

Jager, Brenda CSNR:EX

From: Graboski, Joel FLNR:EX
Sent: Friday, January 8, 2016 2:50 PM
To: Hallworth, Jeff FLNR:EX
Subject: RE: China_Ck.pptx

Orange ones – A - .320 ha and B - .437 ha

Joel Graboski, Geomatics Technician

South Island District, FLNRO

4885 - Cherry Creek Road

Port Alberni, BC V9Y 8E9

Email : joel.graboski@gov.bc.ca

Ph. 250 731 3013, Or. 250 897 7520 (Courtenay Office) Fax 250 731 3010

From: Hallworth, Jeff FLNR:EX
Sent: Friday, January 8, 2016 2:37 PM
To: Graboski, Joel FLNR:EX; Preedy, David FLNR:EX
Subject: RE: China_Ck.pptx

I'm afraid that the outer perimeter is 4.139 ha (not 3.886 ha). Sorry, I should have articulated this to you Joel.

Knowing this, could you calibrate the outer perimeter as being 4.139 ha in order to calculate the subordinate two orange polygons and the two light blue polygons?

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Graboski, Joel FLNR:EX
Sent: Friday, January 8, 2016 2:33 PM
To: Hallworth, Jeff FLNR:EX; Preedy, David FLNR:EX
Subject: China_Ck.pptx

Jager, Brenda CSNR:EX

From: Graboski, Joel FLNR:EX
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To: Hallworth, Jeff FLNR:EX
Subject: RE: China_Ck.pptx

Yep, little one, big one...

Joel Graboski, Geomatics Technician

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Port Alberni, BC V9Y 8E9

Email : joel.graboski@gov.bc.ca

Ph. 250 731 3013, Or. 250 897 7520 (Courtenay Office) Fax 250 731 3010

From: Hallworth, Jeff FLNR:EX
Sent: Friday, January 8, 2016 2:54 PM
To: Graboski, Joel FLNR:EX
Subject: RE: China_Ck.pptx

Just to confirm, do you mean light blue polygon A (i.e. northernmost one) = .436 Ha and light blue polygon B (southern one) = .117 Ha ?

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
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4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Graboski, Joel FLNR:EX
Sent: Friday, January 8, 2016 2:45 PM
To: Hallworth, Jeff FLNR:EX
Subject: RE: China_Ck.pptx

.117 Ha and .436 Ha respectively

Joel Graboski, Geomatics Technician

South Island District, FLNRO

4885 - Cherry Creek Road

Port Alberni, BC V9Y 8E9

Email : joel.graboski@gov.bc.ca

Ph. 250 731 3013, Or. 250 897 7520 (Courtenay Office) Fax 250 731 3010

From: Hallworth, Jeff FLNR:EX
Sent: Friday, January 8, 2016 2:37 PM
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Knowing this, could you calibrate the outer perimeter as being 4.139 ha in order to calculate the subordinate two orange polygons and the two light blue polygons?

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Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Graboski, Joel FLNR:EX
Sent: Friday, January 8, 2016 2:33 PM
To: Hallworth, Jeff FLNR:EX; Preedy, David FLNR:EX
Subject: China_Ck.pptx

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Monday, January 11, 2016 4:14 PM
To: 'Cindy Mah'; 'bfilipchuk@alberniport.ca'
Cc: Proteau, James FLNR:EX
Subject: Revised Map and Rent Regime for China Creek Marina
Attachments: GE Imagery.pdf; 2010 Rent.pdf; 2011 Rent.pdf; 2012 Rent.pdf; 2013 Rent .pdf; 2014 Rent.pdf; 2015 Rent .pdf

Hello Cindy and Bianca,

I just finished a comprehensive evaluation of the lands and rent associated with the China Creek Marina lease. I have come to learn that without a new legal survey and subsequent appraisal, the numbers will not be perfect. However, I can tell you that this re-evaluation has yielded numbers in your favour. Google Earth imagery illustrates the areas associated with the two approaches to land valuation – the income approach (in red) and the utility approach (in purple, orange and blue). The constituent areas associated with the lease have been carefully digitized via ArcMap with geo-referencing and colour-coded. Also attached are pdf's of the rent calculations by year.

Please review the documents and perhaps we can chat this Wednesday when I am back in the office.

Regards,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
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South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Monday, January 11, 2016 8:36 AM
To: Hallworth, Jeff FLNR:EX
Subject: FW: Dave Preedy's Calculations

Blue polygon A → 0.4 ha

Blue polygon B → 0.11 ha

Orange polygon A → 0.43 ha

Orange polygon B → 0.31 ha

Red polygon → 1.74 ha

Purple polygon → 1.04 ha
= 4.03 ha

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Ministry of Forests, Lands and Natural Resource Operations
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Area (ha) Calculations

	Using ArcMap with GeoReferencing
Orange A	0.320
Orange B	0.437
Blue A	0.436
Blue B	0.117
Red	1.770
Purple	1.049
Subtotal	4.129
Outer Perimeter (measured)	4.139

2014 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

	<u>Seasonal Lineal Feet</u>	<u>Transient Lineal Feet</u>	<u>Months</u>	<u>Days</u>	<u>s.17</u>
	2085		5		
		1741		90	
Auxillary Float	<u>0</u>		<u>5</u>		
Totals:	2085	1741			
Total Lineal Feet:		3826			

Ancillary Uses (valued using the Income Approach):

	<u>Total Lineal Feet</u>	<u>Available Berths</u>	<u>Months</u>	<u>Days</u>
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Non-Moorage (valued using the Utility Approach):

s.17

<u>Section</u>	<u>Area (ha)</u>	<u>Upland \$\$/ha</u>	<u>% of Upland \$\$ as Decimal</u>	<u>Type B Factor</u>
PID 001-740-890	1.049	<u>s.17</u>		
Fill	0.757			
Unused Water	<u>0.553</u>			
Total Non-Moorage	2.359			

s.17

2012 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

	<u>Seasonal Lineal Feet</u>	<u>Transient Lineal Feet</u>	<u>Months</u>	<u>Days</u>	<u>s.17</u>
	2085		5		
		1741		90	
Auxillary Float	<u>0</u>		<u>5</u>		
Totals:	2085	1741			
Total Lineal Feet:		3826			

Ancillary Uses (valued using the Income Approach):

	<u>Total Lineal Feet</u>	<u>Available Berths</u>	<u>Months</u>	<u>Days</u>
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Non-Moorage (valued using the Utility Approach):

s.17

<u>Section</u>	<u>Area (ha)</u>	<u>Upland \$\$/ha</u>	<u>% of Upland \$\$ as Decimal</u>	<u>Type B Factor</u>
PID 001-740-890	1.049	<u>s.17</u>		
Fill	0.757			
Unused Water	<u>0.553</u>			
Total Non-Moorage	2.359			

s.17

2010 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

	<u>Seasonal Lineal Feet</u>	<u>Transient Lineal Feet</u>	<u>Months</u>	<u>Days</u>	<u>s.17</u>
	2085		5		
		1741		90	
Auxillary Float	<u>0</u>		<u>5</u>		
Totals:	2085	1741			
Total Lineal Feet:		3826			

Ancillary Uses (valued using the Income Approach):

	<u>Total Lineal Feet</u>	<u>Available Berths</u>	<u>Months</u>	<u>Days</u>
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Non-Moorage (valued using the Utility Approach):

s.17

<u>Section</u>	<u>Area (ha)</u>	<u>Upland \$\$/ha</u>	<u>% of Upland \$\$ as Decimal</u>	<u>Type B Factor</u>
PID 001-740-890	1.049	s.17		
Fill	0.757			
Unused Water	<u>0.553</u>			
Total Non-Moorage	2.359			

s.17

Page 010 of 106

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2015 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

	<u>Seasonal Lineal Feet</u>	<u>Transient Lineal Feet</u>	<u>Months</u>	<u>Days</u>	<u>s.17</u>
	2390		5		
		1576		90	
Auxillary Float	<u>0</u>		<u>5</u>		
Totals:	2390	1576			
Total Lineal Feet:		3966			

Ancillary Uses (valued using the Income Approach):

	<u>Total Lineal Feet</u>	<u>Available Berths</u>	<u>Months</u>	<u>Days</u>
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Non-Moorage (valued using the Utility Approach):

s.17

<u>Section</u>	<u>Area (ha)</u>	<u>Upland \$\$/ha</u>	<u>% of Upland \$\$ as Decimal</u>	<u>Type B Factor</u>
PID 001-740-890	1.049	s.17		
Fill	0.757			
Unused Water	<u>0.553</u>			
Total Non-Moorage	2.359			

s.17

2011 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

	<u>Seasonal Lineal Feet</u>	<u>Transient Lineal Feet</u>	<u>Months</u>	<u>Days</u>	<u>s.17</u>
	2085		5		
		1741		90	
Auxillary Float	<u>0</u>		<u>5</u>		
Totals:	2085	1741			
Total Lineal Feet:		3826			

Ancillary Uses (valued using the Income Approach):

	<u>Total Lineal Feet</u>	<u>Available Berths</u>	<u>Months</u>	<u>Days</u>
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Non-Moorage (valued using the Utility Approach):

s.17

<u>Section</u>	<u>Area (ha)</u>	<u>Upland \$\$/ha</u>	<u>% of Upland \$\$ as Decimal</u>	<u>Type B Factor</u>
PID 001-740-890	1.049	s.17		
Fill	0.757			
Unused Water	<u>0.553</u>			
Total Non-Moorage	2.359			

s.17

2013 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

	<u>Seasonal Lineal Feet</u>	<u>Transient Lineal Feet</u>	<u>Months</u>	<u>Days</u>	<u>s.17</u>
	2085		5		
		1741		90	
Auxillary Float	<u>0</u>		<u>5</u>		
Totals:	2085	1741			
Total Lineal Feet:		3826			

Ancillary Uses (valued using the Income Approach):

	<u>Total Lineal Feet</u>	<u>Available Berths</u>	<u>Months</u>	<u>Days</u>
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Non-Moorage (valued using the Utility Approach):

s.17

<u>Section</u>	<u>Area (ha)</u>	<u>Upland \$\$/ha</u>	<u>% of Upland \$\$ as Decimal</u>	<u>Type B Factor</u>
PID 001-740-890	1.049	s.17		
Fill	0.757			
Unused Water	<u>0.553</u>			
Total Non-Moorage	2.359			

s.17

Jager, Brenda CSNR:EX

From: Cindy Mah <CMah@alberniport.ca>
Sent: Monday, January 11, 2016 4:32 PM
To: Hallworth, Jeff FLNR:EX; Bianca Filipchuk
Cc: Proteau, James FLNR:EX
Subject: RE: Revised Map and Rent Regime for China Creek Marina

Thanks Jeff – B and I go over the info tomorrow and we can all chat on Wed. Our Wed looks fairly open – would you like to book a tentative speaker phone conversation?

Cindy

From: Hallworth, Jeff FLNR:EX [<mailto:Jeff.Hallworth@gov.bc.ca>]
Sent: Monday, January 11, 2016 4:14 PM
To: Cindy Mah; Bianca Filipchuk
Cc: Proteau, James FLNR:EX
Subject: Revised Map and Rent Regime for China Creek Marina

Hello Cindy and Bianca,

I just finished a comprehensive evaluation of the lands and rent associated with the China Creek Marina lease. I have come to learn that without a new legal survey and subsequent appraisal, the numbers will not be perfect. However, I can tell you that this re-evaluation has yielded numbers in your favour. Google Earth imagery illustrates the areas associated with the two approaches to land valuation – the income approach (in red) and the utility approach (in purple, orange and blue). The constituent areas associated with the lease have been carefully digitized via ArcMap with geo-referencing and colour-coded. Also attached are pdf's of the rent calculations by year.

Please review the documents and perhaps we can chat this Wednesday when I am back in the office.

Regards,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer

Ministry of Forests, Lands and Natural Resource Operations

South Island Natural Resource District

4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

Jager, Brenda CSNR:EX

From: deMunck, Elizabeth FLNR:EX
Sent: Tuesday, January 12, 2016 2:53 PM
To: Hallworth, Jeff FLNR:EX
Cc: Benneke, Dorothy CSNR:EX; Jones, Tori FLNR:EX
Subject: Rent refund policy

Hi Jeff,

As we discussed – in the case of the port authority file, a variance request won't be necessary (see Tracey Woodland's advice below). The credit can be requested, using an account adjustment form. Either you or Tori can fill out this form and send it to Rudi for signature.

I have confirmed that Rudi has authority to sign the account adjustment form. (Dorothy – Rudi's authority includes approving refunds and this case is considered to be a refund even though we are not sending the tenure-holder a cash refund (we will apply it to their account). I hope this makes sense.

Thanks for your patience on this.

From: Woodland, Tracey FLNR:EX
Sent: Tuesday, January 12, 2016 2:20 PM
To: deMunck, Elizabeth FLNR:EX
Subject: RE: Question: Rent refund policy

In the event of an error, yes it is perfectly acceptable to refund or credit.^{s.17}
adding something to this effect to the pricing policy.

I will consider

From: deMunck, Elizabeth FLNR:EX
Sent: Tuesday, January 12, 2016 2:15 PM
To: Woodland, Tracey FLNR:EX
Subject: RE: Question: Rent refund policy

Yes thanks. In this case, we found that our staff had been in error on previous rent calculations^{s.17}
^{s.17}
^{s.17}

From: Woodland, Tracey FLNR:EX
Sent: Tuesday, January 12, 2016 1:55 PM
To: deMunck, Elizabeth FLNR:EX
Subject: RE: Question: Rent refund policy

It's not in specifically stated in policy. However, rents are not refundable – except for unexpired full years for a pre-paid rent as per appendix 2 of the pricing policy. If a tenure is being amended such that it is smaller, no rent will be refunded, but the rent for the year following the size adjustment will be adjusted and will likely fall due to the smaller size of the tenured area. Annual rents are payable in advance for the full year or portion thereof.

Does this help?

Tracey Woodland
Senior Policy Advisor, Land Tenures Branch
Ministry of Forests, Lands and Natural Resource Operations
250-356-5476

From: deMunck, Elizabeth FLNR:EX
Sent: Tuesday, January 12, 2016 1:30 PM
To: Woodland, Tracey FLNR:EX
Subject: Question: Rent refund policy

Hi Tracey,


Which Policy document covers the topic of no refunds on past rents paid?

From: MacLeod, Doug L FLNR:EX
Sent: Tuesday, January 12, 2016 1:22 PM
To: deMunck, Elizabeth FLNR:EX
Subject: RE: Rent refund policy

Hi, try the pricing policy at <http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/pricing.pdf>. Tracey Woodland, is most up-to-date with this and any procedures associated with rent and fee refunds. There is also a fee refund policy.

Doug

Doug MacLeod | Senior Advisor | Land Tenures Branch | Ministry of Forests, Lands and Natural Resource Operations | P:
250 812-1791 | 4th Floor, 780 Blanshard | Victoria, BC

 Please consider the environment before printing this email

From: deMunck, Elizabeth FLNR:EX
Sent: Tuesday, January 12, 2016 1:17 PM
To: MacLeod, Doug L FLNR:EX
Subject: Rent refund policy

Hi Doug -

Which Policy document covers the topic of no refunds on past rents paid?

Elizabeth deMunck
Sr. Portfolio Administrator
Ministry of Forests, Lands and Natural Resource Operations
Suite 142 - 2080 Labieux Road, Nanaimo, BC V9T 6J9
(250) 751-7278



CERTIFICATE OF INSURANCE

Freedom of Information and Protection of Privacy Act
The personal information requested on this form is collected under the authority of and used for the purpose of administering the *Financial Administration Act*. Questions about the collection and use of this information can be directed to the Director, Client Services, Core Government and Crowns at 250 356-8915, PO Box 9405 STN PROV GOVT, Victoria BC V8W 9V1.
Please refer all other questions to the contact named in Part 1.

Part 1 To be completed by the Province

THIS CERTIFICATE IS REQUESTED BY and ISSUED TO (Name of office)		AGREEMENT IDENTIFICATION NO.	
PROVINCE'S CONTACT PERSON NAME & TITLE		PHONE NO.	
		FAX NO.	
MAILING ADDRESS		POSTAL CODE	
CONTRACTOR NAME			
CONTRACTOR ADDRESS		POSTAL CODE	

Part 2 To be completed by the Insurance Agent or Broker

INSURED	NAME Port Alberni Port Authority		
	ADDRESS 2750 Harbour Road, Port Alberni, BC		POSTAL CODE V9Y 7X2
OPERATIONS INSURED	PROVIDE DETAILS China Creek Marina		
TYPE OF INSURANCE <i>List each separately</i>	COMPANY NAME, POLICY NO. & BRIEF DESCRIPTION	EXPIRY DATE YYYY/MM/DD	LIMIT OF LIABILITY/AMOUNT
General Liability	s.16 Additional Insured: Only with respect to the above and arising out of the Named Insured's operations are the following name(s) added to the policy as Additional Insured(s). The policy limits are not increased by the addition of such Additional Insured(s) and remain as stated in this Certificate. Her Majesty the Queen in Right of the Province of British Columbia	2016/07/01	\$2,000,000 each occurrence

This certificate certifies that policies of insurance described herein are in full force and effective as of the date of this certificate and comply with the insurance requirements of the Agreement identified above, except as follows:

AGENT OR BROKER COMMENTS:

AGENT OR BROKERAGE FIRM Aon Reed Stenhouse Inc.	ADDRESS 1200-401 W Georgia St., Vancouver BC V6B 3X8	PHONE NO. 604 443 2400
NAME OF AUTHORIZED AGENT OR BROKER (PRINT) John King	SIGNATURE OF AGENT OR BROKER ON BEHALF OF THE ABOVE INSURER(S) 	DATE SIGNED January 13 2016

Page 018 of 106

Withheld pursuant to/removed as

DUPLICATE

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Thursday, January 14, 2016 9:51 AM
To: Jones, Tori FLNR:EX
Subject: Explanation of the Required Security

Hi Tori – Please forward to Cindy Mah of the Port Alberni Port Authority what she needs to understand and do in order for the PAPA to hold a \$10,000.00 security in relation to their commercial lease at the China Creek Marina; Land File No. 0327784. Her email address is CMah@alberniport.ca

Many thanks,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

Jager, Brenda CSNR:EX

From: Cindy Mah <CMah@alberniport.ca>
Sent: Thursday, January 14, 2016 11:53 AM
To: Hallworth, Jeff FLNR:EX
Cc: Bianca Filipchuk; Zoran Knezevic
Subject: 2015-2010-rent calculation-Cindy final.xlsx
Attachments: 2015-2010-rent calculation-Cindy final.xlsx

Hi Jeff

Thanks so much for all your hard work on the lease, areas and rental negotiations, we appreciate all you have done. The whole procedure was very trying and time consuming. Whew! Attached are the final (fingers crossed) 2015 – 2010 rent calculation schedules complete with a Statement of Account. Once given the OK, Bianca will have the 2016 Stat Dec notarized. With the Stat Dec, we will deliver to you, the 2016 rent calculations and a “colour coded” site map depicting “seasonal advance” and “seasonal temporary” moorage and deliver them to you. Within the next few months, the Port will obtain a new survey for the lease area. The Port has provided FLNRO with an updated Certificate of Insurance containing \$2M liability.

The Port will notify customers and post on our web page – as to when CC Marina is open for business – May 1 to Sept 30
s.17

I think that's all for now.

2015 Moorage		China Creek Marina Rent Calculations							
Moorage (valued using the income approach):									
Section	Lineal Feet	Available Berths	2015 Rate	Months	Days	Total			Comments
A	0	s.17	s.17	5					seasonal - paid in advance - 0 lineal feet
A	180				90				seasonal - transient - 180 lineal feet
B	305			5					seasonal - paid in advance - 305 lineal feet
B	204				90				seasonal - transient - 204 lineal feet
C	540			5					seasonal - paid in advance - 540 lineal feet
C	180				90				seasonal - transient - 180 lineal feet
D	820			5					seasonal - paid in advance - 820 lineal feet
D	260				90				seasonal - transient - 260 lineal feet
E	460			5					seasonal - paid in advance - 460 lineal feet
E	276				90				seasonal - transient - 276 lineal feet
F	265			5					seasonal - paid in advance - 265 lineal feet
F	476				90				seasonal - transient - 476 lineal feet
Auxillary Float	0			0					float removed - 2009
Totals:	3966						s.17	s.17	
Ancillary Uses (valued using the income approach):									
Fuel Float	50	1		12					
Launch Ramps	60	3		12					
Non-moorage (valued using the utility approach):									
Upland in Lease				1.04					the 2015 BCAA land value for PID 001-740-890 (the entire lease area) is \$105,000.00
Fill				0.757					
Unused Water				0.553	0.1				
Total Non-Moorage				2.35	ha				
						Annual Rent:			
Total Lease area is 4.12 ha (1.770 ha - marina basin + 2.35 ha - land & fill)						Monthly Rent:			

Jager, Brenda CSNR:EX

From: Cindy Mah <CMah@alberniport.ca>
Sent: Thursday, January 14, 2016 12:25 PM
To: Hallworth, Jeff FLNR:EX
Cc: Bianca Filipchuk; Zoran Knezevic
Subject: RE: 2015-2010-rent calculation-Cindy final.xlsx

Hi Jeff – That is great news! We'll take a look at the statement adjustment sheet and get back to you ASAP.

From: Hallworth, Jeff FLNR:EX [<mailto:Jeff.Hallworth@gov.bc.ca>]
Sent: Thursday, January 14, 2016 12:18 PM
To: Cindy Mah
Cc: Bianca Filipchuk; Zoran Knezevic
Subject: RE: 2015-2010-rent calculation-Cindy final.xlsx

Hi Cindy – our numbers are identical from 2010 to 2015; great news. Where we differ however on the account adjustment statement worksheet. Attached is an abbreviated summary (i.e. 2010-2015) so that you can see what is automatically generated by our system. Now that we have reconciled our numbers, supported by Stat Decs, I can make my case to the Corporate Services folks that a credit to the PAPA is warranted. I will let you know as soon as I receive word that the request for the credit has been approved by the appropriate manager in our Nanaimo office.

Regards,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer

Ministry of Forests, Lands and Natural Resource Operations

South Island Natural Resource District

4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

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Subject: 2015-2010-rent calculation-Cindy final.xlsx

Hi Jeff

Thanks so much for all your hard work on the lease, areas and rental negotiations, we appreciate all you have done. The whole procedure was very trying and time consuming. Whew! Attached are the final (fingers crossed) 2015 – 2010 rent calculation schedules complete with a Statement of Account. Once given the OK, Bianca will have the 2016 Stat Dec notarized. With the Stat Dec, we will deliver to you, the 2016 rent calculations and a “colour coded” site map depicting “seasonal advance” and “seasonal temporary” moorage and deliver them to you. Within the next few months, the Port will obtain a new survey for the lease area. The Port has provided FLNRO with an updated Certificate of Insurance containing \$2M liability.

The Port will notify customers and post on our web page – as to when CC Marina is open for business – May 1 to Sept 30

s.17

I think that’s all for now.

Jager, Brenda CSNR:EX

From: Benneke, Dorothy CSNR:EX
Sent: Tuesday, January 19, 2016 1:39 PM
To: Hallworth, Jeff FLNR:EX
Cc: Eaton, Laura CSNR:EX; Bezanson, Cameron FLNR:EX; deMunck, Elizabeth FLNR:EX; Thomas, Shelley M CSNR:EX
Subject: FW: Request to Credit the Account of the Port Alberni Port Authority's China Creek Marina Lease; Land File No. 0327784
Attachments: 1. Rationale.pdf; 2. Customer Inquiry Report 2010-2015.pdf; 3. CCM Rent 2010-2015.xlsx; 4. GE Imagery.pptx; 5. Reconciled Account Information 2010-2015.pdf; 6. Account Adjustment Form.doc
Importance: High

Hi! The account adjustment form is not filled out.

As per one of the attachments, I'm assuming you the last few years invoices cancelled and replaced with adjusted invoices.

On the account adjustment form, please fill in the invoice(s) to be cancelled and tick manual invoice required with the details (what the rent should have been for that year).

Note, I leave on holidays after tomorrow AND I can that CSNR HQ staff need to be involved with this as well as they adjust/pro-rate the interest.

From: Hallworth, Jeff FLNR:EX
Sent: Tuesday, January 19, 2016 11:51 AM
To: Bezanson, Cameron FLNR:EX
Cc: Benneke, Dorothy CSNR:EX; Proteau, James FLNR:EX
Subject: Request to Credit the Account of the Port Alberni Port Authority's China Creek Marina Lease; Land File No. 0327784
Importance: High

Cameron,

As discussed last week, I seek to credit the account of the Port Alberni Port Authority's China Creek Marina Lease (Land File No. 0327784); thereby resolving a decades old rent dispute. We have been in continuous negotiation and the attached documents are a culmination of this work. The PAPA is in agreement with the final reconciles values. Please forward to the Account Adjustment Form to Rudi for his approval and do not hesitate to call if you any questions. Many thanks for your advice in getting to this stage.

Regards,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

RE: Request to Credit the Account of the Port Alberni Port Authority

s.17

Key background information:

1. In 2010, the PAPA completed major construction and a reconfiguration of its marina but did not advise the Province;
2. The PAPA has not been diligent in submitting its annual Statutory Declarations.
s.17
3. Since 2010 to the present day, the marina has scaled back its operations to seasonal and transient moorage only.
4. s.17
5. The PAPA has committed to completion of the following after negotiations to resolve the rental issue:
 - An updated legal survey depicting the current configuration and dimensions of all moorage structures, improvements (including the administration building, washroom facilities, underground fuel storage tanks, concrete launch ramps, fuel dock etc.), and all fill within the defined outer perimeter of the lease. The updated survey will be registered at LTSA at the expense of the PAPA.
 - Submission of its annual, notarized statutory declarations will be accompanied by colour-coded moorage map(s) that clearly illustrate the slips that are dedicated to seasonal and transient moorage. Also, as consistent, historic users of particular slips no longer need or wish to use them, the PAPA will work towards more clearly defining seasonal versus transient moorage use areas as has occurred in past years i.e. compartmentalization of specific use types.

- Appropriate sections of the lease will be closed during the off season – both through advising the public on its website and physical signs on ground; and
- The security will be increased to \$10,000.00 (from \$0.00).

Page 027 of 106

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s.3

2015 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

Section	Seasonal Lineal Feet	Transient Lineal Feet	s.17	Months	Days	s.17
A	0			5		
A		180			90	
B	305			5		
B		204			90	
C	540			5		
C		180			90	
D	820			5		
D		260			90	
E	460			5		
E		276			90	
F	265			5		
F		476			90	
Auxillary Float	0			5		
Totals:	2390	1576				
Total Lineal Feet:		3966				

Ancillary Uses (valued using the Income Approach):

	Total Lineal Feet	Available Berths	Months	Days
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Note: The valuation of the administration building and the washroom facility are considered to be included via the Income Approach.

Non-Moorage (valued using the Utility Approach):

s.17

Section	Area (ha)	Upland \$\$/ha	% of Upland \$\$ as Decimal	Type B Factor
PID 001-740-890	1.040	s.17		
Fill	0.757			
Unused Water	0.553			
Total Non-Moorage	2.350			

s.17

REMINDER: Notarized Statutory Declarations will be submitted annually and be accompanied by: 1. a colour-coded map to reflect the rent category of each moorage slip for that given year and 2. a revised rent calculator (i.e. this document). The Notarized Statutory Declaration will contain the following statement "The marina is closed for business from October 1st until April 30th of the following year and no boats will be permitted to moor at the marina during this period unless for emergency reasons".

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Copyright

Page 030 of 106

Withheld pursuant to/removed as

s.17

ACCOUNT ADJUSTMENT FORM

FILE(s) # 0327784
CLIENT # 167908
DID #105434

☒ ESTABLISH CREDIT Amount ^{s.17} _____
GST \$ N/A _____
Reason for Refund ☐ _____

PAYEE: Port Alberni Port Authority
Reason for Credit ☒ See the attached rationale. _____

PAYEE: Port Alberni Port Authority _____

☐ RELEASE SECURITY TYPE: Amount \$ _____
Reason: _____
PAYEE: _____

☐ TRANSFER OF FUNDS
FROM File # _____ Client # _____ TO File # _____ Client # _____
CREDIT AS: _____
Reason: _____

☐ CLEAR ACCOUNT Amount \$ _____
GST \$ _____
Reason: _____

☐ AMEND INVOICE # _____ Amount \$ _____
☐ CANCEL INVOICE # _____ GST \$ _____

Manual Invoice Required ☐ Yes ☐ No
Interest Effective Date: _____
Reason: _____

Requested by: Jeff Hallworth – Land Officer

Date: January 19, 2016

Approver: Rudi Mayser – Manager Authorizations

Date: _____

Finance: Dorothy Benneke – Corporate Services Revenue Analyst

Date: _____

Jager, Brenda CSNR:EX

From: Cindy Mah <CMah@alberniport.ca>
Sent: Tuesday, January 19, 2016 2:44 PM
To: Hallworth, Jeff FLNR:EX
Cc: Cecilia Addy; Bianca Filipchuk
Subject: RE: camping - Prov BC area

Hi Jeff - I definitely see your point. We just wanted to pose the question to you before we got the word out to our customers – that no they will not be able to begin camping in April. We'll make sure that the customers in the Provincial area stay within the time parameters. Thanks, Cindy

From: Hallworth, Jeff FLNR:EX [<mailto:Jeff.Hallworth@gov.bc.ca>]
Sent: Tuesday, January 19, 2016 1:27 PM
To: Cindy Mah
Subject: RE: camping - Prov BC area

Hi Cindy – I am uncomfortable with the optics and message that this would send to other mariners. And I sure that we don't want to open up the accounting again since we just resolved it; and I just sent the account adjustment form to Nanaimo for approval before lunch.

Jeff Hallworth, P.Ag. Licensed Authorizations Officer

Ministry of Forests, Lands and Natural Resource Operations

South Island Natural Resource District

4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Cindy Mah [<mailto:CMah@alberniport.ca>]
Sent: Tuesday, January 19, 2016 12:26 PM
To: Hallworth, Jeff FLNR:EX
Cc: Cecilia Addy; Bianca Filipchuk
Subject: camping - Prov BC area

Hi Jeff

We have had an inquiry from one of our seasonal campers (located within the Prov part of campgrounds). This tenant wishes to visit the marina as of Apr 1/16. Due to the fact that these new rules have recently come about

and the campers have not yet been notified, can we make exceptions for campers located in the Prov area for this year only?

Thanks, Cindy

Cynthia Mah, Associate Treasurer



Rising Tides and New Horizons

Phone: 250-723-5312

Cell: 250-731-5833

Email: cmah@alberniport.ca

ACCOUNT ADJUSTMENT FORM

FILE(s) # 0327784
CLIENT # 167908
DID #105434

☐ ESTABLISH CREDIT Amount \$ _____
GST \$ N/A _____
Reason for Refund ☐ _____

PAYEE: _____
Reason for Credit ☐ See the attached rationale. _____

PAYEE: _____

☐ RELEASE SECURITY TYPE: Amount \$ _____
Reason: _____
PAYEE: _____

☐ TRANSFER OF FUNDS
FROM File # _____ Client # _____ TO File # _____ Client # _____
CREDIT AS: _____
Reason: _____

☐ CLEAR ACCOUNT Amount \$ _____
GST \$ _____
Reason: _____

☐ AMEND INVOICE # _____ s.17 _____
☒ CANCEL INVOICES # 523262 _____
Manual Invoice Required ☒ Yes ☐ No
Interest Effective Date: _____
Reason: See attached Rationale document. _____

Requested by: Jeff Hallworth – Land Officer

Date: January 25, 2016

Approver: Rudi Mayser – Manager Authorizations

Date: _____

Finance: Dorothy Benneke – Corporate Services Revenue Analyst

Date: _____

ACCOUNT ADJUSTMENT FORM

FILE(s) # 0327784
CLIENT # 167908
DID #105434

☐ ESTABLISH CREDIT Amount \$ _____
GST \$ N/A _____
Reason for Refund ☐ _____

PAYEE: _____
Reason for Credit ☐ See the attached rationale. _____

PAYEE: _____

☐ RELEASE SECURITY TYPE: Amount \$ _____
Reason: _____
PAYEE: _____

☐ TRANSFER OF FUNDS
FROM File # _____ Client # _____ TO File # _____ Client # _____
CREDIT AS: _____
Reason: _____

☐ CLEAR ACCOUNT Amount \$ _____
GST \$ _____
Reason: _____

☐ AMEND INVOICE # _____ s.17 _____
☒ CANCEL INVOICES # 544892 _____
Manual Invoice Required ☒ Yes ☐ No
Interest Effective Date: _____
Reason: See attached Rationale document. _____

Requested by: Jeff Hallworth – Land Officer

Date: January 25, 2016

Approver: Rudi Mayser – Manager Authorizations

Date: _____

Finance: Dorothy Benneke – Corporate Services Revenue Analyst

Date: _____

ACCOUNT ADJUSTMENT FORM

FILE(s) # 0327784
CLIENT # 167908
DID #105434

☐ ESTABLISH CREDIT Amount \$ _____
GST \$ N/A _____
Reason for Refund ☐ _____

PAYEE: _____
Reason for Credit ☐ See the attached rationale. _____

PAYEE: _____

☐ RELEASE SECURITY TYPE: Amount \$ _____
Reason: _____
PAYEE: _____

☐ TRANSFER OF FUNDS
FROM File # _____ Client # _____ TO File # _____ Client # _____
CREDIT AS: _____
Reason: _____

☐ CLEAR ACCOUNT Amount \$ _____
GST \$ _____
Reason: _____

☐ AMEND INVOICE # _____ s.17 _____
☒ CANCEL INVOICES # 566664 _____
Manual Invoice Required ☒ Yes ☐ No
Interest Effective Date: _____
Reason: See attached Rationale document. _____

Requested by: Jeff Hallworth – Land Officer

Date: January 25, 2016

Approver: Rudi Mayser – Manager Authorizations

Date: _____

Finance: Dorothy Benneke – Corporate Services Revenue Analyst

Date: _____

ACCOUNT ADJUSTMENT FORM

FILE(s) # 0327784
CLIENT # 167908
DID #105434

☐ ESTABLISH CREDIT Amount \$ _____
GST \$ N/A _____
Reason for Refund ☐ _____

PAYEE: _____
Reason for Credit ☐ See the attached rationale. _____

PAYEE: _____

☐ RELEASE SECURITY TYPE: Amount \$ _____
Reason: _____
PAYEE: _____

☐ TRANSFER OF FUNDS
FROM File # _____ Client # _____ TO File # _____ Client # _____
CREDIT AS: _____
Reason: _____

☐ CLEAR ACCOUNT Amount \$ _____
GST \$ _____
Reason: _____

☐ AMEND INVOICE # _____ s.17 _____
☒ CANCEL INVOICES # 587641 _____
Manual Invoice Required ☒ Yes ☐ No
Interest Effective Date: February 1, 2013 s.17)
Reason: See attached Rationale document. _____

Requested by: Jeff Hallworth – Land Officer

Date: January 25, 2016

Approver: Rudi Mayser – Manager Authorizations

Date: _____

Finance: Dorothy Benneke – Corporate Services Revenue Analyst

Date: _____

ACCOUNT ADJUSTMENT FORM

FILE(s) # 0327784
CLIENT # 167908
DID #105434

☐ ESTABLISH CREDIT Amount \$ _____
GST \$ N/A _____
Reason for Refund ☐ _____

PAYEE: _____
Reason for Credit ☐ See the attached rationale. _____

PAYEE: _____

☐ RELEASE SECURITY TYPE: Amount \$ _____
Reason: _____
PAYEE: _____

☐ TRANSFER OF FUNDS
FROM File # _____ Client # _____ TO File # _____ Client # _____
CREDIT AS: _____
Reason: _____

☐ CLEAR ACCOUNT Amount \$ _____
GST \$ _____
Reason: _____

☐ AMEND INVOICE # _____ s.17 _____
☒ CANCEL INVOICES # 609519 _____
Manual Invoice Required ☒ Yes ☐ No
Interest Effective Date: _____
Reason: See attached Rationale document. _____

Requested by: Jeff Hallworth – Land Officer

Date: January 25, 2016

Approver: Rudi Mayser – Manager Authorizations

Date: _____

Finance: Dorothy Benneke – Corporate Services Revenue Analyst

Date: _____

ACCOUNT ADJUSTMENT FORM

FILE(s) # 0327784
CLIENT # 167908
DID #105434

☐ ESTABLISH CREDIT Amount \$ _____
GST \$ N/A _____

Reason for Refund ☐ _____

PAYEE: _____

Reason for Credit ☐ See the attached rationale. _____

PAYEE: _____

☐ RELEASE SECURITY TYPE: Amount \$ _____
Reason: _____
PAYEE: _____

☐ TRANSFER OF FUNDS
FROM File # _____ Client # _____ TO File # _____ Client # _____
CREDIT AS: _____

Reason: _____

☐ CLEAR ACCOUNT Amount \$ _____
GST \$ _____
Reason: _____

☐ AMEND INVOICE # _____ s.17 _____
☒ CANCEL INVOICES # 632481 _____

Manual Invoice Required ☒ Yes ☐ No

Interest Effective Date: February 1, 2015 (\$1,278.05 in interest)

Reason: See attached Rationale document. _____

Requested by: Jeff Hallworth – Land Officer

Date: January 25, 2016

Approver: Rudi Mayser – Manager Authorizations

Date: _____

Finance: Dorothy Benneke – Corporate Services Revenue Analyst

Date: _____

ACCOUNT ADJUSTMENT FORM

FILE(s) # 0327784
CLIENT # 167908
DID #105434

☐ ESTABLISH CREDIT Amount \$ _____
GST \$ N/A _____
Reason for Refund ☐ _____

PAYEE: _____
Reason for Credit ☐ See the attached rationale. _____

PAYEE: _____

☐ RELEASE SECURITY TYPE: Amount \$ _____
Reason: _____
PAYEE: _____

☐ TRANSFER OF FUNDS
FROM File # _____ Client # _____ TO File # _____ Client # _____
CREDIT AS: _____
Reason: _____

☐ CLEAR ACCOUNT Amount \$ _____
GST \$ _____
Reason: _____

☐ AMEND INVOICE # _____ s.17 _____
☒ CANCEL INVOICES # 655861 _____
Manual Invoice Required ☒ Yes ☐ No
Interest Effective Date: _____
Reason: See attached Rationale document. _____

Requested by: Jeff Hallworth – Land Officer

Date: January 25, 2016

Approver: Rudi Mayser – Manager Authorizations

Date: _____

Finance: Dorothy Benneke – Corporate Services Revenue Analyst

Date: _____

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Friday, February 19, 2016 3:50 PM
To: 'Bianca Filipchuk'
Subject: RE: China Creek Stat Dec 2016
Attachments: Outstanding Items.pdf

Hi Bianca,

As promised, here are my responses to your email in red below. I have attached a .pdf with a summary of outstanding issues from my perspective.

Thanks and have a great weekend!

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Bianca Filipchuk [<mailto:BFilipchuk@alberniport.ca>]
Sent: Thursday, February 11, 2016 2:26 PM
To: Hallworth, Jeff FLNR:EX
Subject: China Creek Stat Dec 2016

Hi Jeff:

Well Cindy has officially resigned and gone from the office on Feb 1st. I have been orienting myself on the many files that require attention hence I apologize for the delay with the 2016 stat dec paperwork.

I have an appointment to have the 2016 stat dec notarized on Monday Feb 15th by Dorothy Clarkston. Would you please be so kind to advise me if I scan the stat dec and the 2016 projected rent calculations to you or will I mail a hard copy to another location? A scanned notarized and signed Stat Dec will suffice.

I believe Cindy has provided the \$2,000,000 certificate of insurance to you. I can confirm that she did. I have spoken with Mike Lange at McGill engineering and they have tried to provide a survey of the provincial lease area to us, however they have determined there are no metal posts in the water portion of the area and they cannot proceed with a legal survey. At this point it will require a survey company to attend the site and start from scratch. I'm not sure what you would like me to do at this point. Please request that McGill Engineering provide an updated Site Plan Map for all structures within the commercial lease area associated with the China Creek Marina. A legal survey will not be required. The Site Plan Map will depict, to-scale, the dimensions and orientation of the structures, in relation to the defined lease area. There should be some tie points on the upland portion that they can work from. They can project from this across terrestrial and aquatic lands.

Finally, Zoran has requested that I arrange a meeting between the three of us to discuss all of our interactions over the past months. Possibly we could discuss anything that remains outstanding at this meeting. Is there a chance you may have a final outcome on the 2015-2015 fees owed to the province by PAPA in the near future? Yes – The Regional Crown Land Manager approved of the final rent regime and the account statements will have been adjusted. Would you please be so kind as to provide a few dates you may be available to meet with Zoran and I? I will be consumed for the next 3-4 weeks with staff hiring, the airport expansion project, etc. From my perspective, there are four outstanding issues and they are found on the attached document. Please let me know if you have anything else that requires discussion. We would be happy to take you to lunch and discuss the outstanding items if that suits you or we are available to meet at your office or here at the port. Please let me know what suits you best.

Thank you very kindly for your patience with us while we continue to work through these processes for the China Creek Marina provincial lease area. I look forward to hearing from you soon. Bianca

*Bianca Filipchuk,
Manager Administration & Properties
Rising Tides and New Horizons
Phone: 250-723-5312
Cell: 250-720-5729
Email: bfilipchuk@alberniport.ca*



Outstanding Items – Land File No. 0327784

1. The Province expects that the PAPA will ensure that the appropriate sections of the lease are entirely closed during the “off season” – both through advising the public on its website and physical signs on ground. In other words, effectively the marina is closed from October 1st to April 30th each year and this needs to be made clear to all potential users of the marina.
2. Section 9.04 of the lease allows for the lessor to change the security, which is currently \$0.00. The Province requires that the security be increased to \$10,000.00 with subsequent proof for our records.
3. The Province requests that the PAPA submit an updated Site Plan Map depicting the current configuration and dimensions of all moorage structures, improvements (including the administration building, washroom facilities, underground fuel storage tanks, concrete launch ramps, fuel dock etc.), within the defined outer perimeter of the lease.
4. The Province requests that the PAPA submit its annual, notarized statutory declarations accompanied with colour-coded moorage map(s) that clearly illustrate the slips that are dedicated to seasonal and transient moorage. Also, as consistent, historic users of particular slips no longer need or wish to use them, the Province requests that the PAPA work towards more clearly defining seasonal versus transient moorage use areas as has occurred in past years.

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Monday, February 29, 2016 2:31 PM
To: 'Bianca Filipchuk'
Subject: RE: China Creek Stat Dec 2016

Hi again – 10:30 am on March 8th sounds good. I will be there at that time.

Regarding the 2016 invoice, I will check with our corporate services folks to get the invoice issue resolved.

See you then.

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Bianca Filipchuk [mailto:BFilipchuk@alberniport.ca]
Sent: Monday, February 29, 2016 2:26 PM
To: Hallworth, Jeff FLNR:EX
Subject: RE: China Creek Stat Dec 2016

Hi Jeff:

Thanks kindly for your prompt reply. Both Zoran and I are available on Tuesday March 8th at 10:30 a.m. I'd like to invite you here to the Port if that meets with your approval. Feel free to suggest alternate times if 10:30 a.m. is not good.

s.17

For my continuing education would you please be so kind as to advise if we should now pay the fees as per the attached 2016 schedule prepared by Cindy prior to her retirement. We have received an invoice from the Province for 2016, which is substantially higher, but it was prior to the new schedule B license category and five month use timeline.

I really appreciate your help, Bianca.

Bianca Filipchuk,
Manager Administration & Properties
*Rising Tides and New Horizons*
Phone: 250-723-5312
Cell: 250-720-5729
Email: bfilipchuk@alberniport.ca

From: Hallworth, Jeff FLNR:EX [<mailto:Jeff.Hallworth@gov.bc.ca>]
Sent: Monday, February 29, 2016 1:10 PM
To: Bianca Filipchuk
Subject: RE: China Creek Stat Dec 2016

Hi Bianca,

Thank you for the 2016 Stat Dec. Just for context, this is a requirement, prior to March 1st each year, as per Section 1(g) of the Special Proviso Schedule of the Marina Lease. Moving forward with the new rent regime, the Stat Dec will account for the Utility and Auxiliary Uses portion of the lease, while the other portions will be valued using the utility approach, as per the Crown land commercial policy.

This week is booked but I could meet with you and Zoran next Tuesday (March 8th) or Thursday (March 10th) at a time of your convenience. I can come down to your office for a change of scenery. Please let me know if either date works, with a corresponding time. FYIs.¹⁷

Thanks,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer

Ministry of Forests, Lands and Natural Resource Operations

South Island Natural Resource District

4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Bianca Filipchuk [<mailto:BFilipchuk@alberniport.ca>]
Sent: Monday, February 29, 2016 11:54 AM
To: Hallworth, Jeff FLNR:EX
Subject: FW: China Creek Stat Dec 2016

Hi Jeff:

I continue to work with staff to obtain a schematic of proposed seasonal annual moorage and transient moorage for China Creek Marina. Once I have the proposed colour site schematic from McGill Engineering I will forward a copy of each document to your attention. I have attached the current 2016 notarized Stat Dec. Please let me know what the next step is.

Zoran has asked that I arrange for a meeting between the three of us as soon as you are available. Would you please be so kind as to advise dates and times convenient to your schedule?

Thanks very kindly, Bianca.

Bianca Filipchuk,

Manager Administration & Properties



Rising Tides and New Horizons

Phone: 250-723-5312

Cell: 250-720-5729

Email: bfilipchuk@alberniport.ca

From: Bianca Filipchuk
Sent: Monday, February 22, 2016 9:41 AM
To: 'Hallworth, Jeff FLNR:EX'
Subject: RE: China Creek Stat Dec 2016

Good morning Jeff:

Thanks very much for the feedback. I will work on this and get back to you shortly. Bianca

Bianca Filipchuk,

Manager Administration & Properties



Rising Tides and New Horizons

Phone: 250-723-5312

Cell: 250-720-5729

Email: bfilipchuk@alberniport.ca

From: Hallworth, Jeff FLNR:EX [<mailto:Jeff.Hallworth@gov.bc.ca>]

Sent: Friday, February 19, 2016 3:50 PM

To: Bianca Filipchuk

Subject: RE: China Creek Stat Dec 2016

Hi Bianca,

As promised, here are my responses to your email in red below. I have attached a .pdf with a summary of outstanding issues from my perspective.

Thanks and have a great weekend!

Jeff Hallworth, P.Ag. Licensed Authorizations Officer

Ministry of Forests, Lands and Natural Resource Operations

South Island Natural Resource District

4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9

Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Bianca Filipchuk [<mailto:BFilipchuk@alberniport.ca>]

Sent: Thursday, February 11, 2016 2:26 PM

To: Hallworth, Jeff FLNR:EX

Subject: China Creek Stat Dec 2016

Hi Jeff:

Well Cindy has officially resigned and gone from the office on Feb 1st. I have been orienting myself on the many files that require attention hence I apologize for the delay with the 2016 stat dec paperwork.

I have an appointment to have the 2016 stat dec notarized on Monday Feb 15th by Dorothy Clarkston. Would you please be so kind to advise me if I scan the stat dec and the 2016 projected rent calculations to you or will I mail a hard copy to another location? A scanned notarized and signed Stat Dec will suffice.

I believe Cindy has provided the \$2,000,000 certificate of insurance to you. I can confirm that she did. I have spoken with Mike Lange at McGill engineering and they have tried to provide a survey of the provincial lease area to us, however they have determined there are no metal posts in the water portion of the area and they cannot proceed with a legal survey. At this point it will require a survey company to attend the site and start from scratch. I'm not sure what you would like me to do at this point. Please request that McGill Engineering provide an updated Site Plan Map for all structures within the commercial lease area associated with the China Creek Marina. A legal survey will not be required. The Site Plan Map will depict, to-scale, the dimensions and orientation of the structures, in relation to the defined lease area. There should be some tie points on the upland portion that they can work from. They can project from this across terrestrial and aquatic lands.

Finally, Zoran has requested that I arrange a meeting between the three of us to discuss all of our interactions over the past months. Possibly we could discuss anything that remains outstanding at this meeting. Is there a chance you may have a final outcome on the 2015-2015 fees owed to the province by PAPA in the near future? Yes – The Regional Crown Land Manager approved of the final rent regime and the account statements will have been adjusted. Would you please be so kind as to provide a few dates you may be available to meet with Zoran and I? I will be consumed for the next 3-4 weeks with staff hiring, the airport expansion project, etc. From my perspective, there are four outstanding issues and they are found on the attached document. Please let me know if you have anything else that requires discussion. We would be happy to take you to lunch and discuss the outstanding items if that suits you or we are available to meet at your office or here at the port. Please let me know what suits you best.

Thank you very kindly for your patience with us while we continue to work through these processes for the China Creek Marina provincial lease area. I look forward to hearing from you soon. Bianca

Bianca Filipchuk,

Manager Administration & Properties



Rising Tides and New Horizons

Phone: 250-723-5312

Cell: 250-720-5729

Email: bfilipchuk@alberniport.ca

Page 050 of 106

Withheld pursuant to/removed as

s.3

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Friday, March 4, 2016 8:39 AM
To: Crowe, John A BCA:EX
Cc: Jablonski, Shari BCA:EX
Subject: RE: Question Re: China Creek Marina Assessment

Wow John – the timing of a provincial marina review couldn't be worse. I just spent two months of intense negotiations and it was finally resolved after years of dispute.
s.16;s.17

I hope Shari can provide a detailed breakdown to rationalize the doubling of the Rec/Non Profit property class from 2015 to 2016. My meeting with the PAPA is on Tuesday.

Shari, can you forward this to me ASAP?

Regards,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Crowe, John A BCA:EX
Sent: Friday, March 4, 2016 8:31 AM
To: Hallworth, Jeff FLNR:EX
Subject: RE: Question Re: China Creek Marina Assessment

Hi Jeff

They did a provincial Marina review . The Marinas are valued on income and the building and Land valuations where changed. The overall value remains the same but the land portion has a greater value when doing this.
s.17

s.17
). I have forward your note to the Appraiser responsible Shari Jablonski.

Notes

Provincial marina review. Inspected, measured & recosted marine improvements. Changed from bldg to land residual.

From: Hallworth, Jeff FLNR:EX
Sent: March 2, 2016 8:23 AM
To: Crowe, John A BCA:EX
Subject: Question Re: China Creek Marina Assessment
Importance: High

Hey John – happy new year etc.!

I was hoping you could direct this question to the appropriate appraiser ASAP because I have a meeting with the Port Alberni Port Authority early next week and I will be explaining why the rent at the China Creek Marina has doubled in one year (i.e. from 2015 to 2016). The attached is the subject Assessment Report and I circled in red the parameter that has doubled.

Could you look into this and get back to me by the end of tomorrow?

I would love to chat with you but I am on an interview panel for the next two days. Gotta run.....

Thanks Buddy!

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Friday, March 4, 2016 2:52 PM
To: deMunck, Elizabeth FLNR:EX; Thomas, Shelley M CSNR:EX; Benneke, Dorothy CSNR:EX
Cc: Proteau, James FLNR:EX
Subject: RE: file 0327784/Port Alberni Port Authority - still needs some adjustments

I am working on it (again) everyone. After months of negotiations to settle a long-standing rent dispute with the PAPA, BCAA has just completed a provincial marina review and their rental rates just doubled for 2016, so I will be attempting to rectify this (including a meeting next Tuesday) as soon as I can.....

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: deMunck, Elizabeth FLNR:EX
Sent: Tuesday, March 1, 2016 11:54 AM
To: Thomas, Shelley M CSNR:EX; Benneke, Dorothy CSNR:EX
Cc: Hallworth, Jeff FLNR:EX
Subject: RE: file 0327784/Port Alberni Port Authority - still needs some adjustments
Importance: High

I asked Jeff Hallworth to do a rent review LUR to indicate that the rent should be in the future. I will send him a reminder.

From: Thomas, Shelley M CSNR:EX
Sent: Monday, February 29, 2016 12:47 PM
To: Benneke, Dorothy CSNR:EX
Cc: deMunck, Elizabeth FLNR:EX
Subject: FW: file 0327784/Port Alberni Port Authority - still needs some adjustments

Thanks for catching that Dorothy ... I will do the GST on that invoice right away.

I did not get an account adjustment form for the current invoice (655861) & when I asked Elizabeth about it, she said she had to talk to Jeff about it. I haven't heard anything more from anyone about it.

From: Benneke, Dorothy CSNR:EX
Sent: Friday, February 26, 2016 2:24 PM
To: Thomas, Shelley M CSNR:EX
Subject: file 0327784/Port Alberni Port Authority - still needs some adjustments

Hi, Happy Monday!

Ran CIR and saw that:

invoice # 271543 needs GST added to invoice
invoice 655861 still needs to be adjusted.

That should make amount left owing more in line with Jeff's estimate...

I made notes in the orange folder in your in-basket.

Page 055 of 106

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s.3

2016 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

Section	Seasonal Lineal Feet	Transient Lineal Feet	s.17	Months	Days	s.17
A	0			6		
A		180			90	
B	305			6		
B		204			90	
C	540			6		
C		180			90	
D	820			6		
D		260			90	
E	460			6		
E		276			90	
F	265			6		
F		476			90	
Auxillary Float	0			6		
Totals:	2390	1576				
Total Lineal Feet:		3966				

Ancillary Uses (valued using the Income Approach):

	Total Lineal Feet	Available Berths	Months	Days
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Note: The valuation of the administration building and the washroom facility are considered to be included via the Income Approach.

Non-Moorage (valued using the Utility Approach):

s.17

Section	Area (ha)	Upland \$\$/ha	% of Upland \$\$ as Decimal	Type B Factor
PID 001-740-890	1.040	s.17		
Fill	0.757			
Unused Water	0.553			
Total Non-Moorage	2.350			


s.17

REMINDER: Notarized Statutory Declarations will be submitted annually and be accompanied by: 1. a colour-coded map to reflect the rent category of each moorage slip for that given year and 2. a revised rent calculator (i.e. this document). The Notarized Statutory Declaration will contain the following statement "The marina is closed for business from October 1st until April 30th of the following year and no boats will be permitted to moor at the marina during this period unless for emergency reasons".

Page 057 of 106 to/à Page 062 of 106

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s.3

A map showing land parcels with various shades of gray and white. A specific parcel is highlighted in a darker gray. Dashed lines indicate boundaries or survey lines. The map is oriented with a white area at the top and a darker gray area at the bottom.

District Lot 153, Alberni District
PIN: 10203901
PID: 000-529-320
LTSA Plan: 41248

23.65 hectares

Land File No. 1401409

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Wednesday, March 9, 2016 11:40 AM
To: 'Bianca Filipchuk'; 'Zoran Knezevic'
Subject: Follow-up to Today's Meeting Re: China Creek Marina
Attachments: 2016 BCAA - China Creek Marina.pdf; 2016 CCM - Rent Calculator.xlsx

Hello Bianca and Zoran,

As a follow-up to yesterday's meeting with respect to the China Creek Marina, I have the following to offer:

1. 2016 BCAA Assessment– I am still awaiting for an explanation from BCAA regarding the dramatic rise in the Rec/Non Profit class. See the attached.
2. My interpretation of “seasonal” within the context of this commercial B tenure is that it could be open for the requested 6 months (noting that while there is no interpretation of this term in the commercial policy, it is consistent with the duration cited under the commercial recreation policy). As such, please simply stroke a line through the number “5” and insert the number “6” on item 2. of the original Stat Dec, accompanied by Bianca's initials, scan it as a .pdf and email it to me for our records (and I will remove the current one and replace it with the revised Stat Dec).
3. Attached is the 2016 China Creek Marina – Rent Calculator (.xls) that reflects the 6 month term that the marina is open each year.^{s.17}
4. s.16;s.17

s.16;s.17 Your contact in Nanaimo is Shawn Meisner (i.e. Shawn.Meisner@gov.bc.ca). An appraisal would also be required (at your cost) in order to determine the current market value of the land that you would be required to pay if the Crown grant were approved.
5. There does not appear to be a Crown land tenure that is immediately adjacent to your China Creek marina lease. Rather, it appears to have been Crown granted to the ACRD for a local/regional park on June 23, 1986.

I met with Mike Lange of McGill Engineering this morning and he will complete the Site Plan Map as we had discussed i.e. within the footprint of the existing lease. I will proceed to make the necessary changes with our Corporate Services people to reflect the 2016 rent, upon your confirmation that it is satisfactory.

Regards,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

Page 065 of 106

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DUPLICATE; s.3

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Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Thursday, March 10, 2016 10:18 AM
To: 'Bianca Filipchuk'
Subject: RE: Follow-up to Today's Meeting Re: China Creek Marina

Thanks Bianca. Just for confirmation, I will proceed to contact our Corporate Services Divisions.^{s.17}

^{s.17} and confirm later that this is what you can expect the bill to be.

Regards,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Bianca Filipchuk [<mailto:BFilipchuk@alberniport.ca>]
Sent: Thursday, March 10, 2016 9:27 AM
To: Hallworth, Jeff FLNR:EX
Subject: RE: Follow-up to Today's Meeting Re: China Creek Marina

Good morning Jeff:

Thanks for much for putting everything in writing and making it easy to follow along on the to do list.

I have attached the revised Stat Dec as you indicated below. I am happy to have a new Stat Dec notarized should that become a requirement at some point, otherwise this one was notarized on Feb 17th. I have spoken with the ladies at China Creek and they are working on the colour coded floats schematic regarding seasonal and transient moorage slip areas. As soon as they have a final draft I will email it to you. We will wait for the new invoice to come from the province based on the six months of operation for 2016 and then have our accountant process the remittance to the province.

As you stated neither Zoran nor I can make sense of the BCAA statement you attached and we would be very interested to hear what you may discover from them. It was a big surprise to us that the values had increased so dramatically and we are very grateful to have a five year reprieve from the currently stated BCAA valuations.^{s.16;s.17}
^{s.16;s.17}

Once again, I really appreciate and value the knowledge you have shared regarding China Creek.

Regards Bianca.

Bianca Filipchuk,
Manager Administration & Properties

Rising Tides and New Horizons
Phone: 250-723-5312
Cell: 250-720-5729
Email: bfilipchuk@alberniport.ca

From: Hallworth, Jeff FLNR:EX [<mailto:Jeff.Hallworth@gov.bc.ca>]
Sent: Wednesday, March 09, 2016 11:40 AM
To: Bianca Filipchuk; Zoran Knezevic
Subject: Follow-up to Today's Meeting Re: China Creek Marina

Hello Bianca and Zoran,

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1. 2016 BCAA Assessment– I am still awaiting for an explanation from BCAA regarding the dramatic rise in the Rec/Non Profit class. See the attached.

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s.17

4.^{s.16;s.17}

s.16;s.17

s.16;s.17

Your contact in Nanaimo is Shawn Meisner (i.e. Shawn.Meisner@gov.bc.ca). An appraisal would also be required (at your cost) in order to determine the current market value of the land that you would be required to pay if the Crown grant were approved.

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I met with Mike Lange of McGill Engineering this morning and he will complete the Site Plan Map as we had discussed i.e. within the footprint of the existing lease. I will proceed to make the necessary changes with our Corporate Services people to reflect the 2016 rent, upon your confirmation that it is satisfactory.

Regards,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer

Ministry of Forests, Lands and Natural Resource Operations

South Island Natural Resource District

4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9

Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca



MISCELLANEOUS LAND USE REPORT

VI - LAND MGMNT - VANCOUVER ISLAND SERVICE REGION

File:	0327784	Inspected Date:	N/A
Reported By:	Jeff Hallworth	Report Date:	March 4 th 2016
Phone Number:	250-731-3022	Complexity Level:	2
Applicant:	PORT ALBERNI PORT AUTHORITY 2750 Harbour Rd Port Alberni, BC V9Y 7X2		

Decision: The application is allowed.

Application Type:	Rent Review	LMM Policy:	commercial
Purpose:	Commercial	Sub-Purpose:	Marina
Type:	Lease	Sub-Type:	Standard Lease
Commencement Date:	Feb. 1, 1996	Term:	30 years
Purpose Statement:	marina		

BCGS Map Sheet:	92F017
Air Photo No.:	No Record Found
Application Area:	4.139 Ha.
Recommended Area:	4.139 Ha.
Location:	China Creek

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Legal Description:	Block A, District Lot 101G, Alberni District and Lot A, District Lot 153E&N, Alberni District, Plan 28684
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Referral Agencies/ Analysis:	No Record FoundN/A
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Clearance and Other Conflicts:	N/A
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Site Information:

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- A newly negotiated rent formula was devised in late 2015 and a separate spreadsheet was developed (Excel) that can be used by both parties to confirm annual rent associated with the China Creek Marina lease. It was agreed that a notarized Stat Dec will still be required and issued to the Province before March 1st each year declaring the lineal footage charges for the forthcoming operating season. This will address the portion of the lease that is valued by the income approach. The other portions of the lease are valued using the utility approach. Also, submission of an annual, notarized statutory declaration will be accompanied by colour-coded moorage map(s) that clearly illustrate the slips that are dedicated to seasonal and transient moorage. Finally, as consistent, historic users of particular slips no longer need or wish to use them, the PAPA will work towards more clearly defining seasonal versus transient moorage use areas as has occurred in past years i.e. compartmentalization of specific use types.
- On March 8, 2016, Zoran Knezevic and Bianca Filipchuk met with Jeff Hallworth at the PAPA office to discuss further issues, including a request to the extend the commercial B season from 5 months to 6 months (this was acceptable) due to pressure they were receiving from about 12 longtime fishermen. s.17

s.17

- PAPA committed to:
 1. Producing an updated Site Plan Map depicting the current configuration and dimensions of all moorage structures, improvements (including the administration building, washroom facilities, underground fuel storage tanks, concrete launch ramps, fuel dock etc.), and all fill within the defined outer perimeter of the lease. Jeff Hallworth and Mike Lange, P.Eng. of McGill Engineering met on March 9th to confirm details.
 2. Appropriate sections of the lease will be closed during the off season – both through advising the public on its website and physical signs on ground; and
 3. The security will be increased to \$10,000.00 (from \$0.00).

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Rental:

- –Annual notarized statutory declarations are required in association with colour-coded maps of the marina depicting the amount that the China Creek Marina will be charging clients on a per lineal foot basis. This will determine the rent for the moorage component of the lease using the income approach.

s.17

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1. Insert a task in Tantalus for the Land Officer to complete a rent review every year in mid-February (after the notarized Statutory Declaration and accompanying colour-coded marina map has been received from the PAPA for each upcoming year).
2. Complete an Account Adjustment Forms.17
3. Review the file again in 2017.

Signature: _____ Date: _____



Principle Based
Decision Making Tool



Land Act
Environmental Risks V

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Monday, March 21, 2016 9:01 AM
To: 'Bianca Filipchuk'
Subject: RE: China Creek Site Survey

Good morning Bianca – I think this Site Plan looks great!

Thank you for promptly hiring McGill to complete this task. I think that this map will serve as the basis for delineation of seasonal versus transient moorage going forward.

Please colour-code it accordingly and attach it to future notarized statutory declarations.

Many thanks,

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Bianca Filipchuk [<mailto:BFilipchuk@alberniport.ca>]
Sent: Friday, March 18, 2016 2:41 PM
To: Hallworth, Jeff FLNR:EX
Subject: China Creek Site Survey

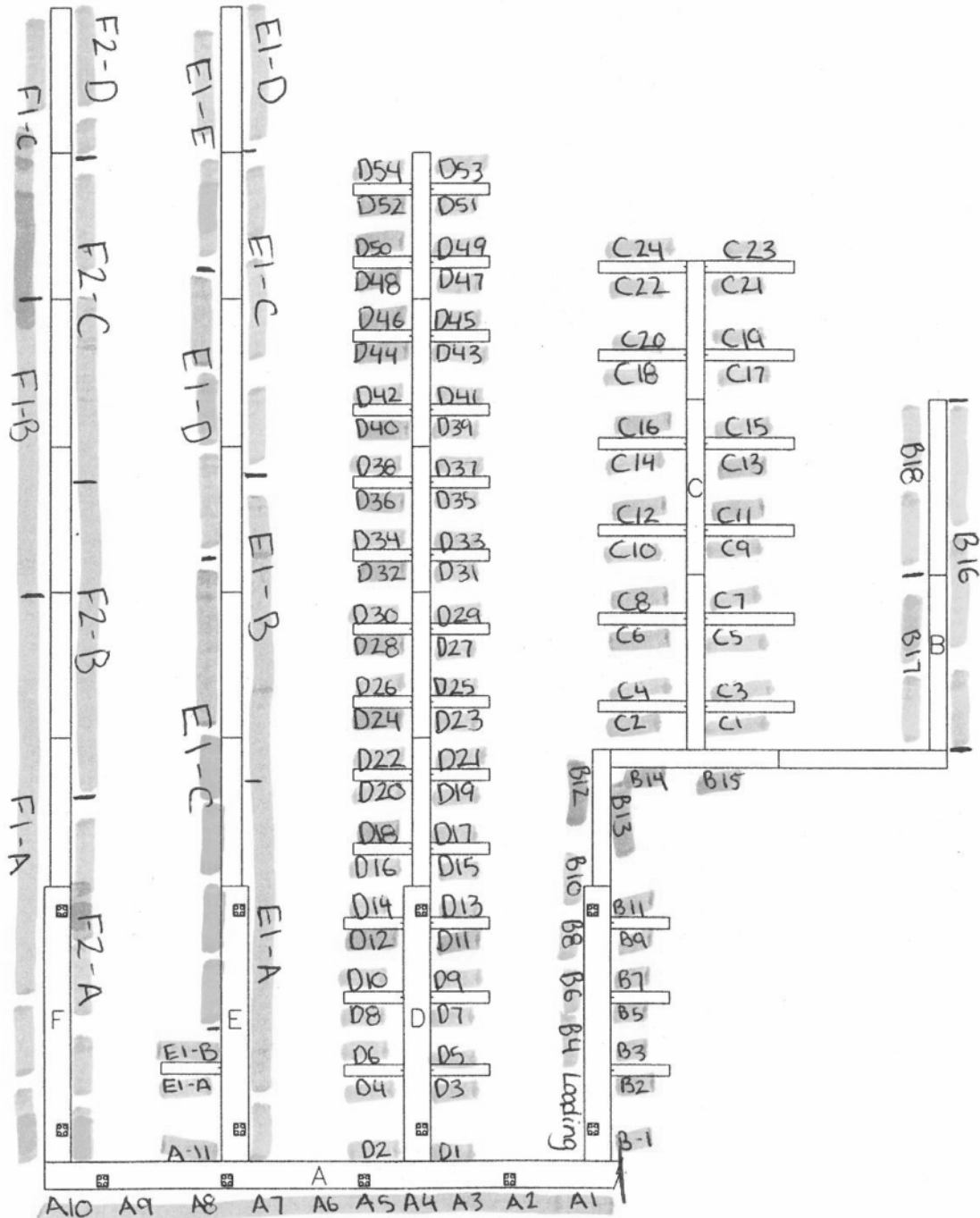
Hi Jeff:

Attached please find the site survey prepared by McGill Engineering for our Provincial lease at China Creek Marina. I am still working with staff on the seasonal and transient moorage locations and will do my best to have that document to you next week.
Thank you very kindly Bianca.

Bianca Filipchuk,
Manager Administration & Properties

Rising Tides and New Horizons
Phone: 250-723-5312
Cell: 250-720-5729
Email: bfilipchuk@alberniport.ca

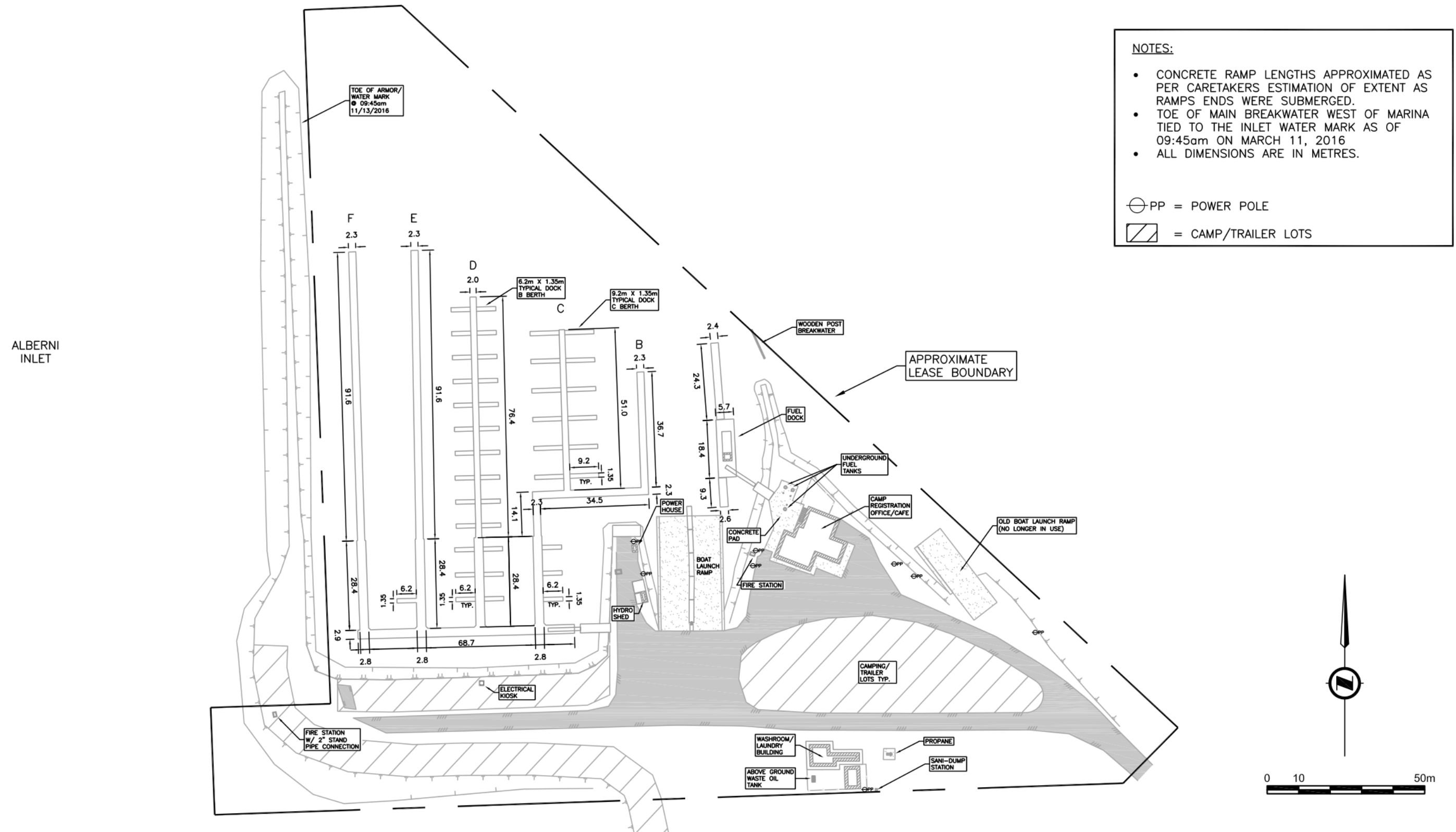
Seasonal Moorage
Transient Moorage.



SUREFLOAT
PRECAST MARINE FLOATS
(250) 748-8888

SURESPAN
STRUCTURES
LTD.
3271 DRAINWATER RD.
DUNCAN B.C. V9L 6P2
CANADA
PH 250-748-8888 FAX 250-746-8011

PORT ALBERNI PORT AUTHORITY
CHINA CREEK MARINA
SLIP LAYOUT
PORT ALBERNI B.C.
DATE 12/06/11
SCALE N.T.S.
DRAWN BY M.D.
CHECKED BY



MARCH 2016

PORT ALBERNI PORT AUTHORITY CHINA CREEK MARINA SITE PLAN AND BERTH DIMENSIONS

FIGURE 1
SCALE: 1:1250



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F	265			5		
F		476			90	
Auxillary Float	0			5		
Totals:	2390	1576				
Total Lineal Feet:		3966				

Ancillary Uses (valued using the Income Approach):

	Total Lineal Feet	Available Berths	Months	Days
Fuel Dock	50	1	12	
Launch Ramps	60	3	12	

Note: The valuation of the administration building and the washroom facility are considered to be included via the Income Approach.

Non-Moorage (valued using the Utility Approach):

s.17

Section	Area (ha)	Upland \$\$/ha	% of Upland \$\$ as Decimal	Type B Factor
PID 001-740-890	1.040	s.17		
Fill	0.757			
Unused Water	0.553			
Total Non-Moorage	2.350			

s.17

REMINDER: Notarized Statutory Declarations will be submitted annually and be accompanied by: 1. a colour-coded map to reflect the rent category of each moorage slip for that given year and 2. a revised rent calculator (i.e. this document). The Notarized Statutory Declaration will contain the following statement "The marina is closed for business from October 1st until April 30th of the following year and no boats will be permitted to moor at the marina during this period unless for emergency reasons".

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Friday, April 29, 2016 9:13 AM
To: Jones, Tori FLNR:EX
Subject: FW: LF# 0327784 China Creek Marina - New Invoice Request
Attachments: 0327784_LUR.docx; 2016 CCM - Rent Calculator FINAL.xlsx

Hi Tori – could you please use the attached LUR to update the Valuation screen in Tantalus for 2016. We will have to do this every year at this time for the China Creek Marina. As per the attached, the CCM has not yet received their 2016 invoice.

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: deMunck, Elizabeth FLNR:EX
Sent: Friday, April 22, 2016 4:25 PM
To: Hallworth, Jeff FLNR:EX
Subject: RE: LF# 0327784 China Creek Marina - New Invoice Request

Hi Jeff,

I looked at your LURs.¹⁷ . You need to give this LUR to Tori so she can update the Valuation screen in Tantalus.

Also, I had a look at the customer inquiry report. I don't think an account adjustment form is needed.

From: Hallworth, Jeff FLNR:EX
Sent: Tuesday, April 19, 2016 9:43 AM
To: deMunck, Elizabeth FLNR:EX
Subject: FW: LF# 0327784 China Creek Marina - New Invoice Request

This is the LUR I produced in March 2016. Do I also need to submit an account adjustment form?

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: Hallworth, Jeff FLNR:EX
Sent: Tuesday, April 19, 2016 9:40 AM
To: deMunck, Elizabeth FLNR:EX
Subject: RE: LF# 0327784 China Creek Marina - New Invoice Request

Good morning Elizabeth – Just for context, in January I/we initiated an account adjustment for rent from 2010 to 2015 (including a LUR and full rationale).s.17

s.17 So just for clarity for 2016 and for future years, I will need to do a rent review each year (as their moorage configuration will vary from year to year, and marina rent is formulated based on lineal footage i.e. gross potential income), then give it to Tori to initiate billing. Is this how you see it?

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
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4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

From: deMunck, Elizabeth FLNR:EX
Sent: Monday, April 18, 2016 8:44 AM
To: Hallworth, Jeff FLNR:EX
Subject: RE: LF# 0327784 China Creek Marina - New Invoice Request

Hi Jeff – did you (or Tori) submit an account adjustment form for this? Also – did you prepare a rent review and have Tori enter the new rent in Tantalus (so future billings will be accurate)?

Account adjustment forms can take up to 6 weeks to process.

Elizabeth

From: Hallworth, Jeff FLNR:EX
Sent: Thursday, April 14, 2016 4:01 PM
To: deMunck, Elizabeth FLNR:EX
Subject: LF# 0327784 China Creek Marina - New Invoice Request

Hi Elizabeth – I just got an email from the Port Alberni Port Authority requesting their revised 2016 invoice for the China Creek Marina (LF# 0327784) for \$20,588.46. Could you check on this?

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

2016 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

Section	Seasonal Lineal Feet	Transient Lineal Feet	s.17	Months	Days	s.17
A	0			6		
A		180			90	
B	305			6		
B		204			90	
C	540			6		
C		180			90	
D	820			6		
D		260			90	
E	460			6		
E		276			90	
F	265			6		
F		476			90	
Auxillary Float	0			6		
Totals:	2390	1576				
Total Lineal Feet:		3966				

Ancillary Uses (valued using the Income Approach):

	Total Lineal Feet	Available Berths	2016 Rate	Months	Days	Total	Rent Rate	Totals
Fuel Dock	50	1	\$4.90	12		\$2,940.00	0.04	\$117.60
Launch Ramps	60	3	\$4.90	12		\$10,584.00	0.04	\$423.36

Note: The valuation of the administration building and the washroom facility are considered to be included via the Income Approach.

Non-Moorage (valued using the Utility Approach):

s.17

Section	Area (ha)	Upland \$\$/ha	% of Upland \$\$ as Decimal	Type B Factor
PID 001-740-890	1.040	s.17		
Fill	0.757			
Unused Water	0.553			
Total Non-Moorage	2.350			

s.17

REMINDER: Notarized Statutory Declarations will be submitted annually and be accompanied by: 1. a colour-coded map to reflect the rent category of each moorage slip for that given year and 2. a revised rent calculator (i.e. this document). The Notarized Statutory Declaration will contain the following statement "The marina is closed for business from October 1st until April 30th of the following year and no boats will be permitted to moor at the marina during this period unless for emergency reasons".

Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Thursday, May 19, 2016 8:59 AM
To: Jones, Tori FLNR:EX
Subject: 2016 Chnia Creek Marina Invoicing
Attachments: 2016 Stat Dec - FINAL.pdf; 2016 CCM - Rent Calculator FINAL.xlsx

Importance: High

Please initiate 2016 China Creek Marina Invoice as per the attached ASAP. We will have to go through invoicing CCM every year at this time based on their submitted Stat Dec for the forthcoming year.

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

DOMINION OF CANADA:

PROVINCE OF BRITISH COLUMBIA

IN THE MATTER OF FILE NO. 0327784

TO WIT:

I, Bianca Filipchuk
NAME
of China Creek
MARINA NAME

Manager Administration & Properties
TITLE
Port Alberni Port Authority
LOCATION

in the Province of British Columbia, do solemnly declare that

1. The total distance of moorage available is 3966 feet.
2. The number of months per year this marina or yacht club is open for business is 5 6 8 5. If partly open, indicate area closed and duration of closure (closure means no moorage allowed). Detail on a copy of your management plan the specific docks that are designated as closed during this period and include with this declaration.
3. The level and type of business operation during the period of marina or yacht club closure is 0.
4. Ancillary uses (other than moorage) in the marina or yacht club are: (i.e. fuel sales, boat sales, grocery sales, other retail or commercial business)
FUEL SALES, LAUNCHING, CAMPING

SUMMARY OF MOORAGE RATES (excluding GST)

s.17

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 at the
of Port Alberni, in the
Province of British Columbia, this 17
day of Feb 16, A.D.

B. Filipchuk

DOROTHY CLARKSTONE
Notary Public
4679 Elizabeth Street
Port Alberni, BC V9Y 6L8

[Signature]
A Commissioner for taking Affidavits for British Columbia or
A Notary Public in and for the Province of British Columbia

s.17

2016 China Creek Marina Crown Lease Annual Rent Calculation

As per the Commercial Policy, the total rent for marinas is the combined rental from moorage and ancillary uses, and marina non-moorage uses as calculated below:

Moorage (valued using the Income Approach):

Section	Seasonal Lineal Feet	Transient Lineal Feet	s.17	Months	Days	s.17
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A		180			90	
B	305			6		
B		204			90	
C	540			6		
C		180			90	
D	820			6		
D		260			90	
E	460			6		
E		276			90	
F	265			6		
F		476			90	
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Jager, Brenda CSNR:EX

From: Hallworth, Jeff FLNR:EX
Sent: Wednesday, June 1, 2016 3:33 PM
To: Jones, Tori FLNR:EX
Subject: Security Amount Increase Required Re: PAPA China Creek Marina; LF# 0327784

To whom it may concern,

Please be advised that as part of the newly negotiated provisions with respect to the PAPA's China Creek Marina (LF# 0327784), the security amount needs to be raised to \$10,000.00.

Thank you.

Jeff Hallworth, P.Ag. Licensed Authorizations Officer
Ministry of Forests, Lands and Natural Resource Operations
South Island Natural Resource District
4885 Cherry Creek Road, Port Alberni, BC, V9Y-8E9
Ph: 250-731-3022, Em: Jeff.Hallworth@gov.bc.ca

Page 086 of 106 to/à Page 100 of 106

Withheld pursuant to/removed as

s.3

Page 101 of 106

Withheld pursuant to/removed as

DUPLICATE

Ministry of
Environment,
Lands and Parks

Lease No.

File No. 0327784

Block A of District Lot 101G, Alberni District and Lot A of District Lot 153 E&N, Alberni District, Plan 28684

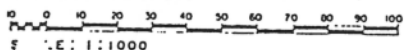
LEASE AREA

LOT A

— Fill in Block A

2. Sketch Plan

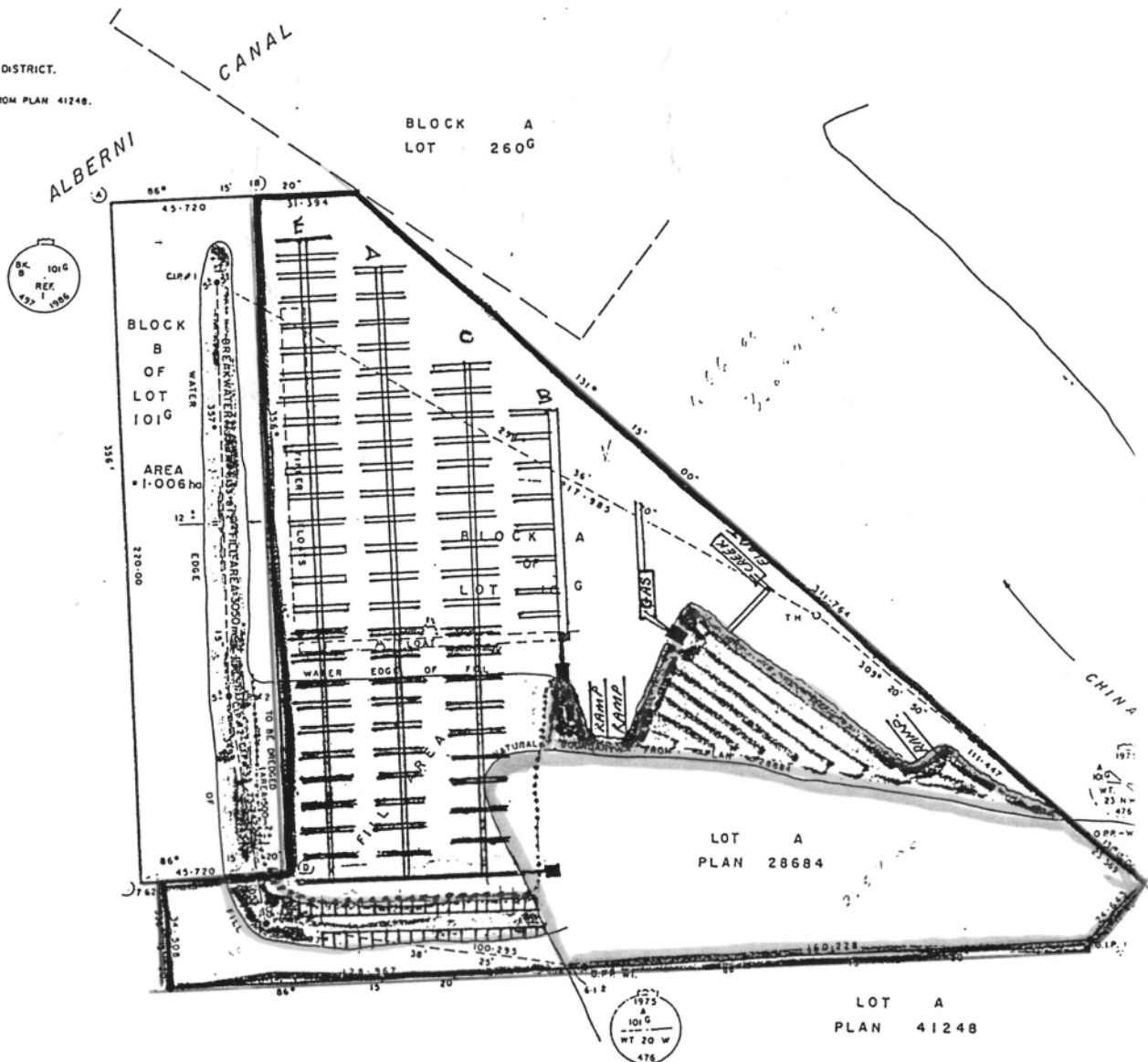
B. C. G. S. 92 F. 016



ALL DISTANCES ARE IN METERS.

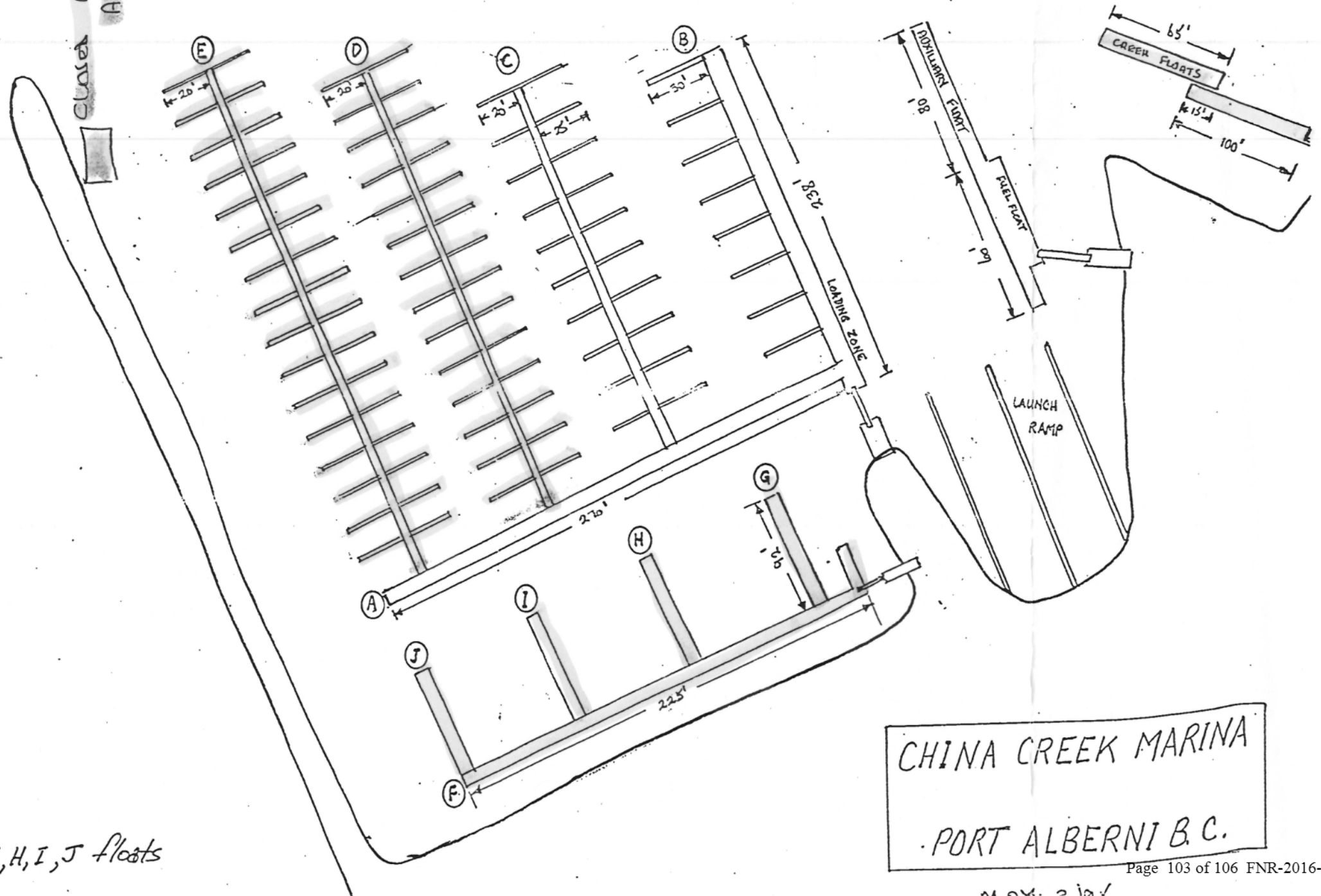
THIS PLAN LIES WITHIN THE
ALBERNI - CLAYOQUOT REGIONAL DISTRICT.

BEARINGS ARE ASTRONOMIC, DERIVED FROM PLAN 41248.



2006

Closed Oct 1 to
APR 30

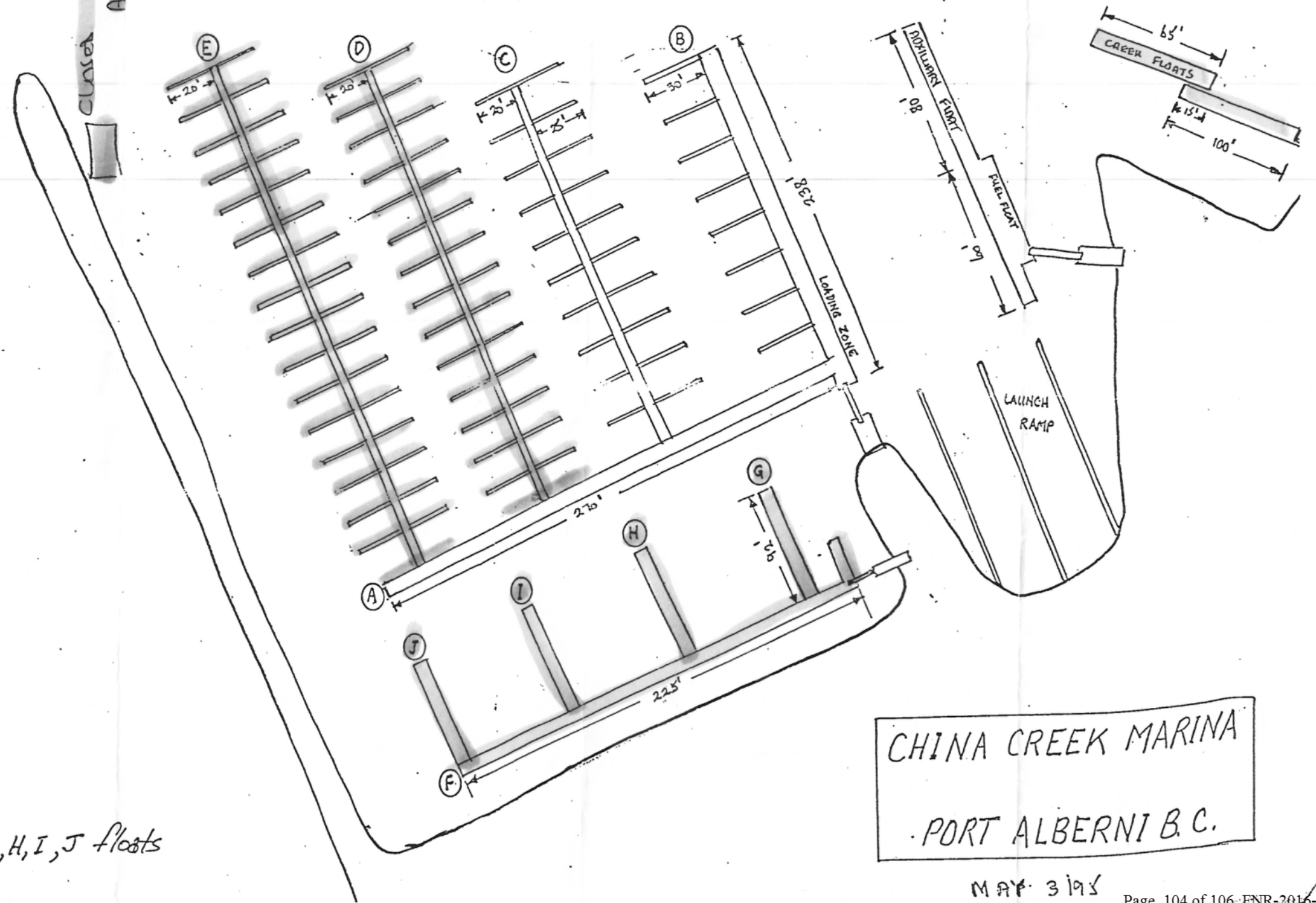


Measurements of F, G, H, I, J floats
1-1-19-2005

CHINA CREEK MARINA
PORT ALBERNI B.C.

Closed Oct 1 to
APR 30

2004



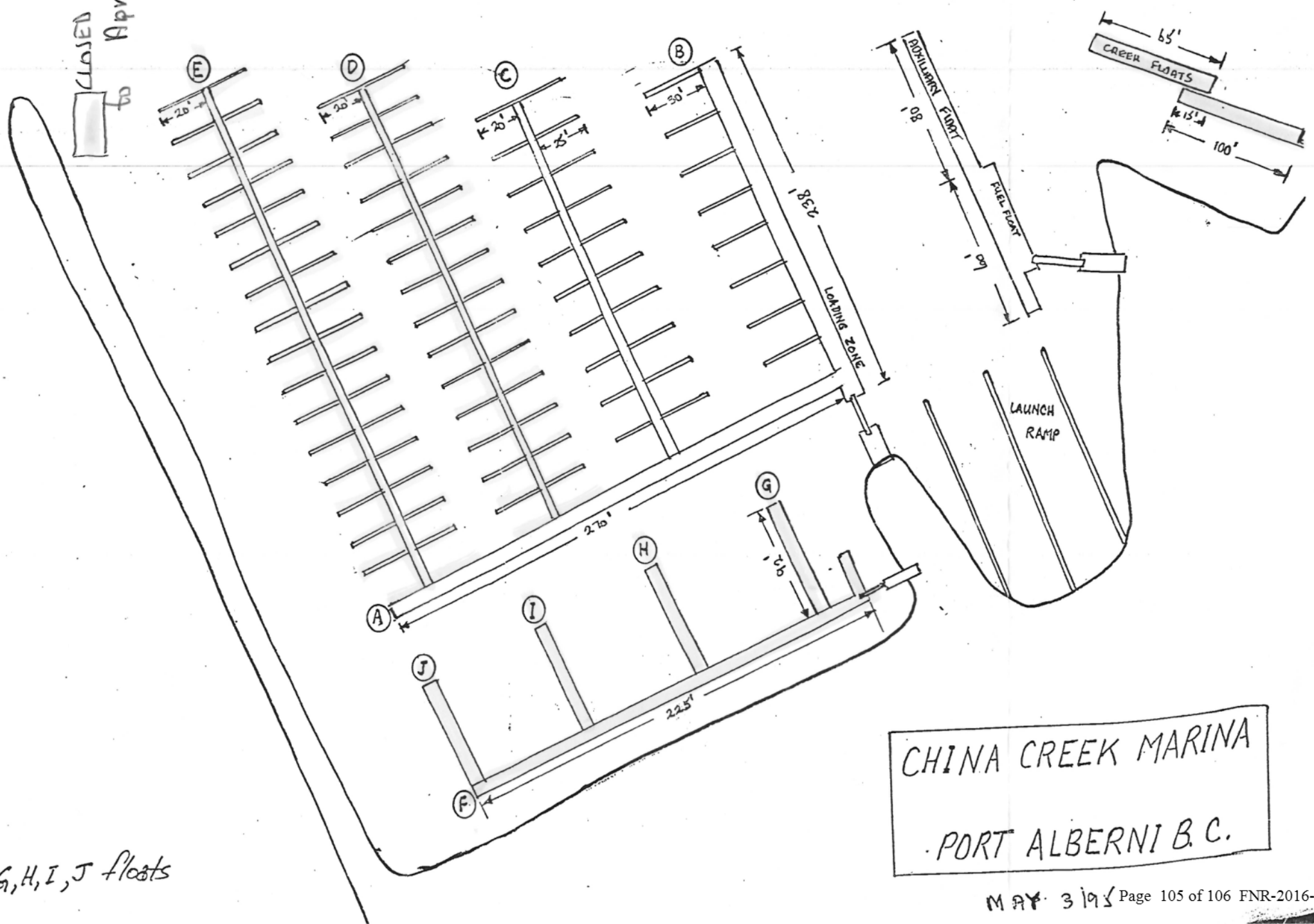
Measurements of F, G, H, I, J floats
taken April 19, 1995.

CHINA CREEK MARINA
PORT ALBERNI B.C.

MAY 3 1995

CLOSED OCT 1ST
to
APR 30th

2003



CHINA CREEK MARINA
PORT ALBERNI B.C.

Measurements of F, G, H, I, J floats
Apr 19, 1995.

Note to File - China Creek Marina Lease

1. Section 1.02 explains that the purpose of the lease is solely for conducting the business of a marina (and it further defines the associated services and facilities). The Province acknowledges that seasonal camping which may not be associated with the marina has been occurring historically. Such non-conforming uses require an amendment to the lease subject to agency, First nations, and public referrals. However, given that there has been no administrative attention by the lessor (the Province) until this time, and the PAPA has restricted its window of operations since 2010 (i.e. from May 1st to September 30th), the Province will not require an amendment at this time. We expect that the PAPA will ensure that the appropriate sections of the lease are entirely closed during the “off season” – both through advising the public on its website and physical signs on ground. In other words, effectively the marina is closed from October 1st to April 30th each year and this needs to be made clear to all potential users of the marina.
2. Section 9.04 allows for the lessor to change the security, which is currently \$0.00. The Province requests that the security be increased to \$10,000.00 with subsequent proof for our records.
3. The Province requests that the PAPA submit an updated legal survey depicting the current configuration and dimensions of all moorage structures, improvements (including the administration building, washroom facilities, underground fuel storage tanks, concrete launch ramps, fuel dock etc.), and all fill within the defined outer perimeter of the lease. The updated survey will be registered at LTSA at the expense of the PAPA.
4. The Province requests that the PAPA submit its annual, notarized statutory declarations accompanied with colour-coded moorage map(s) that clearly illustrate the slips that are dedicated to seasonal and transient moorage. Also, as consistent, historic users of particular slips no longer need or wish to use them, the Province requests that the PAPA work towards more clearly defining seasonal versus transient moorage use areas as has occurred in past years.