

**From:** [Robinson, Gordon FLNR:EX](#)  
**To:** [Gage, Greg P FLNR:EX](#)  
**Cc:** [Wallace, Bonita FLNR:EX](#)  
**Subject:** 2015-04-17 RE: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO 0126457  
**Date:** Friday, April 17, 2015 8:59:12 AM

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Thanks again Greg, if we were to provide a staff contact for the applicant would that be Bonita?

**Gordon Robinson** | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.213.8447 | [Gordon.Robinson@gov.bc.ca](mailto:Gordon.Robinson@gov.bc.ca)

---

**From:** Gage, Greg P FLNR:EX  
**Sent:** Thursday, April 16, 2015 4:57 PM  
**To:** Robinson, Gordon FLNR:EX  
**Cc:** Sutherland, Craig FLNR:EX; Hadway, Sharon L FLNR:EX  
**Subject:** FW: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO

s.16,s.17

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**From:** Gage, Greg P FLNR:EX  
**Sent:** Thursday, April 16, 2015 11:57 AM  
**To:** Wallace, Bonita FLNR:EX  
**Cc:** Engels, Simone FLNR:EX; Mayser, Rudi E FLNR:EX  
**Subject:** FW: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO  
**Importance:** High

Bonita (or Simone), please provide me suggested responses to the questions below, thanks. This afternoon please.

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**From:** Robinson, Gordon FLNR:EX  
**Sent:** Thursday, April 16, 2015 11:49 AM  
**To:** Gage, Greg P FLNR:EX  
**Cc:** Sutherland, Craig FLNR:EX; Hadway, Sharon L FLNR:EX; Mayser, Rudi E FLNR:EX  
**Subject:** RE: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO

Hi Greg,

Page 02

Withheld pursuant to/removed as

s.16;s.17

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**From:** Gage, Greg P FLNR:EX  
**Sent:** Thursday, April 16, 2015 11:57 AM  
**To:** Wallace, Bonita FLNR:EX  
**Cc:** Engels, Simone FLNR:EX; Mayser, Rudi E FLNR:EX  
**Subject:** FW: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO  
**Importance:** High

Bonita (or Simone), please provide me suggested responses to the questions below, thanks. This afternoon please.

---

**From:** Robinson, Gordon FLNR:EX  
**Sent:** Thursday, April 16, 2015 11:49 AM  
**To:** Gage, Greg P FLNR:EX  
**Cc:** Sutherland, Craig FLNR:EX; Hadway, Sharon L FLNR:EX; Mayser, Rudi E FLNR:EX  
**Subject:** RE: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO

Hi Greg,

The MO has a few follow up questions on this one. Would you or someone from your staff be able to answer these for them?

- 1) What is the timeline for the consultation process? When will it begin and how long is the window to await a response for the consultation?*
- 2) clarity of status of land with Federal government – can I get further background on this. What is the issue? Who thinks what about the land? Feds, prov anyone else? How long has this process taken, when will it be resolved?*
- 3) Who would the contact name or number for DFO on this?*

Thanks for your help Greg

**Gordon Robinson** | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.213.8447 | [Gordon.Robinson@gov.bc.ca](mailto:Gordon.Robinson@gov.bc.ca)

---

**From:** Gage, Greg P FLNR:EX  
**Sent:** Wednesday, April 15, 2015 5:00 PM  
**To:** Robinson, Gordon FLNR:EX  
**Cc:** Sutherland, Craig FLNR:EX; Hadway, Sharon L FLNR:EX; Mayser, Rudi E FLNR:EX  
**Subject:** FW: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO

Hi Gordon,

We recommend that DFO be contacted directly by the client with their question regarding fisheries windows.

---

**From:** Engels, Simone FLNR:EX  
**Sent:** Wednesday, April 15, 2015 4:34 PM  
**To:** Mayser, Rudi E FLNR:EX; Kumar, Sangita FLNR:EX  
**Cc:** Gage, Greg P FLNR:EX; Wallace, Bonita FLNR:EX  
**Subject:** RE: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO

Sangita,

s.13,s.16

Thanks,  
Simone

.....  
Simone Engels, M.Sc., P.Ag.  
Section Head, Crown Land Authorizations  
**Ministry of Forests, Lands and Natural Resource Operations**  
Suite 142-2080 Labieux Rd.  
Nanaimo, BC, V9T 6J9  
Phone: 250-751-7271  
Fax: 250-751-7224

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**From:** Mayser, Rudi E FLNR:EX  
**Sent:** Wednesday, April 15, 2015 11:55 AM  
**To:** Engels, Simone FLNR:EX  
**Cc:** Gage, Greg P FLNR:EX; Kumar, Sangita FLNR:EX  
**Subject:** FW: ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO

Hi Simone,

Please action this follow-up request, see yellow highlight in note from Gordon Robinson below.  
Thanks,

Rudi

---

**From:** Kumar, Sangita FLNR:EX  
**Sent:** Tuesday, April 14, 2015 4:06 PM

**To:** Mayser, Rudi E FLNR:EX  
**Cc:** Gage, Greg P FLNR:EX  
**Subject:** ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO

Hi Rudi,

These are due tomorrow to Craig's office – how are they coming along?

---

**From:** Kumar, Sangita FLNR:EX  
**Sent:** Friday, April 10, 2015 12:01 PM  
**To:** Gage, Greg P FLNR:EX; Mayser, Rudi E FLNR:EX  
**Cc:** Hadway, Sharon L FLNR:EX  
**Subject:** ACTION: Denman Island Boat Ramp - info re: land tenure application - follow up info requested by MO

Greg/Rudi,

Please see request below from Minister's Office for follow up information. Please provide by April 14, 2015. Thank you.

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**From:** de Bree, Jennifer FLNR:EX  
**Sent:** Friday, April 10, 2015 11:57 AM  
**To:** Kumar, Sangita FLNR:EX  
**Subject:** As requested: ACTION: Denman Island Boat Ramp - info re: land tenure application

Hi Sangita.

If I can get some follow up information on this item by Wednesday, April 15, 2015, that would be great.

Thank you for your assistance. I look forward to hearing from you.

Jennifer de Bree  
Executive Administrative Assistant  
Ministry of Forests, Lands and Natural Resource Operations  
Phone: (250) 387-9773  
Fax: (250) 387-3291  
Email: [Jennifer.deBree@gov.bc.ca](mailto:Jennifer.deBree@gov.bc.ca)

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**From:** Robinson, Gordon FLNR:EX  
**Sent:** Friday, April 10, 2015 11:53 AM  
**To:** de Bree, Jennifer FLNR:EX  
**Subject:** RE: As requested: ACTION: Denman Island Boat Ramp - info re: land tenure application

Hi Jennifer,

The MO has just asked for some follow up information on this one. Would you be able to get an  
s.13,s.16

If possible could we get the information by next Wednesday?

Thanks Jennifer

**Gordon Robinson** | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.387.1526 | [Gordon.Robinson@gov.bc.ca](mailto:Gordon.Robinson@gov.bc.ca)

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**From:** de Bree, Jennifer FLNR:EX  
**Sent:** Friday, January 23, 2015 1:48 PM  
**To:** Robinson, Gordon FLNR:EX  
**Cc:** Kumar, Sangita FLNR:EX; Gage, Greg P FLNR:EX; Engels, Simone FLNR:EX; Elliott, Diane FLNR:EX  
**Subject:** As requested: ACTION: Denman Island Boat Ramp - info re: land tenure application

Hi Gordon.

Below are the bullets in answer to your request.

Jennifer de Bree  
Executive Administrative Assistant  
Ministry of Forests, Lands and Natural Resource Operations  
Phone: (250) 387-9773  
Fax: (250) 387-3291  
Email: [Jennifer.deBree@gov.bc.ca](mailto:Jennifer.deBree@gov.bc.ca)

---

**From:** Sutherland, Craig FLNR:EX  
**Sent:** Friday, January 23, 2015 1:25 PM  
**To:** de Bree, Jennifer FLNR:EX  
**Subject:** FW: As requested: ACTION: Denman Island Boat Ramp - info re: land tenure application

I approve

---

**From:** de Bree, Jennifer FLNR:EX  
**Sent:** Friday, January 23, 2015 10:43 AM  
**To:** Sutherland, Craig FLNR:EX  
**Subject:** As requested: ACTION: Denman Island Boat Ramp - info re: land tenure application

Hi Craig.

Okay to send along to Deputy Minister's office?

Jennifer de Bree  
Executive Administrative Assistant  
Ministry of Forests, Lands and Natural Resource Operations  
Phone: (250) 387-9773  
Fax: (250) 387-3291  
Email: [Jennifer.deBree@gov.bc.ca](mailto:Jennifer.deBree@gov.bc.ca)

**From:** Kumar, Sangita FLNR:EX  
**Sent:** Friday, January 23, 2015 10:41 AM  
**To:** de Bree, Jennifer FLNR:EX  
**Cc:** Gage, Greg P FLNR:EX; Engels, Simone FLNR:EX; Elliott, Diane FLNR:EX  
**Subject:** As requested: ACTION: Denman Island Boat Ramp - info re: land tenure application

Hi Jennifer,

As requested by the Minister's Office, below are some bullets re: Denman Island Boat Ramp land tenure application:

- Application received December 12, 2014
- FLNRO staff are actively engaged on a large number of additional applications with significant economic or safety implications.
- FLNRO may be able to complete review of the application by June 2015, however this will be partly dependant upon the outcome of its referral by FLNRO to other government agencies and consultation with First Nations.
- Frontcounter BC in Nanaimo is awaiting information requested of the applicant on December 19<sup>th</sup> to update the site plan to remove the portion of proposed fill that falls within an adjacent tenure area.
- The application process would be facilitated should BC Ferries or the Denman Island Residents Association be able to provide letters of support from First Nations in the area.
- Please contact Frontcounter BC in Nanaimo at 250-751-7220 with any questions.

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**From:** Kumar, Sangita FLNR:EX  
**Sent:** Monday, January 19, 2015 10:22 AM  
**To:** Gage, Greg P FLNR:EX  
**Subject:** ACTION: Denman Island Boat Ramp - info re: land tenure application  
**Importance:** High

See request below for info for Minister's Office. Please provide ASAP. Thank you.

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**From:** de Bree, Jennifer FLNR:EX  
**Sent:** Monday, January 19, 2015 9:55 AM  
**To:** Kumar, Sangita FLNR:EX  
**Subject:** Denman Island Boat Ramp  
**Importance:** High

Hi Sangita.

If you can have staff review and provide me with bullets at your earliest convenience, that would be great.

Thank you for your assistance. I look forward to hearing from you.

Jennifer de Bree  
Executive Administrative Assistant  
Ministry of Forests, Lands and Natural Resource Operations  
Phone: (250) 387-9773  
Fax: (250) 387-3291  
Email: [Jennifer.deBree@gov.bc.ca](mailto:Jennifer.deBree@gov.bc.ca)

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**From:** Robinson, Gordon FLNR:EX  
**Sent:** Friday, January 16, 2015 2:32 PM  
**To:** de Bree, Jennifer FLNR:EX  
**Subject:** FW: Denman Island Boat Ramp  
**Importance:** High

Hi Jennifer,  
Could someone do up some bullets for the MO on this issue?

**Gordon Robinson** | Issues Coordinator | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.387.1526 | [Gordon.Robinson@gov.bc.ca](mailto:Gordon.Robinson@gov.bc.ca)

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**From:** Hintz, Nancy P FLNR:EX  
**Sent:** Friday, January 16, 2015 1:26 PM  
**To:** Robinson, Gordon FLNR:EX  
**Subject:** FW: Denman Island Boat Ramp  
**Importance:** High

Hi Gordon,

Is it possible to get some information on this land tenure application please? Where does it currently stand in the process, is there anything further outstanding that the applicant requires to submit and what is the estimated timeline?

Thank you,

Nancy

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Nancy Hintz, Executive Assistant to the Honourable Steve Thomson,  
Ministry of Forests, Lands and Natural Resource Operations  
Phone: 250-387-9275 Fax: 250-387-1040

<http://www.gov.bc.ca/for>

---

**From:** McRae.MLA, Don [<mailto:Don.McRae.MLA@leg.bc.ca>]  
**Sent:** Monday, January 12, 2015 2:36 PM  
**To:** Hintz, Nancy P FLNR:EX  
**Subject:** FW: Denman Island Boat Ramp  
**Importance:** High

Nancy:

Don was wondering if you could comment on this request.

Dianne

---

**From** <sup>s.22</sup>  
**Sent:** January 11, 2015 8:05 PM  
**To:** McRae.MLA, Don;<sup>s.22</sup>  
**Subject:** Denman Island Boat Ramp

Hi Don,

On behalf of the Denman Island Residents Association (DIRA) I am appealing to you for some assistance on a matter affecting our residents.

s.17

In order to build the ramp DIRA has been asked by BC Ferries to apply for tenure of part of the water lot number 39445-1, next to our existing dock. We understand the reason for this is since we will be the owners / operators of the boat ramp we need to be the group submitting the application. We have done that and are now awaiting some movement on the part of the Ministry of Forests, Lands, and Natural Resource Operations. We have been told our application is in the queue, but we have no idea how long the queue is or when they will actually start to process it.

This is where you come in. Could you reach someone in the MFLNRO, Front Counter B.C., at their Nanaimo office and request expeditious action on our application. Our major reason for making this request is that we currently have no boat launch on the west side of the island. It has been over six months since we lost the use of our old boat launching site. As well, there is only one other boat ramp for pleasure boats on the island and it is situated on the east side on Lambert Channel which can be very difficult to launch into because of prevailing winds.

BC Ferries has told us they are hoping to begin construction by June of this year. However, we need to have secured the tenure of the water lot #39445-1 in order for them to go

ahead. Thus our concern and our desire for some assistance from your office.

If you wish we would be happy to discuss this matter with you at your convenience. Please call me at <sup>s.22</sup> or at this email address if you wish to meet briefly.

We appreciate your time and efforts on our behalf.

Frank Frketich  
President, DIRA

**From:** [Engels, Simone FLNR:EX](#)  
**To:** [Wallace, Bonita FLNR:EX](#)  
**Subject:** 2015-04-22 FW: Denman Island Issue TTSRY 0126457  
**Date:** Wednesday, April 22, 2015 10:24:26 AM

---

FYI

.....  
Simone Engels, M.Sc., P.Ag.  
Section Head, Crown Land Authorizations  
**Ministry of Forests, Lands and Natural Resource Operations**

Suite 142-2080 Labieux Rd.

Nanaimo, BC, V9T 6J9

Phone: 250-751-7271

Fax: 250-751-7224

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**From:** Gage, Greg P FLNR:EX  
**Sent:** Wednesday, April 22, 2015 10:18 AM  
**To:** Mayser, Rudi E FLNR:EX  
**Cc:** Engels, Simone FLNR:EX  
**Subject:** FW: Denman Island Issue

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**From:** Williams, Duncan FLNR:EX  
**Sent:** Wednesday, April 22, 2015 10:18 AM  
**To:** Gage, Greg P FLNR:EX  
**Subject:** FW: Denman Island Issue

FYI

---

**From:** Carswell, Barron AGRI:EX  
**Sent:** April 22, 2015 9:10 AM  
**To:** 'Klaver, March'; Fettes, Lesley FLNR:EX; Roth, Myron AGRI:EX  
**Cc:** s.22  
**Subject:** RE: Denman Island Issue

Thanks for the heads up March.

Cheers

**Barron Carswell**

Senior Manager

Seafood Secretariat and Intergovernmental Relations

Ministry of Agriculture

Ph: 250-356-5042

Cell: 250-889-5166

**From:** [Wallace, Bonita FLNR:EX](#)  
**To:** s.22  
**Subject:** 2015-10-14 RE: Boat launch and public warf sent 7 1414342 and 0126457  
**Date:** Wednesday, October 14, 2015 8:22:00 AM

---

Yes. It will only take a few moments of your time. I will try to call you at about 2:30pm.

Bonita Wallace  
Land Technical Officer  
**Ministry of Forests Lands and  
Natural Resource Operations**  
West Coast Region  
142 2080 Labieux Rd  
Nanaimo BC V9T 6J9

Phone: 250 751-7248  
Fax: 250 751-7224

---

**From:** s.22  
**Sent:** Tuesday, October 13, 2015 5:22 PM  
**To:** Wallace, Bonita FLNR:EX  
**Subject:** RE: 1414342 and 0126457 Boat launch and public warf

Hi Bonita,

Yes, I have to go off island first thing in the morning, but will be back by mid afternoon. Can I call you then?

Frank

---

**From:** [Bonita.Wallace@gov.bc.ca](mailto:Bonita.Wallace@gov.bc.ca)  
**To:** s.22  
**Subject:** 1414342 and 0126457 Boat launch and public warf  
**Date:** Tue, 13 Oct 2015 23:34:31 +0000

Hi Frank:

Can you call me on Wednesday Oct 14th?

Bonita Wallace  
Land Technical Officer  
**Ministry of Forests Lands and  
Natural Resource Operations**  
West Coast Region

142 2080 Labieux Rd  
Nanaimo BC V9T 6J9

Phone: 250 751-7248  
Fax: 250 751-7224

**From:** [Wallace, Bonita FLNR:EX](#)  
**To:** s.22  
**Subject:** 2015-12-01 RE: Denman Island Residents association Boat Ramp File 1414342 and Public Wharf on file 0126457  
**Date:** Tuesday, December 1, 2015 8:12:00 AM

---

No problem.

Bonita Wallace  
Land Technical Officer  
**Ministry of Forests Lands and  
Natural Resource Operations**  
West Coast Region  
142 2080 Labieux Rd  
Nanaimo BC V9T 6J9

Phone: 250 751-7248  
Fax: 250 751-7224

---

**From:** s.22  
**Sent:** Monday, November 30, 2015 6:40 PM  
**To:** Wallace, Bonita FLNR:EX  
**Subject:** RE: Denman Island Residents association Boat Ramp File 1414342 and Public Wharf on file 0126457

Thanks Bonita, that's good news! Interesting that K'omoks First Nation wants to meet on the dock. I hope everything works out ok. Appreciate your keeping me posted.

Frank

---

**From:** [Bonita.Wallace@gov.bc.ca](mailto:Bonita.Wallace@gov.bc.ca)  
**To:** s.22  
**Subject:** Denman Island Residents association Boat Ramp File 1414342 and Public Wharf on file 0126457  
**Date:** Mon, 30 Nov 2015 23:03:29 +0000

Just a quick email to let you know that a decision has been made and forwarded to the Portfolio Administration group for documentation.  
Also, with respect to the public wharf, the K'omoks First Nation have requested a meeting with us for next month. My understanding at this time is that they only wish to speak with Crown Land Authorizations. If this changes I will be in touch as quickly as possible.

Bonita Wallace  
Land Technical Officer  
**Ministry of Forests Lands and**

**Natural Resource Operations**

West Coast Region

142 2080 Labieux Rd

Nanaimo BC V9T 6J9

Phone: 250 751-7248

Fax: 250 751-7224

**From:** Wallace, Bonita FLNR:EX  
**To:** s.22  
**Subject:** 2016-03-16 RE: Public Wharf Lease Applicaiton File 0126457  
**Date:** Wednesday, March 16, 2016 4:05:00 PM

---

s.16,s.18

Bonita Wallace  
Land Technical Officer  
**Ministry of Forests Lands and  
Natural Resource Operations**  
West Coast Region  
142 2080 Labieux Rd  
Nanaimo BC V9T 6J9

Phone: 250 751-7248  
Fax: 250 751-7224

---

**From:** s.22  
**Sent:** Monday, March 14, 2016 11:12 AM  
**To:** Wallace, Bonita FLNR:EX  
**Subject:** RE: Public Wharf Lease Applicaiton File 0126457

Hi Bonita,

Good to hear from you, I have been wondering what's been happening and was about to write you.

I am encouraged that K'omoks First Nation is supportive of the wharf. I would be happy to discuss the question of access to archeological sites.

Frank

---

**From:** Bonita.Wallace@gov.bc.ca  
**To:** s.22  
**Subject:** Public Wharf Lease Applicaiton File 0126457  
**Date:** Mon, 14 Mar 2016 17:42:21 +0000

s.16,s.18

## Thanks

Bonita Wallace  
Land Technical Officer  
**Ministry of Forests Lands and  
Natural Resource Operations**  
West Coast Region  
142 2080 Labieux Rd  
Nanaimo BC V9T 6J9

Phone: 250 751-7248  
Fax: 250 751-7224

From: [deMunck, Elizabeth FLNR:EX](#)  
To: [Wallace, Bonita FLNR:EX](#)  
Subject: 2016-05-02 Question re 0126457 community wharf 0126457  
Date: Monday, May 2, 2016 5:15:40 PM

---

Hi Bonita,

I am preparing the Lease for The Denman Island Residents Association and I need to confirm a couple of things for the Lease which aren't addressed in the Land Use Report:

- Security Deposit - remain the same (\$2,000) or increase?
- Insurance – is \$2M OK, or higher?
- Your instruction to advise CSD of the value – what does CSD stand for?
- The Restore Surface covenant is mandatory, but has 4 choices. Which would you advise?
  - Restore Surface to
    - commencement date
    - original condition
    - free field
    - insert date

If you wish to discuss – I will be around for most of the week.

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

s.22  
From:  
To: [Wallace, Bonita FLNR:EX](#)  
Subject: Changes at DIRA  
Date: Monday, June 13, 2016 11:40:05 AM

---

Hi Bonita,

Sorry I did not notify you earlier about this matter, but I have stepped down as the President of DIRA at our AGM in April. I have served for five years so thought it was time for a change. Ron Shepherd has taken my place and is a very reasonable person to work with. He will do a good job, just may need a little time to become comfortable in the position. I have kept him up to date on the tenure items.

I agree with you that FLNRO's should deal with only one contact person from DIRA and I am confident Ron will do the job well.

Also, may I say it was a pleasure to work through all the issues surrounding the boat ramp and dock tenures with you. The process took a long time but I am very happy with what we have accomplished.

Many thanks  
Frank

From: [Wallace, Bonita FLNR:EX](#)  
To: ["Ron Shepherd"; deMunck, Elizabeth FLNR:EX](#)  
Cc: [dira](#)  
Subject: 2016-07-05 RE: Denman Island Dock Lease File # 0126457  
Date: Tuesday, July 5, 2016 10:41:00 AM

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Hi Ron: It would be better if you sent everything at once to avoid the possibility of losing track of any document. We have no problem waiting till next week.

Bonita Wallace  
Land Technical Officer  
Ministry of Forests Lands and  
Natural Resource Operations  
West Coast Region  
142 2080 Labieux Rd Phone: 250 751-7248  
Nanaimo BC V9T 6J9 Fax: 250 751-7224

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

From: Ron Shepherd [s.22]  
Sent: Tuesday, July 5, 2016 10:27 AM  
To: deMunck, Elizabeth FLNR:EX  
Cc: Wallace, Bonita FLNR:EX; dira  
Subject: Re: Denman Island Dock Lease File # 0126457

Good Morning Elizabeth...I've run into a problem with the line of credit. s.22

s.22 It's a small operation and there is no-one else there who can complete the documentation for us. I can send in all of the documents etc. except for the LofC now and send it next week vs.22 or I can hold everything until the LofC documents are available next week and send everything in together.

Please let me know how you would prefer to handle.

Thanks for your help.

Ron Shepherd  
Denman Island Residents Association  
> On Jun 24, 2016, at 9:56 AM, Wallace, Bonita FLNR:EX <Bonita.Wallace@gov.bc.ca> wrote:

>

> Ron: I am forwarding this to our Senior Portfolio Administrator who will ensure that your 2,000 security is returned when the \$5,000 one is put in place. Given the circumstances, I do not see a problem with sending everything in at the same time.

>

> Bonita Wallace  
> Land Technical Officer  
> Ministry of Forests Lands and  
> Natural Resource Operations  
> West Coast Region

> 142 2080 Labieux Rd Phone: 250 751-7248  
> Nanaimo BC V9T 6J9 Fax: 250 751-7224

>

>

>

>

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

> From: Ron Shepherd <sup>s.22</sup>

> Sent: Friday, June 24, 2016 9:53 AM

> To: Wallace, Bonita FLNR:EX

> Subject: Denman Island Dock Lease File # 0126457

>

> Hi Bonita...We would like to have our bank issue a letter of credit for the full \$5,000 security deposit. The letter of credit will be secured with a GIC which we will purchase from the bank. We currently have a \$2,000 cash deposit with you which we would like returned once the line of credit is in place and you're satisfied with it. I hope this is OK with you.

>

> Our bank requires Board Minutes approving the transaction. We have informal agreement from the Board members but will not be able to present a formal motion for approval until July 4th, which is our next Board meeting. The paperwork is due to you by July 3rd. Would it be best to send everything excluding the line of credit documentation now and send the loc documentation separately or should we hold off until everything is available? I expect we can have the loc approved and the bank documentation by July 8th or 9th.

>

> Thanks for your advice.

>

> Ron Shepherd

> Denman Island Residents Association

>

>

**From:** Wallace, Bonita FLNR:EX  
**To:** "John Johnston"  
**Cc:** deMunck, Elizabeth FLNR:EX  
**Bcc:** "Ron Shepherd"  
**Subject:** 2016-07-07 RE: Fwd: question re security deposit: dock site 0126457  
**Date:** Thursday, July 7, 2016 8:26:00 AM

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John:

I have been advised that Ron Shepherd is the new President of DIRA and the authorized representative for this file. I have discussed the Security increase issue with him. Please note that we are only able to discuss business matters (any file specific issues) with the authorized representative for the file. I recommend that you discuss this issue with your DIRA President. Thank you.

*Bonita Wallace*

Land Technical Officer  
Ministry of Forests Lands and  
Natural Resource Operations

West Coast Region

142 2080 Labieux Rd  
Nanaimo BC V9T 6J9

Phone: 250 751-7248  
Fax: 250 751-7224

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**From:** John Johnston [r<sup>s.22</sup>]  
**Sent:** Wednesday, July 6, 2016 7:57 PM  
**To:** Wallace, Bonita FLNR:EX  
**Subject:** Fwd: Fwd: 0126457 question re security deposit: dock site

Bonita,

Have been waiting some time now for a response from you regarding my questions below. If you cannot respond for some reason could you please provide your supervisors name and e-mail contact and I will contact them directly.

Best regards, John Johnston

----- Forwarded Message -----

**Subject:** Fwd: 0126457 question re security deposit: dock site

**Date:** Fri, 27 May 2016 14:23:20 -0700

**From:** John Johnston<sup>s.22</sup>

**To:** Bonita.Wallace@gov.bc.ca

Hi Bonita,

Just a follow up re the e-mail below. Not sure if this came through to you or not.

We have an committee/executive meeting coming up soon and am hope full you could comment on this subject prior to the meeting.

Best regards, John Johnston.

----- Forwarded Message -----

**Subject:**0126457 question re security deposit: dock site

**Date:**Wed, 25 May 2016 16:14:14 +0000

**From:**deMunck, Elizabeth FLNR:EX <[Elizabeth.deMunck@gov.bc.ca](mailto:Elizabeth.deMunck@gov.bc.ca)>

**To:**'John Johnston' s.22

**CC:**Wallace, Bonita FLNR:EX <[Bonita.Wallace@gov.bc.ca](mailto:Bonita.Wallace@gov.bc.ca)>

Hello John,

I am referring your question about the security deposit increase to the Land Officer, Bonita Wallace for response.

-----Original Message s.22

From: John Johnston [

Sent: Tuesday, May 24, 2016 3:30 PM

To: deMunck, Elizabeth FLNR:EX

Subject: dock site

Hi Elizabeth,

I am contacting you regarding your file # 0126457.

I have been involved as the volunteer person that was the chair of the committee during the initial fund raising, dock construction and generally day to day management of the site since completion of the site.

We are a committee of the Denman Island Residents Association.

I have just received a copy of your letter dated May 3/2016 (NOTICE OF FINAL REVIEW) In that letter you state that the security deposit will be increased from \$2000.00 to \$5000.00 and that there will be an an amalgamated lease covering both the original dock site lease and the site that the proposed boat ramp covers.

I can understand the rationale for the amalgamation of 2 sites but is the increase in security deposit due to the new boat ramp only or has there been an issue with water lot 257 that we have not addressed?

I realize you are a very busy person , however as a volunteer trying to save pennies this comes as a bit of a shock so if you could take a few minutes to explain what the increase is about I would be grateful.

Best regards, John Johnston, co chair, DIRA Dock Committee.

6) Lock Block Retaining Wall:

This retaining wall will extend from the north west boundary of Water Lot 257 to the old concrete pier post #3 then at 90° to post #2 ( see plan) at the western edge of the R.O.W. This wall will consist of a poured in place concrete foundation to accommodate precast lock blocks.

7) Infill Parking/Green Area:

This infill area will extend from the north end of water lot 257 in a southerly direction to the concrete pier posts as noted on the plan provided. It will be bounded on the water/ westerly side by the lock block wall and will follow the present natural boundary at high water at the base of the bank on the east side. The material used for the infill will be supplied from a pit on Denman. It is comprised of fine granular sand and round stone up to a 3" minus. An overlay of 3-4 in. of road mulch will be used as an overlay for parking. There are no plans at this time to consider paving any portion of this infill area. The green area will be located directly behind the retaining wall and will run the full length of the wall and extend toward the base of the bank approx. 10 ft. It will be comprised of a grass area with some tree and plant groupings.

8) Suggested mitigation to ensure protection for the Telus R.O.W.

- At all times during construction DIRA will provide temporary construction barriers and install these barriers along the Telus R.O.W.
- Telus would provide a permanent metal sign and post advising that there is a buried cable on site and no vehicle traffic allowed which we would install as part of our project. Suggest 18"x 18" min. for size.
- As a possible solution to Shellfish growers vehicles crossing over the Telus cable a permanent concrete barrier might be set in place along the northern boundary of the R.O.W. ILMB would have to be consulted if Telus wants to go this route.

Hope the above provides the information you require regarding Telus R.O.W. concerns. D.I.R.A and it's dock committee will do everything it can to insure the protection of the Telus cable both during and after the construction of our emergency dock. Please feel free to contact me at any time.

Best Regards: John Johnston – Chairman – Dock Committee for D.I.R.A.

From: [Ron Shepherd](#)  
To: [Wallace, Bonita FLNR:EX](#)  
Subject: Re: 2016-07-18 Gate blocking access 0126457  
Date: Monday, July 18, 2016 10:13:43 AM

---

Hi Bonita...This has gotten a little messy. We have company right now. I'm down to the dock about 1:00 today to sign off on the finished boat ramp project. I'll call you when that's over and hopefully we'll be able to connect. If we don't then we can schedule something for later. I'll forward you a couple of recent emails with Telus to provide you with some background information.

Ron

On Jul 18, 2016, at 9:32 AM, Wallace, Bonita FLNR:EX  
<[Bonita.Wallace@gov.bc.ca](mailto:Bonita.Wallace@gov.bc.ca)> wrote:

Hi Ron: Can you please let me know when it is convenient for me to call you on this subject?

*Bonita Wallace*

Land Technical Officer  
**Ministry of Forests Lands and  
Natural Resource Operations**

West Coast Region

142 2080 Labieux Rd  
Nanaimo BC V9T 6J9

Phone: 250 751-7248  
Fax: 250 751-7224

From: Ron Shepherd  
To: Wallace, Bonita.FLNR:EX  
Cc: Johnson, Jim.FLNR:EX; dira  
Subject: 2016-07-19 Re: Denman Island Telus Cable 0126457  
Date: Tuesday, July 19, 2016 12:26:57 PM

---

Bonita....Language usage understood and appreciated and I'll respond in a similar fashion to help speed up a resolution to the problem.

Documents from both Telus and FLNRO have stated that a barricade is required. I have provided you with copies of the Telus correspondence from 2009 where they required us to erect a barrier to block shellfish growers vehicular traffic. The FLNRO Tenure offer dated August 12, 2009, copy attached at end of this message, states that if a barrier is placed on the beach to prevent vehicles from driving over the cable then it must be a lockable gate to provide access for emergency vehicles. There was obviously an understanding within FLNRO that a barrier may be installed.

It was brought to the attention of the DIRA Executive in November 2015 that the locking gate had not been installed and we were in violation of our commitment to Telus. We asked Telus to review their requirements and they stated in a letter dated April 6, 2016, which I have provided to you, that they require us to fulfill our original commitment. The FLNRO "Notice of Final Review" dated May 3, 2016 states "Denman Island Residents Association will continue to maintain the barricade to protect the Telus Right-of-Way". This documentation together with the 2009 documentation refutes your points 1, 3 and 4 below which question the legitimacy of the gate.

As both Telus and FLNRO stated in documents dated 2016 that the barricade is a requirement DIRA acted accordingly and installed the gate.

DIRA has acted to fulfill its obligations as specified by FLNRO and Telus. It is very disturbing to find that when complaints from shellfish growers were received both you and Telus have pointed to DIRA as being the cause and instigator of the problem.

If Telus agrees to relieve DIRA of the responsibility of protecting their infrastructure and you agree that the barricade noted in the May 3, 2016 Notice of Final Review is not required I will take this to the DIRA executive with the recommendation that the gate be removed. As the gate was installed to meet the requirements of FLNRO and Telus specified in 2016 and which you now appear to be rescinding it would be appreciated if FLNRO and Telus paid for the installation and removal costs.

I'll call you tomorrow as scheduled for further discussion. S.22

Ron



Ministry of Agriculture and Lands  
Suite 142 - 2080 Labieux Road  
Nanaimo, BC V9T 6J9

Telephone No: 250 751-7248  
Facsimile No: 250 751-7224

GST Registration No: R107864738

Your contact is: Barbara Biss

Our file: 0126457

**TENURE OFFER**

Date AUG 12 2009

THE DENMAN ISLAND RESIDENTS ASSOCIATION  
PO Box 17  
Denman Island, BC V0R 1T0

Attention: John Johnston

Dear Sir:

**Re: Your Application for a Tenure over Crown Land**

Your application for a permit for community dock purposes over:

District Lot 257, Nanaimo District

(the "Land") has been accepted by us subject to fulfillment of certain requirements. Accordingly, we are offering to you a permit on the terms and conditions set out in this letter.

**Please be aware that if a barrier is placed on the beach to prevent vehicles from driving over the Telus Cable, the barrier must include a gate with a key available to emergency First Responders.**

Please be aware that you are required under this permit to observe, abide by and comply with all applicable laws, bylaws, orders, directions, ordinances and regulations of any competent governmental authority which in any way affects your use and occupation of the Crown land and any improvements made to that land. If you have any concerns or questions regarding any such laws, bylaws, orders, directions, ordinances and regulations you are encouraged to seek legal advice.

**From:** [Wallace, Bonita FLNR:EX](#)  
**To:** ["Ron Shepherd"](#)  
**Cc:** [Johnson, Jim FLNR:EX](#)  
**Subject:** 2016-07-19 RE: Denman Island Telus Cable 0126457  
**Date:** Tuesday, July 19, 2016 11:25:00 AM

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Ron:

I had hoped that we would be able to discuss this matter on the phone, unfortunately I am suffering from a summer cold and may not be able to make our scheduled call tomorrow morning. I apologise in advance if what I have to say comes across as a bit harsh, but this is a very serious issue and the language I use needs to be clear and concise.

The installation of a locked gate recently installed by DIRA is not authorized by the Ministry of Forests Lands and Natural Resource Operations (FLNRO)

DIRA needs to be aware of the following:

1. The covenant in the lease document was to ensure that Telus infrastructure was protected, it was never intended for use as a mechanism to block access to the foreshore areas accessed by Shellfish tenure holders. Further, there is nothing in our records to indicate that blocking access to the shore was ever considered in the adjudication of a tenure to DIRA;
2. The tenure you were offered is not a legal document until it is fully executed by us – at this time the documents are still in your possession;
3. The current management plan does not authorize a gate;
4. Any changes to the management plan which we interpret as any additions or deletions of infrastructure within the tenure area of any kind require our prior written consent. To my knowledge no such requests have been received or approved; and

**s.13,s.18**

I have also been in contact with a representative of Telus and have read copies of their correspondence provided by yourself and by the Shellfish Growers Association.

At this time FLNRO – Land Authorizations (me) and Aquaculture Authorizations (Jim Johnson, Senior Lands Officer (Aquaculture) – cc'd in this correspondence) need to know what DIRA is prepared to do to remedy this situation.

It would be greatly appreciated if you could copy both myself and Jim Johnson in your response.

Thank you.

*Bonita Wallace*

Land Technical Officer  
Ministry of Forests Lands and  
Natural Resource Operations  
West Coast Region  
142 2080 Labieux Rd  
Nanaimo BC V9T 6J9

Phone: 250 751-7248  
Fax: 250 751-7224

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**From:** Ron Shepherd s.22  
**Sent:** Tuesday, July 19, 2016 10:26 AM  
**To:** Wallace, Bonita FLNR:EX  
**Subject:** Fwd: Denman Island Telus Cable

Bonita...response from Telus to my note asking for clarification re their requirements.

Ron

Begin forwarded message:

**From:** Ron Shepherd s.22  
**Subject:** Fwd: Denman Island Telus Cable  
**Date:** July 18, 2016 at 5:01:04 PM PDT  
**To:** dira <[dira@denmanresidents.com](mailto:dira@denmanresidents.com)>

Response from Telus. I have a call scheduled Wed. AM with FLNRO. Will let you know what their response is. Please note the Telus Restricted disclaimer. This note should not be circulated outside of the DIRA Executive.

Tks...Ron

Begin forwarded message:

**From:** Terry Tawse <[Terry\\_Kenneth.Tawse@telus.com](mailto:Terry_Kenneth.Tawse@telus.com)>  
**Subject:** RE: Denman Island Telus Cable  
**Date:** July 18, 2016 at 3:02:44 PM PDT  
**To:** Ron Shepherd<sup>s.22</sup>  
**Cc:** Lori Moshuk <

Ron

Thank you for your information.

Our overriding concern in this matter is the protection of our infrastructure, a duty that DIRA has accepted by way of the 2009 agreement for the construction of the public dock. That agreement calls for the protection of our cable by way of the placement of bollards or concrete barriers – no mention of a locked gate arises in any of our correspondence.

The Denman Island Residents Association has chosen this gate as the method of protection of our Works. We presume that you have acted in good faith to comply with our agreement. But that protection need not come at the cost of a qualified denial of access to the foreshore. TELUS has advised DIRA and all other interested parties that we have no objection to foreshore access for legitimate licensees and tenure-holders, with the overriding caution to avoid damage to our cable.

We hope that DIRA will consider allowing access through their gate to government-sanctioned licensees, just as you would for public safety officials.

Best Regards

**Terry Tawse** | Senior Real Estate Specialist  
TELUS | Real Estate Division  
1 - 15079 - 64 Avenue, Surrey, BC V3S 1X9  
T: (604) 432-4177 | F: (604) 599-0396 | [www.telus.com](http://www.telus.com)

*TELUS Restricted - Privileged & Confidential  
Not to be forwarded or copied without express consent of the originator.*

---

**From:** Ron Shepherd<sup>s.22</sup>  
**Sent:** July 15, 2016 11:28 AM  
**To:** Terry Tawse <[Terry\\_Kenneth.Tawse@telus.com](mailto:Terry_Kenneth.Tawse@telus.com)>  
**Cc:** dira <[dira@denmanresidents.com](mailto:dira@denmanresidents.com)>  
**Subject:** Denman Island Telus Cable

Mr. Tawse...I'm the Co-Chair of the Denman Island Residents Association. There have been a number of emails regarding the gate that was recently installed at the Denman Island Dock site. In order to properly address the issue we would like to clarify Telus's requirements regarding the gate. As you're probably aware one of the conditions of our original dock tenure was that we install a locking gate to protect the Telus cable and restrict vehicle access to emergency vehicles. This arrangement was negotiated between DIRA, Telus and the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) in 2009. When our lease with FLNRO came up for renewal it was determined that the gate had never been installed. DIRA contacted Telus to determine if the barricade was needed. Telus replied in the affirmative and DIRA has since responded by installing the gate. Additionally one of the conditions of our lease renewal with FLNRO is that we continue to protect the Telus Right of Way.

Since the work of the shellfish growers is seasonal and dependent on the individual growers schedules, crop maturity, market demand and tides they require unfettered access. DIRA can either leave the existing gate in place to protect the Telus cable or we can leave the gate open and allow vehicles to access the beach. Would you please confirm whether or not you require us to restrict access to the beach to emergency vehicles as was determined in the original discussions in 2009. If you do not require this restriction we will contact FLNRO and ask them to consider lifting the barricade requirement.

For your information attached is a copy of the April 2016 letter from Telus confirming that the barricade is required.

Thank you for your assistance with this matter.

Ron Shepherd  
Denman Island Residents Association



Real Estate Department  
1 - 15079 - 64 Ave.  
Surrey, BC V3S 1X9

Toll Free 1-866-774-7002 press 2 BC  
Telephone (604) 432-4177  
Facsimile (604) 599-0396  
E-mail rightofway@telus.com

April 6, 2016

Denman Island Residents Association  
Attention: Frank Frketich  
President

TELUS File: 6627-3

Dear Sir,

**RE: Denman Island Community Dock**

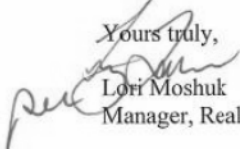
TELUS Communications Inc. has been approached by various community organizations concerning our Works that are located in proximity to the community dock, vis-a-vis the relationship to current public site usage at this location. Our onsite assessment has been performed by Joe Duffe, Engineering Technician, to ensure 1) the continuing uninterrupted communications services to the Denman Island and Hornby Island communities serviced thru this portal and 2) the contractual obligations for the benefit of TELUS by the governing authorities and user groups present at this site.

Our agreement for the construction and maintenance of the community dock included provision for the protection of our Works at the high water mark, by way of the placement of bollards or a concrete barrier that would prevent unauthorized vehicular traffic to the foreshore that could cause damage to our communications system. It is in the best interests of TELUS that this condition be fulfilled as contemplated in our agreement.

As an active participant in this community, TELUS strives to encourage the enhancement of the social, cultural and environmental conditions for the sake of all. In that spirit, we hope that all participants in this discussion can reach a mutually-agreeable solution.

If you have any questions or concerns, please contact the undersigned.

Yours truly,



Lori Moshuk  
Manager, Real Estate

LM/tkt

cc. Denman Island Forage Fish Group  
Denman Island Sailing & Paddling Club  
Comox Valley Regional District  
Islands Trust

From: s.22  
To: [ron.shepherd](#)  
Cc: [dira](#); [Wallace, Bonita FLNR:EX](#); [Johnson, Jim FLNR:EX](#)  
Subject: 2016-07-19 Re: Dock Gate 0126457  
Date: Tuesday, July 19, 2016 6:45:15 PM

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Wow, this is bizarre. Can't wait for John, Liz, Edi, Margie, etc to add their input.

If we distribute keys we ask for a deposit, make it pricey, that might help with 'missing' keys.

I can meet if required in the evenings. Thanks you Ron for bearing the brunt of this.

On Tue, Jul 19, 2016 at 4:25 PM, Ron Shepherd <[s.22](#)> wrote:  
Good Afternoon Team DIRA...I just spoke with Jim Johnson, FLNR, and he is in favour of having keys to the gate lock provided to the shellfish tenure holders as suggested by Telus. I pointed out that this limits our ability to control who is driving over the Telus site as once the keys are in the hands of the growers we don't know who will be able to obtain copies. He did not think that this would be a problem for Telus.

Would you please reply to me indicating whether you agree with this approach. I realize that there will be some negative responses to this from ADIMS and the Guardians however since Telus and FLNRO are backing down from their original requirements and neither Telus nor DIRA have a legal right to block the tenure access we'll just have to deal with the other organizations.

Doug, if you feel that the executive needs to meet before responding please let me know. If that's the case it needs to be sooner rather than later and we'll have to call a special Board meeting some time this week. Frank, while you don't have a vote your input is always appreciated.

If the Board agrees with this approach I'll inform Telus that we will be providing keys to the shellfish growers as they suggested and also point out our inability to control traffic over their tenure once this is done. Before doing this I'll clear up the issues regarding the legitimacy of the gate brought up by Bonita.

Thanks for your input and assistance.

Ron

**From:** [Ron Shepherd](#)  
**To:** [Johnson, Jim FLNR:EX](#); [Wallace, Bonita FLNR:EX](#)  
**Subject:** 2016-07-21 Dock Gate 0126457  
**Date:** Thursday, July 21, 2016 10:54:55 AM  
**Attachments:** [PastedGraphic-2.tiff](#)

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Good Morning Again...This is my question/thought. I haven't discussed this with anyone else and am looking for your input before I get myself into trouble. I have a finance background and when these sorts of issues come up I try to imagine how an argument would stand up in front of an arbitrator or judge. I'm finding that that logic doesn't always work in the volunteer world.

The original DIRA/Telus barrier was proposed and agreed to to prevent Shellfish growers vehicles crossing over the Telus cable...extract from correspondence below. If Telus now wants to allow Shellfish growers access then DIRA should no longer be required to block beach access.

Yes, no, maybe?

Thanks...Ron

**From:** [Ron Shepherd](#)  
**To:** [John Johnston](#); [Fox](#)  
**Cc:** [Wallace, Bonita FLNR:EX](#); [Johnson, Jim FLNR:EX](#); [dirt](#)  
**Subject:** 2016-07-21 Dock Gate 0126457  
**Date:** Thursday, July 21, 2016 12:14:21 PM

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Hi John/Fox...FLNRO has recommended that we leave the new gate at the dock open until all of the issues that have arisen have been resolved. As I don't have a key would you please arrange for someone to unlock the gate and leave it in the open position.

Thanks...Ron

From: [Ron Shepherd](#)  
To: [John Johnston](#); [Fox](#)  
Cc: [Wallace, Bonita FLNR:EX](#); [Johnson, Jim FLNR:EX](#); [dira](#)  
Subject: Re: Dock Gate  
Date: Thursday, July 21, 2016 4:32:02 PM

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John...The Shellfish growers have raised the issue of the beach blockage with Telus and there are a number of questions regarding the legitimacy of the gate and Telus's future needs to have the access blocked. The issues are legal/contractual and fall in the sphere of the DIRA executive. They do not in any way affect your ability to manage the dock. As the discussions are delicate and ongoing it would be inappropriate to release the correspondence you have requested at this point.

The following is the recommendation from FLNRO regarding leaving the gate open:

Thanks Ron. Until everything gets sorted, I would recommend that you leave the gate open.  
Bonita

Would you or Fox please see that her recommendation is acted on.

Ron

> On Jul 21, 2016, at 2:57 PM, John Johnston<sup>s.22</sup>

>

> Ron,

> What issues have arisen?

> Please be specific and include ALL correspondence to and from all participants as per my request today. Please also include the request from FLNRO to open gate.

> John.

>

>

>

> On 7/21/2016 12:13 PM, Ron Shepherd wrote:

>> Hi John/Fox...FLNRO has recommended that we leave the new gate at the dock open until all of the issues that have arisen have been resolved. As I don't have a key would you please arrange for someone to unlock the gate and leave it in the open position.

>>

>> Thanks...Ron

>

>

>

From: [Edina Johnston](#)  
To: [John Johnston](#)  
Cc: [Ron Shepherd](#); [Fox](#); [Wallace](#); [Bonita FLNR:EX: Johnson](#); [Jim FLNR:EX: dira](#)<sup>s.22</sup>  
s.22 [douglas wright](#); s.22  
Subject: 2016-07-22 Re: Dock Gate 012645/  
Date: Friday, July 22, 2016 8:55:58 AM

---

This area is multi-jurisdictional and involves 2 other levels of government. Are we ignoring the local governments Marine Conservation zoning issue which does not list vehicle use as an acceptable use? Are we ignoring the federal Fisheries Act re fish habitat? Are we ignoring the 3 community groups who supported the gate. The bollards allow access to the beach for everything but vehicles. Sort the issues before opening the gate.....cheers....edi

s.22

On Thu, Jul 21, 2016 at 3:57 PM, John Johnston <[\[redacted\]](#)> wrote:

Ron,  
What issues have arisen?  
Please be specific and include ALL correspondence to and from all participants as per my request today. Please also include the request from FLNRO to open gate.  
John.

On 7/21/2016 12:13 PM, Ron Shepherd wrote:

Hi John/Fox...FLNRO has recommended that we leave the new gate at the dock open until all of the issues that have arisen have been resolved. As I don't have a key would you please arrange for someone to unlock the gate and leave it in the open position.

Thanks...Ron

From: [deMunck, Elizabeth FLNR:EX](#)  
To: ["Ron Shepherd"; Wallace, Bonita FLNR:EX](#)  
Cc: [douglas Wright](#)  
Subject: 2016-07-20 RE: Lease Application Fees: File 0126457  
Date: Wednesday, July 20, 2016 5:10:24 PM

---

Hi Ron,

Yes, this is a duplicate. Please disregard the monies requested on the Notice of Final Review letter.

Sorry for the inconvenience. We don't normally collect the renewal fee in advance, so I missed that.

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

From: Ron Shepherd [s.22]  
Sent: Tuesday, July 12, 2016 9:08 AM  
To: deMunck, Elizabeth FLNR:EX; Wallace, Bonita FLNR:EX  
Cc: douglas Wright  
Subject: Lease Application Fees: File 0126457

Good Morning...The lease renewal package we have includes a request for fees payable of \$211.05. In January of 2013 we paid fees of \$224.00 to cover the lease renewal. There appears to be a duplication of fees.

Can you confirm whether or not there is a duplication of fees and if not would you provide an explanation for the two fee amounts.

Thanks for your assistance.

Ron Shepherd  
Denman Island Residents Association

From: [Wallace, Bonita FLNR:EX](#)  
To: ["Ron Shepherd"](#)  
Cc: [Johnson, Jim FLNR:EX](#)  
Subject: RE: Tenure Gate  
Date: Thursday, July 21, 2016 11:59:00 AM

---

Thanks Ron. Until everything gets sorted, I would recommend that you leave the gate open.  
Bonita

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

From: Ron Shepherd [s.22]  
Sent: Thursday, July 21, 2016 11:44 AM  
To: Wallace, Bonita FLNR:EX  
Subject: Re: Tenure Gate

Not a "Yes or No" but certainly provides the clarity I was looking for.

Thanks very much

Ron

> On Jul 21, 2016, at 11:38 AM, Wallace, Bonita FLNR:EX <Bonita.Wallace@gov.bc.ca> wrote:

>

> Hi Ron: As much as I would like to respond with a simple yes or no, it is not possible.

>

> The tenure that was offered in no way authorizes the restriction of access to lands beyond.

>

> There seems to be confusion over the term barricade which I believe was previously described by a representative of Telus as a construction block to prevent damage to the exposed cable. Telus has advised that the cable is now buried and can withstand light vehicle traffic.

>

> As for the gate: now that it is in place, you have some options:

> 1. continue to use the gate and provide keys to the shellfish growers (you will need to work out the details with the shellfish growers)- Your management plan will need to be updated appropriately

> 2. leave the gate in place but leave it open. Your management plan will need to be updated.

> 3. remove the gate. Please note that if you choose this option, because of the close proximity to an archaeological site you will need to contact the Archaeological Branch and they will advise you if a permit is required or not.

Then you will need to provide me with copies of the removal plan including correspondence from the Archaeological Branch.

>

> I hope this provides the clarity you were looking for.

>

>

> Bonita Wallace

> Land Technical Officer

> Ministry of Forests Lands and

> Natural Resource Operations

> West Coast Region

> 142 2080 Labieux Rd

Phone: 250 751-7248

> Nanaimo BC V9T 6J9

Fax: 250 751-7224

>

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>

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>

>

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

> From: Ron Shepher<sup>s.22</sup>

> Sent: Thursday, July 21, 2016 8:10 AM

> To: Wallace, Bonita FLNR:EX; Johnson, Jim FLNR:EX

> Cc: dira

> Subject: Tenure Gate

>

> Good Morning....A question has been raised by a board member regarding whether it is appropriate for us to be blocking access to the lands beyond our tenure and if it isn't why is it part of our tenure requirements. This question was raised based on a Telus letter to the Shellfish Growers stating that Telus has no authority to restrict access to the beach. DIRA also has no authority to restrict access to the beach but felt the gate had to be installed to meet Telus and FLNRO documented requirements. The other point raised with this item is your recent questioning of our installation of the gate. The broader question is if Telus needs to protect its infrastructure why do they not do it themselves on their right of way.

>

> Would you please confirm whether or not FLNRO requires us to maintain the barricade (gate) to protect the Telus right of way as part of our tenure agreement for the dock. For clarity a "yes or no" response would be appreciated and would provide clear guidance as we work through the issue with yourselves and Telus.

>

> Attached is a copy of the Telus letter referenced.

>

> Thanks...Ron

>

From: [Ron Shepherd](#)  
To: [Wallace, Bonita FLNR:EX](#)  
Subject: 2016-07-21 Re: Tenure Gate 0126457  
Date: Thursday, July 21, 2016 11:44:05 AM

---

Not a "Yes or No" but certainly provides the clarity I was looking for.

Thanks very much

Ron

> On Jul 21, 2016, at 11:38 AM, Wallace, Bonita FLNR:EX <[Bonita.Wallace@gov.bc.ca](mailto:Bonita.Wallace@gov.bc.ca)> wrote:

>

> Hi Ron: As much as I would like to respond with a simple yes or no, it is not possible.

>

> The tenure that was offered in no way authorizes the restriction of access to lands beyond.

>

> There seems to be confusion over the term barricade which I believe was previously described by a representative of Telus as a construction block to prevent damage to the exposed cable. Telus has advised that the cable is now buried and can withstand light vehicle traffic.

>

> As for the gate: now that it is in place, you have some options:

> 1. continue to use the gate and provide keys to the shellfish growers (you will need to work out the details with the shellfish growers)- Your management plan will need to be updated appropriately

> 2. leave the gate in place but leave it open. Your management plan will need to be updated.

> 3. remove the gate. s.18

s.18

<

> I hope this provides the clarity you were looking for.

>

>

> Bonita Wallace

> Land Technical Officer

> Ministry of Forests Lands and

> Natural Resource Operations

> West Coast Region

> 142 2080 Labieux Rd

Phone: 250 751-7248

> Nanaimo BC V9T 6J9

Fax: 250 751-7224

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

> From: Ron Shepherd<sup>s.22</sup>

> Sent: Thursday, July 21, 2016 8:10 AM

> To: Wallace, Bonita FLNR:EX; Johnson, Jim FLNR:EX

> Cc: dira

> Subject: Tenure Gate

>

> Good Morning...A question has been raised by a board member regarding whether it is appropriate for us to be blocking access to the lands beyond our tenure and if it isn't why is it part of our tenure requirements. This question was raised based on a Telus letter to the Shellfish Growers stating that Telus has no authority to restrict access to the

beach. DIRA also has no authority to restrict access to the beach but felt the gate had to be installed to meet Telus and FLNRO documented requirements. The other point raised with this item is your recent questioning of our installation of the gate. The broader question is if Telus needs to protect its infrastructure why do they not do it themselves on their right of way.

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> Would you please confirm whether or not FLNRO requires us to maintain the barricade (gate) to protect the Telus right of way as part of our tenure agreement for the dock. For clarity a "yes or no" response would be appreciated and would provide clear guidance as we work through the issue with yourselves and Telus.

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> Attached is a copy of the Telus letter referenced.

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> Thanks...Ron

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From: [Ron Shepherd](#)  
To: [Johnson, Jim FLNR:EX](#)  
Cc: [Wallace, Bonita FLNR:EX](#); [dira](#)  
Subject: 2016-07-22 Request for Information 0126457  
Date: Friday, July 22, 2016 9:59:26 AM

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Jim...The following came through on the DIRA web mail. The documentation requested ,which you have seen, would include the 2009 Telus/DIRA FLNRO correspondence plus the April 2016 Telus letter stating they require the barrier and the May 3, 2016 FLNRO Notice of Final Review. I expect that once these documents are provided they will broadly circulated. Are you OK with the release of the FLNRO docs?

FYI...expected something like this would come up and s.22  
s.22 ..Under freedom of information regulations the documents will have to be provided within 30 days unless we can show cause that they can't be made available.

We can delay responding but that may just ignite more fires.

Let me know how you would prefer to handle.

Thanks...Ron

Hello again Ron,

More information has now come to light. Some islanders have done some pretty awesome research, and discovered on the DIRA website that there was no vote on this, there was little to no discussion, and there seems to be no indication Telus requested this. no information was provided to the rest of the island.

Robert Fox pointed out strongly at one point that there was ample information provided prior to the gate being put up, and they got little to no opposition. However, upon reading through the meeting minutes, we cant actually find any evidence of this. The more research is done here, the more 'fishy' it seems to be.

s.22

s.22 would like to see the original request from Telus requiring the barricade, and the documentation from FLNRO, and also we would like to know, who holds the tenure on that location?

So bottom line it begs the question- if Telus didnt ask for this, who did?

We look forward to reading through the proper documentation to help clear this whole thing up.