANY of the one part, and William Swanson

Witnesseth that in consideration of the sum of One hundred and fifty six dollars, paid by the said William Swanson of the other part to the said Company, the receipt of which said sum of One hundred and fifty six dollars, the said Company do hereby acknowledge and of and from the same and every part thereof, do hereby acquit and release the said William Swanson

They the said Company do hereby grant and convey unto the said William Swanson his heirs, executors and administrators all that piece or parcel of land situated in the District of Alberni Vancouver Island, in the Province of British Columbia, and upon the Official map of the said District, known and numbered as Lot 22 Alberni District aforesaid

and which said piece or parcel of land is said to contain One hundred and fifty six acres, more or less, and is more particularly shown upon the plan or tracing hereto annexed and thereon colored red.

We Have and to Hold the said land unto and to the Use of the said William Swanson his heirs and assigns for ever, subject nevertheless to the reservations hereinafter mentioned, that is to say:

Saving and Reserving to the said Company, their successors and assigns, and their agents, servants, contractors and workmen, the right to enter into and upon the said land, and cut and carry away any timber therefrom for railway purposes, without paying compensation therefor.

And Saving and Reserving also to the said Company, their successors and assigns, rights of way for their Railway through the said land, and the right for themselves, their agents, servants, contractors and workmen to enter upon and take such parts of the said land as may be required for the stations and workshops of the said Company without paying compensation therefor.

And Saving and Reserving to the said company, their successors and assigns, all coal, coal oil, ores, mines and minerals, whatsoever, in, on or under the land hereby granted, or expressed so to be, with full liberty of ingress, egress and regress at all times for the said Company, their successors and assigns and their servants, agents and workmen in, to and upon the said land, and either with or without railways, horses or other cattle, carts and wagons and other carriages, for the purpose of searching for, working, getting and carrying away the said coal, coal oil, ores, mines and minerals, and with full liberty, also for the said Company, their successors and assigns, and their servants, agents and workmen, to sink, drive, make and use pits, shafts, drifts, adits, encauses, and water encauses, and to erect and set up fire and other engines, machinery and works, and to open roads in, upon, under and over the said land, or any part or parts thereof, for the purpose of more conveniently working and carrying away the said mines and minerals, and also to appropriate and use any part of the surface of the said land for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be gotten from the said mines and minerals, the Company, their successors or assigns, paying reasonable compensation for such of the surface of the said land as may be taken, damaged or destroyed by such searching, working, getting and carrying away.

In Witness Whereof the Common Seal of the said Company has been hereto affixed by order of the Board of Directors.

Sealed by order of the Board of Directors, made at a meeting held the 21st day of

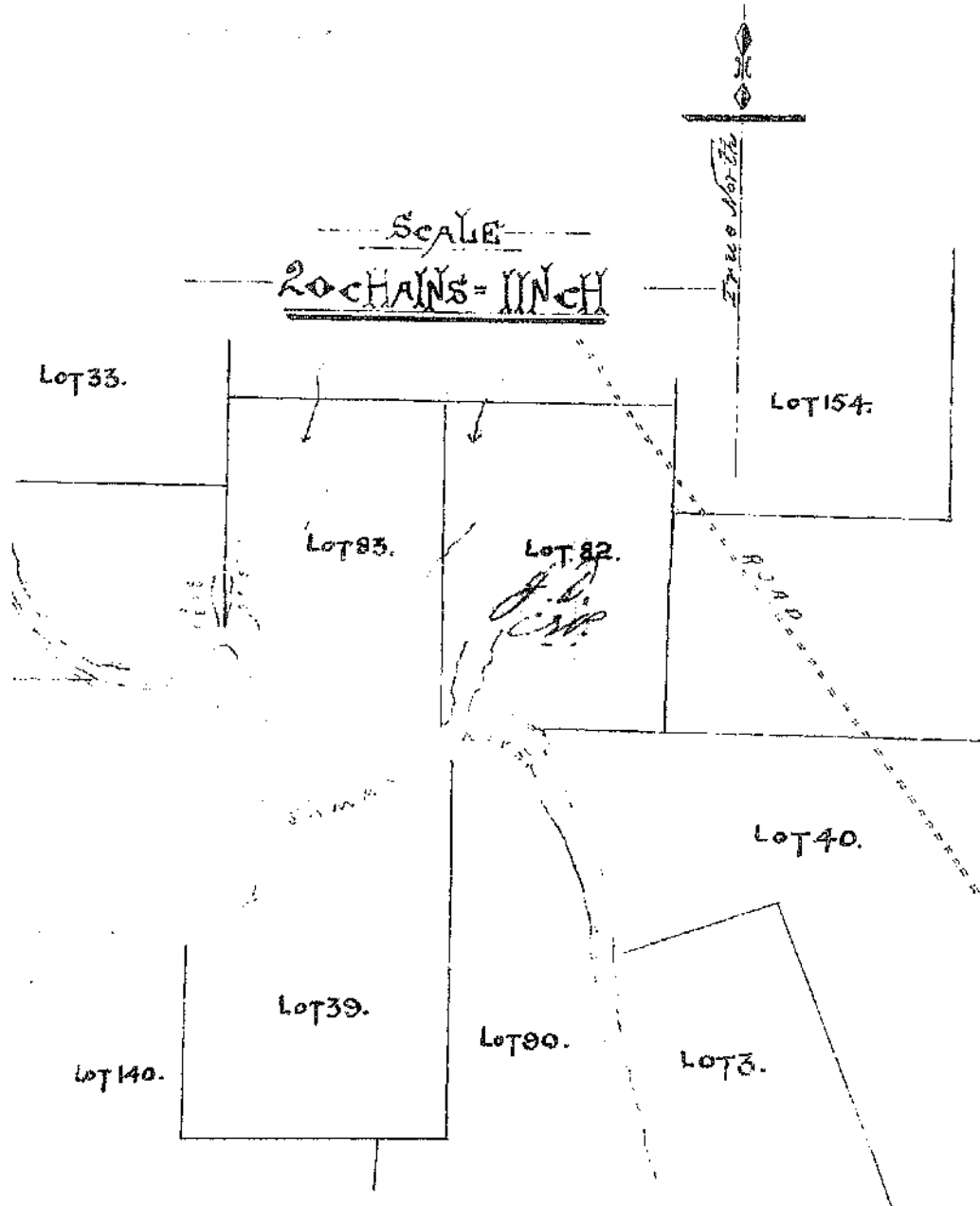
Secretary.

President.

ALBERNI DISTRICT

WILLIAM SWANSON

Lot 82. = 156 Acres ^{more} 286





www.dyedurhambc.com

Dy Durham Corporation

Information & Legal Support Services

#10 - 620 Royal Avenue
New Westminster, BC V3M 1J2

Vancouver: (604) 257-1850
New West: (604) 257-1890
Victoria: (250) 953-1700
Pr. George: (250) 564 0516
Facsimile: (604) 257-1898
Toll Free: 1-800-661-1813

Invoice Date: 11/28/14 16:25

Order Date: 11/24/14 10:23

Completed by: IS Tot
Team: VIC LANG

INVOICE

6197798

ORDER

8106759-9

Client Reference:	Solicitor:
CROWN GRANTS	

Account No.: s.22

MIN. OF TRANSPORTATION - NAN
VCR ISLAND, S COAST REG
3RD FLR, 2100 LABIEUX RD
NANAIMO, BC V9T 6E9

Attention: LORNA

TELEPHONE: (250)751-3273
LOCAL:
FAX PHONE: (250)751-3288

Service	Qty	Non-Taxable Disb.	Taxable Disb.	Taxable Fees
VICLTOSCH				
RESEARCH TITLE HISTORY- 1/4 HR	4		.00	132.00
SEARCH FOR CROWN GRANTS : 011-751-304 002-564-734 002-564-530 000-076-741 001-823-671 EMAIL - LORNA.ANDREYCHUK@GOV.BC.CA				
MICROFILM COPIES			10.62	.00
PAGES NUMBER OF DOCUMENTS				
IMAGED COPIES	1		14.56	.00
E-MAIL REPLY	1	.00		9.00
Sub Totals:		.00	25.18	141.00
GST/HST Registration #: 81426 3745		Total Taxable: 166.18		
VISIT OUR NEW WEBSITE: WWW.DYEDURHAMBC.COM		GST/HST: 8.31		
ORDER ONLINE SEARCH & REGISTRATION SERVICES - VISA/MASTERCARD		P.S.T.: .00		
E-TRAY PORTAL AVAILABLE 24/7		Total Non-Taxable: .00		
		INVOICE TOTAL: 174.49		

THANK YOU - WE APPRECIATE YOUR BUSINESS

>

PARCEL IDENTIFIER (PID): 011-751-304

SHORT LEGAL DESCRIPTION: U/NANAIMO///LASQUETI///13//SW4
MARG: REM*

TAXATION AUTHORITY:
1 PORT ALBERNI ASSESSMENT AREA

FULL LEGAL DESCRIPTION: CURRENT
THE SOUTH WEST 1/4 OF SECTION 13 LASQUETI ISLAND NANAIMO DISTRICT
EXCEPT PART OUTLINED IN RED ON PLAN 610R

MISCELLANEOUS NOTES:
KP 614

ASSOCIATED PLAN NUMBERS:

AFB/IFB: MN: Y PE: 0 SL: 1 TI: 1

85019N

229017^I

223125^I

156539^I

136497^I

109922^I

1705N

AFB VOL 11 FOL 153 - 9287A
Crown 6 trace 18187

file:///C:/Users/iglover/AppData/Local/Temp/Low/AINY0GBK.htm 01/12/2014

Page 037 to/à Page 038

Withheld pursuant to/removed as

Copyright

Silbernagel, Tim TRAN:EX

From: s.22
Sent: Monday, November 24, 2014 11:07 AM
To: Silbernagel, Tim TRAN:EX
Subject: Tucker Bay Rd. FW: KLA Registry info
Attachments: VIP0614KP.pdf; 610R.pdf

Hello Tim,

Here are the maps from Land titles vault in Victoria, If you open the map 610R I have physically located the Iron Pin on the property line on the east side of where Tucker Bay Rd enters the property. I will be sending you many more maps, pictures and references regarding the file, but wanted to start by forwarding these two maps so as not to confuse things.

Thank You

s.22

From: islandgirl-realestate@hotmail.com
To: s.22
Subject: KLA Registry info
Date: Wed, 8 Oct 2014 16:48:16 -0600

Hi s.22

This is everything KLS registry has on file in regards to 610R.

Lisa Mackay,
www.lisamackay.ca
email: Islandgirl-realestate@hotmail.com

Silbernagel, Tim TRAN:EX

From: s.22
Sent: Monday, November 24, 2014 11:38 AM
To: Silbernagel, Tim TRAN:EX
Subject: FW: ALR Notation - 011-751-304
Attachments: 011-751-304_ALRContextMap.pdf

Here is a copy of the ALR mapping sent to me from the Agricultural Land Commission, as I stated in my email this is one of several maps and references I have seen showing Tucker Bay Rd obviously going down into the property to the east of PID# 011-751-304 which as described in my email last week also falls under the same description of the road register document you provided.

From: Kathryn.Lambert@gov.bc.ca
To: s.22
Subject: ALR Notation - 011-751-304
Date: Wed, 5 Nov 2014 23:16:05 +0000

Hello s.22

Upon review of the original ALR maps for the area s.22 we determined that the ALR boundary was not 100% correct and so have changed the boundary slightly to match the original mapping. This means that the small portion s.22 that was showing as in the ALR, is now considered out. I have submitted a request to Land Titles requesting that the notation be removed from title. I have attached the map sent to the LTO for your records. The written portion of my request can be found below.

The ALR boundary mapping is released to the public on a quarterly basis and so the change will not be seen in our official maps and layers until early 2015.

Best regards,
Katie

Re: 011-751-304: - SW 1/4 OF SEC 13 LASQUETI IS NANAIMO EXC PT OUTL RED ON PL 610R

It has recently come to the attention of the Provincial Agricultural Land Commission that the Certificate of Title for the above described parcel of land in the Powell River Regional District displays the legal notation advising that the parcel may be affected by the Agricultural Land Commission Act. As indicated on the attached copy of a portion of the Agricultural Land Reserve (ALR) maps (92F.049 & 92F.059) for the Powell River Regional District, this property is not located within the ALR. We would therefore ask that the ALR notation be deleted from the above noted title.

We trust that this information is sufficient. Should you have any questions, please do not hesitate to contact this office.

Thank you for your attention to this matter.

Katie Lambert | Mapping Technician | Agricultural Land Commission
133 - 4940 Canada Way Burnaby BC V5G 4K6 | T 604.660.3168 | F 604.660.7033
kathryn.lambert@gov.bc.ca | www.alc.gov.bc.ca

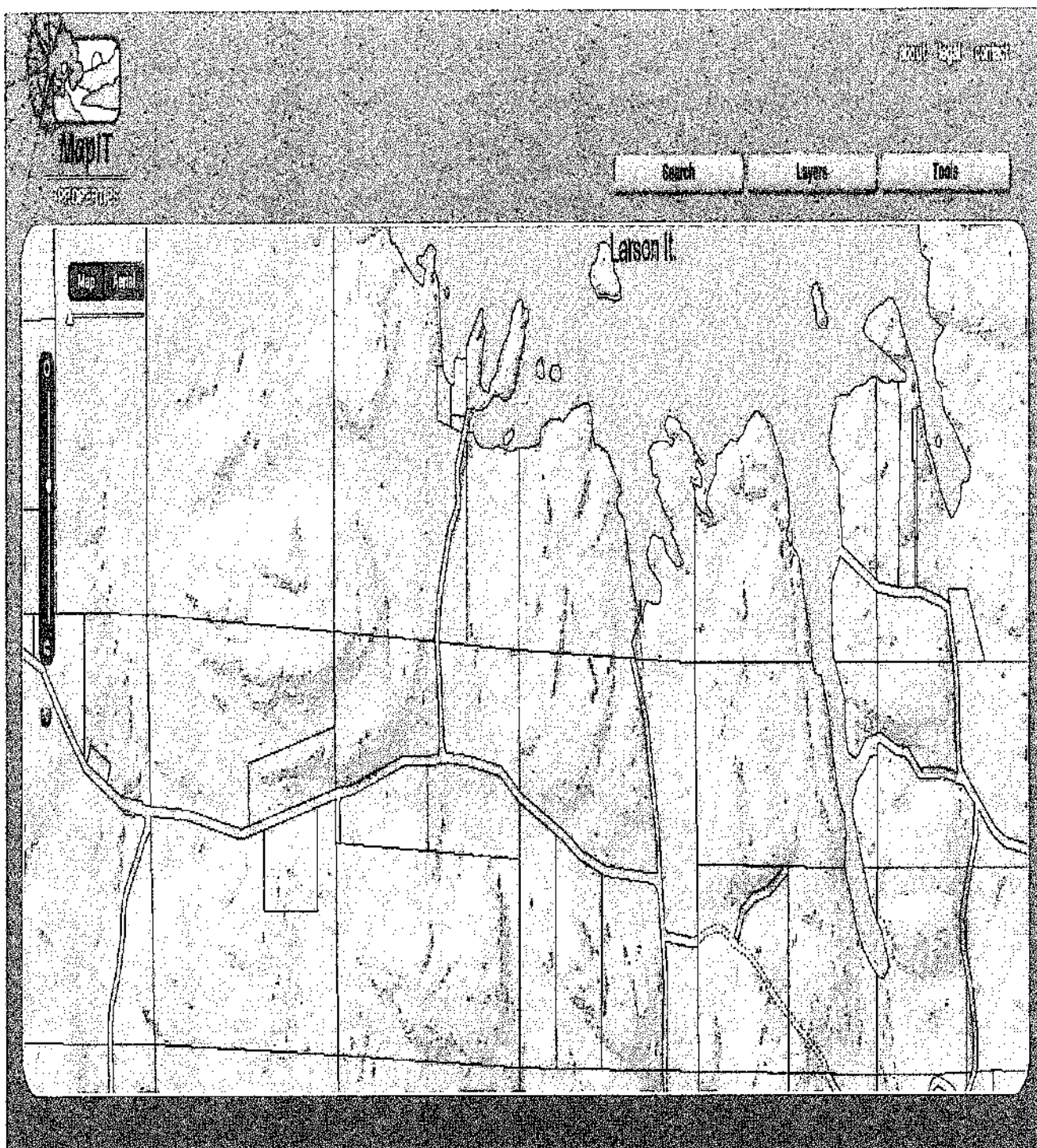
Silbernagel, Tim TRAN:EX

From: Silbernagel, Tim TRAN:EX
Sent: Tuesday, October 14, 2014 2:46 PM
To: s.22
Subject: Access to PID 011-751-304 (Tucker Bay Road, Lasqueti Island)

Good afternoon ^{s.22} I discussed this with Cindy Corner, Area Manager. Islands Trust mapping agrees with your interpretation that the publicly dedicated road corridor ends at the property line. However it appears that the roadway is maintained down to the old Union Steamship Wharf by our contractor EMCON to provide public access to water. Under that scenario the road defaults to a public road (because public monies have been expended). This is detailed under Section 42 of the Transportation Act. Should ^{s.22} dispute the interpretation/ownership of a road, a court of law would have to determine if the road is in fact a public Section 42 road.

Sorry for the bad news.....

Tim Silbernagel
Development Approvals Technician
Ministry of Transportation and Infrastructure
Vancouver Island District Office
3rd Floor - 2100 Labieux Road, Nanaimo V9T 6B9
(250) 751-3253 / cell (250) 713-4316
fax (250) 751-3289



Tucker Bay Road
s.22

Johnathan

Johnathan Tillie
Operations Manager, Central Vancouver Island

Ministry of Transportation and Infrastructure Highways Department	direct line: 250-751-3287 mobile: 250-802-4198 fax: 250-751-3288 Johnathan.Tillie@gov.bc.ca
----------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------



From: s.22
Sent: Thursday, January 22, 2015 10:27 PM
To: Tillie, Johnathan TRAN:EX
Subject: RE: Tucker Bay Road

Hello Johnathan,
Happy New Year to you as well.

I had talked to Tim after our meeting in December and asked if we could get copies of all the information you had in your files regarding Tucker Bay Rd. We had previously viewed and copied some pages of the old documents from your files, old negotiations, maps, text documents etc... we would like to fully review and become familiar with all of this information so that we can make informed decisions regarding the areas of interest. We only have bits and pieces of information, and it was a bit confusing to us that the items we had copied and studied seemed to be absent from the files on the table during our December meeting. Tim said he would have to pass the message along to you because you had told him not to release information from the files to us s.22 and that you would be getting back to us. We have been waiting to hear from you and have not further discussed the issue.

The main problem is that we have no definition, location, or map of any public access or its boundaries. Every individual interprets what they think is public road differently s.22

s.22

s.22

road document provided s.22
point .80km from Main Rd. s.22
Thompson of Emcon. Ross stated s.22
was definitely before the road opened up to a turn around which would put it at right about .80Km

All we have to go by at this point is the
This document stated construction end
determine the end of maintenance with Ross
that the road end
that the road end

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

Ministry of
Transportation and
Infrastructure

direct line: 250-751-3287

fax: 250-751-3288

Highways Department

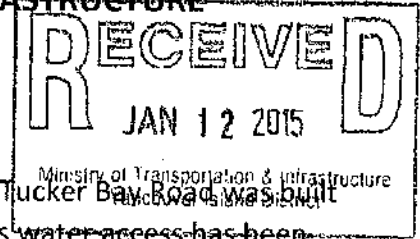
Johnathan.Tillie@gov.bc.ca



DECEMBER 2014

PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Keep Water Access at the End of Tucker Bay Road Public



Whereas

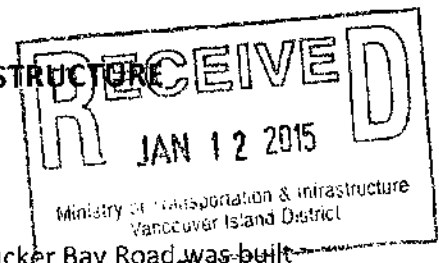
- There is overwhelming historical and current evidence that Tucker Bay Road was built and maintained to provide access to the water, and that this water access has been used by the public continuously and frequently for over 100 years.
- This water access is one of the most important on Lasqueti Island, and keeping this access open to public use is of great public interest.

We, the under-signed, demand that the BC provincial government uphold the public interest, and defend Tucker Bay Road, Lasqueti as a public road all the way to the historical and contemporary water access locations.

	Name	Postal Code	Signature
1	J. DOUGLAS MUIR	V2Z 2Z3	J. Douglas Muir
2	KENNEY NICKERSON	V9Z 0T4	Kenney Nickerson
3	BORIS KUKOLT	VOR 2J0	Boris Kukolt
4	Tall Marie Oye	VOR-2J0	Tall Marie Oye
5	Charlotte Taylor	VOR 2J0	Charlotte Taylor
6	MIKE THYLOR	VOR 2J0	Mike Thylor
7	WENDY SCHNEIDLE	VOR 2J0	Wendy Schneidle
8	BRUCE L GRANT	VOR 2J0	Bruce L Grant
9	Alex Bain	VOR 2J0	Alex Bain
10	Margie Running	VOR 2J0	Margie Running
11	BARRY HANKSTAW	VOR 2J0	Barry Hankstaw
12	Kelley Lironi	VOR 2J0	Kelley Lironi
13	Phil & Leigh	VOR 2J0	Phil & Leigh
14	Glane Kogan	VOR 2J0	Glane Kogan
15	Dianna Blaycock	VOR 2J0	Dianna Blaycock
16	Carl Weiss	VOR 2J0	CARL WEISS
17	PETER LINDSAY	VOR 2J0	Peter Lindsay
18	Nigel Kent	VOR 2J0	Nigel Kent

PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Keep Water Access at the End of Tucker Bay Road Public



Whereas

- There is overwhelming historical and current evidence that Tucker Bay Road was built and maintained to provide access to the water, and that this water access has been used by the public continuously and frequently for over 100 years.
- This water access is one of the most important on Lasqueti Island, and keeping this access open to public use is of great public interest.

We, the under-signed, demand that the BC provincial government uphold the public interest, and defend Tucker Bay Road, Lasqueti as a public road all the way to the historical and contemporary water access locations.

	Name	Postal Code	Signature
1	Lakota Duffie	VOR 2J0	Lakota Duffie
2	Aracia Rose	VOR 2J0	Aracia Rose
3	LAURENCE BISHEN	VOR 2J0	Lp
4	Cindy Craven	VOR-2J0	Cindy Craven
5	PO'KOURKE	VOR 2J0	[Signature]
6	Justin Berry	NOB 1B0	[Signature]
7	Kate Stewart	NOB 1B0	Kate Stewart
8	Bronwyn Preece	VOR 2J0	Bronwyn Preece
9	Jessica Hepper	VOR 2J0	Hepper
10	Susan Taylor	VOR 2J0	Susan Taylor
11	Anna Dodds	VOR 2J0	Anna Dodds
12	Bob Kopitzka	VOR 2J0	Bob Kopitzka
13	Axel Burger	VOR 2J0	[Signature]
14	Pick Burger	VOR 2J0	[Signature]
15	Dee Elsen	VOR 2J0	[Signature]
16	Monique Raap	VOR 2J0	[Signature]
17	Natty Vitini	VOR 2J0	[Signature]
18			

PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

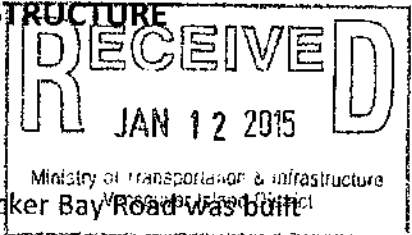
Keep Water Access at the End of Tucker Bay Road Public

Whereas

- There is overwhelming historical and current evidence that Tucker Bay Road was built and maintained to provide access to the water, and that this water access has been used by the public continuously and frequently for over 100 years.
- This water access is one of the most important on Lasqueti Island, and keeping this access open to public use is of great public interest.

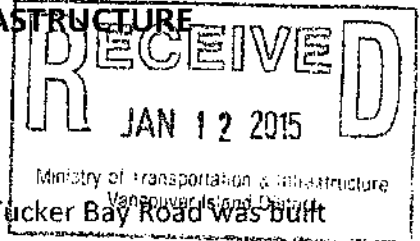
We, the under-signed, demand that the BC provincial government uphold the public interest, and defend Tucker Bay Road, Lasqueti as a public road all the way to the historical and contemporary water access locations.

	Name	Postal Code	Signature
1	KATY STEWART	VOR 2J0	Katy Stewart
2	Christian Voelte	VOR 2J0	Christian Voelte
3	Sigett Holmes	VOR 2J0	Sigett Holmes
4	Diane Wilfrid	VOR 2J0	Diane Wilfrid
5	Carson Tall	VOR 2J0	Carson Tall
6	Auguste Mann	VOR 2J0	Auguste Mann
7	Tom Salmon	VOR 2J0	Tom Salmon
8	Greg Seaman	VOR 2J0	Greg Seaman
9	Doug McQueen	VOR 2J0	Doug McQueen
10	Tom McFeely	VOR 2J0	Tom McFeely
11	Jim Oke	V9Z 0Y1	Jim Oke
12	Francis Rething	V9Z 0T3	Francis Rething
13	PETER WILFORD	V97 0S1	Peter Wilford
14	Jake Bergen	VOR 2J0	Jake Bergen
15	Isaac Bergen	VOR 2J0	Isaac Bergen
16	Farren West	VOR 2J0	Farren West
17	DAVID MURKIN	V97 4M1	David Murkin
18	Anne Wheeler	VOR 2J0	Anne Wheeler



PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Keep Water Access at the End of Tucker Bay Road Public



Whereas

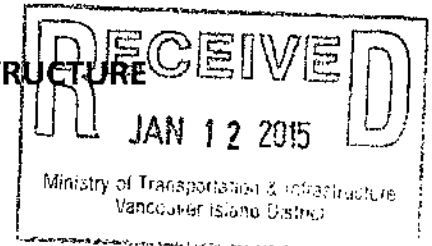
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	Name	Postal Code	Signature
1	RHODALL K-TAYLOR	VOR 2J0	
2	SHARL WHITE	VOR 2J0	
3	Tian Ostapovitch	VOR 2J0	
4	ROSS MCMILLAN	VOR 2J0	
5	Keith Grant	VOR 2J0	
6	Amenda Dallurjick	VOR 2J0	
7	Toni Lister	VOR 2J0	
8	Kathie Gascoigne	VOR 2J0	
9	Robin Jacobs	VOR 2J0	
10	Jennie Taylor	VOR 2J0	
11	Denise Healyagh	VOR 2J0	
12	BONNY JOY	VOR 2J0	
13	Kate Macioszek	VOR 2J0	
14	Amenda Gascoigne	VOR 2J0	
15	Julie Newton	VOR 2J0	
16	Paul Smulders	VOR 2J0	
17	Larry Mahan	VOR 2J0	
18	Jessica Slank	VOR 2J0	

PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Keep Water Access at the End of Tucker Bay Road Public



Whereas

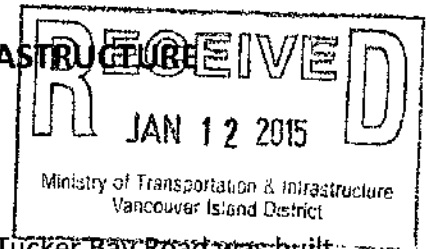
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	Name	Postal Code	Signature
1	Shela Peey	VOR 2J0	SHEILA RAY
2	Tomy Seaman	VOR 2J0	
3	Gwyn Cole	VOR 2J0	
4	Steve Bruce	VOR 2J0	Steve
5	John M	VOR 2J0	Gordon Jones
6	ANN GARRITHERS	VOR 2J0	
7	JAY RAINEY	VOR 2J0	
8	K Fisher	11	Kathy Fisher
9	Kristos Seiler	VOR 2J0	KSS
10	John Martin	VOR 2J0	
11	Ross Thompson	VOR 2J0	Ron Thompson
12	RICHARD STEWART	VOR 2J0	RH Stewart
13	ROGER KING	VOR 2J0	
14	Shawna Karras	VOR 2J0	S. Karras
15	Bonnie Olesko	VOR 2J0	Bonnie Olesko
16	WAYNE BRIGHT	VOR 2J0	Wayne Bright
17	Lisa Johnson	VOR 2J0	
18	Sailor L Johnson	VOR 2J0	

PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

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Name	Postal Code	Signature
1. Suzie Edwards	V7P 1W7	<i>Suzie Edwards</i>
2. Jane Cowan	V8S 1N8	<i>Jane Cowan</i>
3. Walker Nickerson	V9Z 0T4	<i>Walker Nickerson</i>
4. Delilah Rayne	V9B 4X8	<i>Delilah Rayne</i>
5. Stuart Cowan	V6G 2N8	<i>Stuart Cowan</i>
6. Elliot Cowan	V7W 2K3	<i>Elliot Cowan</i>
7. GRANT Cowan	V7W 2K3	<i>Grant Cowan</i>
8. Morgan Cowan	V2B-1E6	<i>Morgan Cowan</i>
9. Devin Cowan	V2Y 0G7	<i>Devin Cowan</i>
10. Erin Harper	V8K 2A5	<i>Erin Harper</i>
11. Katie Harper	V2Y 0G7	<i>Katie Harper</i>
12.		
13.		
14.		
15.		
16.		
17.		
18.		

PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Keep Water Access at the End of Tucker Bay Road Public

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	Name	Postal Code	Signature
1	Alvin Bishop	VOR 2J0	Alvin Bishop
2	Peter Johnston	VOR 2J0	Peter Johnston
3	Jan Ramey	V8225	Jan Ramey
4	Andrew Fall	VOR-2J0	Andrew Fall
5	Daniel Jacobs	VOR 2J0	Daniel Jacobs
6	Argul Kukaly	VOR 2J0	Argul Kukaly
7	Nicki Darrin	VOR-2J0	Nicki Darrin
8	Sara de Rose	VOR 2J0	Sara de Rose
9	Tim Coetzee	VOR 2J0	Tim Coetzee
10	Teran Pehzek	VOR 2J0	Teran Pehzek
11	Douglas Berzen	VOR 2J0	Douglas Berzen
12	Jack King	VOR 2J0	Jack King
13	Susan Kristinsson	VOR 2J0	Susan Kristinsson
14	R. Hilbert	VOR 2J0	R. Hilbert
15	Mark Yoonis	VOR 2J0	Mark Yoonis
16	Darryl Churchill	VOR 2J0	Darryl Churchill
17	Gordon Scott	VOR 2J0	Gordon Scott
18	Darlene Blecke	VOR 2J0	Darlene Blecke

②

PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

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	Name	Postal Code	Signature
19	1 Judy Peterson	VOR 2J0	Judy Peterson
20	2 Mesmer Anderson	VOR 2J0	Mesmer Anderson
21	3 Don Burt	VOR 2J0	Don Burt
22	4 CRAIG McFEELY	"	Craig McFeely
23	5 Shelley Grigoe	VOR 2J0	Shelley Grigoe
24	6 Harold A. Lapierre	VOR 2J0	Harold A. Lapierre
25	7 Jennifer MacDonnell	"	Jennifer MacDonnell
26	8 H. Wood	"	H. Wood
27	9 Bellawood	"	Bellawood
28	10 Geronimo Voeltz	"	Geronimo Voeltz
29	11 Axel Voeltz	"	Axel Voeltz
30	12 Karl B. Darwin	"	Karl B. Darwin
31	13 Phil Schied	VOR 2J0	Phil Schied
32	14 L.G. Schied	VOR 2J0	L.G. Schied
33	15 M.J. Ayers	VER-2 J0	M.J. Ayers
34	16 David Engster	VOR 2J0	David Engster
35	17 Tim Robinson	VOR-2J0	Tim Robinson
36	18 Valia Parkman	"	Valia Parkman

PETITION TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

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	Name	Postal Code	Signature
1	Jon Roney	98225	[Signature]
2	Darlene Dlesko	V0R2S0	[Signature]
3	Robyn O'Ryburgh	V0R2S0	[Signature]
4	Colin Kent	V0R2S0	[Signature]
5	Uwe Schiek	" "	[Signature]
6			
7			
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11			
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14			
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16			
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18			

Tucker Bay Public Access: Meeting Attendance

Community Meeting December 9th, 7 pm, 2014

Lasqueti Community Hall

Name	Address	Phone #	Email address
Live Scheik	Lasqueti	s.22	
Aigle Kukulj	Lasqueti		
Gordon Scott	Lasqueti		
Sheila Harrington	Lasqueti		
David Engster	Lasqueti		
Gwen Bigsby	Lasqueti		
Peter Johnstone	Lasqueti		
Andrew Fall	Lasqueti		
Jon Raney	Lasqueti		
10 Daniel Jacobs	Lasqueti		
Jody Dyers	Lasqueti		
Pena Scheik	Lasqueti		
Bara de Rose	Lasqueti		
Tim Coertze	Lasqueti		
Nikki Darwin	Lasqueti		
10 Oliver Bergen	Lasqueti		
Jacob King	Lasqueti		
Sue Kristinsson	Lasqueti		
Rosalind Hildred	Lasqueti		
20 Mark Young	Lasqueti		
Barry Church	Lasqueti		
Darlene Olesko	Lasqueti		
Merrick Anderson	Lasqueti		
Indy Peterson	Lasqueti		
Craig McFeely	Lasqueti		

Page _____

Community Meeting December 9th, 7 pm, 2014
Lasqueti Community Hall

Page 2

Dear Jonathan Tillie,


9

s.22

s.22

I first visited the Island six years ago by sail boat; I found safe anchorage in Tucker Bay. I paddled my canoe to shore at the Tucker bay boat ramp, went into town, played community ^{soccer} met a few people and a year later moved to the Island.

Since then I have ^{used} launch at the end of Tucker bay road many times. I often swim there because it is the nearest public access to the community hall. I helped a friend move to the Island unloading all of her possessions from a skiff onto a truck backed down the Tucker Bay ramp. Once I was helping deliver the 70 foot Schooner Passing Cloud from Kitimat to Nanaimo; we anchored in Tucker Bay because it is the safest anchorage for a large vessel on Lasqueti Island; It was convenient to be able to take the skiff to shore jump in my truck and go home. I have also used the Tucker Bay ramp many times to launch and recover canoes kayaks and row boats.

Continued 

s.22

s.22

I think having a public ramp on the east side of the Island could be very useful; If there were a fire on an of the small nearby Islands or water-front properties with out road access we could use the Tucker bay boat launch to launch a boat with portable water pumps.

Please keep Tucker bay road and the boat launch at the end of the road public as it has been for 100 years.

Thank you,

s.22

December 10, 2014

To Whom It May Concern,

s.22

We found friends on both sides of
Tucker Bay, one of the 2 rather close by
spots that we could use for multiple
"water access" - bathing, swimming,
Kayaking, s.22

s.22

s.22

We are ^u there 'a lot!

In those days s.22

was the

road maintenance guy and we'd sometimes
find him down at Tucker Bay when we
were. More than once he'd tell me
"Missy - now don't you forget this - one
day you might need to know that this
IS public access! Remember that and
don't let new owners try to take it away."

s.22

s.22

etc, and the kayak on its trailer¹, life jackets
behind and rumble on down to Tucker Bay.
- The access is big enough for the van
& kayak on trailer to make the necessary
big sweep around to get the kayak
positioned - the gravel is fine for
to the water's edge,

s.22

the rest of us - a peaceful trip
out on the water.^{s.22} And
the accessibility at the public access
at Tucker Bay makes it possible.
Very few places could accommodate
the van, the kayak trailer and
the^{s.22} itself to bring such
peaceful, joyful, kayaking.^{s.22}

s.22

¹ Thank You.

s.22

Johnathan Tillie
Ministry of Transportation and Infrastructure
3rd Floor, 2100 Labieux Road
Nanaimo, B.C.
V9T-6E9

Hello M. Tillie,

Our family has a property on Lasqueti Island, s.22
My wife and I have used Tucker Bay Road to access to the water and have neighbours who use it regularly through the summer.

On Saturday December 13th, we saw the access blocked by a pile of brush and an excavator being operated in its vicinity.

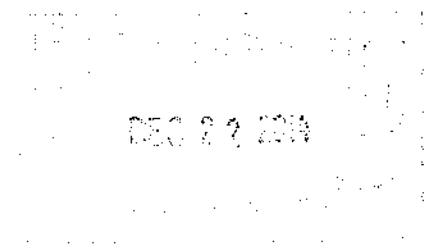
One of the new owners s.22 s.22 was present and spoke to us through a younger man who was standing closer to the shore line (we were on a canoe). We were told that there was no public access where the pile of brush was laid and that this particular area was private property. We were also asked what we would think of a public access being created in another area. We answered that since there already is a public water access at the end of Tucker Bay road, another one is not needed.

We appeal to you to have the road unblocked and the public water access restored.

Thank you in advance,

s.22

Page 061 to/à Page 063
Withheld pursuant to/removed as
s.22



December16, 2014

Dear Johnathan,

Thank you so much for becoming aware of how much we need our Tucker Bay Wharf Road as deep water access for the north side of Lasqueti. It seems pretty essential to maintain our water access ports as there are many islands between Lasqueti and Texada that have people living on them and they need to be able to have proper transportation on and off their islands.

One of my greatest concerns is that to keep our internet service active we have been using the Tucker Bay port to launch a boat each month to go to two of our radio access points to check the water in the batteries. Please don't allow us to permanently have to find other ways to get to these sites. It is hard enough to get there as it is.

We recently had a meeting on Lasqueti to discuss this issue and I woke up that day remembering when my grandma used to visit us. s.22

s.22

Please actively support Lasquetians in their use of all their water access points. We don't want to lose them.

Blessings,

s.22

Silbernagel, Tim TRAN:EX

From: s.22
Sent: Monday, December 29, 2014 12:39 PM
To: Silbernagel, Tim TRAN:EX
Subject: Section 42 roads on Lasqueti

s.22

caves in to^{s.22} demands to close Tucker Bay Road (Area 2, subarea BL, Rd # 00103) s.22
s.22

if MOTI

As there are two lengths of Sec 42 road between False Bay and Tucker Bay Road are we as a community allowed to selectively block^{s.22} from driving through what is obviously private property?

At the moment he is accessing the public access by boat, but he does have a vehicle on island.

..A point being discussed here...

Cheers... s.22

Silbernagel, Tim TRAN:EX

From: s.22
Sent: Wednesday, December 17, 2014 1:54 PM
To: Silbernagel, Tim TRAN:EX
Subject: Locating the wharf site in Tucker Bay
Attachments: 1919PlanOfSurveys_Lasqueti.pdf; wharfLocation_1919Survey.jpg; WharfLoc_Mason1.jpg; WharfLoc_Mason2.jpg; PhotoFromWater1.JPG; PhotoFromWater2.JPG; PhotoFromWater3.jpg

Hi Tim,

As you have likely seen, s.22 sent us a scan from a 1919 document, "Plan of Surveys made on Lasqueti - 1919" (the title may be incomplete on the scan; I attach the document for completeness).

I was curious about this s.22 and thought you might be interested in my findings, and in case it is of use to help identify the wharf location.

In the Elda Mason book, the following quote may indicate who did these surveys.

"In 1919, Stuart Stanley McDiarmid, BCLS resurveyed many of the lines on Lasqueti, especially those pertaining to the Government Roads. He made surveys of Ogden Lake and the end of Curran's Bay."
from Mason, Elda, 1976. Lasqueti Island, History and Memory. AdMan Printing Ltd.

The 1919 map looks like a sort of index to specific surveys of various roads, lakes and lots. It indicates that a survey was done for Tucker Bay Road, and it has specific details on the location of the wharf at the end of the road. Out of curiosity, I tried to use this info on Google Earth to find the location of the wharf (I understand that Google Earth cannot be fully relied on for accuracy and precision). Here are the steps I used:

1. The location of Point 3 on Jervis Island can be clearly seen on Google Earth (likely to within a few metres). I added a line from this point along the same bearing of the northern survey arc to the shore on Lasqueti (S 41 degrees, 53 minutes).
2. From the point on Lasqueti, I added another line along the southern bearing arc back to Jervis Island (N 52 degrees, 17 minutes). While Point O on the survey is not at an easily identifiable location, this second line reaches Jervis in the same area as Point O (passing just south of Bunny Island). The length of this second line matches fairly closely the length shown on the survey (111.46 chains, or 7,356 feet).

Those two steps resulted in the attached image, zoomed in to the meeting point of these lines in Tucker Bay (the point in the survey, Point 16, is some metres offshore, at the end of the wharf). This point is consistent with the 1924 survey insert of Tucker Bay (on the Richards chart from 1860). It is also consistent with shore features (there is a clearing through the trees at this point, wide enough for a wharf approach).

There are two photos of the wharf in the Elda Mason book (attached for your reference). The photo of the car on the wharf shows how a series points of land to the west line up, along with how Larson Islet and Texada Island line up to the east. The photo of the co-operative store shows Jervis Islands and nearby islets, but is harder to discern. s.22

s.22 : to see if we could match the views in the Mason photos. Attached are three new photos. The first shows the view to the northwest, and you can zoom in to see how the points of land to the west, and Larsen Islet/Texada Island match with the Mason photo with the car. The second is 90 degrees eastward, in a northeast

Page 065 to/à Page 066

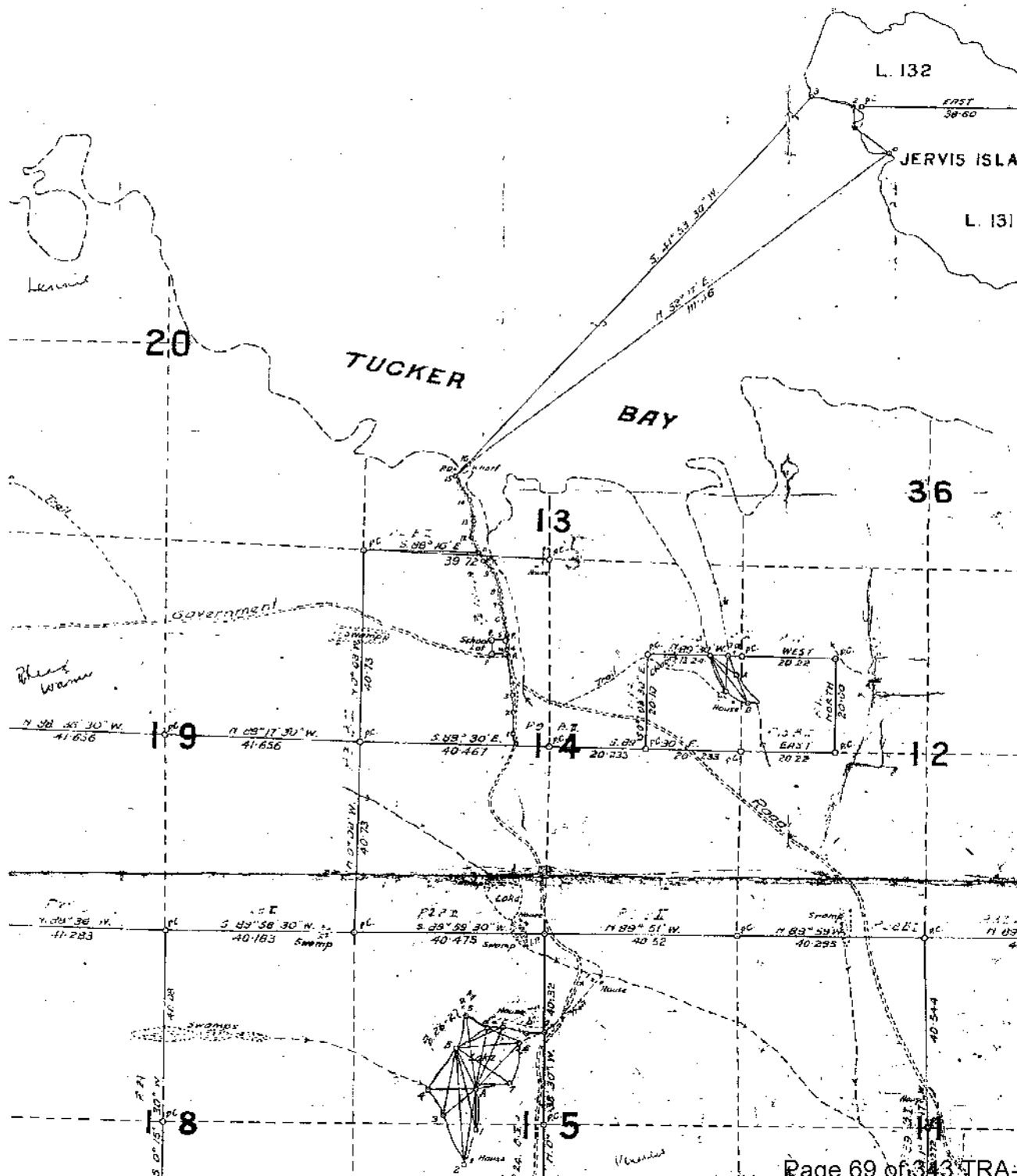
Withheld pursuant to/removed as

Copyright

— PLAN OF SURVEYS MADE ON LASQUETI

— 1919 —

— SCALE = 20 CHAINS = 1 INCH. —



December 01, 2014

Re: Public access to Tucker Bay Road and the beach on Lasqueti Island, B.C.

Dear Mr. Tillie,

s.22

s.22

I want to bring to your attention several facts and observations.

1. I can attest that Tucker Bay Road and the beach access are being used year-round by many Lasqueti residents, throughout the day, with of course more traffic during the summer. Cars, pedestrians and bicycles are a common sight on the road every day of the year. I often encounter someone when I walk up the road.
2. Small boats, canoes and kayaks are regularly launched any time during the year from the beach at the end of Tucker Bay Road, and people swim there with their children in the summer.
3. Tucker Bay beach access is the main launching place for small watercraft to go to Jeddediah Island Marine Provincial Park and Saline Channel Provincial Park (parks paid for by the taxpayers of B.C.). People coming from Vancouver Island by ferry to Lasqueti get a ride/taxi with their kayaks to launch from this bay to paddle through the islands. Many find this the safest and easiest place to start their trips to these parks. The access from Squitty Bay, on the very south end of the island, is often more challenging due to the narrow entrance of that bay where the wave action is stronger and because more exposed sea must be crossed to reach Jeddediah.

Island. Many people living on the south end of Lasqueti Island come for the same reasons to our little bay to launch their small motor boats in the spring and to bring them back to dry land in the fall. Tucker Bay beach access is one of the two main accesses, and the only one on the central part - on Lasqueti Island that are easy and safe for small watercraft to be launched.

4. Sailboat and motor boat operators, from other parts of the coast, find a safe haven in little Tucker Bay during rough weather, and come on land via this public beach for some respite, or to join one or another community event taking place at the Community Hall up the road.
 5. This access is the one used by Lasqueti residents who live on boat-access-only places on this side of the island. Their mail is delivered ^{s.22} in the mailbox at the intersection of Tucker Bay Rd and Main Rd.
 6. Residents with clam leases, a commercial mussel farm, and a commercial multi-species aquaculture hatchery are dependent on the Tucker Bay beach small boat access for their businesses.
 7. We ourselves often walk down Tucker Bay Road to the beach, sometimes to meet visitors who come by small powerboats, or just to go look at the marine life that lives on the rocks and the sand/mud at the end of the bay... or to try to imagine what it would have been like in the early 1900s when the steamship came to this bay, which was the centre of the island at the time. It is interesting to see some of the old metal fastenings left in the rocks where one of the piers must have been. ^{s.22}
- ^{s.22} ...
^{s.22} with respect to the First Nations, their past is also close to my heart.

These are some of the reasons I want you to consider to keep the accesses of Tucker Bay Road and its beach public.

If you would like further information about our knowledge of Tucker Bay Road and the beach access, don't hesitate to contact me.

I would appreciate to be informed of any requests to change the status of this public road and beach access

s.22

From: s.22

Sent: Monday, November 17, 2014 9:48 PM

To: WEBMASTER TRAN:EX

Subject: Tucker Bay Road Closure Lasqueti Island

Residents of Lasqueti Island had been informed by the new owners at the end of Tucker Bay Road that the owners intend to close this road to the public. This has been a public access for our community for over 100 years. We would like the Ministry of Transportation and Infrastructure to investigate if the new property owners have any right to restrict our access to this road.

Thank you

s.22

Silbernagel, Tim TRAN:EX

From: s.22
Sent: Tuesday, November 18, 2014 3:20 PM
To: Silbernagel, Tim TRAN:EX; Corner, Cindy L TRAN:EX
Cc: s.22
Subject: Tucker Bay, Lasqueti Island Access Inquiry
Attachments: Lasqueti Cadastral Map.pdf; Tucker Bay Road.pdf

Good Afternoon Tim and Cindy: Recently a 39 acre piece of property located at the end of Tucker Bay Road, Lasqueti Island was purchased by some off island residents. After the property was purchased the new owners put up "Road Closed" signs in an effort to restrict access to the beach by local residents. Historical records show that this has been continuously used as public access for over 100 years. We asked local highways contractor Ross Thompson to investigate.

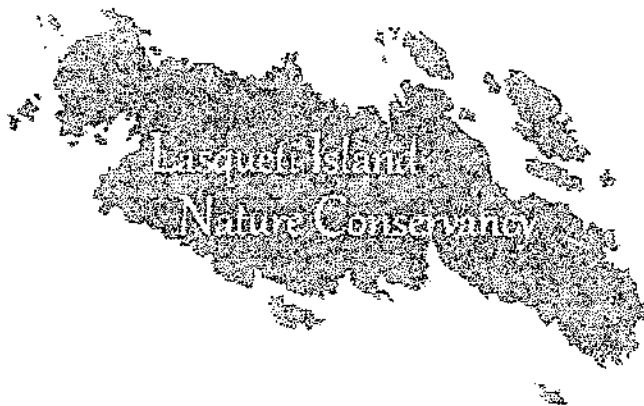
The Road Closed signs have come down, however the new owners are now trying to restrict access by saying that there is a registered archaeological site on the road and that public access must be restricted to protect this historical artifact.

I put a request into the Ministry of Forest Archaeology Branch for information on this site and then contacted the Ministry of Highways to determine if anyone in your department could assist us in learning more about this site and whether there is a need to restrict access.

There is a beach at the end of the road that is used by residents and tourists as an access point to the marine parks in the area (Jervis and Jedediah Islands). We believe that public access should be maintained and that the new owners may be using the archaeological site as an excuse to prevent residents from using the road.

Can you please provide us with more information on this site and inform us of what the process is for protecting public access along this right of way.

s.22



11 Main Road, Lasqueti
Island, BC V0R 2J0

250-333-8754
linc@lasqueti.ca

November 21, 2014

To Johnathan Tillie
Operations Manager
Central Island Area
Vancouver Island District
Ministry of Transportation and Infrastructure
3rd Floor – 2100 Labieux Rd
Nanaimo, BC, V9T 6E9

Dear Mr. Tillie:

It has come to our attention that the following property on Lasqueti Island has recently changed owners:

P.I.D. 011-751-304, being the South West 1/4 of Section 13, Lasqueti
Island, Nanaimo District, Except part outlined in Red on Plan 610R

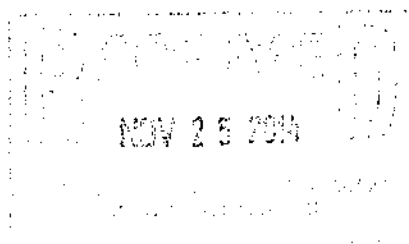
The Lasqueti Island Nature Conservancy (LINC) is familiar with this property, as LINC has previously expressed interest in protecting it for its significant ecological, social and historic values.

Of particular concern at this time is the Tucker Bay Road, which provides access to this property as well as providing public access to the Tucker Bay boat launch, one of only 5 safe marine access points on Lasqueti Island. Tucker Bay Road also provides access to other beneficial public uses at Tucker Bay, including public swimming, walking, boating and other shoreline activities. The Tucker Bay Road and boat launch have been used and maintained by the public since the early 1900's when there was a wharf on this property used by the first steamship connection to the island. The Province has maintained the Tucker Bay Road since then as a public thoroughfare.

By this letter we intend to inform you of the importance of maintaining public access over the Tucker Bay Road along with public access to the historic boat launch at Tucker Bay, Lasqueti Island.

Sincerely,

Gordon Scott, President LINC



Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 10:51 AM
To: Tillie, Johnathan TRAN:EX
Subject: Lasqueti Island public access

Hello, I'd like to add my voice to the furor over the Tucker Bay public access on Lasqueti.

For over 40 years I have used this access to get to the community hall which is just up the road from the access. I used to live or^{s.22} and this access was the only one that could be used reasonably (in inclement weather) for a small boater from the Sabine Channel side of the island to get to either the community hall or the ferry, as it offers a spot for temporary anchorage as well as closeness to the main road.

I have also used it to get a boat out of the water in an emergency as it is one of the very few places on Lasqueti where you can get a truck and trailer down to the water. Sometimes having to float an ailing boat all the way around to the ramp at False Bay is just not safe, or if it's the engine giving problems, it's way too far to row.

s.22

I hope the Tucker Bay boat access remains public. It has gone through fluctuations in usage over the years, but it remains an important public safety asset. I might add that in the case of fire, it is one of the very few places where the pumper truck could reach the sea.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, December 01, 2014 10:37 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: public accesses to beaches on Lasqueti Island

Hello Johnathan and Tim,

On Saturday about two dozen Lasqueti people went down Tucker Bay Road to where we have had beach access for the last fifty or more years, and where before that there were two public docks and floats since 1912 or 1913.

As we were talking, I realized that we have lost a lot of what we think were public accesses to the sea over the last 40 or so years that I have been here. The ones that I have some personal knowledge of are:

access to Marshall's Beach, beyond the current end of Lennie Road

access to Mine Bay, beyond the current end of Mine Road

access to Conn Bay, beyond the current end of Millicheap Road

I don't know why it is, but there is a fair amount of doubt about where roads actually are located on Lasqueti Island. There don't seem to be any definitive maps. Some maps show roadways existing where they do not.

Even the road names are inconsistent. I have heard that this is because of a fire, some time in the 50s, in a Highways office in Burnaby, destroying records.

It appears from maps that I have access to, that the roadways to Marshall's Beach and Mine Bay must have been Section 4 (now Section 42) roads.

It appears that the roads have been surveyed and gazetted at the end of Millicheap Road. The roadway clearly is shown as ending along a wide strip of the shoreline on the north side of Conn Bay. This is the location where a landowner in the 70s began to construct a building that would have cut public access, and he was required to stop and remove it.

In the last couple of years, a new landowner has constructed a fence and gate on what was the public road, and also a steep foot-trail to replace the public access. If this area has been surveyed, and the roads gazetted, it would be a good idea to determine exactly where the public road and the access to the bay, is located.

While the important issue at this time is to maintain the public roadway and access to Tucker Bay, it is also important to look into, and if possible, re-assert and re-claim any other public accesses that exist on Lasqueti but have been closed off in recent years.

s.22

Thanks for your work on this, and these, issues. If there is any local help and assistance that I can give, please let me know.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 16, 2014 1:10 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: A bit more on Tucker Bay Public Access
Attachments: Tucker Bay access,dec15 004.jpg; Tucker Bay access,dec15 002.jpg; Tucker Bay access,dec15 006.jpg

Dear Johnathan and Tim:

While perusing the 1919 survey of Tucker Bay road and wharf by McDiarmid, we noticed he had tied in the wharf and the end of the road by triangulation to and from Jervis Island with bearings and distance. By running these angles with the bearings we have located and painted the property line between the Public access and s.22

land. Attached are some pictures of the line-one taken from the pin 15 area towards the point on Jervis, and one the other way. I left a copy of the survey in the cab of the excavator blocking the road. I'm attaching a blowup of the relevant area of the survey. The distances mentioned can be also confirmed with Google Earth.

These pictures also shows.22 garbage, brush piles, and personal effects strewn over the access, preventing the public's free usage of this public area.

Is there any obscure legal precedent you know of that might allow a lawyer to challenge a long standing legal survey of a public road?

I can bring you the detailed map of Lasqueti Public Accesses s.22

. Can you copy a full size map?

s.22



Moore, Suzanne TRAN:EX

From: Transportation, Minister TRAN:EX
Sent: Tuesday, February 24, 2015 11:52 AM
To: s.22
Cc: Tillie, Johnathan TRAN:EX
Subject: 232362 - Lasqueti Island Public Access

s.22

Thank you for your e-mails of December 29, 2014, regarding public access on Tucker Bay Road. I recognize the importance of this matter to you and the local community, and I am glad to have the opportunity to respond. The ministry is currently working toward reaching a resolution on the legal status of the unsurveyed portion of Tucker Bay Road, which crosses privately-owned property. Ministry staff are in discussions with the property owners regarding the access to Tucker Bay Road. However, a long term strategy has not yet been finalized. The ministry recognizes that Tucker Bay Road has been used for several decades to access the foreshore, and that it is very important to residents and visitors. I appreciate your understanding as my staff work through this challenging process.

Should you have any further questions about this matter, please do not hesitate to contact the ministry's local Operations Manager, Johnathan Tillie. He can be reached by telephone at 250 751-3287 or by e-mail at Johnathan.Tillie@gov.bc.ca and would be pleased to assist you.

Thank you again for taking the time to write.

Sincerely,

Todd G. Stone

Minister

Copy to: Johnathan Tillie, Operations Manager

Vancouver Island District

From: Stone.MLA, Todd [<mailto:Todd.Stone.MLA@leg.bc.ca>]

Sent: Monday, January 5, 2015 8:16 AM

To: Transportation, Minister TRAN:EX

Subject: FW: Tucker Bay Rd access on Lasqueti Island

From: s.22

Sent: December 29, 2014 11:51 AM

To: Stone.MLA, Todd

Cc: Fleming.MLA, Rob

Subject: Fwd: Tucker Bay Rd access on Lasqueti Island

I forgot to sign the letter I just sent to you a minute ago^{s.22}
s.22

Begin forwarded message:

From: s.22
Date: December 29, 2014 at 11:37:39 AM PST
To: "todd.stone.mla@leg.bc.ca" <todd.stone.mla@leg.bc.ca>

Moore, Suzanne TRAN:EX

From: Transportation, Minister TRAN:EX
Sent: Tuesday, February 24, 2015 11:52 AM
To: s.22
Cc: Tillie, Johnathan TRAN:EX
Subject: 232362 - Lasqueti Island Public Access

s.22

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Date: December 29, 2014 at 11:37:39 AM PST

To: "todd.stone.mla@leg.bc.ca" <todd.stone.mla@leg.bc.ca>



R

S 41° 53' 30" W

N 32° 17' E

11.46 chains
checked with Google
earth

B

PO. Wharf

13

6' E. N

PC

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 09, 2014 1:04 AM
To: Tillie, Johnathan TRAN:EX
Subject: A photo of the Tucker Bay public float
Attachments: Image (5) (2)[2].jpg; Image (2) (2)[4].jpg

Dear Johnathan:

I am attaching a photo taken in 1953 from the head of Tucker Bay, which clearly shows the public float and approach (right where I've said it was) and the public ramp, with, conveniently, a ramp barge dried out on it. All at the end of a publically maintained road.

The other photo shows a fishboat tied to the dock.

Given more time I will find the photographs to pinpoint the exact location of the wharf at the end of the public road.

s.22





Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, December 17, 2014 8:05 AM
To: Tillie, Johnathan TRAN:EX
Subject: Blockage of Tucker bay rd Lasqueti Is

I'm unable to get to my boat . Road is blocked. Please understand this is very inconvenient on an island where boat transportation is a way of life

Thanks for your attention

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, December 10, 2014 1:22 PM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: Blockage of Tucker Bay Rd Lasqueti
Attachments: s.22 IMG_1789 (800x600).jpg

Hello,

Attached are a photo s.22 this morning of the blockage on Tucker Bay. The photo is of the owners signs at what I think is the upland owners property line. The s.22 the excavator parked across the road and a short tour of the area. The excavator is parked in such a way as to make it very difficult and unsafe to turn around.

I request advise as to what action can be taken to have this blockage removed.

Thanks for your time.

s.22

A black and white photograph of a forest path. The path is a light-colored, unpaved trail that leads into a dense forest. The trees are tall and thin, with their trunks visible in the background. The ground is covered with leaves and twigs. A sign is posted on a tree trunk on the right side of the path.

THIS PROPERTY
CLOSED TO PUBLIC
NO ENTRY WITHOUT
PERMISSION

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, December 04, 2014 2:16 PM
To: Tillie, Johnathan TRAN:EX
Subject: Can you tell us what constitutes a Section 42 roadway

Hello Johnathan: It would be helpful to all if we knew what a Section 42 roadway was. Can you please provide a definition of this term to the Lasqueti Email list. If you are not allowed to post to the list directly can you please post through s.22

Also if the community requires beach access is there any way that property could be expropriated to provide access? What has to happen before MOTI would expropriate property?

Thank you.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, February 05, 2015 10:38 PM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: Crown grant and subdivision SW s.13 (Tucker Bay Road)
Attachments: Section 13 SW Crown Grant and Subdivision.pdf

Dear Johnathan and Tim,

Please find attached some information on the original crown grant (1889) and subdivision (1943) of SW 1/4 Section 13, Lasqueti Island. This is the only subdivision of this quarter section to date, and it was into two lots s.22 and the s.22 property defined as the remainder).

I thought that this information might be of interest to you.

Sincerely,
s.22

Original Crown Grant and Subdivision of SW ¼ of Section 13, Lasqueti Island (Tucker Bay Road)

Feb 5, 2015

Tucker Bay Road is within the SW ¼ of Section 13, Lasqueti Island.

Original Crown Grant of SW ¼ Section 13, 1889

In 1889, Morris Moss received a Crown Grant for 501 acres consisting of Sections 13 and 20 on Lasqueti Island (Figure 1; Figure 2). The Crown Grant included provisions for future public roads, stating:

"Provided, nevertheless, that it shall at all times be lawful for Us, Our Heirs and Successors, or for any person or persons acting in that behalf by Our or their authority, to resume any part of the said lands which it may be deemed necessary to resume for making roads, canals, bridges, towing-paths, or other works of public utility or convenience; so nevertheless that the land so to be resumed, shall not exceed one-twentieth part of the whole of the lands aforesaid, and that no such resumption shall be made of any lands on which any buildings may have been erected, or which may be in use as gardens or otherwise for the more convenient occupation of any such buildings."

Subdivision of SW ¼ Section 13, 1943

In 1939, the eastward portion of SW ¼ Section 13 was surveyed as Plan 610R (Figure 3). In 1943, the land defined by Plan 610R was sold from Charles Williams to Chester Douglas, with an Indenture on April 14, 1943 (Figure 4; Figure 5; Figure 6) followed by land title registration on April 19, 1943 (Figure 7). The remainder of SW ¼ Section 13 is presently owned by^{s.22}

s.22

The survey plan 610R (Figure 3) indicates Tucker Bay Wharf Road as being 1.00 chains in width. The Indenture describes the perimeter of the lot, starting at the bottom of Page 1 (Figure 4), and mentions the road:

"... along the South Boundary thereof for 13.480 chains to a point on the Easterly Boundary of the Tucker Bay Wharf Road 1.00 chains in width, thence N26 58W along said Road Boundary for 1.773 chains, ..."

These indicate:

- (a) An understanding that Tucker Bay (Wharf) Road had a 66-foot wide right-of-way. It seems that this right-of-way may not have been formalized (e.g. in the BC Gazette); and
- (b) That the owner of the remainder of SW $\frac{1}{4}$ Section 13 at that time, Charles Williams, indicated by his signature on the Indenture (Figure 6) that he was aware of, and accepted, this understood 1 chain wide road width.

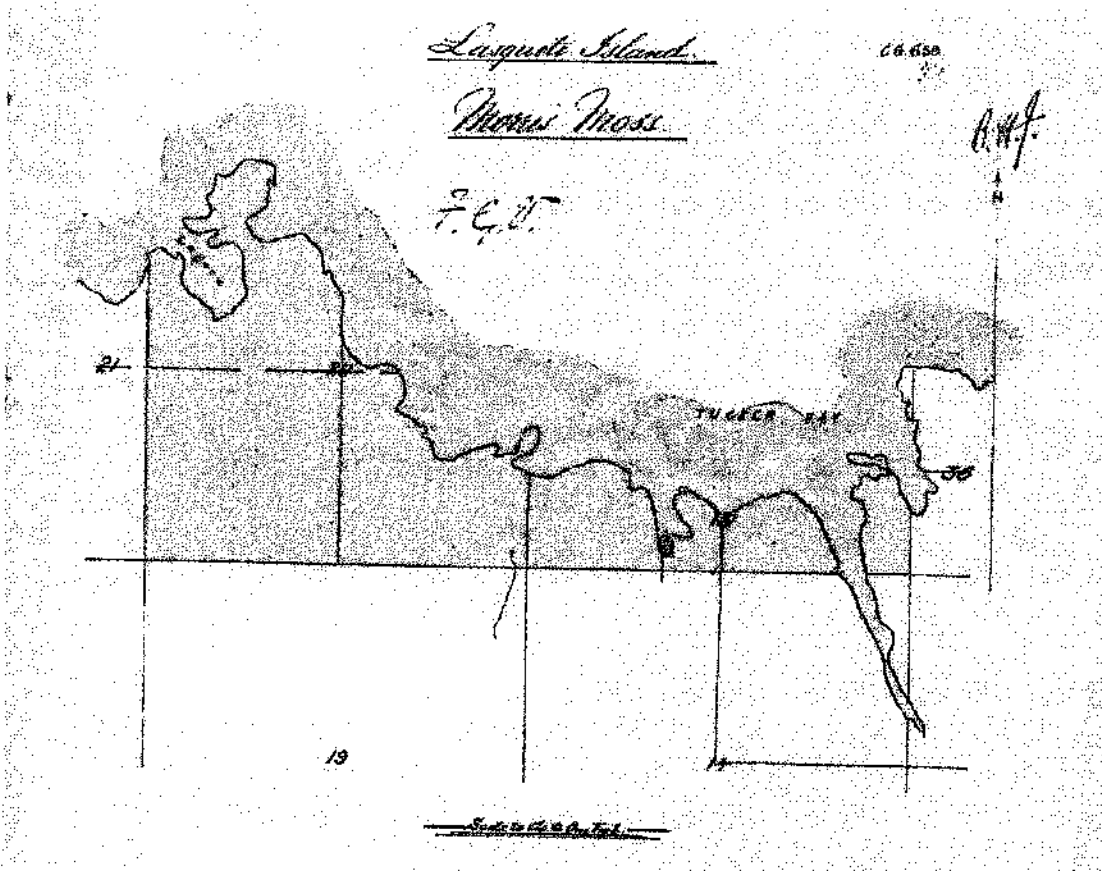


Figure 1. Sketch plan of 1889 Crown Grant of Sections 13 and 20 to Morris Moss. Tucker Bay Road is within SW $\frac{1}{4}$ Section 13.

CROWN GRANT.

Entered in District Register
and on Map.

Compared.

Province of
BRITISH COLUMBIA.

No. 658.



Lieutenant-Governor.

F. G. Vernon
Chief Commissioner of Lands and Works.

H. P. Ross
Surveyor-General.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland,
Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, Greeting:

Know YE, that WE do by these presents, for US, Our Heirs and Successors, in consideration of the
sum of Five hundred and one Dollars,
to Us paid, give and grant unto Morris Moss

his heirs and assigns, All that Parcel or Lot of Land situate in Lanquid Island, Nanaimo
District, said to contain Five hundred and one Acres,
more or less, and more particularly described on the map or plan hereto annexed and coloured red, and numbered
Sections Thirteen (13) and Twenty (20)
on the Official Plan or Survey of the said Lanquid Island, Nanaimo District
in the Province of British Columbia, to have and to hold the said Parcel or Lot of Land, and all and singular the
premises hereby granted, with their appurtenances, unto the said Morris Moss.

his heirs and assigns for ever.

PROVIDED, NEVERTHELESS, that it shall at all times be lawful for Us, Our Heirs and Successors, or
for any person or persons acting in that behalf by Us or their authority, to resume any part of the said lands which
it may be deemed necessary to resume for making roads, canals, bridges, towing-paths, or other works of public utility
or convenience; so nevertheless that the land so to be resumed, shall not exceed one-twentieth part of the whole of
the lands aforesaid, and that no such resumption shall be made of any lands on which any buildings may have been
erected, or which may be in use as gardens or otherwise for the more convenient occupation of any such buildings.

PROVIDED, also, that it shall at all times be lawful for Us, Our Heirs and Successors, or for any person
or persons acting under Us or their authority, to enter into and upon any part of the said lands, and to mine and get
thereout any GOLD or SILVER ORE which may be thereupon or thereunder situate, and to use and enjoy any
and every part of the same land, and of the easements and privileges thereto belonging, for the purpose of such mining
and getting, and every other purpose connected therewith, paying in respect of such mining, getting, and use, reasonable
compensation.

PROVIDED, also, that there shall be, and there is hereby reserved to Us, Our Heirs and Successors, a royalty
of five cents upon and in respect of each and every ton of coal raised or gotten from the lands hereby granted.

PROVIDED, also, that it shall be lawful for any person duly authorized in that behalf by Us, Our Heirs and
Successors, to take from or upon any part of the hereditaments hereby granted, as may be reasonably required for mining or agricultural
purpose in the vicinity of the said hereditaments, paying therefor a reasonable compensation to the aforesaid

Morris Moss his heirs or assigns.

PROVIDED, also, that it shall be at all times lawful for any person duly authorized in that behalf by Us,
Our Heirs and Successors, to take from or upon any part of the hereditaments hereby granted, without compensation,
any gravel, sand, stone, lime, timber, or other material which may be required in the construction, maintenance, or
repair of any roads, ferries, bridges, or other public works.

In testimony whereof, We have caused these Our Letters to be made Patent, and the
Great Seal of Our Kingdom of British Columbia to be hereunto affixed. William H. H. H.
Lieutenant-Governor
at Our Province of British Columbia and its Dependencies, at Our Government House, in Our City
of Victoria, this Second day of August, in the
year of Our Lord One thousand eight hundred and Eighty three, and in the
Eighty third year of Our Reign.
By Command.

Provincial Secretary.

Figure 2. 1889 Crown Grant of Sections 13 and 20 to Morris Moss.

135803

— LASQUETI ISLAND. —

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Page 95 of 343 TRA-2015-51148 Page 93 of 341

Form No. 1, dated April 1933

This Indenture

Made the 14th day of April in the year of our Lord one thousand nine hundred and forty-three,

In Pursuance of the "Shari-farm of Hertha Act"

Between

CHARLES WILLIAMS, Merchant, of Lasqueti Island, in the Province of British Columbia,

(hereinafter called the "Grantor")

and

CHESTER F. DOUGLAS, of Lasqueti Island, in the Province of British Columbia,

(hereinafter called the "Grantee")

Witness full Name, Address and Occupation of Grantor and of Grantee.

185803 I
Indice 18 May 13
4/8 530
21 May
1:30 pm
D. F. Douglas
per [signature]

Witnesseth, that, in consideration of the sum of Three hundred sixty-five (\$365.00) Dollars of the lawful money of Canada now paid by the said Grantee to the said Grantor (the receipt whereof is hereby by him acknowledged)

he, the said Grantor, hath Grant unto the said Grantee, his heirs and assigns FOREVER:

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Nanaimo Assessment District, in the Province of British Columbia, and known and described as that portion of the Fractional South-West Quarter (S.W. 1/4) of Section 13, Lasqueti Island, more particularly described as follows: Commencing at the South-east Corner of the said Fractional South-west One-quarter thence N88 16W along the South Boundary thereof for 13.480 chains to a point on the Easterly Boundary of the Tucker Bay Wharf Road 1.00 chain in width, thence N26 58W along said Road Boundary for 1.773 chains, thence N41 36E for 4.408 chains to a point on the high-water-line of Tucker Bay, thence in a general North-Easterly direction following the sinuosities of said high-water-line to the intersection of the East Boundary of said Fractional South-west One-

Figure 4. 1943 Indenture of land in plan 610R, SW 1/4 Section 13, from Charles Williams to Chester Douglas, pg 1.

quarter, the traverses of which is as follows: N41 55E 0.610 chains, N81 23E 2.143 chains, N13 51W 4.068 chains, N06 45E 5.084 chains, N17 14E 2.036 chains, N88 08E 4.412 chains, S54 30W 4.563 chains, S44 51E 2.115 chains, S14 25W 5.405 chains to a Witness Post for the Northeast Corner of said Fractional South-West One-quarter, thence South along the East Boundary of said Fractional South-West One-quarter for 12.866 chains, more or less to the point of commencement, and containing 19.7 acres, be the same more or less and shown outlined in red on the plan annexed hereto:

Together with all buildings, fixtures, edifices, ways, profits, privileges, rights, easements and appurtenances to the said hereditaments belonging or with the same or any part thereof, held or enjoyed, or appurtenant thereto, and the estate, right, title, interest, property, claim and demand of him, the said Grantor, in, to, or upon the said premises.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal of office, this 14th day of June, 1943.

We have and to hold unto the said Grantee, his heirs and assigns, to and for his and their sole and only use forever, subject nevertheless to the reservations, limitations, provisions and conditions expressed in the original grant thereof from the Crown.

IN WITNESS WHEREOF, the said Grantee has hereunto set his hand and seal of office, this 14th day of June, 1943.

IN WITNESS WHEREOF, the said Grantee has hereunto set his hand and seal of office, this 14th day of June, 1943.


The said Grantor covenants with the said Grantee that he has the right to convey the said lands to the said Grantee, notwithstanding any act of the said Grantor and that the said Grantee shall have quiet possession of the said lands, free from all encumbrances, save as aforesaid.

IN WITNESS WHEREOF, the said Grantee has hereunto set his hand and seal of office, this 14th day of June, 1943.

And the said Grantor covenants with the said Grantee that he will execute such further assurances of the said lands as may be required.

Figure 5. 1943 Indenture of land in plan 610R, SW 1/4 Section 13, from Charles Williams to Chester Douglas, pg 2.

No. **135803**


LAND REGISTRY ACT.
FORM A. (Section 124.)

APR 1 1943

Application for Registration of Fee-simple.

I, **DONALD STANLEY MONTGOMERY**, solemnly declare that I am the Solicitor for **CHARLES WILLIAMS**, and that he is entitled to be registered as the owner in fee-simple of the land hereunder described, and hereby make application under the provisions of the "Land Registry Act" and claim registration accordingly.

The full name, address, and occupation of the person so entitled to be registered as owner is: **Charles Williams, Laqueti Island, British Columbia, Merchant**

I am not a British subject. I am not a British subject. I am not a British subject.

I am informed by **CHARLES WILLIAMS** and verily believe, that the person so entitled to be registered as owner is a British subject.

The fee-simple is registered in Vol. **109982** of the Register.

DESCRIPTION OF LAND.

MUNICIPALITY OR ASSURANCE DISTRICT.	LOT OR SECTION.	MEASUREMENT OR AREA.
Nanaimo	That portion of the Fr. SW 1/4 of Sec. 13, Laqueti Island to which has been assigned Reference Plan No. Containing 19.7 acres more or less.	11 9/16 66 ✓

LIST OF INSTRUMENTS.

Date.	Particulars.	Character of Deed.
April 14 1943	Charles Williams to Chester F. Douglas	Certificate of Title No. 109982-I herewith Conveyance Tax Certificate herewith.

And I solemnly declare that I have investigated and ascertained the value of the said land, and that the market value thereof at the date of this application, including all buildings and improvements thereon, is **\$555.00**, and that the title deeds mentioned herein are all those in my custody, possession, or power, relating to the said land, (in the case of a Solicitor or Agent, add) and to the best of my belief there are no other title deeds in the custody, possession, or power of the owner, relating to the said land, and I am duly authorized by the above-named owner to make this application. (In the case of an Agent, add) and I reside in the Province of British Columbia, and am of the full age of twenty-one years.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act."

Declared before me this **19th** day of **April** 1943 at **Vancouver**, British Columbia.

(Signature) **Donald Stanley Montgomery**
Solicitor for **Charles Williams**
(Full Post-office address) **809 Bank of Nova Scotia Bldg.,
Two trading suites and downtown, 808 West Hastings Street,
Vancouver, B. C.**

James H. Hill
Notary Public for British Columbia

2461-1103-2072

Figure 7. 1943 Land title registration of land in plan 610R, SW 1/4 Section 13, from Charles Williams to Chester Douglas.

135803

And the said Grantor Covenants with the said Grantee that he has done ~~not~~ ^{not} to encumber the said lands.

And the said Grantor Releases to the said Grantee All His Rights upon the said lands.

Wherever the singular or masculine is used throughout this Indenture, the same shall be construed as meaning the plural or the feminine or body corporate or politic where the context or the parties hereto so require.

In Witness Whereof the said Grantor has hereunto set his hand and seal ~~parties hereto have hereunto set their hands and seals~~ on the date first above mentioned.

Signed, Sealed and Delivered
IN THE PRESENCE OF

Signature of Witness: Donald S. Langley
Street Address: 602 W. Hastings St.
City or Town: Vancouver B.C.
Occupation of Witness: Solicitor

FOR WITNESS

Province of British Columbia }
To Wit: }

I, _____ of the _____
in the Province of British Columbia,
do hereby certify and say:

1. I was personally present and did see the within instrument duly signed and executed by _____ the part _____ for the purposes, powers, intents, objects and ends therein expressed.
2. The said instrument was executed at _____ of the full age of twenty-one years.
3. I know the said part _____ and that _____ of the full age of sixteen years.
4. I was the subscribing witness to the said instrument and on the full age of sixteen years.

Sworn before me at _____
in the Province of British Columbia, this _____ day of _____ 1943.

A Notary Public in and for the Province of British Columbia
A Commissioner for taking affidavits within British Columbia.

FOR MAKER (INCLUDING MARRIED WOMEN)

I Hereby Certify that, on the _____ day of _____ 1943, at _____ in the Province of British Columbia, ~~before me and acknowledged to me that~~ ^{before me and acknowledged to me that} ~~he is~~ ^{he is} the person mentioned in the annexed instrument as the maker thereof, and whose name is subscribed thereto as party _____, that he knows the contents thereof, and that he executed the same voluntarily, and is of the full age of twenty-one years.

IN TESTIMONY whereof I have hereunto set my Hand and Seal at _____ at the City of Vancouver, in the Province of British Columbia, this _____ day of _____ 1943, in the year of our Lord one thousand nine hundred and forty-three.

A Notary Public in and for the Province of British Columbia
A Commissioner for taking affidavits within British Columbia.

Figure 6. 1943 Indenture of land in plan 610R, SW ¼ Section 13, from Charles Williams to Chester Douglas, pg 3.

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, November 28, 2014 10:24 PM
To: Tillie, Johnathan TRAN:EX
Subject: Dear Johnathan Tillie, re: Tucker Bay Road, Lasqueti Island

Dear Johnathan Tillie,

This message is in regard to the public road access at the bottom of Tucker Bay Road, Lasqueti Island, BC. We as a family have been using the public boat ramp for a decade to launch our pleasure craft weekly over the mild months and in that time have encountered many dozen people who do the same. Many fishermen use this ramp to access the mild inter-island waters of the Sabine Channel. The site is a historic site, surrounded by archaeological middens from First Nations as well as old machinery such as steam donkeys from the last hundred years. It appears the new owners are seeking to privatize this publicly maintained road and have set themselves up for confrontation with islanders. This is very unfortunate as this is a string, close knit community with a long history of accessing Tucker Bay.

Thank you very much for your time,

s.22

Moore, Suzanne TRAN:EX

From: Marnie Eggen <meggen@islandstrust.bc.ca>
Sent: Monday, February 16, 2015 9:55 AM
To: Tillie, Johnathan TRAN:EX
Subject: FW: Letter to MOTI re Tucker Bay road.doc

Hi Johnathan,

Thanks for the offer of a teleconference. I am thinking just an up to date summary (it can be brief) in an email to the Local Trust Committee would be fine. I can then take it to the next LTC meeting for their information. Having a teleconference with more than one trustee constitutes a quorum as per our legislation, which triggers the meeting to be a public meeting, which isn't possible over the phone. Give me a call if you want to discuss further.

Kind regards,

Marnie

Marnie Eggen, MCIP, RPP
Planner 2
Islands Trust, Northern Office
700 North Road
Gabriola Island, BC, V0R 1X3
Ph: (250) 247-2210 FX: (250) 247-7514

Toll free via Enquiry BC
In Vancouver 604.660.2421
Elsewhere in BC 1.800.663.7867
www.islandstrust.bc.ca

Preserving island communities, culture and environment

From: Theresa Warren
Sent: Sunday, February 15, 2015 8:42 PM
To: Marnie Eggen
Subject: Fwd: Letter to MOTI re Tucker Bay road.doc

Marnie,
Please see the below email.

Thanks,

Theresa Warren

Begin forwarded message:

From: "Tillie, Johnathan TRAN:EX" <Johnathan.Tillie@gov.bc.ca>
Date: February 15, 2015 at 7:06:56 PM PST
To: Theresa Warren <twarren@islandstrust.bc.ca>
Subject: RE: Letter to MOTI re Tucker Bay road.doc

Tucker Bay is the only reliably safe access from the outer islands (Bull, Rabbit, Boho, Jedediah, and Jervis) to Lasqueti. In winter storms it is sometimes the ONLY access. s.22

s.22 my experience tells me it would be absolute folly to close this particular public access.

Sincerely,

s.22

Moore, Suzanne TRAN:EX

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Sent: Thursday, December 11, 2014 5:35 PM
To: Tillie, Johnathan TRAN:EX
Subject: Fwd: Tucker Bay public access

Sent from my iPad

Begin forwarded message:

From: s.22
Date: December 3, 2014 at 10:01:36 PM PST
To: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Subject: Tucker Bay public access

Hello, s.22
s.22

would want to go to Jedediah Is and the most requested point of departure was Tucker Bay. It is the safest bay for southeast winds. It has always been accessible to the public. I too have a boat and launch it there often. The north end only has a private ways on the east side of Lasqueti and an almost hopeless one at Squitty Bay. So I hope Tucker Bay access stays public for all of us!

All the best, s.22



Moore, Suzanne TRAN:EX

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Sent: Thursday, December 11, 2014 5:34 PM
To: Tillie, Johnathan TRAN:EX
Subject: Fwd: public access

Sent from my iPad

Begin forwarded message:

From: s.22
Date: December 5, 2014 at 8:10:19 PM PST
To: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Subject: public access
Reply-To: s.22

Dear honorable trustee Reverend Peterson,

I am writing regarding the dismal state of our historical public water access locations. First, Tucker Bay: there is a pile of wood and debris blocking vehicle access to the beach. I regularly use this beach to launch my s.22, both for recreation and for work. s.22

s.22 . I hope access to the beach can be restored soon, since Tucker Bay is the ONLY public(?) place to launch a boat on the entire NE side of Lasqueti. In fact, False Bay is the only other place to launch a boat easily on the whole island.

Which brings me to my next point: there are fewer and fewer public water access points of any kind on Lasqueti. In many case, corrupt developers have circumvented, or outright ignored requirements to create water access points. Even more vexing are the cases where landowners have put gates across public roads to the water. Lennie road and Millicheap road both had public funds used to maintain them in the past, and that makes them highways by BC law. I watched Lennie road get graded right to Marshall's Beach sometime around 1980, usually they only graded to Lennie's Lagoon. It was not a happy event at the time, as my bicycle tires got hopelessly mired in the freshly graded sand and I was forced to walk the rest of the way to Marshall's Beach. There was no gravel on the roads around Lennie's Lagoon, and they got quite rutted and washed out, despite the very low vehicle traffic in that area. In the case of Millicheap road, there is a big turnaround area at the end that gives water access in several directions. The owners are now claiming that area and have gated it off. That area is public as well, I know because I've seen the grader grading it (as it turned around). There are many other roads to the water that have been closed off in recent years, like Mine rd, Good rd, and Grant rd, but I think Lennie road and Millicheap road are deserving of our attention because they lead to recreation areas that have been historically important, and they were clearly and frequently graded in living memory. Please do anything in your power

to bring these cases, and the Tucker Bay case to the attention of the highways department, or anyone else that might help.

your loyal constituent,
s.22

Moore, Suzanne TRAN:EX

From: Corner, Cindy L TRAN:EX
Sent: Tuesday, November 18, 2014 3:26 PM
To: Tillie, Johnathan TRAN:EX
Subject: Fwd: Tucker Bay, Lasqueti Island Access Inquiry
Attachments: ATT00001.htm; Tucker Bay Road.pdf; ATT00002.htm

Sent from my iPhone

Begin forwarded message:

From: s.22
To: "Silbernagel, Tim TRAN:EX" <Tim.Silbernagel@gov.bc.ca>, "Corner, Cindy L TRAN:EX" <Cindy.L.Corner@gov.bc.ca>
Cc: s.22
s.22
Subject: Tucker Bay, Lasqueti Island Access Inquiry

Good Afternoon Tim and Cindy: Recently a 39 acre piece of property located at the end of Tucker Bay Road, Lasqueti Island was purchased by some off island residents. After the property was purchased the new owners put up "Road Closed" signs in an effort to restrict access to the beach by local residents. Historical records show that this has been continuously used as public access for over 100 years. We asked local highways contractor Ross Thompson to investigate.

The Road Closed signs have come down, however the new owners are now trying to restrict access by saying that there is a registered archaeological site on the road and that public access must be restricted to protect this historical artifact.

I put a request into the Ministry of Forest Archaeology Branch for information on this site and then contacted the Ministry of Highways to determine if anyone in your department could assist us in learning more about this site and whether there is a need to restrict access.

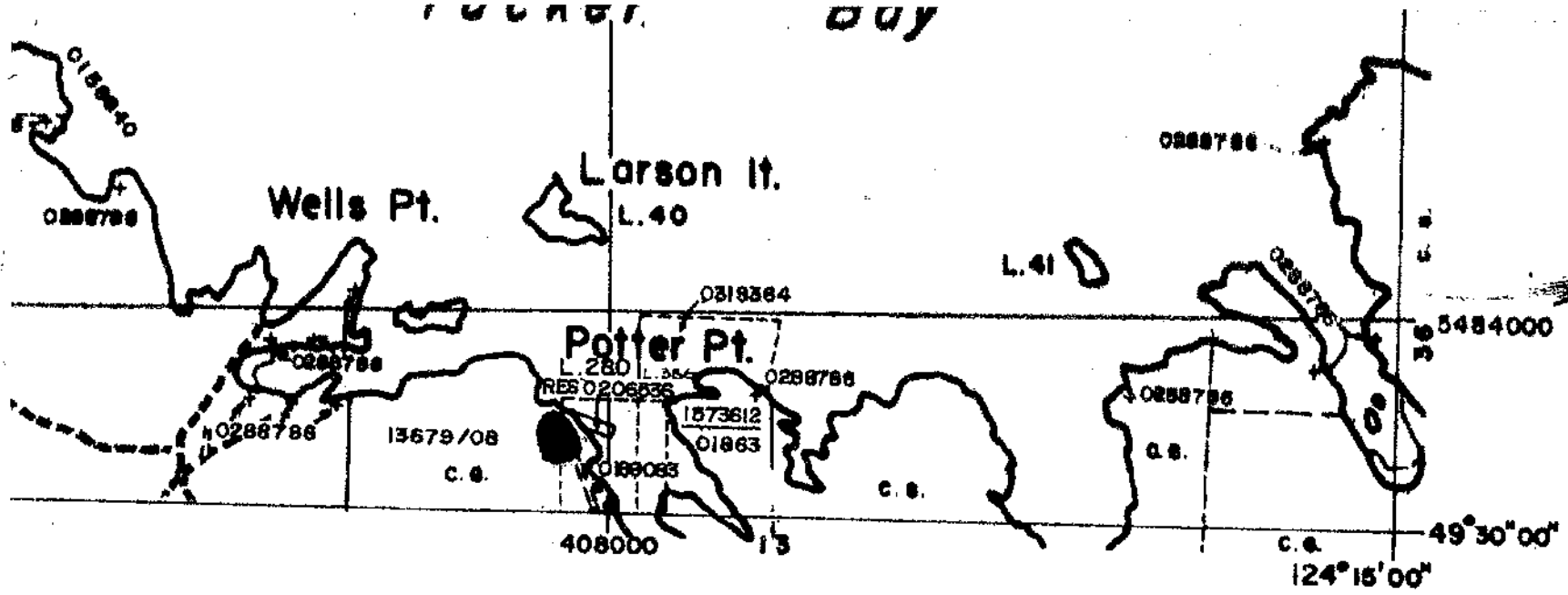
There is a beach at the end of the road that is used by residents and tourists as an access point to the marine parks in the area (Jervis and Jedediah Islands). We believe that public access should be maintained and that the new owners may be using the archaeological site as an excuse to prevent residents from using the road.

Can you please provide us with more information on this site and inform us of what the process is for protecting public access along this right of way.

Thank you.

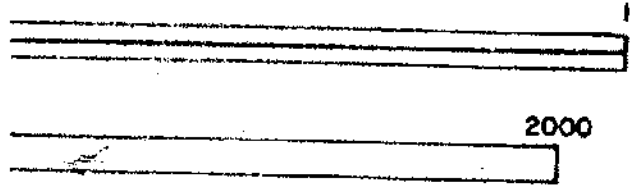
s.22

... ..



137941

120000
1475



DEPARTMENTAL REFERENCE

R 92 F / 9c

U.T.M. ZONE 10

Moore, Suzanne TRAN:EX

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Sent: Thursday, December 11, 2014 5:34 PM
To: Tillie, Johnathan TRAN:EX
Subject: Fwd: tucker bay

Sent from my iPad

Begin forwarded message:

From: s.22
Date: December 4, 2014 at 6:10:38 PM PST
To: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Subject: tucker bay
Reply-To: s.22

To whom it may concern: My name is s.22 My partner, s.22 and I have a commercial interest in the disputed public access in Tucker Bay, on Lasqueti Island. We have used that access between late march, to the beginning of july to bring in between s.22 Not having access there would make the task a heck of a lot more difficult. Not to mention that if we had to boat all the way around Lasqueti, it would become less economically viable. I drove down the road today (monday) to have a look, saw the no access signs, which looked to me to be placed in such a manner as to discourage any further travel down the road, and found an excavator blocking the end of the road. There were two blue lines painted across the road, about ten feet apart. What do they mean? We have recently purchased a boat (we were borrowing before) to continue s.22 and s.22 into tucker bay. To be able to access there, from Heron Bay, really is our only logical option. Thank you for your time, s.22

Moore, Suzanne TRAN:EX

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Sent: Thursday, December 11, 2014 5:33 PM
To: Tillie, Johnathan TRAN:EX
Subject: Fwd: Tucker bay
Attachments: Tucker Bay Letters.docx; ATT00001.htm

Sent from my iPad

Begin forwarded message:

From: s.22
Date: December 6, 2014 at 8:05:27 AM PST
To: 's.22
Cc: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Subject: Tucker bay

I am very much concerned about the issue of our public spaces, the commons, on Lasqueti,
s.22

s.22 I would like to be
involved in this issue of the Tucker Bay Access. I believe we need to put pressure on the
Ministry of Transportation from above! I believe that we should create an ad hoc committee who
will approach lawyers for help. This could begin just by having a local lawyer, s.22
call the ministry and talk about legal action.
s.22

Tucker Bay Letters

To roads Mr. Tillie Dec. 6th 2014

Mr. Tillie;

The Lasqueti Internet Access Society (LIAS), is a non profit volunteer run Internet Provider(ISP) on lasqueti Island. This is a service that Islanders have created for the benefit of the community. One of our key access points in the system is at Cook Bay on Texada Island. Our access point to get to that Internet access point, in order to keep the network running (especially the winter months), is via the Tucker Bay access. We are now blocked from that access, we need to go to our site to check on and charge the batteries but we are blocked from doing that by the current actions of the Tucker Bay land owners. They have informed the community that you have told them that blocking access is within their rights. We need to know if this is the case. If it is, we will have to look at what actions we can now take to maintain internet access here on lasqueti.

William Clark

Director

Lasqueti Internet Access Society (LIAS)

To network BC and our MP

Michelle.Stilwell.MLA@leg.bc.ca. Dec. 6th 2014

There is a land access dispute on Lasqueti Island, at the Tucker Bay Road water Access, which is hampering our ability to maintain our public internet here. We use a historical water access off of this public road to get to our solar run internet access points which we must get to from the water. The Ministry of Transportation is dragging its feet on this issue. They are allowing the land owners to block the public access. Meanwhile, we can not get to our sites to check and charge the batteries, which is crucial this time of year. I was wondering if you could communicate with someone who can talk to the Ministry of Transportation so that the water Access at Tucker Bay Road on lasqueti Island can remain open while the dispute is being addressed.

William Clark

Director

Lasqueti Internet Access Society (LIAS)

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Withheld pursuant to/removed as

s.22

Moore, Suzanne TRAN:EX

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Sent: Thursday, December 11, 2014 5:33 PM
To: Tillie, Johnathan TRAN:EX
Subject: Fwd: Tucker Bay
Attachments: Tucker Bay.docx; ATT00001.htm

Sent from my iPad

Begin forwarded message:

From: s.22
Date: December 6, 2014 at 10:55:02 AM PST
To: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Subject: Tucker Bay

Hi Tim . Congratulations on Your new status as our elected representative. Here is my letter to MoTI . I have also mailed a handwritten note but haven't sent him the email as I am sending it with you. Pls let me know if there's any problem. Thanks. s.22

Jonathan Tillie

Operations Mgr

Central Island Area

Vancouver Island District

MoTI

Dec 6 2014

Mr Tillie ,

As a long – time resident of Lasqueti Island ^{s.22} , I am writing to add my voice to those alarmed by the possibility of losing our unique and historically important public access to the waters of the Sabine Channel at Tucker Bay.

With my children , friends , visitors , as well as community groups and school groups , I have made extensive and continuous use of what I have always believed to be a public right - of - way , for recreational , educational , and therapeutic purposes over the last ^{s.2} years ; as follows:

Beach access for swimming : Tucker Bay is the only public beach access within easy walking distance of our community hall , which makes it a safe and environmentally sound alternative to driving to other beaches for a refreshing swim during summer events at the hall , thus keeping us saner , our air cleaner , our roads safer.

As a safe and convenient spot from which to launch a kayak or small boat , to meet with other kayakers , or to be picked up/ dropped off by boat for the purpose of exploring the nearby coastline and surrounding islands.

As a safe refuge when out kayaking in inclement weather. I have often left my kayak at Tucker bay when weather conditions made it unwise to paddle further.

As a safe and accessible spot from which to enjoy and share the natural beauty , marine and intertidal life of the Sabine channel.

Mr Tillie , There is no other convenient public beach access remaining on the north side of the island. Securing and maintaining our legal access at this location will be of great benefit to our community and its visitors for generations to come.

Thank you so much for your attention to this issue.

s.22

Johnathan Tillie

Operations Manager, Central Vancouver Island

**Ministry of
Transportation and
Infrastructure**

**Highways
Department**

direct line: 250-751-3287

mobile: 250-802-4198

fax: 250-751-3288

Johnathan.Tillie@gov.bc.ca



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Withheld pursuant to/removed as

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, December 10, 2014 10:00 AM
To: Tillie, Johnathan TRAN:EX
Subject: re: Access road in Tucker Bay Lasqueti Island

Lasqueti is an island, and safe and easy access to the water is essential for all islanders. There are precious few places on "the Rock" that provide easy water access to the road backed by a protective harbour. This public access has been in use for over a hundred years, and has been maintained by the public purse. Removal of the public access at Tucker Bay threatens the livelihood of numerous islanders by making it much harder to service shellfish leases and the unloading of building materials, household goods, etc. It also threatens safety by eliminating one of the few protected places to moor and unload in a gale.

And what about the future? Right now we have a cushy ferry subsidy running into the hundreds of thousands of dollars. What would happen if that were reduced or even ended? After all we have only had a Lasqueti ferry since the early 60s. Small boats would be the only way to get ourselves and our stuff here, and we will need more access not less. I feel that privatizing the Tucker Bay access would be a major loss for the island.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, January 26, 2015 5:30 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: draft email to Lasqueti community

I have sent the submission to Our Isle & Times with the changes that you indicated. I'm not sure yet whether the editor will be able to fit it in, as the official deadline was midnight last night. I will send it to the Lasqueti email list tomorrow, if it does not get into the Isle & Times, or next Monday (when the paper is delivered to households on Lasqueti) if it does get in.

Thanks very much. I'll be sending you an email in a day or two, listing the Section 42 roads on the major roads (Weldon and Main), and perhaps on some of the side roads. I'm a bit worried, seeing the inconvenience that these owners have been able to cause, that transportation on Lasqueti might be easy to disrupt because of Section 42 roads.

s.22

On 26/01/2015 11:05 AM, Tillie, Johnathan TRAN:EX wrote:

s.22

Thanks for sending me the draft. I have made a few changes below in red. Feel free to call me if you have any questions. (250) 751-3287. Thanks for giving me the opportunity to comment.

DRAFT

I have had some email and telephone conversations with Johnathan Tillie, the Operations Manager at Ministry of Highways and Infrastructure in Nanaimo. This is what I understand about the Tucker Bay Road access

situation:

Clearly the roadway has been used by the public for about one hundred years to access the water at Tucker Bay. Government money and effort has gone into the (construction and) maintenance of the road. On the other hand, the property owners hold title to the property and have been paying taxes on the property.

Mr. Tillie and the ministry are working to restore public access to Tucker Bay. They are holding discussions with the new owners, and are attempting to come to a negotiated agreement. The government works with landowners and the community to try to come up with a solution that works for all parties. ~~and most landowners, much prefer negotiated agreements to expropriation or a court-imposed decision about the issues.~~ Mr. Tillie expects that the process might take months, rather than weeks or years.

~~He will ask the new owners if they will move the excavator and slash pile that is obstructing access to the water.~~

Johnathan Tillie

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, January 23, 2015 11:09 AM
To: Tillie, Johnathan TRAN:EX
Subject: Re: my email query sent to you Sunday

Hello Johnathan,

I am home all day, and expect to spend most of the time indoors, as it is raining and wet outside. If I happen not to be in the house when you call, please phone back a bit later. My phone number is
s.22

On 22/01/2015 8:54 PM, Tillie, Johnathan TRAN:EX wrote:
s.22

>
> Sorry for the delay. I just got back to work this week and am still going through my Inbox. Are you available tomorrow afternoon for a discussion? Just let me know the best number to reach you at or call me on my office line at 250-751-3287.
>
> Thank you for your patience,
>
> Johnathan
>
> Sent from my iPhone
>
> On Jan 22, 2015, at 8:19 PM, s.22 wrote:
>
> Hello Johnathan and Tim,
>
> I am still hoping to receive a response to the email I sent you Sunday, asking what we can expect to happen, and when, about the now-closed public road to Tucker Bay on Lasqueti.
>
> I plan to post my email to you on the Lasqueti web site, to let people here know that we are not getting any answer to our questions. I will probably do this over the weekend, and inform people of it via the Lasqueti email list on Monday morning.
>
> In case you somehow missed it, this is the email I sent:
>
DUPLICATE

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, January 22, 2015 5:17 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: s.22

Hi Johnathan, I am in Powell River tomorrow, but could talk to you after 1 when I will be done with formal meetings. My cell # is s.22 Looking forward to touching bases then, Cheers Merrick

On Thu, Jan 22, 2015 at 4:31 PM, Tillie, Johnathan TRAN:EX <Johnathan.Tillie@gov.bc.ca> wrote:

Merrick,

Thank you for your email and I appreciate the feedback. Sorry for the delay in getting back to you.

Are you available tomorrow afternoon to touch base?

Thanks,

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

Ministry of Transportation and Infrastructure	direct line: <u>250-751-3287</u>
	mobile: <u>250-802-4198</u>
	fax: <u>250-751-3288</u>
Highways Department	<u>Johnathan.Tillie@gov.bc.ca</u>



From: s.22
Sent: Tuesday, December 30, 2014 11:19 AM
To: Silbernagel, Tim TRAN:EX; Tillie, Johnathan TRAN:EX; Stilwell.MLA, Michelle LASS:EX
Subject: s.22

Good morning, I'm forwarding this recent photo to show that s.22 is continuing to block this public road on Lasqueti Island, blocking access to the safe turn around at the coast. This has been allowed to continue for far too long. There are many sections of the Main Road here that are still Section 40 roads...what would the MOTI's response be if excavators were parked across these sections? Anxiously awaiting some action on this file, on behalf of my constituents, Merrick Anderson Regional Director.

----- Forwarded message -----

From: s.22

Date: Fri, Dec 26, 2014 at 7:28 PM

Subject: s.22

To: s.22

Hello Merrick,

s.22 asked me to pass this on to you. Best wishes, s.22



Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, November 26, 2014 7:40 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Privatizing Tucker Bay Access

Hi Johnathan,

don't mean to contribute to a flood of mail to your inbox on this issue, but do want to ensure you have sufficient responses from concerned community members, and I'll bet there are a lot of them.

We have used the unofficial boat ramp at Tucker Bay several times a year since 2007.

The ramp and the landing have historical significance on Lasqueti, since this is the original port-of-call for the old steamship line.

s.22
At that time we were told, in very clear terms, that the road access was public, and there would continue to be public access to the waterfront and the boat ramp. I think the eventual purchase price reflects this reality, however, if the new owners were not informed of this public access across their property, I would think the previous owners and perhaps the real estate agent need to answer that.

There are very very few public access points to the ocean on Lasqueti. Around the mid-island, Tucker Bay is really the only one. A closure of this access point would mean cutting off access to the public to the entire foreshore around the mid-island. The ramp, although I'm not sure it was ever legitimized, has been in continuous use for as far back as anyone here can recall. It is the only public place to launch a boat - even a canoe or a car-topper, between the public ramp at False Bay and the public dock at Squitty Bay - both at opposite ends of the island.

All of this to make one central point - the public waterfront access at Tucker Bay has a long history of on-going and frequent public use, and represents a unique public asset for those living around mid-island. Thus, the signs that have been erected on the public road to Tucker Bay are inappropriate.

Thank you for taking time to look into this - it will be an issue of great concern in the community as word gets out. My condolences that it landed on your desk ;-)

best wishes...

s.22

Moore, Suzanne TRAN:EX

From: Silbernagel, Tim TRAN:EX
Sent: Tuesday, December 23, 2014 1:23 PM
To: s.22
Cc: Tillie, Johnathan TRAN:EX
Subject: RE: questions regarding the Tucker Bay suggested alternate water access

Good afternoon^{s.22} No, the Ministry is not pursuing public access to Tucker Bay via an alternate route after discussions^{s.22} It is unclear who placed the flagging but it was not the Ministry of Transportation nor any representative of the Ministry to my knowledge.

Tim Silbernagel
Development Approvals Technician
Ministry of Transportation and Infrastructure Vancouver Island District Office 3rd Floor - 2100 Labieux Road, Nanaimo V9T 6E9
(250) 751-3253 / cell (250) 713-4316
fax (250) 751-3289

-----Original Message-----

From: s.22
Sent: Monday, December 22, 2014 12:41 PM
To: Silbernagel, Tim TRAN:EX
Cc: Tillie, Johnathan TRAN:EX
Subject: questions regarding the Tucker Bay suggested alternate water access

Dear Mr. Silbernagel,

Within the last week, someone has placed flagging tape^{s.22} down an old, steep skid road that heads down the side of the ravine above Deane Creek into the estuary.

Has there been further discussions regarding the potential to use this old skid road as a public access to Tucker Bay? Did someone from MoTI come to Lasqueti and flag it?

s.22

Included with this e-mail are some pictures of this taped area and the tape used.

Happy Holidays.

Sincerely,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 23, 2014 2:56 PM
To: Silbernagel, Tim TRAN:EX
Cc: Tillie, Johnathan TRAN:EX
Subject: Re: questions regarding the Tucker Bay suggested alternate water access

Thank you, Tim.

I didn't think it was the Ministry, but I just wanted to be sure.

Have a great Christmas.

s.22

DUPLICATE

Moore, Suzanne TRAN:EX

From: Silbernagel, Tim TRAN:EX
Sent: Tuesday, November 18, 2014 3:43 PM
To: s.22
Cc: Tillie, Johnathan TRAN:EX
Subject: RE: Road Register document

Good afternoon s.22 Thanks for the detailed overview. Would you be available for a conference call tomorrow to discuss?

I have a meeting from 9 to 10ish so any time after that works.

Tim Silbernagel
Development Approvals Technician
Ministry of Transportation and Infrastructure
Vancouver Island District Office
3rd Floor - 2100 Labieux Road, Nanaimo V9T 6E9
(250) 751-3253 / cell (250) 713-4316
fax (250) 751-3289

From: s.22
Sent: Monday, November 17, 2014 5:01 PM
To: Silbernagel, Tim TRAN:EX
Subject: RE: Road Register document

Good Afternoon Tim,

I spoke with you a while back regarding Tucker Bay rd. on Lasqueti Island. s.22
s.22

As advised by you, I have attempted to contact Ross Thompson but he has not yet returned any of my calls. Ross had raised concerns s.22 by way of a note regarding no trespassing signs. The note said said "Please be advised that Tucker Bay Rd is a public road" s.22

s.22
s.22 looked up Ross's private number and did speak with Ross Thompson by telephone regarding the matter on the evening of Friday Nov 14.

Ross had initially also told s.22 by telephone that he was maintaining the road to provide public access to the water. He also said during the conversation that in doing so he was only going along with guidelines set forth in the islands trust community plan to "provide the local public access to the waterfront". This statement from Ross is most likely similar to what Ross had told you s.22 it appears they grade to the high water mark.

s.22 Ross Thompson of archaeological midden sites registered to the property within the area of the turn around and high water mark at the boat ramp located on the property, Ross denied ever grading to or near any high water marks, as there were setbacks and regulations regarding doing such a thing. Ross then stated he maintained a straight road which went straight in and straight out. Ross said his maintenance ended before the area which opens up to somewhat of a back and forth 10 point style turn around for his grader, what used to be the front yard of the brown house as specified on the road register you have already provided to me. Ross stated that during turning around down there from time to time his blade may have

bumped the ground but he definitely did not ever maintain the turn around. s.22 photos to prove and somewhat confirm this statement is true as any evidence of grader maintenance ends at the point where the road opens up to what could be used as a turn around and also a boat ramp area at the brown house.

I have been in contact with Land titles and Islands Trust and they have also confirmed that there is no public foreshore access s.22 The Land Titles Office mapping, Islands Trust mapping and also A.I.R. mapping all show Tucker Bay Rd. going down into the property located to the east and across the bay. This property located across the bay also falls under the description of the south west quarter of section 13 (ref to PID# 008-182-566). After discussing with several different people and referencing books regarding history of Lasqueti Island we have determined that PID# 008-182-566 could very well have been the location of at least one of the original Tucker Bay Wharf's, but as of yet we have no exact confirmation or evidence of this one way or the other. Apparently there were two separate wharf's located in Tucker Bay - one Wharf was removed back in 1931 and the other removed in 1956.

Apparently the property in the south west quarter of section 13 was one piece until subdivided on or around December 1939. In doing so it is our belief that Tucker Bay Rd was branched off to provide access to the parcel known as PID# 011-751-304 s.22 I have a map from the land titles vault in Victoria showing Tucker Bay Wharf Rd extending a distance of approximately 4 chains s.22 the survey pins and have confirmed that around this distance of 4 chains is the approximate location of where the ditching stops and is also the location of the last culvert on the Government maintained road.

If you were to view the site in person, you would see that from the point of the last culvert on, it is quite obvious the road narrows significantly and has been made around and in between trees and stumps and over bumps and rocky humps, not consistent with that of anything ever being maintained as a public road. It is simply more of a driveway to provide access to the old brown house.

Today I spoke with Oliver from Emcon Services in Parksville to see if he could get in touch with Ross Thompson for me and arrange a meeting to determine the end of maintenance point. Oliver informed me that Ross had already contacted him first thing this morning regarding this matter. Oliver also stated that he had found definitions in the road maintenance contract to maintain Tucker Bay Rd to a brown house and the distance of Tucker Bay Rd. noted on file was 840 meters.

s.22

s.22 strongly suggests the end of government road be properly defined in the road register to end well before the brown house. In our opinion the 4-chain measurement specified on the map from land titles dated December 15th 1939 would be a suitable and satisfactory location to specify end of road maintenance, at the last culvert and end of ditching on the road register.

If needed, I can provide copies of any maps and documentation to support matters referred to in this email.

Thank You,

From: Tim.Silbernagel@gov.bc.ca

To: s.22

Subject: Road Register document

Date: Wed, 15 Oct 2014 17:03:01 +0000

Good morning^{s.22}. Here is a copy of the road register for Tucker Bay Road. I advise you to contact Ross Thompson at EMCON to determine the extent of their maintenance. It appears they grade right to the high water mark. Once the maintained road is determined you will have to locate the public road to see if it is within the private property boundaries.

Ross is at 333-8680, pager 954-6398

Tim Silbernagel

Development Approvals Technician

Ministry of Transportation and Infrastructure

Vancouver Island District Office

3rd Floor - 2100 Labieux Road, Nanaimo V9T 6R9

(250) 751-3253 / cell (250) 713-4316

fax (250) 751-3289

From: Silbernagel, Tim TRAN:EX [<mailto:Tim.Silbernagel@gov.bc.ca>]

Sent: Wednesday, October 15, 2014 9:56 AM

To: Silbernagel, Tim TRAN:EX

Subject: Scan From

Moore, Suzanne TRAN:EX

From: William clark s.22
Sent: Thursday, December 18, 2014 3:46 PM
To: s.22
Cc: directors lias; Tillie, Johnathan TRAN:EX
Subject: Re: tucker bay access

Thank you for your response. We will work to a solution. Lets hope we don't have four days of no sun. Ours is not a situation for lawyers, we are a small community of people who help each other. Ours is volunteer society who provided internet access to Lasqueti and the surrounding islands, we are just trying to do the "good". We do not have lawyers to advise on such matters. Season Greetings to you and yours.

*Willy
Director
Lasqueti Internet Access Society (LIAS)*

s.22

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Withheld pursuant to/removed as

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, December 12, 2014 10:01 PM
To: Tillie, Johnathan TRAN:EX
Subject: RE: Tucker Bay Access

Hello Jonathan

Thanks for replying to my email.

s.22

I have used Tucker Bay in a MAYDAY situation^{s.22} was stuck out in the Sabine after dark, afloat with no power.
We rescued her by parking our trucks at Tucker , shining headlights out to sea, and rowing out to bring her safely in.
If a similar peril occurred today , it would be a lot more traumatic - as things stand at present with no vehicle access to the beach.
There is not much else between Scotty Bay and Squitty Bay for mariners in trouble.

Tucker Bay is a key and historical access - in continuous public use until this high-handed decision to block it.

This how things look from where I stand

s.22

From: Johnathan.Tillie@gov.bc.ca
To: s.22
Subject: RE: Tucker Bay Access
Date: Fri, 12 Dec 2014 22:37:21 +0000

Thank you for your email. I understand your concerns and appreciate the feedback. Do you use the access year round or just during the summer months?

If you have any questions I can be reached at Johnathan.Tillie@gov.bc.ca or (250) 751-3287.

Thank you for taking the time to write.

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

Ministry of

Transportation

and

Infrastructure

Highways

Department

direct line: 250-751-3287

mobile: 250-802-4198

fax: 250-751-3288

Johnathan.Tillie@gov.bc.ca



From: s.22

Sent: Tuesday, December 2, 2014 12:10 PM

To: Tillie, Johnathan TRAN:EX

Subject: Tucker Bay Access

Dear Jonathan Tillie

s.22

It is one of the few safe anchorages and one of the few public access locations on Lasqueti Island.

Please ensure that the Tucker Bay access remains available to the public.

sincerely

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Sunday, January 25, 2015 9:48 PM
To: Tillie, Johnathan TRAN:EX
Subject: RE: Tucker Bay Access is Essential to Our Community Safety

Thank you Johnathan: s.22

I was at Tucker Bay today using the access to get to the ferry. The excavator is still blocking the boat ramp, there is still a pile of "strategically placed" branches piled at the top of the ramp, and a cement mixer has been parked "strategically" to make it difficult for anyone to turn around.

Why not ask the owners to restore public access as it was previously until the matter is settled. This would go a long way to improving relations and to helping heal the hard feelings that the new owners have incited in the islanders.

They can only survive here if they are welcomed by the community. Whatever they can do to make amends will be gratefully acknowledged.

It is time to open and secure the community's access to the water at Tucker Bay.

The head of the bay is too shallow and muddy for us to get our boats in. We need the boat ramp that is there.

I look forward to some positive action that benefits our community and to timely updates on progress with this file.

On Jan 25, 2015 5:42 PM, "Tillie, Johnathan TRAN:EX" <Johnathan.Tillie@gov.bc.ca> wrote:

s.22

Thank you for your email. I apologize for the delay in getting back to you s.22

We understand the importance of this issue to the local community and we are currently in discussions with the property owner to work towards a resolution.

If you have any further questions I can be reached at my office at (250) 751-3287.

Thanks,

Johnathan

From: s.22
Sent: Friday, January 9, 2015 1:21 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Access is Essential to Our Community Safety

Good Afternoon Johnathan:

We are wondering if you have any updates on the community access required at Tucker Bay.

Please email to let us know how your department is proceeding with this issue.

Thank you.

s.22

On Wed, Dec 10, 2014 at 8:38 AM, s.22

Good Morning Johnathan: The storm was so severe s.22 to attend last night's community meeting.

Tucker Bay boat ramp is our essential link to Lasqueti Island, we use it weekly to travel to town for medical, dental, social and business appointments.

I am s.22 and feel that losing this access would endanger my health and s.22

s.22 is proposing to trade an inferior access that would require us hiking across a mud flat (inaccessible at low tide) for an access that our community has used for almost 100 years.

Please let us know what must be done to expropriate this property.

There is no reason s.22 to fear vandalism. Dozens of people have been down to view the blocked access and all of us have been respectful s.22

It is time for our government to act for the good of the community.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, January 09, 2015 1:21 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Access is Essential to Our Community Safety

Good Afternoon Johnathan:

We are wondering if you have any updates on the community access required at Tucker Bay.

Please email to let us know how your department is proceeding with this issue.

Thank you.

s.22

DUPLICATE

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, January 29, 2015 3:31 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Access is Essential to Our Community Safety

Hello Johnathan: Did you hear the interview with Karl Darwin on Oceanside Radio today. This access is very important to our community. I do hope that we get it opened up soon.

DUPLICATE

Moore, Suzanne TRAN:EX

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Sent: Thursday, December 11, 2014 5:32 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Access on Lasqueti Island

Sent from my iPad

> On Dec 11, 2014, at 5:25 PM, Timothy Peterson <tpeterson@islandstrust.bc.ca> wrote:

>

> Hello Mr. Tille,

> I am Tim Peterson, newly elected Islands Trustee for Lasqueti Island.

> As I am sure you are aware, many of my constituents are very concerned about maintaining public access on the Tucker Bay site. I know my colleague Mr. Anderson, Regional Director for Lasqueti spoke with you this week, and s.22 brought evidence concerning the use of public funds for maintenance of this area, as well as use by the public over the years.

> I have been asked to forward emails from my constituents to you on this issue, which I will be doing, as well as mailing some which were provided in hard copy.

> I'm sure you have been receiving plenty of mail on this, and apologize for loading up your inbox with more, but the public is very upset about this issue, and we are all hoping for a ruling which will uphold the rights of the public.

> Please feel free to contact me regarding this, or any other issues regarding Lasqueti Island.

> Thank you for your time,

> Tim Peterson

s.22

.

>

>

>

> Sent from my iPad

Moore, Suzanne TRAN:EX

From: Silbernagel, Tim TRAN:EX
Sent: Tuesday, December 23, 2014 9:44 AM
To: 'Merrick Anderson'
Cc: Tillie, Johnathan TRAN:EX
Subject: RE: Tucker Bay Access

Good morning Merrick. As you are aware the Ministry of Transportation and Infrastructure is in negotiation with the new owners of this property in attempt to secure the historically documented public access. However, until a resolution has been achieved, the Ministry does not have legal jurisdiction to direct the property owners in their activities.

Johnathan has been consulting with legal counsel s.22

As you can imagine a complicated

and controversial issue such as this can take time to resolve. Your patience is appreciated.

Tim Silbernagel

Development Approvals Technician
Ministry of Transportation and Infrastructure
Vancouver Island District Office
3rd Floor - 2100 Labieux Road, Nanaimo V9T 6E9
(250) 751-3253 / cell (250) 713-4316
fax (250) 751-3289

From: s.22

Sent: Monday, December 22, 2014 9:18 AM

To: Silbernagel, Tim TRAN:EX; Tillie, Johnathan TRAN:EX; Molony, Anne TRAN:EX; Stilwell.MLA, Michelle LASS:EX; s.22

s.22 Peter Johnston

Subject: Tucker Bay Access

Hello MOTI management, s.22

so I am sending this to all the e-

addresses I have hoping for action. The new owners at Tucker Bay persist in blocking the public road with an excavator, and are building a burn pile full of old nail laden lumber on the right of way. If this is allowed to continue the public access will be seeded with tire puncturing debris. Can you not compel s.22

s.22 to remove the road block and cease and desist their alienating activities on the public road until this issue has been resolved? I appeal to you as the Provincial agency with the responsibility to maintain the public roads to act to re-open this road that has been blocked for over a month.

Please act to impress these new property owners that they are trespassing on public property! Sincerely, Merrick Anderson Regional Director Area E PRRD

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 8:18 AM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Lasqueti Is.

On Thu, Nov 27, 2014 at 8:10 AM, s.22

wrote:

Dear Jonathan, I have lived on Lasqueti s.22 and have been involved in many of the Park acquisitions including Jedediah Island. s.22

s.22 We have enjoyed Tucker Bay as a boat and kayak launch, and also as a 'getaway' when we're involved in day long events at the community hall. We are very concerned that the new land owners have been given the impression that the road would be closed or made unavailable to the public. Many school field trips have been to this site to talk about the old days of Lasqueti and the B.C. steamship coning in there as a lifeline. I encourage you to support public access to this site for our future generations. Thank you, s.22

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, February 16, 2015 2:41 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay public water access blocked on Lasqueti Island

Hello Johnathan,

Thank you very much for your kind message.

Good luck with the discussions. What kind of a person would try to hijack a public beach access ? It will be a relief when the access to Tucker Bay is officially restored, hopefully before the summer starts.

s.22

On 2015-02-15, at 7:10 PM, Tillie, Johnathan TRAN:EX wrote:

s.22

Thank you for your email and I apologize for the delay in getting back to you. I appreciate your concern and I want to assure you that the Ministry of Transportation & Infrastructure understands the importance of the Tucker Bay Road access.

We are in discussions with the property owner to try to reach a resolution.

Thank you for taking the time to write.

Johnathan

Johnathan Tillie
Operations Manager
Ministry of Transportation & Infrastructure
(250) 751-3287

-----Original Message-----

From: s.22
Sent: Friday, December 19, 2014 9:33 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay public water access blocked on Lasqueti Island

Hello M. Tillie,

Our family has a property on Lasqueti Island, s.22 Tucker Bay Road.
My wife and I have used Tucker Bay Road to access to the water and have neighbours who use it regularly through the summer.

On Saturday December 13th, we saw the access blocked by a pile of brush and an excavator being operated in its vicinity.

One of the new owners s.22 s.22 , was present and spoke to us through a younger man who was standing closer to the shore line (we were on a canoe). We were told that there was no public access where the pile of brush was laid and that this particular area was private property. We were also asked what we would think of a public access being created in another area. We answered that since there already is a public water access at the end of Tucker Bay road, another one is not needed.

We appeal to you to have the road unblocked and the public water access restored.

Thank you in advance,

s.22

Moore, Suzanne TRAN:EX

From: Silbernagel, Tim TRAN:EX
Sent: Tuesday, December 02, 2014 9:56 AM
To: s.22
Cc: Tillie, Johnathan TRAN:EX
Subject: RE: Tucker Bay Rd.

Thanks for the emails s.22 . We have reviewed our files and information submitted and would like to discuss. Are you available for a conference call this Friday December 5 at 10:00?
Please confirm.

Tim Silbernagel
Development Approvals Technician
Ministry of Transportation and Infrastructure
Vancouver Island District Office
3rd Floor - 2100 Labieux Road, Nanaimo V9T 6E9
(250) 751-3253 / cell (250) 713-4316
fax (250) 751-3289

From: s.22
Sent: Tuesday, November 25, 2014 12:11 PM
To: Silbernagel, Tim TRAN:EX
Subject: Tucker Bay Rd.

Good Morning Tim,

I have taken some time this morning to draw a rough sketch of the area and have physically gone over to Lasqueti to properly measure distances as well as document and photograph the site. I have highlighted the area of Archaeological site Djsb-17 in red. It is quite obvious to find its location by looking at the ground, in doing so I took a meter wheel and measured the area of the obvious spot where midden material is present and its size was as described in the archaeological review s.22 . In addition the site is located between rocks and seems to only measure out one way which is where the midden material is present in the soil.

I have also taken several photographs to document the area's disturbance, ranging from ruts and holes in the boat ramp area from vehicles getting stuck, to broken white shell/bone type midden material in the road material as well as the marks/cut along side from grading the road. There is also evidence of digging s.22 s.22 off of the travel portion of the road in the same area for what looks to be to provide material for road base, as well the grade or height of the road looks to have been more recently changed to provide a level surface for travel.

On this sketch I have measured a distance of 60m. this distance is to the "safe point" from the brown house up the road to the area before midden material is present.

I have also noted the distance from the Brown House to the end of ditch and last culvert to be 240m.

I have measured the two distances mentioned above by meter wheel and these are fairly accurate, however the sketch I have done on the map is not to scale.

If you have any questions regarding this sketch please feel free to ask.

Thank You

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, December 12, 2014 8:24 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: tucker bay right of way

Hi Johnathan, thanks for getting back to me. s.22
s.22

s.22 From what I understand of a section 42 road is a: it needs to be used by the public and b: it has to be maintained by public funds. Well, I have lived here since I was two years old s.22 and that has ALWAYS for as long as I can remember, been a boat launch, and the road has been maintained all the way to the launch, including the turn around. That would be case closed, wouldn't it? What's the point of rules and regs, if we don't follow them?
s.22

Sent from my iPhone

On Dec 12, 2014, at 2:35 PM, "Tillie, Johnathan TRAN:EX" <Johnathan.Tillie@gov.bc.ca> wrote:

s.22

Thank you for your email. Do you use the access during the winter months as well for your
s.22

If you have any questions I can be reached at Johnathan.Tillie@gov.bc.ca or (250) 751-3287.

Thank you for taking the time to write.

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

**Ministry of
Transportation
and
Infrastructure
Highways
Department**

direct line: 250-751-3287
mobile: 250-802-4198
fax: 250-751-3288
Johnathan.Tillie@gov.bc.ca

From: s.22

Sent: Tuesday, December 2, 2014 7:49 AM

To: Tillie, Johnathan TRAN:EX

Subject: tucker bay right of way

To Johnathan Tillie,

Operations Manager, Central Island Area, Vancouver Island District, Ministry of Transportation and Infrastructure

s.22

s.22

I drove down today (monday) to have a look, saw the signs, which looked to me to be placed in such a manner as to discourage any further travel down the road, and found an excavator blocking the end of the road. There were two blue

lines painted across the road, about ten feet apart. What do they mean? s.22
s.22

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Withheld pursuant to/removed as

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, January 21, 2015 12:59 PM
To: Silbernagel, Tim TRAN:EX
Cc: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Road, Lasqueti: evidence document

Good afternoon Tim,

Thank you for the reply. I am glad discussions are moving forward.

Please let me know, when possible, how the Ministry is proceeding, as well as timelines. s.22
s.22 . people keep asking me about the Tucker Bay Road issue, and what the Ministry is doing. I tell people that this will take some time, but I know they would be interested to know what is happening .

Cheers.
s.22

On 14/01/2015 11:07 AM, Silbernagel, Tim TRAN:EX wrote:

> Good morning s.22 We have received both the digital and Hard copies of the document. Johnathan is back next week so we will review upon his return

>
> Tim Silbernagel
> Development Approvals Technician
> Ministry of Transportation and Infrastructure Vancouver Island
> District Office 3rd Floor - 2100 Labieux Road, Nanaimo V9T 6E9
> (250) 751-3253 / cell (250) 713-4316
> fax (250) 751-3289

> -----Original Message-----

> From: s.22
> Sent: Friday, January 9, 2015 1:53 PM
> To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
> Subject: Tucker Bay Road, Lasqueti: evidence document

>
>
> Dear Johnathan and Tim,

>
> Please find attached a copy of a document that outlines evidence of the location and public ownership of Tucker Bay Road and its associated water access sites.

>
> A hard copy, printed in colour for some of the images and maps, has also been mailed.

>
> Please let me know when you receive both the digital and hard copies of this document.

>

> If you need further information, please do not hesitate to contact me. I would be happy to discuss this by phone or in person.

>

> Sincerely,
s.22

>

>

>

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, January 22, 2015 4:45 PM
To: Tillie, Johnathan TRAN:EX
Cc: Silbernagel, Tim TRAN:EX
Subject: Re: Tucker Bay Road, Lasqueti: evidence document

Hi Johnathan,

I would be happy to talk about this issue. I am available any time tomorrow afternoon. I am generally in the office. My number is s.22 (or I can call you if you prefer).

Chceers,
s.22

On 22/01/2015 4:20 PM, Tillie, Johnathan TRAN:EX wrote:
s.22

Thank you for your email and I appreciate the feedback. The ministry does not plan to install signs on Tucker Bay Road at this point in time (sorry about the miscommunication).
I would be happy to arrange a call to discuss, are you available tomorrow afternoon?

Thanks,

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

**Ministry of
Transportation
and
Infrastructure
Highways
Department**

direct line: 250-751-3287
mobile: 250-802-4198
fax: 250-751-3288
Johnathan.Tillie@gov.bc.ca



From: s.22
Sent: Thursday, January 22, 2015 2:21 PM
To: Silbernagel, Tim TRAN:EX
Subject: Re: Tucker Bay Road, Lasqueti: evidence document

Hi Tim,

Thank you for the heads-up on the signs. I am hopeful that "temporary" means that the Ministry is working to restore public access. That said, I expect that many people may believe the signs are a signal that the Ministry is not defending the public water access (unless the signs state that they are temporary).

Given that people will almost certainly ask me about the signs, I have a question:

Are these signs to be placed temporarily while the Ministry works to restore public access to the turnaround and water access at the end of the road?

It would help people here if the Ministry was able to communicate to the public about this issue, including the process, the intentions of the Ministry, and the time required for the process.

I received some links to newspaper articles about a similar issue in 2012 on Gabriola Island, in which the Ministry held a meeting on the island to discuss the issues, worked over a number of months to formalize the public nature of the road in question, and communicated with the community (e.g. <http://www.soundernews.com/news/entire-wharf-road-to-be-dedicated-as-public-roadway-parking-only-permitted-on-top-half-of-roadway.html>). These articles showed me that issues like this can take months, but that there are also points in the process at which the Ministry communicates with the public.

Cheers,

s.22

On 21/01/2015 1:22 PM, Silbernagel, Tim TRAN:EX wrote:

Hi s.22 Difficult to determine when this issue will be settled. Most recently a few residents have indicated that turning around is impossible where road is blocked especially with a boat. Temporary "No Turnaround" signs are to be placed by the Ministry within a few days.

Tim Silbernagel
Development Approvals Technician
Ministry of Transportation and Infrastructure
Vancouver Island District Office
3rd Floor - 2100 Labieux Road, Nanaimo V9T 6E9
(250) 751-3253 / cell (250) 713-4316
fax (250) 751-3289

DUPLICATE

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 7:11 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Road, Lasqueti

Dear sir,

I have been a property owner on Lasqueti, s.22 and a permanent resident for s.22 Tucker Bay Road has always been an access point for the public. I don't see how a road that has been maintained by tax dollars for as long as I know, should now be handed over to a private entity. None of the property is in dispute, it is only the road-bed. The boat access goes back farther than anyone on this island currently alive, can remember. This seems like an absolutely terrible idea for an island that is 100% community/co-operative operated, and seems to be in contravention of provincial policy. (I leave that to more political/governmental minds to ponder.

Regardless, I also think the new owners are making a huge blunder - one of the signs they have posted on the roadway reads - "remember - nothing is worth dying for". What, exactly, is the community supposed to take from that?

Yours sincerely,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 02, 2014 1:48 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Road, Lasqueti Island

Thank you for your response.

It has come to our attention that the new owners of Tucker Bay have further blocked the road access to the boat ramp at Tucker Bay. How can this be? Have they been given permission? That bay has been used by islanders for decades. When storms make Squitty Bay inaccessible Tucker Bay is the closest spot to come in. This is a safety issue. It is also the best place to access Jedidiah, a provincial park, by boat or kayak. Many school trips to Jedidiah originate from there as it is a safe place to load little kids onto boats.

We are a small island and we need safe and convenient access to the water. This issue is important and emotional for our community.

Sent from my iPad

On Dec 1, 2014, at 9:46 AM, "Tillie, Johnathan TRAN:EX" <Johnathan.Tillie@gov.bc.ca> wrote:

Hello,

Thank you for your email regarding Tucker Bay Road on Lasqueti island.

I appreciate your concern and I wanted to inform you that this issue is a priority for the Ministry. I have spoken to the property owners and I will be looking into the access issue and the historical use of Tucker Bay Road.

If you have any further questions I can be reached at Johnathan.Tillie@gov.bc.ca or (250) 751-3287.

Thank you for taking the time to write.

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

Ministry of	direct line: 250-751-3287
Transportation and	
Infrastructure	mobile: 250-802-4198
	fax: 250-751-3288
Highways	
Department	Johnathan.Tillie@gov.bc.ca

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, December 01, 2014 3:09 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Road, Lasqueti Island
Attachments: s.22

Dear Mr. Tillie,

Thank you for your reply.

Further to our conversation on the phone, I would like to provide some additional information:

1. I talked with Dr. Dana Lepofsky, a professor of archaeology at SFU and an expert in Pacific Northwest cultures. She is familiar with the archeological site at the beach access and old house near the end of Tucker Bay Road (DjSb-17). She told me that use by the public to access the beach and boat ramp, as it has been used, does not cause any additional degradation of the archaeological site.
2. In my last email, I wrote that the assessed value of the property was \$733,000 a few years ago (2011). I have been informed that the assessed value in 2014 was \$380,000 (close to the asking price of about \$400,000 prior to the sale). This dramatic drop in assessed value was likely due in part to reflect the existence of the public road and beach access. Since it seems unlikely that the average assessed value on Lasqueti dropped to this degree, this means that relative taxes on this property have dropped significantly, and account for the property in its current state.
3. For your records, I am attaching photos taken from the public road of the signs placed by the owners. The first two photos are from the road shortly after passing the property boundary. There are two such signs (one on each side of the road). The other two photos are from the road near turnaround, beach access, and old house.

Sincerely,
s.22

On 01/12/2014 9:46 AM, Tillie, Johnathan TRAN:EX wrote:

Hello,

Thank you for your email regarding Tucker Bay Road on Lasqueti island.

I appreciate your concern and I wanted to inform you that this issue is a priority for the Ministry. I have spoken to the property owners and I will be looking into the access issue and the historical use of Tucker Bay Road.

If you have any further questions I can be reached at Johnathan.Tillie@gov.bc.ca or (250) 751-3287.

Thank you for taking the time to write.

Johnathan

Tucker Bay is the only reliably safe access from the outer islands (Bull, Rabbit, Boho, Jedediah, and Jarvis) to Lasqueti. In winter storms it is sometimes the ONLY access.^{s.22}
s.22 my experience tells me it would be absolute folly to close this particular public access.

Sincerely,
s.22

1997 Sam

Handwritten notes, possibly "1997" and "Sam", with a large, dark, irregular redaction mark covering the text below.

Large, dark, irregular redaction mark covering the majority of the page content below the handwritten notes.

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, February 20, 2015 12:17 PM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: Fwd: Tucker Bay Rd
Attachments: TuckerBayRd1.jpg; TuckerBayRamp1.jpg

Hello Johnathan and Tim,

I got this email and two photos this morning. Has some decision been made, or is this unilateral action on the part of the new landowners? If they have in fact scraped through the kitchen midden, I hope that the Archaeology Branch will investigate. They knew full well that there are archaeological sites there.

Thanks for letting me know what's up with your negotiations, and what actions we can expect you to take about this.

s.22

----- Original Message -----

Subject: Tucker Bay Rd
Date: Fri, 20 Feb 2015 10:22:52 -0800
From:
To: s.22

Hi s.22

Today, Friday the 20th of February, we took these pictures of the permanent road closure of the Tucker Bay road and ramp. The excavator is no longer there, just the scrape marks it made in the kitchen midden. We were not aware of the final decision on the closure of Tucker Bay road.

Best





Moore, Suzanne TRAN:EX

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Sent: Thursday, December 11, 2014 5:35 PM
To: Tillie, Johnathan TRAN:EX
Subject: Fwd: tucker bay

Sent from my iPad

Begin forwarded message:

From: s.22
Date: December 3, 2014 at 9:13:54 PM PST
To: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Subject: tucker bay

I have |s.22 the Tucker Bay road-end access for s.22
s.22 During all that time, we and neighbours and friends from around
the island have used the access to launch and land boats and to load
or pick up bags s.22 I believe
the Highways crew has regularly graded and gravelled the road as far
as the beach access.
s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Sunday, December 07, 2014 6:54 AM
To: Tillie, Johnathan TRAN:EX
Subject: Lasqueti - Tucker Bay Road

Dear Mr. Tillie

I am writing to you in order to share some information concerning the historical use of Tucker Bay Road as a public access to the water at Tucker Bay, Lasqueti Island. s.22
s.22

s.22 I would also like to point out the need to maintain safe and secure access points to the road system on Lasqueti, both to allow entrance and egress on the island. It is a public safety issue, especially during times of adverse weather and water conditions.

I feel that it is in the best interest of the community, especially to those living on the north side with water-only access, for the Department of Highways to continue to maintain the public access through this water-access and public road at Tucker Bay.

Thanks & regards,
s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, November 26, 2014 10:47 PM
To: Tillie, Johnathan TRAN:EX
Subject: Lasqueti Island Tucker Bay public access

Dear Mr. Tillie,

I'm writing to add my voice to those gravely concerned about the reported attempt by new landowners to threaten the public right-of-way to Tucker Bay on Lasqueti Island. This is a critical and frequently-used public access for launching small boats and other low-impact water-based recreation, which is publicly maintained by our road crews. My family and I often use this access point; as far as I understand, this attempt by the purchasers of the Tucker Bay property to shut off access by the public is illegal as well as unethical. Our community relies on a very few points of public access to the water; we certainly cannot afford to let a single part-time resident's whim trump both community interest and long-standing historical public maintenance and usage of this spot. Frankly, I'm shocked that it is even being attempted.

We are grateful for your attention to this matter.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, November 26, 2014 9:49 PM
To: Tillie, Johnathan TRAN:EX
Subject: Lasqueti Tucker bay public access

Sir,

I have Been a resident of Lasqueti island for s.22 and have greatly appreciated the public access at the end of Tucker bay road on Lasqueti island.

The new property owners of the land adjacent to the public access claim it as their private property, with signs posted along the road and logs blocking the access.

I want to add my voice to protest against the violation of our right to enjoy this public access to beautiful Tucker bay.

best regards,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, November 28, 2014 6:14 PM
To: Tillie, Johnathan TRAN:EX
Subject: Lasqueti Tucker Bay Rd.

Hi Johnathan,

I am wrtiting to you regarding the water access at Tucker Bay, Lasqueti Island. I would like to bring to your attention the road access to the ocean at Tucker Bay is well used and appreciated by the community. There are surprisingly few public accesses to the water on Lasqueti Island and there is no other public access in the mid island where Tucker Bay is located. From my experience as a resident of Lasqueti Island^{s.22} it is in the best public interest to keep the Tucker Bay water access public. Thank you for your time.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, December 05, 2014 10:01 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: link to report

Hello Johnathan and Tim,

I just realized I forgot to include the link to the report I mentioned in my earlier email. I didn't mean to ask you to search for it. It is:

[http://www.fasken.com/files/publication/a3a87878-1422-4267-8c77-45be524524f7/0eaaae06-1223-42d9-bb2b-0087918d5356/presentation/publicationattachment/17143421-12b7-4643-87b2-b2344ccc04fa/dwl amw mcm easements coven.pdf](http://www.fasken.com/files/publication/a3a87878-1422-4267-8c77-45be524524f7/0eaaae06-1223-42d9-bb2b-0087918d5356/presentation/publicationattachment/17143421-12b7-4643-87b2-b2344ccc04fa/dwl%20amw%20mcm%20easements%20coven.pdf)

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, January 28, 2015 8:00 AM
To: Tillie, Johnathan TRAN:EX
Subject: minor roads that appear to be section 42

Hello Johnathan, again,

Here are the minor Lasqueti roads that appear to be at least partly section 42 roads. There is good reason to consider Lakes/Centre Road to be a major connecting road, nearly as important as Main Road.

Forbes/Dump Road -
SW 1/4 Section 22

Lakes/Centre Road -
SW 1/4 Section 14
NW 1/4 Section 15
SW 1/4 Section 15 (two parcels)
S 1/2 of NW 1/4 Section 16

Thanks for your work and/or reassurance on this subject. s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, January 22, 2015 8:19 PM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: my email query sent to you Sunday

Hello Johnathan and Tim,

I am still hoping to receive a response to the email I sent you Sunday, asking what we can expect to happen, and when, about the now-closed public road to Tucker Bay on Lasqueti.

I plan to post my email to you on the Lasqueti web site, to let people here know that we are not getting any answer to our questions. I will probably do this over the weekend, and inform people of it via the Lasqueti email list on Monday morning.

In case you somehow missed it, this is the email I sent:

s.22

Hello Mr. Tillie, Silbernagel and Ms Stilwell,

Please, Mr. Tillie and Silbernagel, would you give me some idea of when the public access issue at Tucker Bay, Lasqueti Island will be decided and settled.

The days are getting longer, there are more calm and warm days, and the demand for use of the public access to the ocean at Tucker Bay is increasing. The new owners have had a large excavator blocking the roadway and the main access to the water. I am told that there is not sufficient room to turn a vehicle around, let alone a vehicle pulling a trailer with a boat on it, so this leaves the necessity of backing a vehicle a very long way back up Tucker Bay road, or leaving the vehicle there.

(I have heard of this having to occur at least a couple of times. If a settlement is not to come soon, perhaps you could have a notice erected at the top of the road to let people know that it is not possible to turn their vehicle around at the bottom.)

The longer the situation is unresolved, the greater the frustration and anger that local people will feel with the new property owners. It becomes increasingly likely that someone will take matters into their own hands, and this will cause increased upset and anger between the community and the new owners.

If, while the situation is being decided and settled, there was public access to the water there, as there has been for over 100 years, the situation would be much better for the community, and I think not much different for the new owners, who appear to be present on Lasqueti only a very little of the time. The loss and inconvenience to the community is large, and growing more important as the spring approaches. An assertion of the public's right to continue to use this access - even on an interim basis - is needed soon.

It would help if the community knew how and when a decision will be made, and how and when we will learn about it.

s.22 You could inform the Lasqueti community directly about the timetable and process, by sending an email to This will go to the more than 300 subscribers to the Lasqueti email list, all of whom have a connection with Lasqueti. Another option would be to send a notice to the monthly newsletter, Our Isle & Times, whose deadline for the February issue is Sunday, January 25. This notice should be sent to s.22

I would be happy to post any information that you provide me to the Lasqueti web site, and/or the Lasqueti email.





Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, January 19, 2015 1:40 PM
To: Tillie, Johnathan TRAN:EX
Subject: Please report on Tucker Bay Public Access for Lasqueti Island

Hello Johnathan: We are all waiting for an update after your meetings regarding Tucker Bay. The access is still partially blocked by their excavator and we have a picture of the machine digging into a midden on the beach.

We do hope that MOTI will officially secure the access to the ramp at Tucker Bay as Lasquetians have been using it for the past 100 years and intend to continue using it.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, November 28, 2014 6:12 AM
To: Tillie, Johnathan TRAN:EX
Subject: Public access, Tucker Bay, Lasqueti Island

Dear Mr Tillie,

I am writing to you as a land owner of 63 years, business person ^{s.22} resident of Lasqueti Island. During the entire of this time the Tucker Bay access has been a well used, and therefore evidently required, Public Access.

Any purchaser of this property would have seen that the public road terminates there. On any investigation at all they would have been able to ascertain the above facts. This property would have been priced accordingly and there therefore should have been no hardship on the purchaser.

Please ensure that this public access remains public.

Thanking you for your attention to this matter, I remain

Your truly,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 8:17 PM
To: Tillie, Johnathan TRAN:EX
Subject: Public access at Tucker Bay, Lasqueti Island

Attn: Johnathan Tillie

Re: public access at Tucker Bay Lasqueti Island

Hello Johnathan,

I live on Lasqueti Island. There seems to be a problem for the new land owners over the public access on Tucker Bay road. This is a very common water access for our community. It is used regularly and is a central location for the community. I use it often, as do many others in the community.

I understand there are now threatening no trespassing signs.

s.22 are trying to suggest it is both unused and private. I want it to be known this is an active and popular water access used by Lasqueti island residents and if it is in fact a legal public access it should remain so. Our community needs clarification on whether or not this access is public and how to go about protecting it as that.

I hope you have some answers on this matter.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 02, 2014 10:31 AM
To: Tillie, Johnathan TRAN:EX
Subject: Public Access to Tucker Bay Lasqueti Island

Mr Tillie,

As a s.22 resident of Lasqueti I have used the Tucker Bay access to the ocean on many occasions. For as long as I have been here there have been no signs or gates or any indication that this was not a public road. The road has been kept open and clear, and has been graded within the last few years. This is a heavily used access point for both pleasure and commercial used and it's loss to public is of grave concern to me.

Thank you for your time

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 6:07 PM
To: Tillie, Johnathan TRAN:EX
Subject: Public access to Tucker Bay on Lasqueti Island

Dear Mr. Tillie,

I am writing to you regarding the public beach access at the end of Tucker Bay Road on Lasqueti Island.

We viewed the Tucker Bay property when it was on the market several years ago. We were told by the listing real estate agent at the time that the property had once been the site of the public steam ship terminal and that, although the terminal had been moved long since, the road and small boat launch are still public and well-used by the community. I would assume that the current owners received the same information.

Since we moved to Lasqueti, we have used the Tucker Bay Road and beach access regularly to go for walks and to launch small boats, and we have frequently seen other islanders do the same. This is one of only a few public beach accesses on the island, and it is the only the only public access point where one can launch a kayak or other small vessel for a paddle to Jedediah Marine Park and the surrounding islands without having to risk an exposed crossing. Please help our community keep this access open to the public.

thanks for your consideration,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, December 01, 2014 10:37 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: public accesses to beaches on Lasqueti Island

Hello Johnathan and Tim,

On Saturday about two dozen Lasqueti people went down Tucker Bay Road to where we have had beach access for the last fifty or more years, and where before that there were two public docks and floats since 1912 or 1913.

As we were talking, I realized that we have lost a lot of what we think were public accesses to the sea over the last 40 or so years that I have been here. The ones that I have some personal knowledge of are:

access to Marshall's Beach, beyond the current end of Lennie Road

access to Mine Bay, beyond the current end of Mine Road

access to Conn Bay, beyond the current end of Millicheap Road

I don't know why it is, but there is a fair amount of doubt about where roads actually are located on Lasqueti Island. There don't seem to be any definitive maps. Some maps show roadways existing where they do not. Even the road names are inconsistent. I have heard that this is because of a fire, some time in the 50s, in a Highways office in Burnaby, destroying records.

It appears from maps that I have access to, that the roadways to Marshall's Beach and Mine Bay must have been Section 4 (now Section 42) roads.

It appears that the roads have been surveyed and gazetted at the end of Millicheap Road. The roadway clearly is shown as ending along a wide strip of the shoreline on the north side of Conn Bay. This is the location where a landowner in the 70s began to construct a building that would have cut public access, and he was required to stop and remove it. In the last couple of years, a new landowner has constructed a fence and gate on what was the public road, and also a steep foot-trail to replace the public access. If this area has been surveyed, and the roads gazetted, it would be a good idea to determine exactly where the public road and the access to the bay, is located.

While the important issue at this time is to maintain the public roadway and access to Tucker Bay, it is also important to look into, and if possible, re-assert and re-claim any other public accesses that exist on Lasqueti but have been closed off in recent years.

s.22

Thanks for your work on this, and these, issues. If there is any local help and assistance that I can give, please let me know.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, November 26, 2014 5:55 PM
To: Tillie, Johnathan TRAN:EX
Subject: Public Beach Access Tucker Bay Road Lasqueti Island

I would like to be on the record regarding Tucker Bay Road public beach access. This is an important beach access that has been used by community members for the last hundred years or more, and should continue to be available to the public.

Unfortunately new property owners have made some unfriendly attempts at closing the access to the beach.

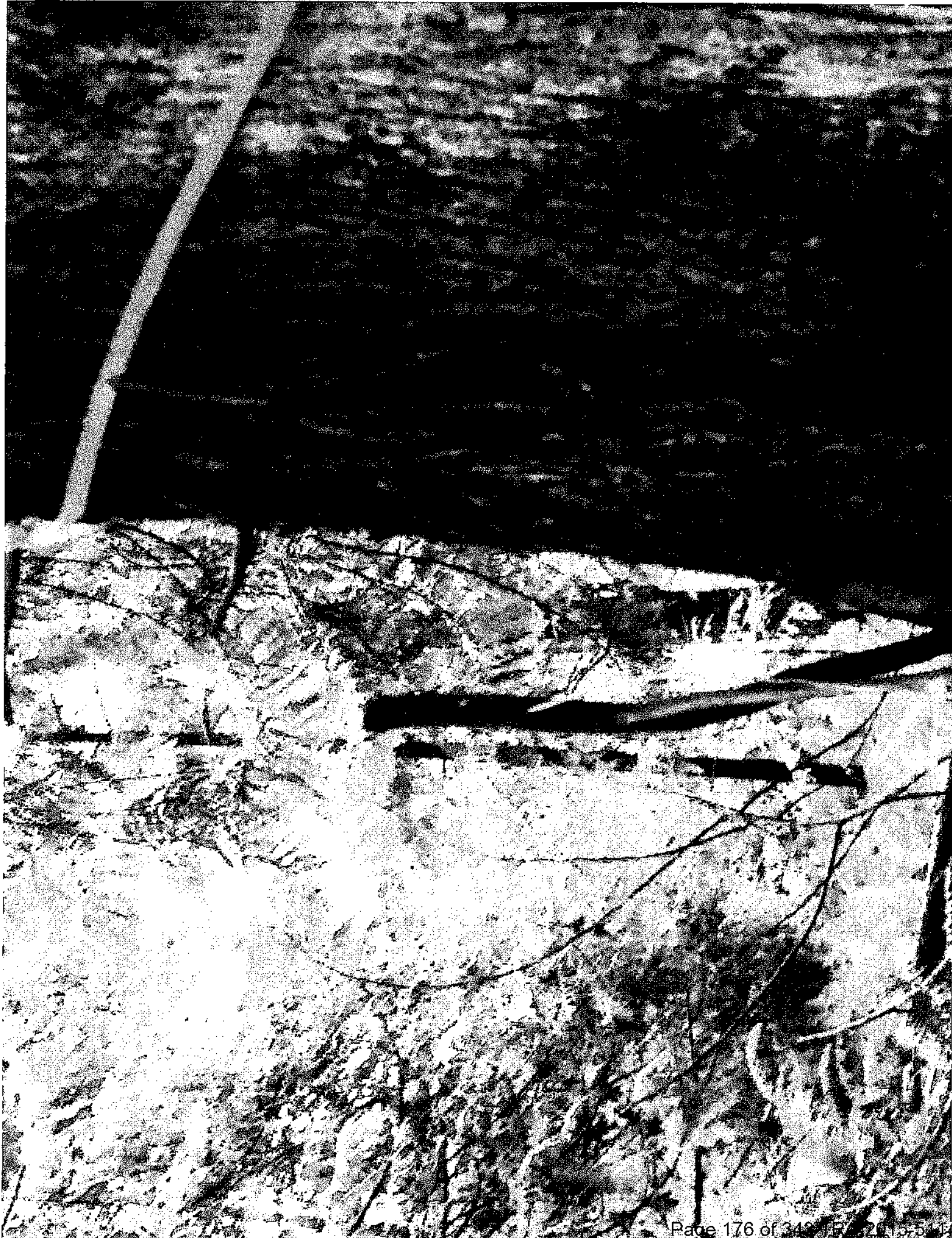
Your attention to this matter would be appreciated .

Thank You,

Sincerely

s.22

Sent from my iPad



Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, November 21, 2014 1:56 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: 231367 - WEB REPLY DIRECT - Tucker Bay Road Closure Lasqueti Island

Thank you Johnathan. When the previous owners tried to restrict access to the road and the beach, residents protested and the owners relented. It would be wonderful if we did not have to protest again. Lasqueti Islanders are well known for their protests and we will not hesitate to come out en mass if our access is restricted in any way.

This is a very important access point for local residents as well as for tourists wishing to access Jervis and Jedediah Island marine parks. I appreciate your prompt attention to this matter and look forward to an assurance that we will not lose our rights of access on Tucker Bay Road.

On Fri, Nov 21, 2014 at 1:47 PM, Tillie, Johnathan TRAN:EX <Johnathan.Tillie@gov.bc.ca> wrote:

s.22

Thank you for your email dated November 17, 2014 regarding Tucker Bay Road on Lasqueti island.

I appreciate your concern and I wanted to inform you that this issue is a priority for the Ministry. I have spoken to the property owners this past week and I will be looking into the access issue and the historical use of Tucker Bay Road.

If you have any questions or would like an update on the process please don't hesitate to contact me at Johnathan.Tillie@gov.bc.ca or (250) 751-3287.

Thank you for taking the time to write.

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

**Ministry of
Transportation
and
Infrastructure**

direct line: 250-751-3287

mobile: 250-802-4198

fax: 250-751-3288

**Highways
Department**

Johnathan.Tillie@gov.bc.ca



From: s.22

Sent: Monday, November 17, 2014 9:48 PM

To: WEBMASTER TRAN:EX

Subject: Tucker Bay Road Closure Lasqueti Island

Residents of Lasqueti Island had been informed by the new owners at the end of Tucker Bay Road that the owners intend to close this road to the public. This has been a public access for our community for over 100 years. We would like the Ministry of Transportation and Infrastructure to investigate if the new property owners have any right to restrict our access to this road.

Thank you

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 7:46 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX; Corner, Cindy L TRAN:EX
Subject: Re: 231367 - WEB REPLY DIRECT - Tucker Bay Road Closure Lasqueti Island

Hello Johnathan, Tim and Cindy: I want you to be aware that there is significant local opposition to the application by the new owners of the Tucker Bay property regarding the closure of this road.

This has been a public access for over 100 years and we intend to keep it that way.

Here is a sample of the local sentiment.

Driving down Tucker Bay road recently, I noticed that the new owners of the property at the end of the road are attempting to privatize the public right-of-way. Signs, located about half-way along on either side of the road say: THIS PROPERTY CLOSED TO PUBLIC. NO ENTRY WITHOUT PERMISSION. s.22

s.22 A pile of chopped up fir trees had been dumped above the shoreline impeding access to the water. Tucker Bay road has been undisputed public access for over a hundred years.

The Ministry of Transportation has a specific policy regarding roads that provide public access to water:

"Existing rights of way that provide public access to bodies of water (lakes, streams, rivers and the ocean) are to be retained for public use. Unless these bodies of water are privately owned, they are considered to be provincial assets and public access must be retained."

I got the impression that s.22 in the process of stealing public access. It would be a shame to lose it.

Please let us know how far the process has gone and how Lasquetians can formally apply to maintain public access along this route.

s.22

DUPLICATE

Moore, Suzanne TRAN:EX

From: Marnie Eggen <meggen@islandstrust.bc.ca>
Sent: Monday, February 16, 2015 9:55 AM
To: Tillie, Johnathan TRAN:EX
Subject: FW: Letter to MOTI re Tucker Bay road.doc

Hi Johnathan,

Thanks for the offer of a teleconference. I am thinking just an up to date summary (it can be brief) in an email to the Local Trust Committee would be fine. I can then take it to the next LTC meeting for their information. Having a teleconference with more than one trustee constitutes a quorum as per our legislation, which triggers the meeting to be a public meeting, which isn't possible over the phone. Give me a call if you want to discuss further.

Kind regards,

Marnie

Marnie Eggen, MCIP, RPP
Planner 2
Islands Trust, Northern Office
700 North Road
Gabriola Island, BC, V0R 1X3
Ph: (250) 247-2210 FX: (250) 247-7514

Toll free via Enquiry BC
In Vancouver 604.660.2421
Elsewhere in BC 1.800.663.7867
www.islandstrust.bc.ca

Preserving island communities, culture and environment

From: Theresa Warren
Sent: Sunday, February 15, 2015 8:42 PM
To: Marnie Eggen
Subject: Fwd: Letter to MOTI re Tucker Bay road.doc

Marnie,
Please see the below email.

Thanks,

Theresa Warren

Begin forwarded message:

From: "Tillie, Johnathan TRAN:EX" <Johnathan.Tillie@gov.bc.ca>
Date: February 15, 2015 at 7:06:56 PM PST
To: Theresa Warren <twarren@islandstrust.bc.ca>
Subject: RE: Letter to MOTI re Tucker Bay road.doc

Theresa,

Thanks you for the email and I apologize for the delay in getting back to you. I am happy to organize a conference call with representatives from the Island Trust to keep you in the loop. Just let me know what works for your schedule (or who may want to attend) and I can set up a meeting.

I have availability on Thursday if that works for your group.

Thanks again,

Johnathan

From: Theresa Warren [<mailto:twarren@islandstrust.bc.ca>]

Sent: Tuesday, December 23, 2014 12:19 PM

To: Tillie, Johnathan TRAN:EX

Subject: FW: Letter to MOTI re Tucker Bay road.doc

Hello Jonathan,

Please see the attached letter regarding Tucker Bay Road Water Access, Lasqueti Island.

Thank you,

Theresa Warren
Office Assistant

Islands Trust, Northern Office
700 North Road, Gabriola Island, British Columbia, V0R 1X3

Phone: 250-247-2063

Fax: 250-247-7514

www.islandstrust.bc.ca

Preserving Island communities, culture and environment



Please consider the environment before printing this email

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, December 15, 2014 2:45 PM
To: Tillie, Johnathan TRAN:EX
Subject: FW: Tucker Bay public Marine Access

Please acknowledge receipt of this letter I sent Dec 1st.

Should I send you a hard copy in the mail?

Did you know that the owner put up a sign at the public access with a gun pointing at the viewer reading: There's nothing down here to die for??

A few days ago I went down there and an excavator was blocking the end of the road! We had to back up all the way back to A Fall's driveway – way up the road, to turn around. Without access to the turn around at the bottom of the road and top of the ramp – this public road is useless.

Please do all in your power to stop this private individual who is bullying us here on Lasqueti from taking away the public land.

Thanks so much
s.22

----- Forwarded Message

From: s.22
Date: Mon, 01 Dec 2014 10:12:13 -0800
To:
Subject: Tucker Bay public Marine Access

s.22

December 1st, 2014
Ministry of Transportation

Ladies and Gentlemen:

Re: Tucker Bay Road Beach Access, Lasqueti Island, BC

This letter is to add my name to the list of people who use the Beach Access at Tucker Bay. I am a kayaker, and I use the bay to launch my boat in order to access the Province's Marine Protected areas, especially Jedidiah Island, a provincial marine park. This is one of only 3 beach accesses to get to Jedidiah Island from Lasqueti Island. The other two are at the very southwest end of Lasqueti, at the Squitty Bay marine park, and from False Bay, at the northeast point of the island.

Last year was a particularly relevant year for the Tucker Bay beach access to Jedidiah Marine Park. I went there with a group of people from Lasqueti last June. The south wind came up, and there was no way that any of us could return to Squitty Bay. I came into Tucker Bay after being forced to stay on Jedidiah due to high winds for several days. While we were on Jedidiah, a group of Victorian elders arrived by Kyak to Home Bay on Jedidiah, well after dark. They too had been impacted by the high winds. They had launched at False bay when the winds were still small, because they had no vehicle access to take their boats anywhere else. However, they left as well as we did from Jedidiah, to come into Tucker Bay, the only safe place to return and get help from people on Lasqueti to get them back to the ferry at False Bay.

Tucker Bay is the only remaining public mid-island beach access on the northeast side of the island. It is essential that it remain public, for public safety of boaters, and for the safe access to the Province's Jedidiah Marine Park. This public access has been available for over 100 years, and still maintained by the public road which leads to the beach access and ramp there. Furthermore, the Province of BC has paid public monies for the acquisition of Jedidiah Marine Park, and this is the closest available access to that park for small boaters. For the safety of the public, and for public access to the Province's Marine Park at Jedidiah, please ensure that this access remains publically accessible.

Yours truly,

s.22

----- End of Forwarded Message

**THIS PROPERTY
CLOSED TO PUBLIC
NO ENTRY WITHOUT
PERMISSION**

s.22





WARNING



**THERE
IS
NOTHING
HERE
WORTH
DYING
FOR**

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 02, 2014 5:32 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Road, Lasqueti Island

Dear Johnathan Tillie,

Thank you I very much appreciate your efforts on this. The new one has barricaded the boat launch and an excavator has been moved to block the road. Let it be known that if he plans to do any digging he needs to have an archeological assessment as this is a midden area as well as a historical site. His confrontational tone does not bode well for future use of the public on this area.

Thank you for your time,

s.22

Sent from Our Pod.

On Dec 1, 2014, at 9:46 AM, Tillie, Johnathan TRAN:EX <Johnathan.Tillie@gov.bc.ca> wrote:

Hello,

Thank you for your email regarding Tucker Bay Road on Lasqueti island.

I appreciate your concern and I wanted to inform you that this issue is a priority for the Ministry. I have spoken to the property owners and I will be looking into the access issue and the historical use of Tucker Bay Road.

If you have any further questions I can be reached at Johnathan.Tillie@gov.bc.ca or (250) 751-3287.

Thank you for taking the time to write.

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

**Ministry of
Transportation and
Infrastructure**

**Highways
Department**

direct line: 250-751-3287

mobile: 250-802-4198

fax: 250-751-3288

Johnathan.Tillie@gov.bc.ca

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, January 07, 2015 8:08 PM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: Re: Tucker Bay Road, Lasqueti

Dear Johnathan and Tim,

We have finalized the current draft of the evidence document. s.22 is planning to bring it to you in person on Friday. We expect that you will find it interesting (at least in regards to Tucker Bay).

Cheers,
s.22

On 05/01/2015 8:54 AM s.22

>

> Dear Johnathan and Tim,

>

> I hope you both had a nice Christmas and New Years. I wanted to let
> you know that a group of concerned Lasqueti residents have been
> assembling a document with the evidence found to date regarding the
> public nature of Tucker Bay Road. Some of this has been provided to
> you in various emails and at meetings, while other items have been
> more recently found. This document will provide ample evidence of the
> applicability of Section 42 of the Transportation Act for the full
> length of Tucker Bay Road and its two associated water accesses.

>

> We expect to provide a copy of this to you in the next few days.

>

> Sincerely,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 02, 2014 10:33 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Road.

Thank you for getting back to me.

As a property owner, I would fully expect the rule of law to apply to ownership rights, and have seen fairly conclusive evidence that they are 100% in the right. That doesn't reduce the complete stupidity of how they went about declaring their rights as property owners on an island of 400 people with volunteer firefighters, first responders, and no permanent police presence. You can forward this to the property owners if you want, as I am more concerned with the protection of their personal items on this island when they are not here, than about negotiating what appears to be a straightforward case of private property. If you poke a hibernating bear in the eye instead of just walking past it, chances are, there will be a response.

I sincerely hope that you don't have to deal with too many cases that involve so much complete idiocy by all parties, as you work through future files.

Yours sincerely,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, November 26, 2014 9:14 PM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay road access

Hello Johnathan,

I have been re-reading a Lasqueti history book, and would like to share this, from it, with you. You might have already been told this by others.

I'd love to know from you what your records, maps, etc. show about the extent of Tucker Bay Road. It seems to me, from not very careful observations over the years, that the road originally went right past the house, probably to a wharf located in the mouth of Conn Bay, or at least outside the smaller, local bay we call Tucker Bay. Later, I believe the roadway ended in front of the house, as the wharf appears to have been located off the rocks just beyond the beach/boat launch and landing that the community has used for at least 40 years.

The published history of Lasqueti before the 1970s is a book *Lasqueti Island History and Memory* by Elda Copley Mason, originally published in 1976 and now out of print. On page 51, in a section entitled "Mail", is this:

"Between October 1, 1915 and September 30, 1916 the Post Office was in the hands of Mrs. A. Wesche. During that year the Islanders pitched in to help get the mail from the wharf at Tucker Bay to the Wesche home at Lamberts Lake. There the mail bags would be opened and dumped on the floor and those present would help in the sorting. Since there was no provision for rural delivery, the friendly custom prevailing was that each person involved in the sorting would carry the mail to his neighbours.

"It was at the beginning of Mrs. Wesche's stint as Postmistress that the Union Steamships started to drop mail at the Island. Sailing from Vancouver, such vessels as the USS *Cowichan* and the USS *Comox* made Tucker Bay a regular port of call. Despite its reef-strewn entrance, this bay was used at that time because of its good wharf facilities. A letter from the Department of Public Works dated August 18, 1973 states:

"In the year 1912-1913, this department built a creosoted pile wharf 40 feet by 70 feet with a 12 foot by 120 foot approach in Tucker Bay, B.C. The Department abandoned this structure in 1931 and it was removed from the site in 1943.

"Around the year 1926 the Department constructed a new approach, gangway and float in the same general area of the aforementioned wharf. Due to a decrease in marine traffic in that area and an increase in the use of facilities at False Bay, B.C. and Squitty Bay, B.C. these structures were abandoned and removed from the site in 1956."

I believe that the structure might have been relocated in 1926 because of a collision of one of the Union Steamship ships with an uncharted rock in Tucker Bay, but I am unable to find this part in the book right now, due to lack of an index other than names of people who lived on Lasqueti.

Word of the possible closure of Tucker Bay Road has just been spread by our community email list. I informed the subscribers that our Regional Director, Lasqueti Community Association president, and the Lasqueti Local Trust Committee, and other Lasqueti residents, were in communication with you, and included a copy of the email you had just sent me, below. I hope that this is okay with you.

If you would like to communicate with the Lasqueti community, you can send an email, exactly like you would like it to appear, to s.22 It will be sent out to most subscribers early the next morning.

Thanks for your help on this question. If there is anything I can do to assist, please let me know. s.22
s.22

On 25/11/2014 7:30 PM, Tillie, Johnathan TRAN:EX wrote:

Hi s.22

Thank you for your feedback. We are currently looking into this issue and the historical use of Tucker Bay Road. I understand the importance of this issue to the local residents and I appreciate your interest and concern.

If you have any further questions I can be reached at
Johnathan.Tillie@gov.bc.ca or (250) 751-3287.

Thank you for taking the time to write.

Johnathan

Moore, Suzanne TRAN:EX

From: Silbernagel, Tim TRAN:EX
Sent: Monday, December 15, 2014 10:16 AM
To: s.22
Cc: Tillie, Johnathan TRAN:EX
Subject: RE: Tucker Bay Road Meting

Sounds good, see you at 2:00

Tim Silbernagel
Development Approvals Technician
Ministry of Transportation and Infrastructure
Vancouver Island District Office
3rd Floor - 2100 Labieux Road, Nanaimo V9T 6E9
(250) 751-3253 / cell (250) 713-4316
fax (250) 751-3289

From: s.22
Sent: Monday, December 15, 2014 9:09 AM
To: Silbernagel, Tim TRAN:EX
Subject: Re: Tucker Bay Road Meting

Hi Tim,
s.22 will be there at 2:00 today please let us know if anything changes.

Thanks
s.22

Sent from Samsung Mobile

----- Original message -----
From: "Silbernagel, Tim TRAN:EX"
Date: 12-15-2014 8:41 AM (GMT-08:00)
To: s.22
Subject: RE: Tucker Bay Road Meting

OK, today (Monday) at 2:00 is good or alternately 10:30 Tuesday

Tim Silbernagel
Development Approvals Technician
Ministry of Transportation and Infrastructure
Vancouver Island District Office
3rd Floor - 2100 Labieux Road, Nanaimo V9T 6E9
(250) 751-3253 / cell (250) 713-4316
fax (250) 751-3289

From: Tillie, Johnathan TRAN:EX
Sent: Monday, December 15, 2014 8:39 AM
To: Silbernagel, Tim TRAN:EX
Subject: Fwd: Tucker Bay Road

Sent from my iPhone

Begin forwarded message:

From: s.22
Date: December 14, 2014 at 1:09:15 PM PST
To: "Tillie, Johnathan TRAN:EX" <johnathan.tillie@gov.bc.ca>
Subject: RE: Tucker Bay Road

Hello Johnathan,

s.22 are back home now, we visited Lasqueti Island yesterday (Saturday) to review and discuss some ideas we had in relation to Tucker Bay Rd. We would like to come in and meet with you to discuss things as soon as possible this coming week. Please let me know when you are available to have a meeting in person. Tim was saying Monday afternoon or Tuesday anytime??

Thanks, s.22
s.22

From: Johnathan.Tillie@gov.bc.ca
To: s.22
CC: Tim.Silbernagel@gov.bc.ca
Subject: RE: Tucker Bay Road
Date: Thu, 11 Dec 2014 18:23:03 +0000

s.22

I hope things are going well. I wanted to follow up with you as we have had numerous emails and discussions with members of the community. I wanted to discuss the possibility of reaching an interim agreement to allow public access to Tucker Bay.

A more immediate request came from the Lasqueti Internet Access Society (LIAS). The LIAS is a non-profit volunteer run Internet Provider (ISP) on Lasqueti Island. They use the Tucker Bay access as a boat launch throughout the winter to charge the batteries for the internet system. They have locations around Lasqueti Island as well as other key points on Texada Island.

I would be happy to arrange a conference call this week if you are available to discuss.

Thanks,

Johnathan

Johnathan Tillie

Operations Manager, Central Vancouver Island

Ministry of
Transportation and
Infrastructure

Highways Department

direct line: 250-751-3287

mobile: 250-802-4198

fax: 250-751-3288

Johnathan.Tillie@gov.bc.ca



Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, February 16, 2015 8:31 AM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay Road

Thanks for getting back to us, I will call on Thursday

Willy
Director
Lasqueti Internet Access Society (LIAS)

On Feb 15, 2015, at 7:40 PM, Tillie, Johnathan TRAN:EX <Johnathan.Tillie@gov.bc.ca> wrote:

Willy,
Thanks for following up. The negotiations are ongoing and unfortunately I am unable to estimate an exact timeline at this point in time. However, I am interested in knowing more about your upcoming projects. Do you have time later this week to have a quick chat? I am away from the office early in the week but I have time on Thursday if that works for you.
I can be reached in my office at (250) 751-3287 or I can call you if it is more convenient.
Thanks,
Johnathan

From: s.22
Sent: Wednesday, February 11, 2015 7:16 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road

Mr. Tillie; It has been over a month since we last communicated. On lasqueti nothing has changed, our access to the water is still blocked. We were wondering about the timeline in your negotiations with the owners of the adjacent property. We will be needing to plan for the upgrade of the access point at Cook Bay on Texada Island across from Tucker Bay. There is only water access to Cook Bay. We have been lucky with the weather so far this year and we have not had to charge the old batteries at the two sites accessed from Tucker Bay. The LIAS board of Directors will be having a planning meeting in March to plan the years projects, so if we could have an update on your negotiations it would help us in our planning.

Thanks
Willy Clark
Director
Lasqueti Internet Access Society (LIAS)

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 02, 2014 12:49 AM
To: Tillie, Johnathan TRAN:EX
Subject: Re: Tucker Bay

Thanks for responding.

As a property owner, I respect property rights, and everything I have seen indicates that public access is only due to a lack of current occupancy, as opposed to an actual, and legally legitimate right. I still believe that the new owners were completely out to lunch as to how they approached the issue, ^{s.22}

s.22

Thanks for getting back to me, it's nice to see that somewhere, in the great bureaucratic world, people are actually listening.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, November 26, 2014 8:55 PM
To: Tillie, Johnathan TRAN:EX
Subject: re tucker bay road lasqueti island

Hello, Mr. Tillie-- I have lived on Lasqueti Island s.22

s.22

During all that time, through a couple of sets of private upland owners, we and our neighbours and many islanders have used this access to land boats and materials, launch kayaks and load kayaks onto trucks for transport to other parts of the island, and gone in dinghies to the shore from big sailboats anchored out. It is, as far as I am aware, the only public access to the water for this side of the island (the side facing Texada) between Squitty Bay to the southeast and Scottie Bay to the west.

It is important that this access be kept public.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 09, 2014 3:12 PM
To: Tillie, Johnathan TRAN:EX
Cc: Fuccenecco, Maria MTIC:EX; Bangert, Wilf R MTIC:EX
Subject: Ref: 101796 Lasqueti Island Access - MOTI Assistance Required

Hi Howard, please send an email to Johnathan Tillie, Vancouver Island Regional Operations Manager in MOTI, who can assist. Below is an email for you to send to him. Please copy Wilf and me.

Thx.

Maria

Hello Mr. Tillie
Johnathan.Tillie@gov.bc.ca

I am reaching out to the Ministry of Transportation and Infrastructure on behalf of the Lasqueti Internet Access Society (LIAS), the Internet service provider serving Lasqueti Island. Our understanding is that LIAS is trying to acquire an easement to ensure continued access to the site where their equipment is situated, but in the meantime all access is blocked.

Below is background provided to Network BC. MOTI may have additional information on the situation described below.

- LIAS has telecommunications equipment situated on the east side of Lasqueti Island facing the Mainland.
- The Ministry of Transportation and Infrastructure has a right of way that leads to a historical deck (the deck is no longer operational) and LIAS has been using MOTI's right of way (ROW) to access their equipment.
- In preparation for the winter storms, like the one that occurred yesterday and today, LIAS uses MOTI's ROW to access and charge the battery that operates their equipment.
- There is a piece of land situated adjacent to MOTI's ROW that was recently purchased by a private owner. The private owner does not recognize the access point and has blocked access to LIAS.
- Charging the battery is critical to ensuring uninterrupted connectivity to the citizens living on Lasqueti Island. LIAS accesses this site on annual basis to perform this important maintenance work.
- LIAS is requesting the Province (MOTI) intervene by requesting that the water access at Tucker Bay Road on Lasqueti Island remain open while the situation with the land owner is being addressed.

I am wondering if you could look into this matter and determine a possible resolution so that LIAS can access their equipment. Mr. William Clark, Director, LIAS, can be reached at ^{s.22} Thank you for your attention to this request.

Regards,
Howard Randell

s.22

From: s.22

Sent: Saturday, December 6, 2014 7:40 AM

To: Bangert, Wilf R MTIC:EX; McGrath, James MTIC:EX

Cc: Stilwell.MLA, s.22

Subject: Lasqueti Island Access

Looking for some help here on lasqueti Island. There is a land access dispute on Lasqueti Island, at the Tucker Bay Road water Access, which is hampering our ability to maintain our public internet here. We use a historical water access off of this public road to get to our solar run internet access points which we must get to from the water. The Ministry of Transportation is dragging its feet on this issue. They are allowing the land owners to block the public access. Meanwhile, we can not get to our sites to check and charge the batteries, which is crucial this time of year. I was wondering if you could communicate with someone who can talk to the Ministry of Transportation so that the water Access at Tucker Bay Road on lasqueti Island can remain open while the dispute is being addressed.

William Clark

Director

Lasqueti Internet Access Society (LIAS)

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, January 05, 2015 8:26 PM
To: Tillie, Johnathan TRAN:EX
Subject: reminiscence of old-timer about Tucker Bay wharf

Hello Johnathan,

s.22

I'd love to hear how the Tucker Bay situation is shaping up. There is a group of people compiling documentary evidence about the wharf and road at Tucker Bay. I hope they will submit it to you this week.

I don't know if this will be helpful to you, but I have received some information from a man s.22 who grew up s.22 on Lasqueti, and remembers quite vividly the dock at Tucker Bay and "boat nights". At that time, Tucker Bay was the centre of Lasqueti in most ways.

If there is any information you would like to have, or any you would like to share with the Lasqueti community, please let me know.

Thank you very much,

s.22

This is from an email from s.22

Dad recalls the following:

Original landing spot for the Union Steamships – they stopped that terminus because

Tucker Bay has reefs all over it, when the tide went down (even in a row boat) you would all of a sudden notice there was only 2 inches

Middle of the island, they had a lot of dances in the school... Good location for everyone to get to for island gatherings

There was a school there...

Between 1 hour and 2 hours to walk up to tucker bay to the dance

Dad remembers going to the dance and remembered they forgot something so ran back and got the item and ran back to the dance

Dad would take his rowboat and row up there : s.22

He remembers the reefs very clearly

Dad says that it's completely strange to him about the notion of private access as it was a public road – there was a side road off the main road that led to tucker bay

The Tuckers lived down that road... It wasn't super populated road. I asked Dad to comment on the points that came up at the meeting:

1. There was a public wharf at the end of Tucker Bay Road built in 1912-1913.
that was the one that the Union Steamship used to dock – Dad doesn't recall why they changed to False Bay (for Union steamship) other than there was more of populace at

False Bay which is why maybe Union Steamship change.

2. There was a public float at the end of Tucker Bay Road built in 1926.

Dad was s.22 when they arrived on Lasqueti in s.22 .. The wharf deteriorated so it became a float Dad would typically pull up on the beach.

3. Tucker Bay Wharf Road was built using public funds and has been maintained for over 100 years using public funds. The road was built to provide access to the shore (e.g. wharf, float, ramp).

makes sense but no comment.

4. The water access (wharf, float, ramp and shoreline where these were located) has been used by the public for over 100 years.

Dad said trollers or passing vessels would use it but it was not organized - s.22

s.22 -- it wasn't a private bay – it would definitely be public.

5. The public road to the water accesses is public land and was never privately owned. As a section 42 road, the private property starts at the road edge (e.g. top of cut bank or bottom of toe slope).

No comment.

6. Roads are not defined by their length. Road length is used for planning only. The 800m mark in blue means nothing, and isn't even at 800m from a relevant survey marker.

Not sure what that means. It sounds like that road has never been surveyed in (legally)...

If the private owners has bought and the road was never legally surveyed, perhaps the new owner is trying to pull a fast one. Dad definitely says it was viewed as a public road to the bay. So the 800 mark is meaningless.

7. The community is not interested in changing the location of public water access in Tucker Bay. The community wants to maintain the existing public access locations.

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, December 10, 2014 9:31 AM
To: Tillie, Johnathan TRAN:EX
Subject: report on Tuesday evening meeting

Hello Johnathan,

About 35 people attended the meeting at the community hall. Everyone was very concerned about the possibility that we might lose the access to the ocean at the end of Tucker Bay Road. It is the only deep water access on this side of the island, and the beach/boat landing is certainly the easiest and best place on this side of the island to launch a boat, either a car-topper or from a trailer.

Many people had reports of documentation that the dock and float, and later the gangway and float, had existed, and their locations, and also survey map with Tucker Bay Wharf Road labelled on it. There are apparently maps and charts with water or foreshore leases where the dock and floats were located, There is also documentation of regular barge service from Vancouver and the Sunshine Coast to the beach at Tucker Bay, at the end of the road. s.22 has many old records, including the working logs of one of the long-term highways foremen from Lasqueti, s.22 He says he has contacted Tim Silbernagel about these.

People were a bit anxious to learn that you would be meeting with the new owners. They feared that a deal might be struck in private. s.22 and our Powell River Regional Director will plan to come over on Thursday, and would like to meet with you and/or Tim. s.22 will bring his box of documentation, but as I understand it, he is not willing to leave it with you, just to show it to you, and presumably let you make copies of anything you think is useful.

People were encouraged to let you know about any information, and especially documentation, that they have in their possession. People also think it is critically important to keep all the access to water, especially the deep-water access from the first half of last century, that exists across or through this property.

I sent out a brief report to the Lasqueti email list (over 300 email addresses of Lasqueti-connected people) this morning. I've copied it at the end of this email.

Finally, from last night, people are a bit bothered that the new owners have blocked the roadway at what they claim is the 800m point. There is a large excavator parked there, I'm told. The feeling is that the road and access should remain open until a determination is reached. Probably some people will contact you and ask you to have the roadway cleared. There is also the top of a large tree fallen on the road just beyond where the signs have been posted each side of the road.

If you have any questions, please ask. That's all I can think of now that might be useful to you s.22

PS - s.22 has posted a photo from 1953 showing the Tucker Bay gangway and float, and a barge at the beach, along with log dump and log booms and storage in Tucker Bay. s.22

s.22

About 35 people attended the meeting. All were concerned about the possibility that we might lose thew important and long-time public accesses to the water at the end of Tucker Bay Road. s.22 took

notes and will be making a report.

There were many reports of maps, surveys, charts, and other documents showing that there were public dock and float, gangway and float, barge and boat landings, and roadways built and maintained to them from Main Road by public funds and used by the public for over 100 years.

Copies of documents and other resources to substantiate this, or links to those that are available on the internet, should be sent to MoTI as soon as possible. It is not advisable to send original documents. Make copies or scans and send them, or a fax. Contact information is below.

It would not hurt for everyone to outline their personal use of the access at the end of Tucker Bay Road, and reports of other uses. For example, when Jedediah Island became a provincial Marine Park, Parks cleaned up the island by sending several loads of firewood that s.22 has split and stacked on Jedediah to the Lasqueti Community Hall by barge through the barge ramp at the end of Tucker Bay Road.

Please send information you have, as soon as possible, to:

Johnathan Tillie
Operations Manager, Ministry of Transportation and Infrastructure, Highways Branch
3rd Floor - 2100 Labieux Rd
Nanaimo BC
V9T6E9
CANADA

email: Johnathan.Tillie@gov.bc.ca

fax: 250 751-3289

or telephone him - 250 751-3287 - and let him know what you have, and discuss how to get a copy to him, if needed.

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, February 26, 2015 9:35 AM
To: Tillie, Johnathan TRAN:EX
Subject: road access to Tucker Bay

Hello Johnathan,

I didn't realize until the end of the day on Monday that I had not received a response to my email to you and Tim Silbernagel that I sent Friday just after noon.

Tuesday, Wednesday and this morning, I've tried to get you on the phone.

I spend most of my day outside, not near the phone.

Could you please respond to my email, and let me know what state the "negotiations" about Tucker Bay access are at, and what will be happening.

I've copied my Friday email below.

Thanks very much. It's important to the community to know that something is happening to get our access back.
s.22

sent 20/02 2015 12:16pm

Hello Johnathan and Tim,

I got this email and two photos this morning. Has some decision been made, or is this unilateral action on the part of the new landowners? If they have in fact scraped through the kitchen midden, I hope that the Archaeology Branch will investigate. They knew full well that there are archaeological sites there.

Thanks for letting me know what's up with your negotiations, and what actions we can expect you to take about this.

s.22

----- Original Message -----

Subject: Tucker Bay Rd
Date: Fri, 20 Feb 2015 10:22:52 -0800
From:
To: s.22

Hi s.22

Today, Friday the 20th of February, we took these pictures of the permanent road closure of the Tucker Bay road and ramp. The excavator is no longer there, just the scrape marks it made in the kitchen midden. We were not aware of the final decision on the closure of Tucker Bay road.

Best

TuckerBayRd1.jpg



TuckerBayRamp1.jpg



Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, January 19, 2015 1:40 AM
To: Silbernagel, Tim TRAN:EX; Tillie, Johnathan TRAN:EX
Subject: Safety on Tucker Bay Road

Dear Mr. Tillie and Mr. Silbernagel,

I know, as you previously mentioned, that the process of looking into the public access regarding Tucker Bay Road and the sea takes a while, but I wanted to draw your attention to a growing problem regarding safety.

s.22, as I previously mentioned, s.22 recently - the road to the boat launch, and we also hear more and more questions and complaints. Last week-end, a real estate agent s.22 the access. She drove down with her clients to show the closest public water access to a considered sale, and since the turn-around is blocked by the excavator and a cement mixer, she had to back up several hundred metres. Another local who uses the site to launch a small boat for his work, s.22 if the access was open, afraid of being stuck down there. There is NO SAFE PLACE for the moment to turn around. The safe turn-around space is inaccessible since it has been blocked off. If you have not yet seen this road and the obstruction, you should consider a site visit.

That made me think about the people who are presently away for the winter and are going to start coming back soon, and who will be wanting to launch their small boats. They may not be aware yet that they cannot turn around - and some will not be until they arrive at the excavator. A car cannot turn around, and definitely not a car with a boat trailer. Backing up is dangerous. The geography of the road has one side of it with a pretty steep drop-off in places towards the water and ravine.

This is an accident in waiting. Besides boat launchers, we also have older people who like to drive down there to sit by the sea when they are on the island, or in the summer go for a swim. So, please, take this into consideration. What can be done to remove this impasse and how long will this take?

Sincerely,
s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, January 28, 2015 7:38 AM
To: Tillie, Johnathan TRAN:EX
Subject: section 42 roads on Lasqueti

Hello Johnathan,

Spurred by the ability of the new landowners at Tucker Bay to close an important roadway, I am worried about the Section 42 roads that make up part of the two most important main roads on Lasqueti. I have not (yet) checked to see where, if anywhere, the side roads rely on Section 42 roads for public access.

Hopefully you can reassure me that a landowner will not be able to disrupt public use of these major connecting roadways.

I am referring to the map of Lasqueti that is on the properties application of Map-IT on the Islands Trust web site:
<http://www.islandstrust.bc.ca/maps/mapit.aspx>

According to this map, the following roads appear to be Section 42 roads:

Weldon Road - through NE 1/4 Section 32 and NW 1/4 Section 26

Main Road

- through two properties on the southern half of NE 1/4 Section 14
- through southern half of SW 1/4 Section 8 and NW 1/4 Section 9
- through NW 1/4 Section 5
- through part of NE 1/4 Section 4 and through NW 1/4 Section 3 and part of NE 14 Section 3

Good news is that two of these properties are Crown land - on Section 14 and 3.

Thanks for your work on restoring Tucker Bay access. s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, December 11, 2014 8:02 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: The Community wants Tucker Bay Access Maintained

Message: 1

Date: Wed, 10 Dec 2014 17:43:00 +0000 (UTC)

From: s.22

To: s.22

Subject: s.22

s.22

s.22 ..The community has photos and records regarding the maintenance and use of the Tucker Bay public access from over 100 yrs ago to date, originals are being hand delivered to Highways for copying. I reiterate.. s.22

s.22

s.22 I'm curious how you think a 218' steamship drawing some 16' loaded worked it's way across a mudflat to the position s.22, instead of unloading at the deepwater wharf, which in the day was at the end of Tucker Bay Wharf Road according to the survey in my possession. s.22 knowing full well that Union steamships landed at the now removed wharf. If the slow build-out of Lasqueti continues, the summer False Bay Gong Show will become even more dischordant and our access at Tucker Bay is the only deepwater access where future docks/wharves can be constructed.

Posted at: s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, December 05, 2014 8:36 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: thoughts on Tucker Bay

Hello Johnathan and Tim,

I want to share my perspective on the Tucker Bay Road situation. The public interest is clearly, to me, to assert and keep public access to the sea at the end of Tucker Bay Road. The steepness of the bank and shore does not led itself to moving the access closer to Main Road, especially as the three places of previous and current access were convenient and easily usable, though two of them had structures built and maintained by Department of Public Works.

Much of my thinking is based on the report "Easements, Covenants and Similar Rights in British Columbia" prepared for Fasken Martineau April 28, 2004. I specifically refer to Section IV Public Rights of Way, that begins on page 13.

I don't know the ownership of the property when the first dock was build, in 1912 or 13. Nor do I know who owned the property when the second structure was built in 1926, which I believe was in front of the derelict house, just beyond the beach at the end of the roadway. In both cases, the owner clearly intended that there would be public access across the property to the water, as a public highway. The public clearly accepted and used it. The report also states that the highway does not need to be used, it remains a public highway. In addition, equivalent parts of past Highways Acts to Section 42 of today's Transportation Act would probably also apply to the roadways to these two points, beyond the current end of the road.

The argument that Tucker Bay Road, to the beach access, has been maintained for over 50 years at public expense and, under Section 42 of the Transportation Act becomes a public highway, seems to be beyond question.

I realize that the property rights of the new landowners need to be respected, but where they conflict with the public interest, it is my contention that the public interest needs to be favoured, as long as there is a reasonable case to be made for it, which I believe that there clearly is in the case of Tucker Bay Road.

I have written to our MLA, Michelle Stilwell, and asked her to do whatever she can to make sure that the public interest is looked after.

I hope that this does not cause you any extra work or inconvenience.

Thank you for reading this, and for your work in sorting out this situation. I'm sorry that it wasn't settled in 1973.

Please let me know if there is any information or assistance I can contribute. s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, December 04, 2014 12:30 PM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: Tucker Bay...a bit more

Dear Johnathan and Tim...s.22
s.22 the log book of the ramp barge
'Santiago', which ran between Tucker Bay and Vancouver starting 1948. Tucker Bay is mentioned frequently. s.22
s.22 but will happily show it to you.

One of my friends from school here is sending me the pictures they have of the original dock and float. I will make copies of them available.

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, November 28, 2014 6:21 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker bay, lasqueti island

Mr. Tillie;

I have been told you are the best person to contact in regard to my concern about my current and potential lack of access to the seashore at Tucker Bay. My access is now being threatened by the new owners s.22

s.22 who have posted signs closing access to the foreshore s.22 : Southeast end of lasqueti Island near Squitty Bay. If a southeast is blowing, which is much of the time, the only access to the water to launch or pull out a boat is at the other end of the island at False Bay. If I want a safe place to launch a kayak on the east side of the Island is the only place. Please look

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Saturday, November 29, 2014 11:47 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay, Lasqueti Island

Dear Sir,

I am writing to express my concern regarding the Tucker Bay beach access. The new owners have blocked it with what appears to be a slash pile. My family and I use this access regularly to launch small boats. The road to the beach has been used by the community as a public access for over 100 years, but it seems that it is not well marked on any official maps. Lasqueti's roads are notoriously poorly documented, which has given rise to much past confusion as described below. I hope you can help us resolve this situation in a way that gives our community continued access to the beach at Tucker Bay. Not only is Tucker Bay the ONLY public place to launch a small boat on the NE side of Lasqueti Island, it is one of only a tiny handful of public beach access points of any kind, anywhere on Lasqueti Island.

I also would like to inform you that in my lifetime, no less than five roads to the water that were used by the public, having no gates or signs indicating the contrary, have been gated off and treated as private for many years. In several of the most egregious cases, roads that were graded by the highways department were closed off and remain closed to this day. Lennie Road, ^{s.22} went to Lennie's Lagoon, and Marshalls Beach (indicated in the Lasqueti History by Elda Mason as the site of the annual public May Picnic for many decades), and the grader graded it about once a year ^{s.22}, when the ^{s.22} bought the property and put up a gate. This was a shock to me at the time, as it was the favorite swimming beach for many families, and also the only sandy (as opposed to mudflat) beach of any size anywhere on Lasqueti. This situation has vexed me ever since, only more so now ^{s.22}.

^{s.22} People always said that the highways department had no interest in the issue and, furthermore, most of the public records pertaining to Lasqueti's roads were lost in a fire in the 1950's. Many current Lasqueti residents remember the grader maintaining the public access to Marshall's Beach, but it seems we have little evidence beyond hearsay. The road still appears on some maps of the island. Millicheap Road has recently had a gate put up blocking access to two different beach access points that were long considered public. Mine Road goes to Mine Bay. It was also graded in the seventies, until ^{s.22} built a garage blocking it off in the late 80's. There are others, but these are the ones that I personally watched the Highways Department grader working on.

I am mostly interested in anything you might have to say about the road to Marshall's Beach, as it seems a travesty of justice that a publically maintained road to our island's best beach has been blocked off for so long. I would like to follow up by phoning you this week if you are available, in order to hear your thoughts on this matter.

Sincerely,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, December 04, 2014 10:08 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay

Hi Johnathan,

Please look into the situation at Tucker Bay and clarify who owns what and does the island residents have legal access.

Please reply back

Thanks

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Sunday, November 30, 2014 9:31 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay

As you may have heard there is considerable community discussion about access to this road. I am also concerned about the sign posted with the picture of a gun that says "There is nothing down here worth dying for". I do hope that the new owners were joking with this sign, however it was not the right way for them to join the community or to encourage respectful discussion about this issue.

Before the situation escalates, the community needs to know what the MOTI position and intentions are regarding maintaining public access to the foreshore at Tucker Bay.

s.22

Moore, Suzanne TRAN:EX

From:

s.22

Sent:

Wednesday, November 26, 2014 8:38 PM

To:

Tillie, Johnathan TRAN:EX

Subject:

Tucker Bay Access - Lasqueti Is.

Dear Mr. Tillie,

It has come to my attention that you are the contact, for people who have questions or concerns regarding the public access to Tucker Bay at the end of Tucker Bay Rd. on Lasqueti Island. This road has been maintained for public access since the time of the canneries and homesteading. At one time, Tucker Bay was considered one of two towns on Lasqueti, with a school, a church, docks and a cannery. Removing access to the only remaining public piece of this towns history would be a sad detriment to the history of Lasqueti and the settling of the BC Coast.

Our community still uses this access by land and by sea. The next closest safe harbour for a boat to unload easily would be the opposite side of the island at Mud Bay or Weldon Rd. Ramp. A significant drive for those on the East side of the Island with water access only homes.

If you could please respond with the current status of this issue I would very much appreciate it.

Thank you,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, December 03, 2014 9:33 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay access

Attn: Johnathan

I am contacting you in regards to a situation here on Lasqueti Is. As you may already be aware a portion of a class 42 road to Tucker Bay has

come into question by the new landowners. This portion of the road is and has been clearly maintained by the Department of Highways resulting in assuring

the public to access to the lands beyond. I stress to you that this is a vital link to that part of the strait and is well used. I personally depend on this access s.22

s.22 I am asking you and your department to act in the public's interest and address this situation to make sure this road continues to remain open to the lands beyond

and define the boundaries so there is no confusion. Currently the road is being blocked restricting the the access to the foreshore, so a quick response is needed.

Please reply. Thank you.

Regards

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 02, 2014 12:10 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Access

Dear Jonathan Tillie

I have lived on Lasqueti Island s.22 and have primarily used the Tucker Bay anchorage and the access to function successfully s.22

It is one of the few safe anchorages and one of the few public access locations on Lasqueti Island.

Please ensure that the Tucker Bay access remains available to the public.

sincerely

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 16, 2014 12:31 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker bay as water access

Dear Mr Tillie,

For some reason we have some people that recently bought property at Tucker Bay that are purposely blocking our access to the only deep water access we have on the north side of Lasqueti. I would like you to stop this right away. We need to be able to use this water port and having to find an alternate in the middle of winter is a real bumner. Please help. Blessings

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 09, 2014 11:31 PM
To: Tillie, Johnathan TRAN:EX; Stilwell.MLA, Is.22 tpeterson@islandstrust.bc.ca
Subject: Tucker Bay boat access
Attachments: 1990 moving day.jpg

Dear Mr. Tillie, Ms. Stilwell,

I am sending some photos of one historical use of the boat ramp at Tucker Bay. They are taken from the shore side as the barge is approaching. The ramp there is hard enough to drive a vehicle or wheelbarrow down for unloading, on any tide down to 6 feet, which means it is accessible even in the summer when the tide is out for most of the day. As you can see, a bunch of friends have driven down the Tucker Bay Road s.22 and the tide is out to about 6 feet. There is nowhere else on this side of Lasqueti where we could have done this, because this is the only deep water access. At Long Bay, s.22 a 6 foot tide means there is a quarter mile of mudflat exposed which makes it almost impossible to access the shore, at least in summer during the day. Tucker Bay was also the only place we could deliver booms of cedar fence posts to Lasqueti farmers, for the same reason. The flat rock and gentle slope also means you can even use the ramp in a pinch to haul a boat out on a trailer, a very unique situation on Lasqueti where there is invariably either a steep drop-off or a slimy mudflat.

I am certainly hoping you "get" how important this particular water access is to the people who inhabit the outer islands off the north side of Lasqueti. There have always been people living on boats in the area as well, who also have used the Tucker Bay access to get to their jobs, the store, the doctor, the community hall, the ferry. Tucker Bay Road puts you conveniently half way up the island, very close to the community hall. The deep water off the point means you can leave your boat anchored with a stern anchor off the rocks so it is still safe and accessible even if the tide comes in or goes out while you are occupied on Lasqueti or have gone to town on the Lasqueti ferry.

Tucker Bay is the only reliably safe access from the outer islands (Bull, Rabbit, Boho, Jedediah, and Jervis) to Lasqueti. In winter storms it is sometimes the ONLY access.s.22 my experience tells me it would be absolute folly to close this particular public access.

Sincerely,
s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, December 08, 2014 8:52 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: Tucker Bay Lasqueti: suggested alternate access

Categories: Red Category

Dear Mr. Tillie and Mr. Silbernagel,

I understand that the owners^{s.22} have suggested an alternate public water access to Tucker Bay at the head of the bay where Deane Creek empties into the sea. ^{s.22}
^{s.22} on this issue.
^{s.22}

1. Deane Creek is an ecologically important Riparian Area Regulations (RAR) applicable watershed, with sensitive habitat:

<http://www.islandstrust.bc.ca/media/284910/Lasqueti-RAR-Watershed-Designation-Map-Sept-2014.pdf>

This means it has fish habitat. The following is an excerpt from the watershed assessment done to identify RAR watersheds:

<http://www.islandstrust.bc.ca/media/186641/9.2.3%20Final%20Watershed%20Assessment%20on%20Lasqueti%20Island%20for%20Islands%20Trust%20-%20March%2031%202013f.pdf>

Near the tidewater boundary, the gradient of the stream is minimal (5%) and contains good spawning habitat for salmon. Upstream, the channel is approximately 1 m to 2 m wide with a well-established riparian canopy of western redcedar (*Thuja plicata*) and Douglas-fir (*Pseudotsuga menziesii*) and dense understorey of ferns and salmonberry. In-stream features such as woody debris, undercut banks and pools could provide shelter to juvenile salmonids.

At approximately 250 m upstream from the ocean, the gradient begins to increase and reaches slopes of 15% to 20%. A bedrock cascade of greater than 35% is located just below a residential driveway. This would be the natural barrier to upstream migration.

It would be inappropriate to bring people into the most ecologically sensitive estuary part of the creek. Further, the RAR regulations apply to 30m on each side of the creek, and would limit building a suitable access. The designation of this watershed under RAR is entirely due to the habitat in this lower part of the creek. I value the fish habitat^{s.22} and intend to do what I can to protect this habitat.

2. This estuary is in a ravine. An access route would have to descend a steep slope. A road would be very expensive, and very damaging to the ravine and creek. A trail would have to have switch backs and/or stairs. This would mean difficult or no potential for small boat launching, and impossible for people with disabilities.

Further, the ravine faces north, and is in the shade most of the day in summer and all day in winter (so limited swimming utility). At low tide, the water edge can be as far away as the end of Tucker Bay Road and the current public water access. To reach it from the estuary would mean walking across sharp rocks, sensitive oyster beds, and a mudflat. Not suitable for children. At high tide, there is very little exposed waterfront, with steep banks and overhanging vegetation on two sides, and the ravine with the creek (and the most important section of fish habitat).

Hence, the estuary of Deane Creek is clearly an ecologically and geographically unsuitable location for a public access.

Sincerely,

s.22

90

s.22

s.22

via s.22

barge thru
Tucker Bay



Moore, Suzanne TRAN:EX

From: s.22
Sent: Saturday, November 29, 2014 10:38 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Lasqueti Island

Hi Johnathan

Please add my name and my husband - s.22 to the list of local Lasquetians who use the Tucker Bay boat access for launching kayaks.

s.22

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 1:05 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Property lasqueti Island

Hello,

I am writing to express my strong feelings of the importance of continuing public access to Tucker Bay Via Tucker Bay Road on Lasqueti Island

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, November 25, 2014 4:33 PM
To: Tillie, Johnathan TRAN:EX; Craig McFeely
Subject: Tucker Bay public access, Lasqueti Island

Dear Jonathan:

When my Grandfather moved to Lasqueti s.22 he landed in Tucker Bay at the public dock. It happened to be howling SE, and the wind picked up and smashed his favorite canoe. I believe my father unloaded his Studebaker there when he returned to settle. He started work at the sawmill which operated near that public access. After a blasting accident in 1959 s.22 o Pender Harbour from the public float in Tucker Bay. This public access is the best of five on the N shore of this island, the only all tide one, and is currently a favourite jumpoff to Jedidiah marine park.

I earnestly want you to contact the new landowners and require them to remove their detritus blocking our public access.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Sunday, November 30, 2014 11:02 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay public access

Dear Mr. Tillie:

s.22 I have been a resident of Lasqueti--on and off- s.22 I recall that around the age of 12 being in Tucker Bay with my Father visiting some local fishermen who had their boats tied up to the public float. My dad had just bought a new fiberglass boat with twin 35 h.p. Johnson outboards and put a couple of bamboo fishing poles on it. A real rocket in those days--but not very practical. But I digress.

About two years ago, s.22 was looking for a piece of property on Lasqueti s.22
s.22 One of the features of the property was the obvious public access to the bay and if this was a problem then forget it. s.22
s.22

s.22 The point I am making is that the effect of the public access to the beach is negligible. It just depends where you build. The access is lightly used and ninety-nine percent of the time the owners will have it all to themselves. Nevertheless, it is a valued public asset to the island.

As you probably know by now, the road to Tucker Bay was built to the original wharf for the Union Steamships of the day. The now derelict house was once used as a general store, I believe. At the moment there's an excavator parked in front of it and I presume the house will be demolished.

If I can be of any further assistance in the decision making process, please feel free to contact me.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 7:50 PM
To: Tillie, Johnathan TRAN:EX
Subject: tucker bay public access

hi Johnathan,

I live on Lasqueti island and wanted to voice my concerns over the situation on tucker bay road. It is my understanding that the road down to the waterfront is public access. My family and i use it quite frequently before events at the hall, as do a number of people i know and it has been used and considered public access for the past 10 years at least. I am quite concerned, as i understand that the new owners have put up threatening signs warning not to use it. It would be great to clarify the situation for the community, and the new owners. The new owner's contact email is s.22

s.22
so there can be a record of these concerns.

Thank you for your help in this matter

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, February 27, 2015 7:33 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Public Access

Sir,

Michelle Stillwell, MLA, assures me that you are working hard to resolve the public access issue on Lasqueti Island, Tucker Bay. With 40 years of D o H records showing continuous maintenance it seems clear that this is a public road. While I sympathize with the new landowners, it seems they may have been misinformed. The Lasqueti Island Nature Conservancy is prepared to purchase the property at the market value and would ensure both preservation and public access.

I look forward to your resolution of this issue and a clear statement confirming public access.

Yours sincerely s.22

Sent from my iPod

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, December 01, 2014 10:12 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay public Marine Access

s.22

December 1st, 2014
Ministry of Transportation

Ladies and Gentlemen:

Re: Tucker Bay Road Beach Access, Lasqueti Island, BC

This letter is to add my name to the list of people who use the Beach Access at Tucker Bay. I am a kayaker, and I use the bay to launch my boat in order to access the Province's Marine Protected areas, especially Jedidiah Island, a provincial marine park. This is one of only 3 beach accesses to get to Jedidiah Island from Lasqueti Island. The other two are at the very southwest end of Lasqueti, at the Squitty Bay marine park, and from False Bay, at the northeast point of the island.

Last year was a particularly relevant year for the Tucker Bay beach access to Jedidiah Marine Park. I went there with a group of people from Lasqueti last June. The south wind came up, and there was no way that any of us could return to Squitty Bay. I came into Tucker Bay after being forced to stay on Jedidiah due to high winds for several days. While we were on Jedidiah, a group of Victorian elders arrived by Kyak to Home Bay on Jedidiah, well after dark. They too had been impacted by the high winds. They had launched at False bay when the winds were still small, because they had no vehicle access to take their boats anywhere else. However, they left as well as we did from Jedidiah, to come into Tucker Bay, the only safe place to return and get help from people on Lasqueti to get them back to the ferry at False Bay.

Tucker Bay is the only remaining public mid-island beach access on the northeast side of the island. It is essential that it remain public, for public safety of boaters, and for the safe access to the Province's Jedidiah Marine Park. This public access has been available for over 100 years, and still maintained by the public road which leads to the beach access and ramp there. Furthermore, the Province of BC has paid public monies for the acquisition of Jedidiah Marine Park, and this is the closest available access to that park for small boaters. For the safety of the public, and for public access to the Province's Marine Park at Jedidiah, please ensure that this access remains publically accessible.

Yours truly,

s.22

resident Lasqueti Island

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 9:03 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Rd, Lasqueti Island

Johnathan Tillie
Operations Manager
Central Island Area
Vancouver Island District
Ministry of Transportation and Infrastructure
3rd Floor -- 2100 Labieux Rd
Nanaimo, BC, V9T 6E9

Dear Mr. Tillie:

My brother and I have lived on Lasqueti Island s.22

s.22 so we have always used the
Tucker Bay road as our link to Lasqueti. s.22
s.22

We have no other options for accessing Lasqueti. Tucker Bay road is the only public road access on this side of Lasqueti. When we are weathered in for going to Vancouver Island with our own boats, and shipments must get out, we use this access point s.22 to the Ferry. We also use this road for driving to the ferry to pick up visitors.

There are several private islands and similar landlocked properties to ours that also depend on this access point as we do. This road is the most convenient access point for the Lasqueti Islanders to get to Jedediah and Jervis Marine Parks.

Please let us know what we can do to keep this road open to the public. This road has been used as a public access to the ocean for over a hundred years.

Respectfully yours,

s.22

Historic location
of pier wharf
1912-1930's

Cabin

Existing
vehicle turn
around

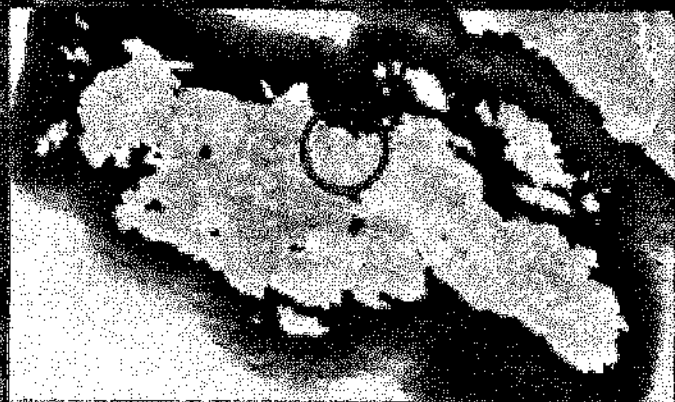
Historic
location of
floating dock
1926-1956

Existing boat
launch area

Existing unsurveyed
road length = 366m

Lot boundary

Existing road



150 m

Moore, Suzanne TRAN:EX

From: s.22
Sent: Saturday, December 06, 2014 9:50 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Rd.

Dear Mr Tillie,

This is further to our letter of November 27, in reference to the Tucker Bay ramp being a "section 42 road".

For about 25 years s.22 a landing barge that vs.22 to land vehicles with at Tucker Bay road ramp. s.22 Several times a years.22 and the road at Tucker Bay. It seems to us that in that case the ramp is being used as part of the highway system. At no time has the ramp been blocked (till now) and Highways Dept. has many times used the ramp to pump seawater into their tanker truck for spreading on the Lasqueti roads for dust control.

Doesn't the Crown have the laws to expropriate land that is deemed necessary for the good of the public? (ie the ramp and turnaround area)

Regards,

s.22

Moore, Suzanne TRAN:EX

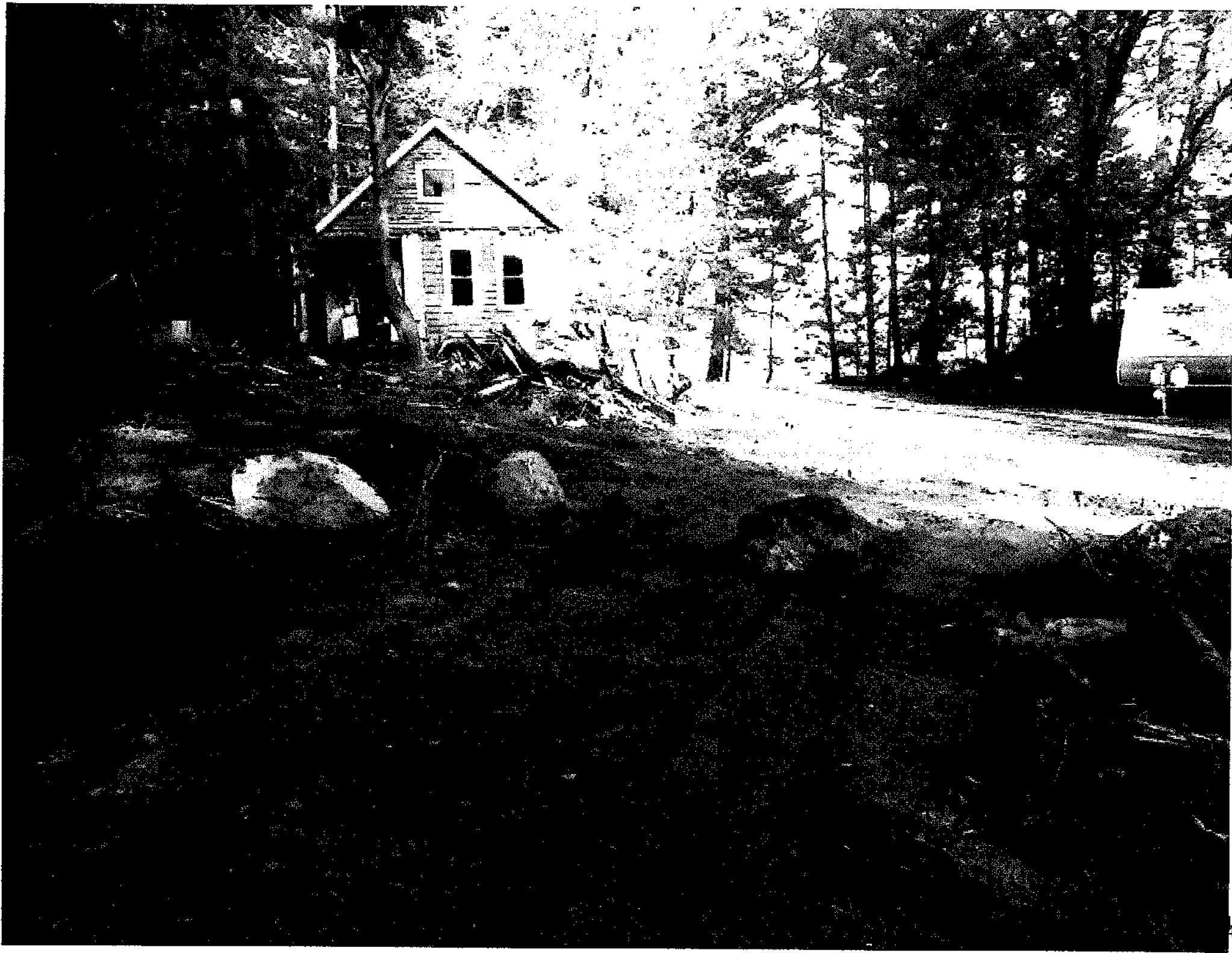
From: s.22
Sent: Friday, February 20, 2015 10:06 AM
To: s.22 Tillie, Johnathan TRAN:EX; s.22
Subject: Tucker Bay Rd closure
Attachments: TuckerBayRd1.jpg; TuckerBayRamp1.jpg

Gentlemen,

Today, Friday the 20th of February, we took these pictures of the permanent road closure of the Tucker Bay road and ramp. The excavator is no longer there, just the scrape marks it made in the kitchen midden it made. We were not aware of the final decision on the closure of Tucker Bay road.

Best regards,

s.22



Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, March 09, 2015 3:20 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road: boulders moved

Hi Johnathan,

I hope you are able to enjoy some of the sunshine these days.

I wanted to let you know that last time I walked down to the end of Tucker Bay Road, the boulders had been moved to the edge of the turnaround and near the trailer. I don't know exactly when this happened, but residents have been able to access the ramp and have been more optimistic that this issue will be resolved positively. Having access to the ramp in the interim will definitely help people be patient (and reduced phone calls to me asking about status).

I wanted to thank you for any assistance you might have given to re-open access to the ramp.

s.22

s.22

Cheers,

s.22

On 24/02/2015 11:26 AM, Tillie, Johnathan TRAN:EX wrote:

s.22

>

> Thanks for the follow up. Any changes on the property or road were completed without consultation with the Ministry of Transportation & Infrastructure. The discussions are still ongoing.

>

> Thanks for following up.

>

> Johnathan

>

> -----Original Message-----

> **From:** s.22

> **Sent:** Saturday, February 21, 2015 4:16 PM

> **To:** Tillie, Johnathan TRAN:EX

> **Subject:** Tucker Bay Road: excavator moved, but...

>

>

> Hi Johnathan,

>

> I hope you had a nice weekend.

>

> I thought that you might be interested in an update on the situation at Tucker Bay. It seems that the excavator has been removed from the site.

> However, boulders have been put in its place, blocking access to the turnaround area, and with one right in the middle of the ramp.

>
> The placement of the boulders appears to be quite close to the end of
> the 1973 "right of way to be gazetted" survey plan of Tucker Bay Road
> (which was never enacted). This made me wonder if these boulders
> indicate a negotiating position^{s.22}. As I mentioned
> previously, people often contact me to find out about the current
> status of the situation. From the feedback I've received, it's clear
> that the
> 1973 "to be gazetted" area would not be accepted by the public here because (a) it does not provide a safe turnaround
in line with Ministry standards and (b) it does not include full access to the ramp/float site and old wharf site.
>
> Cheers,
s.22

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Withheld pursuant to/removed as

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 2:00 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road, Lasqueti

Dear Mr. Tillie

I've owned property on Lasqueti^{s.22} Having experienced being cut-off to legal access to the water^{s.22}
s.22) I can speak from experience when I say that
being on a small island makes any reduction of public access to the water a very distressing matter.

Thank you for your time

Regards

s.22

**Evidence of
Location and Public Ownership of
Tucker Bay Road and
Associated Water Access Sites**

By
Lasquetians Concerned about Public Water Access

January 7, 2015

Disclaimer: this document does not represent a legal opinion

Page 240 to/à Page 267

Withheld pursuant to/removed as

Copyright

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, December 31, 2014 1:08 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road, Lasqueti Island, BC
Attachments: s.22

Hello Mr. Tillie

s.22
I am writing to let you know that I have used Tucker Bay Road as a means of
accessing the Sabine Channel. s.22
s.22 The barge landed at the end of Tucker Bay Road ;s.22

In my recollection, access to Sabine Channel from Tucker Bay Road has always been a common occurrence for boat launching, barge landing, swimming and beach combing. I feel that the it is a very important water access point which should be available for public use.

Thank you for your consideration of this matter.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, November 28, 2014 1:16 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road, Lasqueti Island

Dear Mr Tillie, TUCKER BAY ACCESS for MID-ISLANDERS 2014

s.22
Tucker bay is the only road access for us to get a taxi to the Lasqueti Ferry. The only other options is to go all the way to Squitty Bay which we have never used in 50 years s.22 The reason being that it is much further away and more important, in stormy weather it is impossible s.22 to get there safely. s.22
s.22
Getting around to Tucker Bay is often s.22 best and only option when a strong SE'er is blowing. In emergency situations it has been the one way s.22 can count on as a route out to Vancouver Island.

We have been in that area as a seasonal resident s.22 and know from much earlier times that it was a major ferry landing and even a post office. I am sure that if the current owners do not want us to use the current ramp location that another could be made a hundred yards up the current road with parking that would eliminate the need to come so close to their current residence.

We have shared the Tucker Bay road access with many of our other mid island neighbors that have no road access on their own property to the Lasqueti Island transportation services, post office, fuel, etc. There are many Lasqueti Islanders that live along the shore, that are blocked by other neighbors who do not want anyone to even walk over their land to gain access to the main public road that would allow them to acquire a ride to the False Bay Ferry. I hope you do not allow our only practical public access to the outside world to be blocked for people and their supplies.

Thank You for consideration of this matter,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, November 24, 2014 10:33 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road, Lasqueti Island
Attachments: LCA_LetterToMinTrans.doc

Dear Mr. Tillie,

Please find attached a copy of a letter from the Lasqueti Community Association (LCA) regarding a road concern on Lasqueti Island. A signed original will be mailed to you for your files.

Sincerely,
Andrew Fall, president of the LCA

November 22, 2014

To Johnathan Tillie
Operations Manager
Central Island Area
Vancouver Island District
Ministry of Transportation and Infrastructure
3rd Floor – 2100 Labieux Rd
Nanaimo, BC, V9T 6E9

Dear Mr. Tillie,

The Lasqueti Community Association (LCA) manages the Lasqueti Island community hall. The mandate of the LCA is to foster community development, and the LCA supports community events at the hall as well as community initiatives across the island.

We understand that there are new owners of the property at the end of Tucker Bay Road on Lasqueti Island, near the community hall. The property description is PID. 011-751-304, being the South West 1/4 of Section 13, Lasqueti Island, Nanaimo District, except part outlined in Red on Plan 610R.

The road through this property to the seaside provides the closest public water access to the hall, and is often used during community events at the hall. More broadly, public water access is relatively limited on Lasqueti, in particular in the north-central portion of the island. All existing public access locations are very important to our community well-being, and are well used by many residents and visitors. The boat ramp near the end of Tucker Bay road is used frequently to launch small boats by recreational boaters, as well as by some water-access only properties in Sabine Channel (one of which operates an aqua-culture business). It is also important to note that the section of the road before reaching the boat ramp consists of steep rock banks and bluffs, and does not provide usable access. At the boat ramp, the shoreline becomes suitable for water access (such as swimming access, beach access, small boat launching, etc.).

Given the high value of this public road to our community, we felt it was relevant to communicate the importance of ensuring that this road remains accessible to the public. We would appreciate being informed of any steps or considerations to change the status of this road, and would be happy to provide more information on its importance and use if needed.

Sincerely,

Andrew Fall, President LCA

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, December 17, 2014 9:33 AM
To: Tillie, Johnathan TRAN:EX
Cc: s.22
Subject: Tucker Bay Road, Lasqueti Island

Dear Mr. Tillie,

I'm writing to request removal of road blockage on the Lasqueti Island public road called Tucker Bay Road.

s.22 . We
have used Tucker Bay Road, and the water access it serves, as a boat launch for more than
40 years. It is my understanding that we are part of the community that has used that road and water access for more
than 100 years.

The current owner of the property abutting the northern end of Tucker Bay Road is claiming the road and water access
are on his private property. To that end, he has posted "no entry" signs on the roadway and blocked the water access
with heavy equipment, his excavator.

The blockage is disruptive to ourselves and to the general public.
Please remove it.

yours sincerely,
s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Monday, January 05, 2015 8:54 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: Tucker Bay Road, Lasqueti

Categories: Red Category

Dear Johnathan and Tim,

I hope you both had a nice Christmas and New Years. I wanted to let you know that a group of concerned Lasqueti residents have been assembling a document with the evidence found to date regarding the public nature of Tucker Bay Road. Some of this has been provided to you in various emails and at meetings, while other items have been more recently found. This document will provide ample evidence of the applicability of Section 42 of the Transportation Act for the full length of Tucker Bay Road and its two associated water accesses.

We expect to provide a copy of this to you in the next few days.

Sincerely,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Friday, December 19, 2014 1:09 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road

Hello Johnathan,

I assume that you've had your meeting with the new owners of the property at Tucker Bay, and that you have been sent a bunch of information about the public use and maintenance of the roadway and access to the beach/barge landing, the gangway and float, and the dock and float.

Is there any other information that would be particularly helpful to you? It might well be that someone from or connected to Lasqueti could be able to provide it, but no guarantee, of course.

Also, I'd love it if you could give me some idea of when the situation might be resolved. I had a brief response from our MLA, Michelle Stilwell, who is confident that you and the ministry staff will be able to resolve it, but saying that there was no quick or simple way to accomplish this for the short term. Thus, it seems like the new owners will be able to continue to block the access until some determination has been made. I'd like to have some idea of how long this might be, please, if you can provide it.

Thank you very much. I hope that you have a quiet and peaceful time with family and/or friends over the coming weeks. s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 09, 2014 11:39 AM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road

Hello Johnathan,

This evening there is a meeting on Lasqueti about the Tucker Bay Road access. Is there anything I can report about progress, or when a determination might arrive?

s.22 made a compromise proposal to the community last night, but it seems like an extremely poor offer to the community's point of view.

Thanks for anything you'd like me to report. s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 02, 2014 12:18 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road

Mr. Tillie My name is s.22 ,I own property and have lived on Lasqueti Island for s.22 . I use the Tucker Bay ramp to launch my kayak . I always thought that it was a public access to the ocean.
s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 6:42 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker bay road

Hello Johnathan,

I am writing to you concerning the tucker bay access road. This road is one of few roads that give access to ocean and beach.

I believe you are the person to address this issue, as I am one of many landowners on the island who do not want this commonly used road to become private access.

Thank-you,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, November 26, 2014 10:53 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road

Dear Johnathan Tillie,

s.22 . I often walk down there in the summer time, it would be a shame to loose it. When the school goes on trips to Jedediah island they often use that water access to launch boats from. Please do whatever is your power to preserve and protect our access, thank-you!

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, November 26, 2014 5:42 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay road access on Lasqueti Island

Dear Sir, thanks for your time and attention to this matter.

There has been an ongoing situation with a waterfront property on Tucker Bay Rd, Lasqueti Island. A number of Island residents worked long and hard to try to have the property become part of a land trust/ public park, and allow the Islanders continued enjoyment of a long used piece of boat ramp, beach and bay. Tucker Bay itself was the site of the original Island ferry and a historic community centre. Unfortunately not enough funds were raised quickly enough, and the land was recently sold privately.

When the land sold, it was a concern that access to beach would be blocked, and they have now confirmed our fears by closing the road, putting up private property signs, and blocking all access to the ramp and beach.

We would like to add our voices and strong support to the continuation of Ministry of transportation & highways to maintain the access as a public one, open to the entire community. There are very few sites on the Island where a boat, canoe or kayak can be safely launched. This is not just a pleasure boat situation, but a safety concern, as small craft often offer assistance when needed to boats in distress in Sabine Channel, and can also be used in an emergency for transport off Island. As a water bound Marine community, all useable bays and beaches are valuable in more than visual ways and are essential & crucial parts of the community.

Thanks again for your time,

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Wednesday, March 25, 2015 11:10 AM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX
Subject: Tucker Bay Road access

Hello Johnathan and Tim,

I got another call today asking me what was happening, if anything, about the Tucker Bay Road access. The caller thought that maybe the new owners were being obstructive, or that maybe MOTI didn't think it was all that important.

I understand that the rocks have been moved, and people have been using the access to the water, to launch boats and collect oysters, and so on. I doubt that anyone is swimming yet, but it won't be too many weeks before that becomes the primary desire and use down there.

I wonder if one of the parcels with Main Road going through them, with similar status to Tucker Bay Road, was to close off the road, would we have to wait months and months before we could use it? Maybe MOTI could consider starting the process to regularize these bits of the road, before this happens.

Thanks for letting me know what is happening, and when agreement, or the next stage of the process, might be reached.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Tuesday, December 09, 2014 9:56 PM
To: Tillie, Johnathan TRAN:EX; Silbernagel, Tim TRAN:EX; s.22
Subject: Tucker Bay Road and public access

Dear Johnathan and Tim:

I have just returned home from a public meeting on the Tucker Bay public access, attended by some 35 people. I brought 14 day journals of the highways foreman s.22 from 1954 with work done on Tucker Bay Rd tagged with postits. Also the logbook of the 'Santiago', and a few surveys.

Rumour has it you are meeting with s.22 tomorrow re their plans to close off our only public deepwater access and ramp area on the North side of Lasqueti. This is an island and completely dependent on water transport. We ask you to postpone this meeting until you can peruse the 14 volumes and the logbook of the 'Santiago', which show historical use of this site and the expenditure of public funds for it's maintenance. The picture is obvious.

s.22

Due to the seriousness of this access issue I will bring along the journals and information I have. s.22
s.22 and can come straight to Labieux. I will be travelling with the Director from the Powell River Board, from whom you will be getting a phone call in the morning to set a time/location.

This access is not some backwoods trail wandering willy-nilly to an indeterminate area. Our records show continuous use from inception to date, with the expenditure of public funds, and this is not negotiable.

s.22 I earnestly wish you to look at this information, and explain
s.22 proposed takeover of our public areas is a no go. We have things to do other than this.

s.22

Moore, Suzanne TRAN:EX

From: s.22
Sent: Thursday, November 27, 2014 6:56 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay Road water access. Lasqueti Island

I have lived on Lasqueti s.22 All my children, grandchildren along with my husband and I have used the Tucker Bay road water access on a constant basis for oysters , beach combing and in general usage of the beach. This we do year round. We are horrified to think something everyone has used as public access might get shut down. It is a short way to their house from the beach access that folks, boats and animals in general have used for way more than the s.2 s.22 I have been here. No one leaves a mess. It is regularly used. They have no right to move in and take over the things that don't belong to them. Keep the access open for the public to use. Sincerely , s.22

I wish you enough. xxx

Moore, Suzanne TRAN:EX

From: s.22
Sent: Sunday, March 01, 2015 1:44 PM
To: Tillie, Johnathan TRAN:EX
Subject: Tucker Bay

Hi Johnathan,

Im just writing to say I don't use Tucker Bay and don't believe a large general percentage of islanders have depended on it's access over the years. Yes a small few perhaps like to walk down there and use the beach to launch a kayak every now and then but I don't believe the island is united in wanting to maintain that access for the public. I believe if the few who needed it, just reached out, the new owners would have gladly allowed one to launch a small vessel or kayak but instead a large part of the island jumped on this huge band waggon ruining it for the people who really did need it.

I hope the new owners can maintain their privacy and enjoy the property they purchased but I also hope perhaps an access further up the road can allow for the odd island to use if needed.

s.22

s.22

PN24215

23/11/2015 No gazette recorded
- no further action
g.

PS 24215

s.22

Tucker Bay Rd

1- 0203.

0246.

go? -
i do.

In the meantime, you are welcome to contact me again at barbara.thomas@gov.bc.ca or by phone at 250-751-3126.

yours truly,

Barbara Thomas

Barbara Thomas, P.Eng.

From: Wightman, Peter M TRAN:EX
Sent: Sunday, April 13, 2008 11:16 AM
To: Thomas, Barbara R TRAN:EX
Subject: FW: s.22

From: s.22
Sent: Sunday, April 13, 2008 11:16:15 AM
To: Wightman, Peter M TRAN:EX
Cc: s.22
Subject: s.22
Auto forwarded by a Rule

To: Ministry of Transportation
Attention: Mr. Peter Wrightman, District Manager

Please acknowledge receipt of this e-mail and its attachment. Thank you.

s.22

2008-04-16

Would you kindly provide s.22 with any information or documents that you may have as to the legal status and precise location of this public road on or adjoining s.22 property. In particular, but without limiting the generality of the foregoing request for information, please provide s.22 with any information or documents you have relating to:

1. the location of the road in relation to the existing cottage;
2. any current or anticipated plans that you may have to exercise the Crown's right of resumption under the original Crown grant; and
3. any current or anticipated plans on your part to expropriate any part of the property.

Please provide me with your written response at your earliest convenience. If you have any questions, feel free to telephone s.22 or to e-mail s.22
Thank you for your help.

Yours truly,

s.22

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF HIGHWAYS

TO: Mr. P. J. Carr, Assistant Regional Highway Engineer.	SENDER'S ADDRESS: Nanaimo DATE: October 31st, 1973 DISTRICT: Nanaimo HEADQUARTERS FILE: P/N 24213 REGIONAL FILE: R1-12-20-0 : R1-21-78 DISTRICT FILE: 12-21-78 - 12-21-16
ATTENTION: SUBJECT: Tucker Bay Road - Lasqueti Island	REFERENCE: DATED: Reg. latter October 23rd, 1973.

With reference to your letter of October 23rd, 1973 (File R1-21-57) and (R1-17-20-0) addressed to the Chief Property Negotiator and your latter of October 23rd, 1973 addressed to the Associate Deputy Minister, we would advise that I visited Lasqueti Island on October 30th, 1973 accompanied by our subdivision technician, Mr. G. Dunsmore.

To briefly describe what is involved: Dr. Williams and D. S. Cove, were the joint owners of the Fractional South-west $\frac{1}{4}$ of Section 13, except the part shown outlined in red on Plan 610R, Lasqueti Island and adjoining Tucker Bay.

The end of Tucker Bay Road is very close to the residence owned by Dr. Williams and there is a boat launching area a short distance from the residence. Dr. Williams stopped public use of the ramp as it is on private land. In our negotiations with Dr. Williams it was agreed the Section 6 road should be legally established, the portion past the residence closed and the boat ramp area established as public access. This was a matter of closure and establishment of roads with no intent to construct.

During the course of the negotiations the property has changed hands and it is now owned by Dr. W. T. Brown and Rosemary Brown, Dr. T. L. Perry and Clare Perry. The new owners received a letter from the Property Negotiator to the effect that construction of a road would take place, this is not our intent.

The new owners indicated they have no objection to the unrestricted use of the boat ramp on their property. This is quoted in item No. 4 in Dr. Perry's letter to The Honourable Minister of Highways dated September 28th, 1973. With this assurance we recommend that the proposed right-of-way negotiations be discontinued. This matter could come up again in the future if the property again changed hands. However, we see no need to press the matter at the present time.

RIGHT-OF-WAY AGENT
Department of Highways

NOV 6 1973

Ans'd
Burnside File

FOR DEPARTMENTAL CORRESPONDENCE ONLY.

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF HIGHWAYS

TO: Mr. F. J. Carr, Assistant Regional Highway Engineer.	SENDER'S ADDRESS: Nanaimo DATE: October 31st, 1973 DISTRICT: Nanaimo HEADQUARTERS FILE: REGIONAL FILE: R1-12-20-0: R1-21-73 DISTRICT FILE: 12-21-73: 12-20-16
ATTENTION: SUBJECT: Tucker Bay Road - Lasquati Island	REFERENCE: DATED: Reg. letter October 23rd, 1973.

- 3 -

The Community Association stated that they were under the impression that the development intent was to be strata title. However, they have since established they are corporate type or joint ownership.

In checking the Tax Rolls, we find there are a number of joint ownerships involving up to six owners in one property i.e. the South-west 1/4 of Section 28, Lasquati Island (159acres) Folio 14803.000 Richard H. Stewart:

1/6	Interest -	Richard H. Stewart
1/6	"	John B. Cantwell
1/6	"	Marriek G. Anderson
1/6	"	Peter and Janet Lironi
1/6	"	Dennis and Barbara McBride
1/6	"	Randall and Susan Taylor.

This joint tenancy includes John B. Cantwell, the President of the Community Association. This type of ownership appears to be spreading. The reported corporate subdivision may not be corporate type subdivision but may be pending joint ownership.

With reference to the brushing on Lasquati Island roads, we found no evidence of brushing and in fact found that the brush is hanging over the ditches and even on the main road a truck and car cannot pass without one unit stopping. Our foreman, Mr. E. Nichols, is very conscious of the wishes of the people and will not be doing excessive brushing. We do anticipate a number of wooden culverts being replaced at various points on the Island. These will be replaced with minimum disturbance.

RIGHT-OF-WAY AGENT
Department of Highways

NOV 6 1973

Ans'd

Burnside File

FOR DEPARTMENTAL CORRESPONDENCE ONLY

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF HIGHWAYS

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3 -

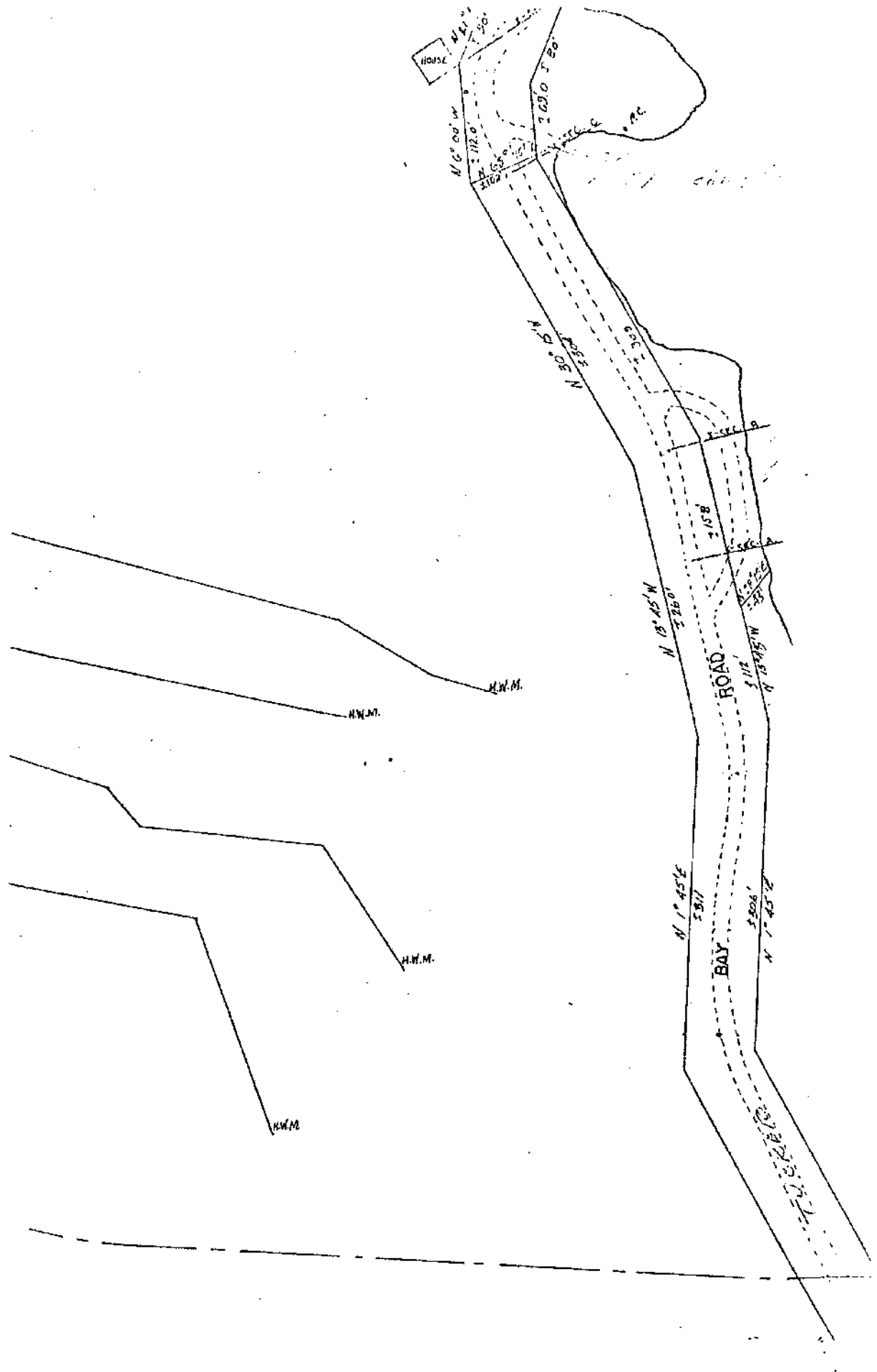
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BRITISH COLUMBIA DEPARTMENT OF HIGHWAYS
DISTRICT OFFICE NANAIMO, B. C.

TUCKER BAY ROAD

PLAN SHOWING RIGHT OF WAY TO BE
GAZETTED IN SOUTH WEST 1/4 SECTION 13
AND NORTH WEST 1/4 SECTION 14,
LASQUETI ISLAND, NANAIMO DISTRICT.

SCALE : 1 INCH = 100 FEET #12-70

APPROVED

REGIONAL HIGHWAY ENGINEER
DATE 21 JULY 1973

DISTRICT SUPERINTENDENT
DATE JUNE 11 1973

SAWD 90 12-1-73

DRAWN BY M.A.M.

DATE JUNE 11, 1973

Page 295

Withheld pursuant to/removed as

s.3.....

E. F. Thompson
Property Negotiator
Department of Highways
280 Burnside Road, West
Victoria.

Regional Office,
Burnaby
2nd November 1973.
Nanaimo

F/N 24215

Re: Tucker Bay Road.

Herewith a copy of a letter from the
District Superintendent, Nanaimo and
the Assistant Regional Highway
Engineer's footnote dated November 1,
1973 for your information and
attention.

H. R. MACKENZIE,
Regional Property Negotiator.

HRM./by
Encl.

DEPARTMENT OF HIGHWAYS

P/W 24215

<p>TO:</p> <p>N. C. Tattrie, Chief Property Negotiator, Victoria.</p> <p>ATTENTION:</p>	<p>SENDER'S ADDRESS: Regional Office, Burnaby</p> <p>DATE: October 23rd, 1973</p> <p>DISTRICT:</p> <p>HEADQUARTERS FILE: 922/268903</p> <p>REGIONAL FILE: R1-21-57; R1-17-20-0</p> <p>DISTRICT FILE: 12-21-57</p>
<p>SUBJECT:</p> <p>Tucker Bay Road, Lasqueti Island</p>	<p>REFERENCE:</p> <p>DATED:</p>

Gazetting of the Tucker Bay Road is intended to clarify the status of the road which has been a point of disagreement between people on the Island. We enclose for your information copies of all past correspondence related to this subject.

It should be pointed out that we have no intention of reconstructing the road or carrying out extensive improvements as intimated. The District Official has also been instructed to keep brushing to a minimum.

The letter from the Property Negotiator, Mr. Thompson to Dr. and Mrs. Perry and Dr. and Mrs. T. L. Perry (copy attached) should have been worded differently.

The letter states, "the area of roads already in existence within the holding comprises nil acres, making a total of 1.79 acres utilized for roads."

The intent is that 1/20 of the area of the parcel 38.30 acres is resumable under the Highway Act which is 1.915 acres.

The actual area within the right of way including the existing road is 1.79 acres therefore the total area of 1.79 acres is resumable and no compensation is due.

We would appreciate advice on whether we may proceed to gazette the right of way.

P. J. Carr,
Asst. Regional Highway Engineer.

PJC/dp

c.c. Regional Property Negotiator - Please find attached copy of Chief Property Negotiator's letter of October 10th, 1973. Please note the Honourable Minister has directed that no property be expropriated until we have further direction.

c.c. District Superintendent, Nanaimo.

Encl.

September 28, 1973

The Honourable Graham Lea,
Minister of Highways,
Government of British Columbia,
Victoria, B.C.

Dear Mr. Lea:

We have just received from Mr. E. F. Thompson, Property Negotiator for the Department of Highways, a letter dated September 26, 1973 informing us that the Department of Highways will shortly undertake reconstruction of Tucker Bay Road on Lasqueti Island. He informs us that the Department intends to resume a total of 1.79 acres of the parcel now s.22

s.22
He states that the area of roads already in existence within this parcel comprises nil acres. Finally, he informs us that no compensation will be payable to us, since the resumption does not exceed one-twentieth of the total area of the parcel. I enclose a xeroxed copy of his letter, together with a xeroxed copy of the plan of the land within the S.W. 1/4 of Section 13 which the Department of Highways plans to resume for reconstruction of Tucker Bay Road.

We wish to protest vigorously this proposed action, and we respectfully request you as Minister to call an immediate halt to this planned road reconstruction until your Department has had the opportunity to investigate carefully whether or not such road construction is necessary, or is in the best interests of the people of Lasqueti Island. We also respectfully request that we be given the right to meet with you, and to discuss this matter before any final official action is taken. We can only conclude, as of this time, that the Department of Highways has been badly misinformed as to the actual situation on Lasqueti Island and as to the needs of its residents.

May we call the following facts to your attention:

- 1) The statement in Mr. Thompson's letter to us that "the area of roads already in existence within this holding comprises nil acres" is completely false. In actual fact, a dirt road in excellent condition now follows the general line of the area of our property that has been slated for resumption. This road presently runs from the main Lasqueti Island highway, through the S.W. 1/4 of Sec. 14, and then through the S.W. 1/4 of Sec. 13 until it reaches high water mark. The road presently runs for more than 1000 feet through the parcel we own. It is 15 to 20 feet in width, is in excellent condition, and is more than wide enough to accommodate the largest vehicles now on Lasqueti Island.
- 2) The present traffic over Tucker Bay Road (in the busiest part of the year, June to September) does not average more than one vehicle per 24 hours. There is thus no conceivable traffic requirement for spending public funds to construct a larger road.
- 3) The immediate area is well-forested, and the drainage is such that the existing road is most unlikely to be washed out by



LAND REGISTRY ACT
(FORM F, SECTION 143)

Title No. P 0 4 1 0 0

Register Vol. _____

From Title No. 85019-N

CERTIFICATE OF INDEFEASIBLE TITLE

Land Registry Office, Victoria, British Columbia.

This is to certify that the undermentioned registered owner in fee-simple is absolutely and indefeasibly entitled in fee-simple, subject to such charges, liens, and interests as are notified by endorsement hereon, and subject to the conditions, exceptions, and reservations set out hereon, to the land situated in the Province of British Columbia, and more particularly described below.

Registered owner in fee-simple: Application for registration received 4th July 1973

WILLIAM THEOPHILUS BROWN, Doctor, and ROSEMARY BROWN, His Wife,
s.22 and THOMAS LOCKWOOD PERRY, Doctor, and CLAIRE
LIPPMAN PERRY, His Wife, s.22, All of Vancouver, B. C.

Description of land: (See back hereof for transfers (if any) of the land or a part thereof). (Nanaimo Assessment District)

Fractional South West quarter(1/4) of Section 13, Lasqueti Island, Nanaimo District EXCEPT that part thereof shown outlined in red on Plan 610-R.

CHARGES, LIENS, AND INTERESTS*

Nature of Charge; Number; Date and Time of Application	Registered Owner of Charge	Remarks
M B62189 4.7.73	The Royal Trust Company	

**NOT A DUPLICATE
CERTIFICATE OF TITLE**

In witness whereof I have hereunto set my hand and the seal of my office aforesaid, this 5th day of July, 1973.

H. Kennedy
Registrar.

* Each endorsement affects all the land described herein, unless otherwise indicated in "Remarks" column. (See back hereof for abbreviations, etc.)

TO

Chief Rep. Mr.
Bledsoe

FROM

F. F. O'Byrne
Rep. Mr.
Bledsoe

SUBJECT

Resumption of Land Acquisition Island.

DATE

Oct 9-73

☐ For Your Information☐ Please O.K. and Return☐ Please Discuss With Me☒ Per Your Request☐ For Your Signature☐ Please Process☐ Return With More Details☐ Investigate and Report☐ Please Answer☐ For Your File

24215

Enclosed please find 2 copies of letter dated
Sept 28-73 together with a copy of
Inglefield's letter B62TB8 for your info.
It is suggested that you submit
a report as to the need requirements
in this instance.

F. F. O'Byrne

DATE OF REPLY

SIGNATURE

RETAIN THIS COPY UNTIL REPLY RECEIVED THEN DESTROY.

EVERGREEN PRESS LIMITED - CARBON READY SETS
1070 SOUTH EAST MARINE DRIVE/VANCOUVER 15, B.C. V6Z 2Z1
SALES OFFICE 801 HOLLER STREET/VANCOUVER 3, B.C. V6Z 1Z2

MEMOGRAM

REMOVE THIS SHEET AND FORWARD BALANCE OF SET (INTACT).

Nanaimo

DEPARTMENT OF HIGHWAYS

220 W. Burnside Rd.,
Victoria, B.C.

s.22

September 25, 1973

Dear Sirs and Madams:

Re: Tucker Bay Rd. Lasqueti Island.

The department will in the near future, undertake reconstruction of the above noted section of the Tucker Bay Road. This involves encroachments in various properties, including that part of the S.W. $\frac{1}{4}$ of Section 13, Lasqueti Island, Nanaimo District, except plan 610-R and shown as right-of-way on District Highway plan 12-I-79 (12-90) which according to title search information from the Land Registry Office, is registered in your names.

For your information, we are enclosing a print of part of the District plan, showing in red outline the area required for highway purposes. In this connection it will be noted that the new right-of-way required within your property is 1.79 acres. The area of roads already in existence within this holding comprises nil acres, making a total of 1.79 acres utilized for roads.

Pursuant to the grant from the Crown and under provisions of the "Highway Act", the department may resume for road purposes an area up to, but not exceeding, one-twentieth of the total area of the parcel, and where same is unimproved, no compensation is payable therefore.

In this instance your holding comprises 38.30 acres and it will be observed that a total of 1.91 acres is subject to statutory resumption. Since the total area of land required for road purposes is less than the one-twentieth and being unimproved land, no compensation is payable.

The right-of-way will be established as a public highway by notice in the B.C. Gazette and a supporting notice will be filed with the Registrar of Titles to effect a notation on the registered title in the Land Registry Office, Victoria, B.C.

Yours truly,

EFT/cep
Encl.

RIGHT-OF-WAY AGENT Department of Highways	
OCT 1 1973	
Ans'd _____	Property Negotiator.
Burnside File _____	

RECEIVED

OCT 1 1973

DEPT. OF HIGHWAYS
BURNSIDE - VICTORIA

Nanaimo

280 W. Burnside Rd.,
Victoria, B.C.

September 25, 1973

s.22

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Pursuant to the grant from the Crown and under provisions of the "Highway Act", the department may resume for road purposes an area up to, but not exceeding, one-twentieth of the total area of the parcel, and where same is unimproved, no compensation is payable therefore.

In this instance your holding comprises 38.30 acres and it will be observed that a total of 1.91 acres is subject to statutory resumption. Since the total area of land required for road purposes is less than the one-twentieth and being unimproved land, no compensation is payable.

The right-of-way will be established as a public highway by notice in the B.C. Gazette and a supporting notice will be filed with the Registrar of Titles to effect a notation on the registered title in the Land Registry Office, Victoria, B.C.

Yours truly,

E.F. THOMPSON
Property Negotiator.EFT/cep
Encl.

C.C. Chief Property Negotiator
C.C. Regional Property Negotiator
C.C. District Superintendent, Nanaimo
C.C. Assistant Supervisor, Nanaimo

PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF HIGHWAYS

TO: Regional Property Negotiator, Burnaby.	SENDER'S ADDRESS: Regional Office, Burnaby DATE: July 27th, 1973 DISTRICT: HEADQUARTERS FILE: R1-12-20-0; R1-21-57 REGIONAL FILE: 12-21-57 DISTRICT FILE:
ATTENTION: SUBJECT: Tucker Bay Road	REFERENCE: DATED:

We attach linen and print indicating acreage of Section 6 Road and additional R/W required.

If right of way costs are involved please advise amount.

P. J. Carr,
 Assistant Regional Highway Engineer.

PJC/dp
 Encl.

c.c. District Superintendent,
 Nanaimo.

FOR DEPARTMENTAL CORRESPONDENCE ONLY.

CERTIFICATE OF INDEFEASIBLE TITLE

Land Registry Office, Victoria, British Columbia.

~~This is to certify~~ that the undermentioned registered owner in fee-simple is absolutely and indefeasibly entitled in fee-simple, subject to such charges, liens, and interests as are notified by endorsement hereon, and subject to the conditions, exceptions, and reservations set out hereon, to the land situated in the Province of British Columbia, and more particularly described below.

Registered owner in fee-simple: Application for registration received 4th July 1973

WILLIAM THEOPHILUS BROWN, Doctor, and ROSEMARY BROWN, His Wife,
s.22 and THOMAS LOCKWOOD PERRY, Doctor, and CLAIRE
LIPPMAN PERRY, His Wife, s.22 All of Vancouver, B. C.

Description of land: (See back hereof for transfers (if any) of the land or a part thereof). (Nanaimo Assessment District)

Fractional South West quarter(1/4) of Section 13, Lasqueti Island, Nanaimo District EXCEPT that part thereof shown outlined in red on Plan 610-R

CHARGES, LIENS, AND INTERESTS*

Nature of Charge; Number; Date and Time of Application	Registered Owner of Charge	Remarks
M B62189 4.7.73	The Royal Trust Company	

**NOT A DUPLICATE
CERTIFICATE OF TITLE**

In witness whereof I have hereunto set my hand and the seal of my office aforesaid, this 5th day of July, 1973.

[Signature]
Registrar.

* Each endorsement affects all the land described herein, unless otherwise indicated in "Remarks" column. (See back hereof for abbreviations, etc.)



LANDS BRANCH
DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES
LAND INSPECTION DIVISION

Room 213, Court House,
470 Cumberland Road,
Cassville, N.C.
15 October 1973

Your File: 12-21-70-1155

Mr. J.W. Harris,
District Day Shift Agent,
Department of Highways,
Room 311, Court House,
Harrisburg, N.C.

Dear Sir:

Re: Joint Application - Section 72 of the
Land Act - Within N.W.M., Section 14,
Lacompiti Island

Reference your memorandum of 14 May 1973, concerning the
above mentioned application by 1 s.22

Attached please find a memorandum and letterhead from
Mr. A.F. Smith, Assistant Director of Lands, querying several points
and requesting a further joint inspection to clarify the situation.

Could you please advise when it would be convenient for
you to make a joint inspection and any contacts you may have would
be appreciated.

Yours truly,

James R. Smith
James R. Smith,
Land Inspector.

JRS/el
Att.



SECTION 13

N 10° 45' 00" E 121.85'

SECTION 14



NORTH 1/2 OF THE NORTHEAST 1/4
SECTION 14

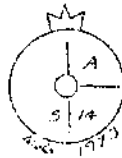
A

ACRES

SECTION 14

NORTHWEST 1/4

N 1° 23' 05" W 129.57'



S 89° 41' 35" E 1351.85'
1225.04'

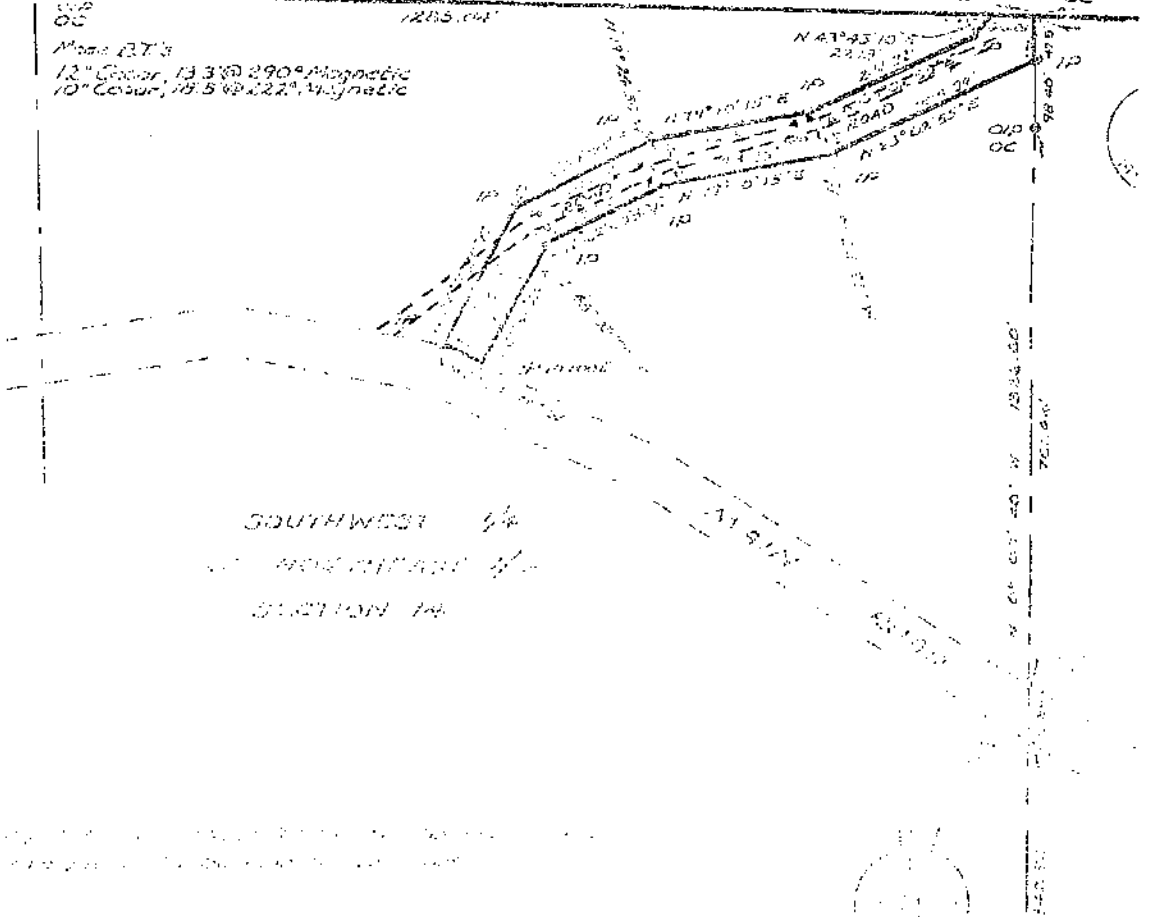
OC

Mon RT's

12" Cedar, 13.3' @ 290° Magnetic
10" Cedar, 15.5' @ 222° Magnetic

OBV
5' Fir.
Made L
4' Fir.

OCIP
OC



SOUTHWEST 1/4
OF THE NORTHEAST 1/4
SECTION 14



Province of
British Columbia

Ministry of
Transportation
and Highways

301-190 Wallace Street
Nanaimo
British Columbia
V9R 5B1
Telephone: (604) 741-5701
Fax: (604) 741-5711

CENTRAL ISLAND DISTRICT

March 14, 1996

Our File: 11000-53/B 3
Tucker Bay Road

MINISTRY OF TRANSPORTATION
& HIGHWAYS

APR 16 1996

FOR THE RECORD
CENTRAL ISLAND DISTRICT

s.22

Dear ^{s.22}

Re: Tucker Bay Road

Thank you for your letter with the information about Tucker Bay Road. Any additional information is always useful in determining the extent of the Section 4 road. A photocopy of the marine charts that show the positioning of the old ramp would be helpful for our file on Tucker Bay Road.

If you have further questions regarding this matter, please contact me at the above address.

Yours truly,

Richard Crossley
Area Manager Parksville/Qualicum

*Richard - I had 2 maps, the one enclosed and a second one
got years ago from Herb Branch. I had them and
when I wrote my letter last have misplaced the
Herb Branch one. If I come across it I'll send
you a copy* s.22

124° 17'

16'

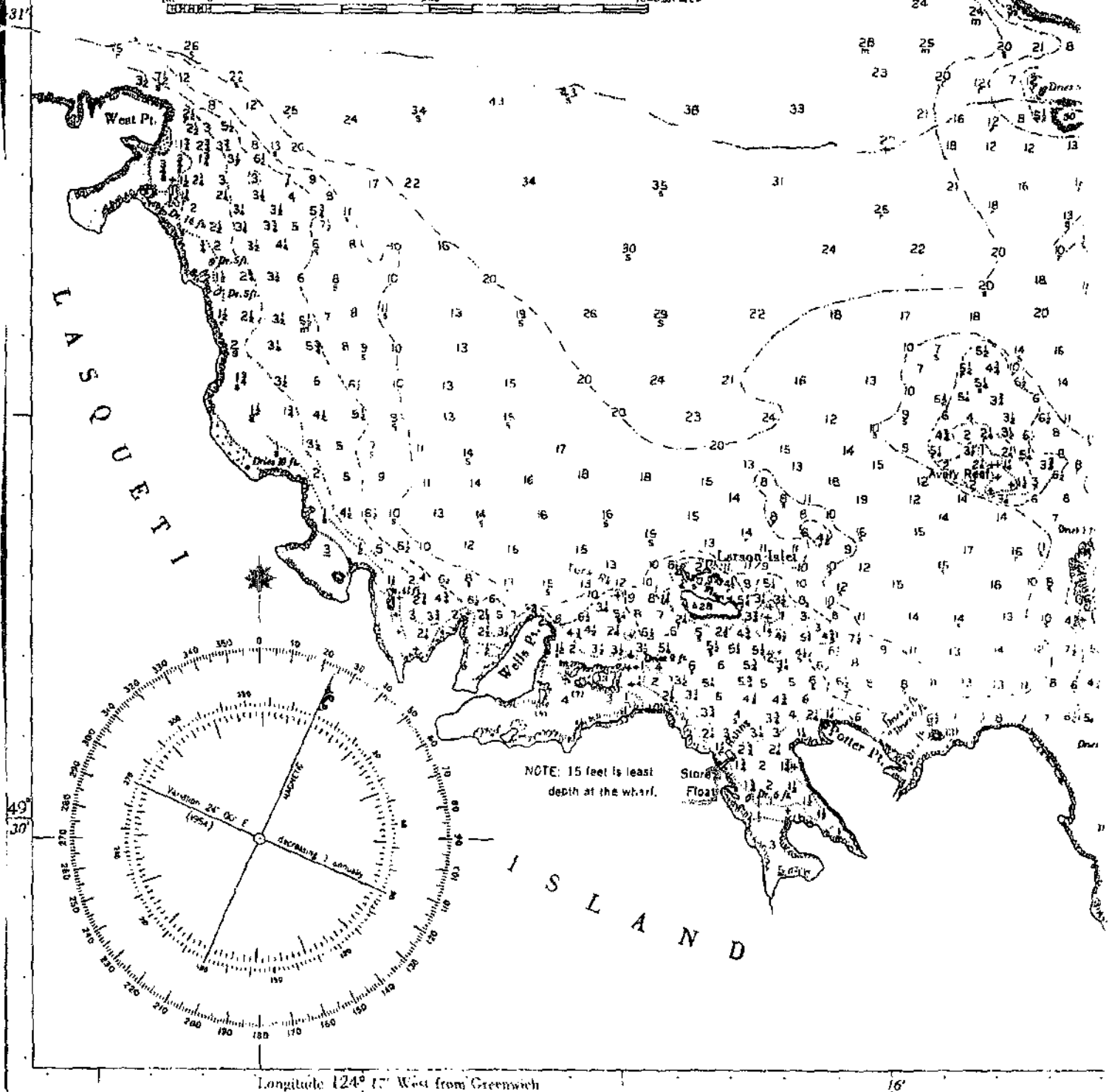
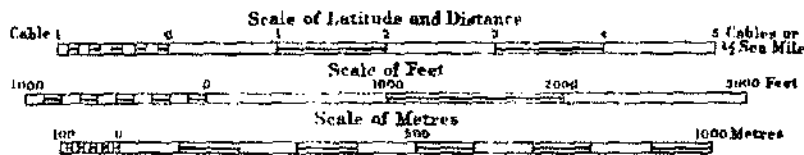
TUCKER BAY

Surveyed in 1924

West Pt. A : Lat. 49° 30' 52" 54" N., Long. 124° 17' 21" 96" W.

SOUNDINGS IN FATHOMS

Natural Scale 1 : 12,163



Lasqueti Island, B.C.
VOR 2JO
February 28, 1996

Mr. Richard Crossley,
Ministry of Highways,
Nanaimo, B.C.

Dear Richard: Re: Tucker Bay Road

Much discussion has been held on the island over the terminus of Tucker Bay Road, does it end at the old log dump or further out to where the public ramp and float were attached to the land.

As someone who has lived on this island for over 50 years s.22 I can assure you that I drove in a car to the ramp to board a boat before the facility was removed in 1956.

There are very few decent public accesses to our foreshore and the one at Tucker Bay is a very important one both for those living on the island for those living on the adjacent islands. It does not matter if it is just a section 4 road as long as the public has the undisputed use of it for access to the sea.

Would you please see that this access is protected?

s.22

Some of our marine charts show the positioning of the ramp/float facility.

MINISTRY OF TRANSPORTATION
& HIGHWAYS

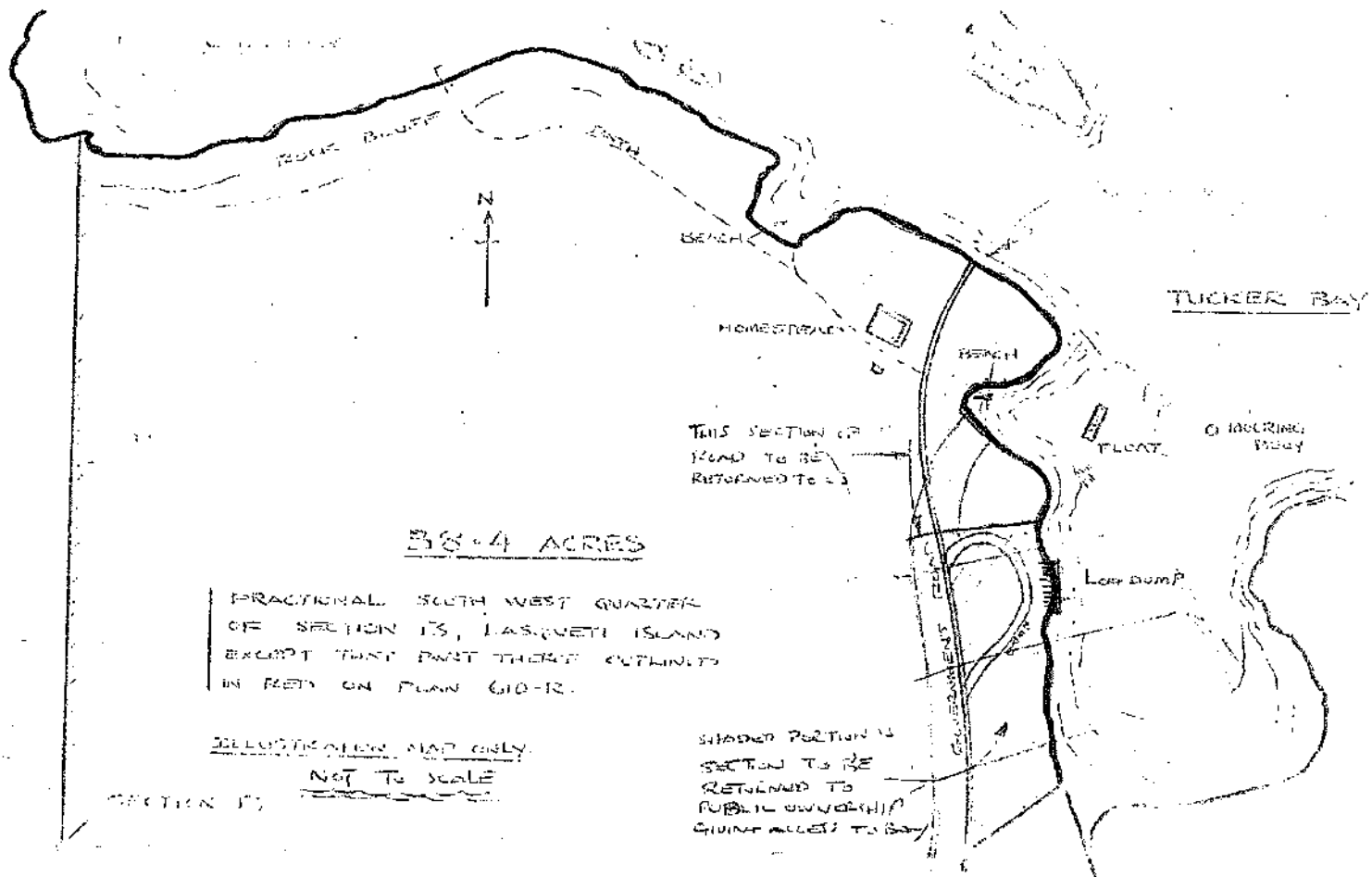
2015-01-09

2015-01-09 10:00 AM
2015-01-09 10:00 AM

Page 311

Withheld pursuant to/removed as

s.22



0*99414 =X
570*569032 *

7* 0
275*66 X
0*20350 =X
56*096810 +
0*97908 =X
269*093193 +

8* 0
319*14 X
0*53938 =X
172*137733 *

0*84206 =X
268*735020 +
9* 0
715*52 X
33,394* =X
23,394,074*80 +

9* 0
715*52 X
0*33394 =X
238*940749 +

0*94259 =X
074*441997 +
10* 0
231*90 X
0*50641 =X
117*436479 *

0*56229 =X
199*565051 *

11* 0
174*69 X
0*25727 =X
44*542496 +

0*96634 =X
168*009935 +

12* 0
389*70 X
0*19438 =X
75*749886 +

0*98093 =X
382*260421 +

26	*	+
50	*95	x
0	*26906	=x
13	*703607	+
0	*96312	=x
49	*070964	*
19	*	=
260	*41	x
0	*92327	=x
249	*428741	*
0	*38416	=x
100	*039106	*
19	*	=
499	*11	x
6	*87157	=x
435	*009303	*
0	*49027	=x
244	*698660	+
20	*	=
245	*64	x
1	*	=
245	*64	*
0	*00247	=x
0	*606731	*
21	*	=
303	*39	x
0	*98121	=x
297	*689302	*
0	*19295	=x
58	*539101	*
22	*	=
384	*42	x
0	*86090	=x
330	*970243	+
0	*50867	=x
195	*542921	*
27	*	+
151	*83	x
0	*20264	=x
30	*766831	+
0	*57925	=x
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62.76 -

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56.10 -

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234.94 -

795.81 0

117.44 -

673.37 0

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475.35 0

513.43 +

988.78 0

257.13 +

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259.60 +

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67.37 +

1,573.08 0

336.69 +

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1,905.86 0

1,905.86 0

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5,520	55	△
403	82	+
5,904	37	○
243	89	+
6,168	26	○
43	34	—
6,104	92	○
67	50	—
6,057	42	○
69	82	—
5,987	60	○
189	11	+
6,176	71	○
334	45	+
6,511	16	○
123	75	+
6,634	91	○
49	07	+
6,683	98	○
6,683	98	*
5,987	60	+
100	04	—
5,887	56	○
244	70	—
5,642	86	○
0	60	+
5,643	46	○
58	54	—
5,584	92	○
195	54	—
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148	68	+
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0 * 000562 =	4,052 * 360000 0	
1 * 564521 *	5,220 * 340000 +	
	6,072 * 700000 0	
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75 * 484047 +		
0 * 509551 =		
3,620 * 342930 *		

BRITISH COLUMBIA DEPARTMENT OF HIGHWAYS
DISTRICT OFFICE, NANAIMO, B.C.

TUCKER BAY ROAD

PLAN SHOWING RIGHT OF WAY TO BE
CLOSED IN SOUTH WEST 1/4 SECTION 13,
LASQUETI ISLAND, NANAIMO DISTRICT

SCALE : 1 INCH = 100 FEET

APPROVED

OFFICIAL HIGHWAY ENGINEER

DISTRICT SUPERINTENDENT

DATE

DATE: MARCH 12, 1973

TITLE SEARCHDate Aug 2 1973Description N.W. 1/4Section 14Lasqueti Island.First:- That part of the Trac. S.W. 1/4 of Sec. 13, Lasqueti
Island, Nanaimo District, as shown on plan C-10-2Second:- The Trac. N.W. 1/4 of Sec. 14, Lasqueti Island,
Nanaimo District, as shown on plan deposited under
DD 76126-IRegistered Owner s.22Lasqueti Island, B.C.Cert. of Title No. 344252-I

Delivered to _____

Registered charges (R.R) A 67223. Lasqueti Holdings Ltd,

Consideration in Deed _____

Grantor _____

Declared Value _____

Remarks _____

SD 76126-E

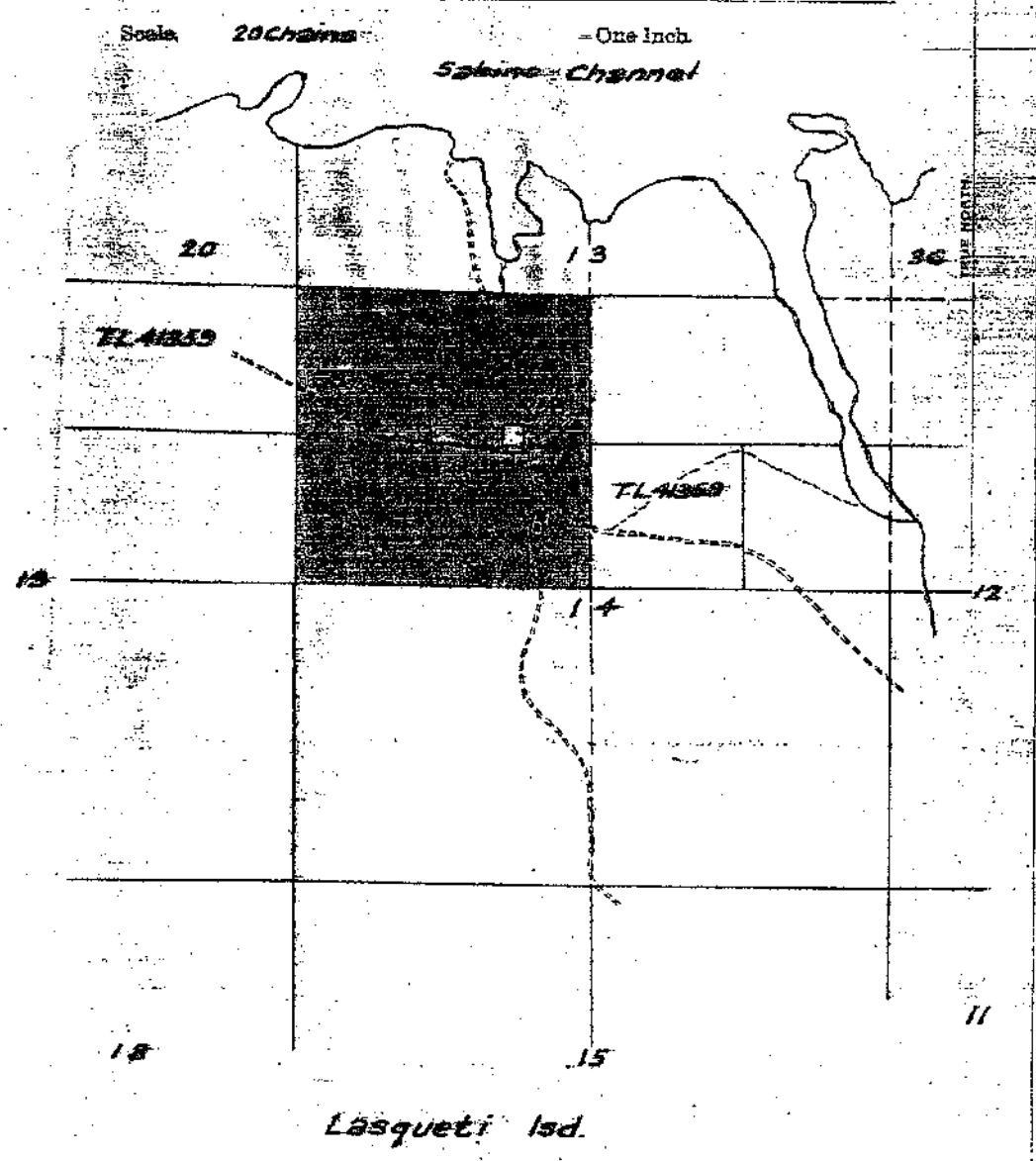
Traced by _____
Compared by _____

British Columbia.

Crown Grant No. 8787
558

NANAIMO DISTRICT.

s. 22



Page 323

Withheld pursuant to/removed as

s.22

Dear Sir:

Re:

The department will, in the near future, undertake reconstruction of the above noted section of the 2nd Avenue Highway. This involves encroachments in road in properties, including yours. A plan of the proposed highway is enclosed for your information. The plan shows the proposed highway and the area required for road purposes. The area of road already in existence within this holding comprises 2.14 acres, making a total of 2.14 acres utilized for roads.

For your information, we are enclosing a print of part of the Plan, showing in red outline the area required for highway purposes. In this connection it will be noted that the new right-of-way required within your property is 2.14 acres. The area of road already in existence within this holding comprises 2.14 acres, making a total of 2.14 acres utilized for roads.

Pursuant to the grant from the Crown and under provisions of the "Highway Act", the department may resume for road purposes an area up to, but not exceeding, one-twentieth of the total area of the parcel, and where same is unimproved, no compensation is payable therefore.

In this instance your holding comprises 2.14 acres and it will be observed that a total of 2.14 acres is subject to statutory resumption. Since the total area of land required for road purposes is less than the one-twentieth and being unimproved land, no compensation is payable.

The right-of-way will be established as a public highway by notice in the B.C. Gazette and a supporting notice will be filed with the Registrar of Titles to effect a notation on the registered title in the Land Registry Office, Victoria, B.C.

BRITISH COLUMBIA DEPARTMENT OF HIGHWAYS
DISTRICT OFFICE, NANAIMO, B.C.

TUCKER BAY ROAD

PLAN SHOWING RIGHT OF WAY TO BE
GAZETTED IN SOUTH WEST 1/4 SECTION 13
AND NORTH WEST 1/4 SECTION 14,
LASQUETI ISLAND, NANAIMO DISTRICT

SCALE : 1 INCH = 100 FEET

APPROVED

REGIONAL HIGHWAY ENGINEER

DATE 21 July/73

DISTRICT ENGINEER

DATE 21 July/73

DRAWN BY B-1-73 CHECKED BY K.L.W.

DATE 21 July/73

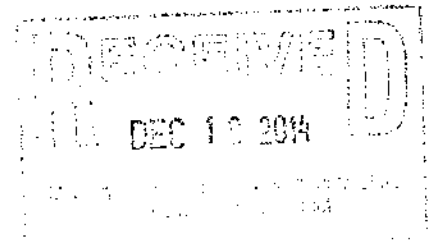
Lasqueti Island Ratepayers Association
Main Road
Lasqueti Island, B. C.
V0R 2J0

For your information please find attached a copy of a letter
to the Minister of Transportation & Infrastructure, Todd Stone.
Thanks in advance for any effort you might spend on our
behalf.

Karl Darwin, president

December 8, 2014

Lasqueti Island Ratepayers Association
Main Road
Lasqueti Island, B. C.
V0R 2J0



The Honourable Todd Stone
Minister of Transportation & Infrastructure
P.O. Box 9055
Stn. Prov. Govt.
Victoria, B. C.
V6W 9E2

Subject: Lasqueti Island public access

Dear Sir:

As you may, or may not be aware of, there is an on-going public debate concerning the length of a public access to the tidal foreshore at Tucker Bay on the north side of Lasqueti Island.

Tucker Bay in past history was the site of two public wharves, the first one being built early in the 20th century to accommodate the Union Steamships of the day, and a public road to Tucker Bay has been there for as long.

Recently, the subject property has changed hands and the new owner,^{s.22} asserting that the road does not go so far as to accommodate public access to the foreshore and has subsequently blocked the road with an excavator. However, Tucker Bay Road, has been used by the public for more than a century to access the waterfront.

A decision on the whole matter (a raging public controversy on local social media) has been relegated to Mr. Johnathan Tillie, MOT operations manager in Nanaimo.

A title search on the subject property, described as a fraction of the S.W. 1/4 of section 13, reveals that all historical record of previous owners, deeds, plans, easements (if any) are missing from the Land Titles Office in Victoria.

Nevertheless a public road which goes to the water, in fact, exists. As you are undoubtedly aware, existing rights of way that provide public access to the foreshore are to be retained for public use.

We are writing to you to suggest that some Ministerial oversight on this matter be undertaken to ensure that, in this case, the ministerial policy of retaining public access to the water be enforced.

Your truly,

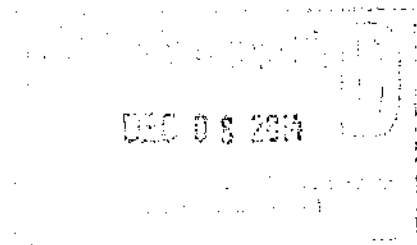
Karl B. Darwin
President

(2)

cc: Lasquet Island Trust Committee
Christy Clark, Premier
Johnathan Tillie, Operations Mgr
Michelle Stillwell, MLA

November 22, 2014

To Johnathan Tillie
Operations Manager
Central Island Area
Vancouver Island District
Ministry of Transportation and Infrastructure
3rd Floor – 2100 Labieux Rd
Nanaimo, BC, V9T 6E9



Dear Mr. Tillie,

The Lasqueti Community Association (LCA) manages the Lasqueti Island community hall. The mandate of the LCA is to foster community development, and the LCA supports community events at the hall as well as community initiatives across the island.

We understand that there are new owners of the property at the end of Tucker Bay Road on Lasqueti Island, near the community hall. The property description is PID. 011-751-304, being the South West 1/4 of Section 13, Lasqueti Island, Nanaimo District, except part outlined in Red on Plan 610R.

The road through this property to the seaside provides the closest public water access to the hall, and is often used during community events at the hall. More broadly, public water access is relatively limited on Lasqueti, in particular in the north-central portion of the island. All existing public access locations are very important to our community well-being, and are well used by many residents and visitors. The boat ramp near the end of Tucker Bay road is used frequently to launch small boats by recreational boaters, as well as by some water-access only properties in Sabine Channel (one of which operates an aqua-culture business). It is also important to note that the section of the road before reaching the boat ramp consists of steep rock banks and bluffs, and does not provide usable access. At the boat ramp, the shoreline becomes suitable for water access (such as swimming access, beach access, small boat launching, etc.).

Given the high value of this public road to our community, we felt it was relevant to communicate the importance of ensuring that this road remains accessible to the public. We would appreciate being informed of any steps or considerations to change the status of this road, and would be happy to provide more information on its importance and use if needed.

Sincerely,

Andrew Fall, President LCA

email: s.22
s.22

10 Dec 2014

s.22

To Johnathon Tillic

&
Tim Silbermagel
Ministry of Transportation
& Infrastructure

Sent also to
s.22

Dear Sirs: Re Tucker Bay boat ramp and public access on Lasqueti is.

There is abundant documentation of long-term use and public money spent on this road. The new land owners are attempting to close it off. I hope you will act in the legal and public interest here and maintain this essential access - the only boat ramp on the north side of Lasqueti. Over the years we've lost several nearby water accesses to private development. I'm a long time resident of Lasqueti. My family & I have often used this site for recreation and transportation - as have many other people.

Thanks for your consideration.

s.22

Dec. 12 2014

Dear Mr. Tillie,

I am writing regarding the Tucker Bay Access on Jasqueli Island. I feel it is very important to maintain this as a public access because it belongs to the public, and is used by us. It is the only public access left on that side of the island, probably the only other access where a boat can easily be launched beside the boat ramp at False Bay. It is a relatively sheltered area for putting boats in or out, the closest access to the popular Jodediak for kayakers and much safer in terms of exposure to big weather than

coming out of (2)
1 Squinty Bay or coming out of
Scottie Bay. It is also helpful
for folks who live on the water
in the vicinity. I know someone
who ^{s.22} transports
things like ^{s.22} prepare bottles
from Tucker Bay to ^{s.22} house
via the water, since ^{s.22} can't drive
to ^{s.22} house. I imagine you've
heard from the folks who use
Tucker Bay as the ^{s.22} nearest, safest
place to drop off

^{s.22}
And many people use the access
as a place to swim and enjoy
being at the beach.

If the new neighbour does
take the issue to court, I feel it
is the province's duty to defend our

right to the ⁽³⁾ public access

I also request that ^{s.22} Highways
demands that ^{s.22}
excavator blocking the access be
removed, or that highways removes it
themselves.

Thank you for dealing with
this issue.

Yours sincerely,

s.22

Hello Jonathon Tillie,

I'm writing about the Tucker Bay public access. This is the only access on this side of the island. Stop these people before more time + energy is misspent.

Thank you,

s.22

Dec 2, 2014

Dear Sir,

I am writing to inform you that continued access to the beach at the end of Tucker Bay Rd, on Lasqueti Island, is vital to our

s.22

Businesses on Lasqueti Island, more so than on many of the other Gulf Islands, are dependent upon having available boat access. This is due to the fact that there is no vehicle ferry to the island. Therefore, most of the freight that comes to the island must be brought by other means.

s.22

many of the other local businesses, bring supplies by private boat and transfer them to trucks at the shoreline.

Currently, there are only three possible accesses where a truck can back down to meet a boat: a government ramp at the extreme west end of the island, a beach access at Squatty Bay (20 km further east, at the extreme east end of the island), and Tucker Bay (in the middle).

Individuals and businesses on the east end of the island use the access at Tucker Bay more frequently than the access at Squitty Bay, which is steep and rocky.

This has been the case since the original settlement of the island: the steamships used to unload at Tucker Bay and cargo would be moved from the beach to the interior of the island on the existent road.

Please make sure that public access to the beach at Tucker Bay is maintained, regardless of change of ownership of the surrounding property.

Thank you for your time.

Dear Johnathan Tillie,

SEP 08 2017

s.22
I am writing to you concerning the public water access at Tucker Bay, Losquet Island. I have been a resident of Losquet for ^{s.22} , and ever that time I have frequently used this water access at Tucker Bay. I have used this access to pull my boat out of the water. In the event of inclement weather changes or emergencies while boating Tucker Bay is the only public boat launch on the central east side of the island where I can pull my boat in.

The Ministry of Transport has a policy regarding roads that provide public access to water:

"Existing rights of way that provide public access to bodies of water (lakes, streams, rivers and the ocean) are to be retained for the public use. Unless these bodies of water are privately owned, they are considered to be provincial assets and public access must be retained."

I trust you will represent the policies of the Ministry protecting this public and provincial asset. Thank you for your time. s.22

Dear Johnathan Tillie,

I am writing you concerning the public water access and boat ramp at Tucker Bay on Lasqueti Island. I have been a resident for ^{s.22} and I have used the access numerous times to pull in my boat, go for a swim, collect sea water and pick up cell service. I know that myself and many other island residents are writing you, urging the importance of keeping this valuable access public.

Although I can understand that the new owners of the adjacent land would prefer that their driveway be private, I am hard pressed to believe that they were unaware of the extensive past and present use of Tucker Bay road as public water access.

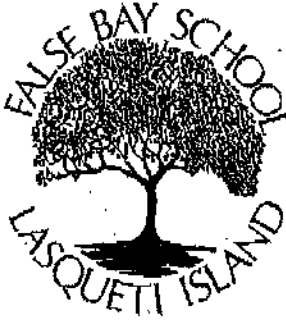
As a civil servant, I would expect your decisions will serve the greater public interest above those of a private company.

I thank you for your time and considerations on this important issue.

Sincerely

s.22

RECEIVED
JAN 08 10:00
JAN 08 10:00



False Bay School District # 69

Lasqueti Island B.C. V0R 2J0

Phone: 333-8813 Fax: 333-8772

Principal: Jeffrey Temple

Facsimile Sheet

Date: Dec 15/14

Number of Pages: 1

If you do not receive these pages, please call (250) 333-8813

To: Jonathan Tive

Fax. No. 754 8289

From: False Bay School

Fax. No. (250) 333-8772

Re:

FB Phone Access



Mr. Jeffrey Temple, Principal
Weldon Road
Lasqueti Island, BC V0R 2J0
Phone: (250) 333-8813
Fax: (250) 333-8772
10th December 2014

Johnathan Tillie
Operations manager,
Ministry of Transportation and Infrastructure
Highways Branch
2100 Labieux Rd
Nanaimo, BC
V9T 6E9

Dear Mr. Tillie,

I am writing to you to express my interest in preserving the Public Access at Tucker Bay on Lasqueti Island. Over the years, False Bay School has used this access to transport students to nearby Jedediah Island Marine Provincial Park, for educational field trips. This access meets the requirements for School District 69 School Board approval in regards to safe access and departure, when loading and supervising young children on and off boats. As well, it provides adequate turn-around space for the District school bus. Without this Northeast facing access, it is unlikely that these field trips would be able to continue in the future.

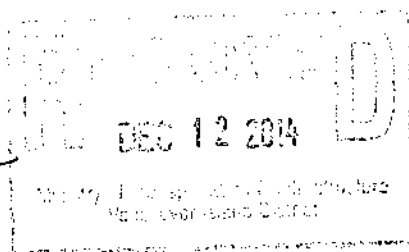
Thank You for your time and consideration into this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey Temple".

Jeffrey Temple

To: Jonathan Tillie
Operations mgr
Central Island Area
Vancouver Is. District
MoTI



s.22

Mr Tillie,

As a long-time ^{s.22} Lasqueti Island resident,
I am writing to add my voice to those alarmed by
the possibility of losing our unique and historically
important public access to the waters of the
Sabine Channels at Tucker Bay.

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as well as friends and
visitors and various community groups and school/
alternative school/homeschooling groups, I have
made extensive use of what I have always
understood to be a legal public access at
Tucker Bay, for recreational, educational,
and therapeutic uses over the last ^{s.22}
years as follows:

* access to the beach for swimming, both alone and in groups. Tucker Bay's location as the only public beach access within easy walking distance of our Community Hall makes it a safe and environmentally sound alternative to driving to other beaches for a refreshing swim during summer events at the hall, thus keeping us safer, our roads safer and cleaner.

* access to the water for the purpose of launching kayaks and small boats, and pickup / drop off by water in order to explore the nearby coastline and islands:

* a safe refuge when out kayaking in inclement weather. I have often left my kayak on Tucker Bay beach when weather conditions made it unwise to paddle further.

* access to the beach for the exploration, study, enjoyment, and sharing of the natural beauty of the area, marine and intertidal life, bioluminescence...

- Mr Tillie, there is no other convenient public beach access on this side of the island. Securing and maintaining our legal access at Tucker Bay will be of great benefit to our community and all its visitors for generations to come.

I thank you for the attention you are bringing to this issue.

s.22

- * I apologize for my handwriting, I do not have access to a printer at the moment. I am sending an email as well.

s.22