



HARBOUR AUTHORITY MEETING
Tuesday, September 6, 2022 @ 4:00 PM
Ucluelet Community Centre,
500 Matterson Drive, Ucluelet

AGENDA

	Page
1. CALL TO ORDER	
1.1. ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH The Harbour Authority would like to acknowledge the Yuulu?if?ath, on whose traditional territories the Harbour Authority operates.	
1.2. NOTICE OF VIDEO RECORDING Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube on Zoom which may store data on foreign servers.	
2. LATE ITEMS	
3. APPROVAL OF THE AGENDA	
4. ADOPTION OF MINUTES	
4.1. May 2, 2022, Regular Harbour Authority Minutes 2022-05-02 Regular Harbour Authority	3 - 5
5. PUBLIC INPUT & DELEGATIONS	
5.1. Public Input	
6. UNFINISHED BUSINESS	
7. REPORTS	
7.1. HAABC Small Craft Harbour Program <i>Abby Fortune, Director of Parks and Recreation</i> RTHA - HAABC Small Craft Harbour Program	7 - 8
7.2. West Coast Wild Adventures Request for a Fuel Boat <i>Abby Fortune, Director of Parks and Recreation</i> RTHA - Fuel Dock Request	9 - 12
8. NOTICE OF MOTION	
9. INFORMATION ITEMS	
9.1. Harbour Manager Report - September 6, 2022, Update <i>Kevin Cortes, Harbour Manager</i> IRTHA - Harbour Manager Report	13 - 15

9.2. Harbour Authority Resolution Tracking
[2022-09-06 Resolution Tracking](#)

17 - 19

10. QUESTION PERIOD
11. CLOSED SESSION
12. ADJOURNMENT

6.1 Public Input

There was no public input.

6.2 WestCoast Wild Adventures Ltd - fuel boat Louis Rouleau, Owner/Operator, WestCoast Wild Adventures Ltd.

Mr. Rouleau, owner of WestCoast Wild Adventures Ltd. outlined his request to dock a fuel boat next to the existing airplane float at the fish cleaning dock in the Ucluelet Small Craft Harbour.

Staff will provide a follow-up report to the Harbour Authority.

2022.2029.HA *It was moved and seconded THAT the Harbour Authority direct staff to provide a report to be presented at a Special Harbour Authority meeting, to be advertised for and held within the next 30 days, outlining pros and cons of WestCoast Wild Adventures' request to dock a fuel boat next to the existing airplane float dock.*

CARRIED.

7 UNFINISHED BUSINESS

There was no unfinished business.

8 REPORTS

8.1 Harbour Master Contract Authorization Abby Fortune, Director of Parks & Recreation

Ms. fortune provided this report.

The Harbour Authority discussed the proposed contract and obtained clarification from staff.

2022.2030.HA *It was moved and seconded THAT the Harbour Authority approve Option A, to recommend to the District of Ucluelet Council to award a five-year contract between Kasslyn Contracting and the District of Ucluelet for Harbour Master services in the amount of 42% of gross revenues collected under the District of Ucluelet Harbour Regulation Amendment Bylaw 1296, 2021 plus GST.*

CARRIED.

9 NOTICE OF MOTION

There were no notices of motion.

10 CORRESPONDENCE

The Harbour Authority discussed strategies for increasing public engagement with harbour users and upgrades to the harbour pilings. The Harbour Authority noted the importance of replacing pilings with environmentally friendly pilings.

11 INFORMATION ITEMS

**11.1 Harbour Manager Report – May 2, 2022 Update
Kevin Cortes, Harbour Manager**

Mr. Cortes presented this information report.

**11.2 Harbour Authority Resolution Tracking
Abby Fortune, Director of Parks & Recreation**

Ms. Fortune presented this report. Council sought clarification on several items on the tracker.

12 MAYOR'S ANNOUNCEMENTS

There were no announcements.

13 HARBOUR AUTHORITY COMMITTEE REPORTS

There were no reports.

14 QUESTION PERIOD

There were no questions.

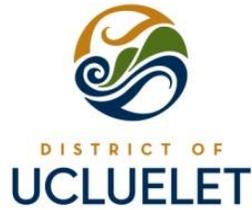
15 ADJOURNMENT

The meeting was adjourned at 4:47 pm.

CERTIFIED CORRECT: Minutes of the Harbour Authority Meeting held on Monday, May 2, 2022 at 4:00 pm in the Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Mayco Noël, Mayor

Duane Lawrence, Corporate Officer



REPORT TO HARBOUR AUTHORITY

Harbour Authority Meeting: September 6, 2022
 500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF PARK & RECREATION **FILE NO:** 8700-30
SUBJECT: HAABC SMALL CRAFT HARBOUR PROGRAM **REPORT NO:** 22- 132
ATTACHMENT(S): NONE

RECOMMENDATION(S):

THAT Council approve Option A, to explore working with Harbour Authority Association of BC to undertake a review of how the Harbour Authority and District of Ucluelet manage and oversee the harbour.

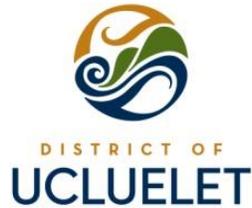
BACKGROUND:

The Harbour Authority received an offer from Mr. Clark, Harbour Authority Association of BC (HAABC), to undertake an operational review of the harbour and undertake a mentorship program to provide guidance on best practices and possible improved efficiencies in the management of Ucluelet’s harbours. Staff have reviewed the offer and believe it is worth exploring. The District of Ucluelet has not undertaken such a review in the past and this may provide some good options and opportunities for improving our harbour operations from a Harbour Authority perspective. We would need to confirm if there are any costs involved.

ANALYSIS OF OPTIONS

This opportunity would provide the Harbour Authority and District staff with much needed knowledge on oversight and operations of the Harbour. A review would be a positive measure to also determine next steps for the Small Craft Harbour and Whiskey Dock. We would also be able to tie in the Harbour Master Plan and be better able to ascertain long-term programs and budgeting for the Harbour. This would be a great opportunity to better understand harbour operations from a Harbour Authority standpoint and to support the Harbour Manager.

A	Have HAABC undertake a review of Ucluelet’s	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Provide knowledge and insight into the workings of the Small Craft Harbour from a Harbour Authority and Municipal staff perspective • A better understanding of the workings of the Small Craft and the role of the Harbour Authority and Municipal Staff. • Ability to review and prioritize action items from the Harbour Master Plan
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REPORT TO HARBOUR AUTHORITY

Harbour Authority Meeting: September 6, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF PARKS & RECREATION **FILE NO:** 8700-50

SUBJECT: WEST COAST WILD ADVENTURES REQUEST FOR A FUEL BOAT **REPORT NO:** 22- 131

ATTACHMENT(S): NONE

RECOMMENDATION(S):

THAT the Ucluelet Harbour Authority deny West Coast Wild Adventures' request to moore a 450 litre dual tank filling station at the Small Craft Harbour.

BACKGROUND:

At the May 2, 2022, Harbour Authority meeting, Staff were directed to provide a report outlining the pros and cons of West Coast Wild Adventures' request to dock a fuel boat next to the existing airplane float dock in the Small Craft Harbour.

Staff contacted the Department of Fisheries and Oceans (DFO) and received information from Transport Canada (TC) to determine if the proposal is permitted under the various regulations that manage and govern the transportation and storage of fuel. Staff also reviewed insurance requirements.

DFO – Small Craft Harbour

DFO cannot authorize or deny a request such as this. The Ucluelet Harbour Authority is solely responsible for determining what activities are allowed within the water lot.

DFO - SCH does not normally support transportation of fuel within our water lots, however, again, that decision would be up to each individual Harbour Authority. If a fuelling system were to be allowed by the Ucluelet Harbour Authority, Ucluelet would need to ensure the operator follows all Transport Canada Guidelines and obtains all necessary approvals and permits required by Transport Canada.

Transport Canada

Provided the requirements of *Transport of Dangerous Goods Regulations* (TDGR) 1.33 are met, there is an exemption in the *Transport of Dangerous Goods Regulations* that allows the transport Class 3 Flammable Liquids in a small means of containment (SMOC) (i.e., less than or equal to 450L) without having to prepare shipping documents, have labels on the tidy tank, or have a UN spec tank. TDR 1.33 reads:

Class 3, Flammable Liquids: General Exemption

1.33 Part 3 (Documentation), Part 4 (Dangerous Goods Safety Marks), Part 5 (Means of Containment), Part 6 (Training), Part 7 (Emergency Response Assistance Plan), Part 9 (Road) and Part 10 (Rail) do not apply to the handling, offering for transport or transporting of dangerous goods

included in Class 3, Flammable Liquids, on a road vehicle, a railway vehicle or a vessel on a domestic voyage if the dangerous goods

- *(a) have no subsidiary class;*
- *(b) are included in Packing Group III and have a flash point greater than 37.8 degrees C; and*
- *(c) are in one or more small means of containment designed, constructed, filled, closed, secured, and maintained so that under normal conditions of transport, including handling, there will be no accidental release of the dangerous goods that could endanger public safety.*

If all the requirements of TDGR 1.33 and the fuel meets all requirements of the TDGR if it is fully regulated, then the 450L tidy tank on an aluminium boat would be compliant with the TDGR.

It is noteworthy that the *Regulation* does not address the longer-term storage and dispensing of fuel from a barge and staff did not identify any additional regulations that would provide oversight of an independent small fuelling station. Additional confirmation will be required from Transport Canada Marine Safety to ensure that they have no issues with the fuelling of a float plane from the tidy tank on the boat.

Insurance Requirements

If the Harbour Authority were to consider approving the request the following insurance requirements would be recommended. As for the third-party insurance, the floatplane operator should carry Aircraft Hull Policy (insuring the floatplanes to their full value) and Aviation General Liability (as they would be required by Transport Canada).

The vessel operator should carry Hull & Machinery (insuring the vessel to its full value) and Protection & Indemnity, which should include pollution liability (as would be required by Transport Canada).

The District of Ucluelet, Harbour Authority, DFO - SCH, Kasslyn Contracting, should be added as an Additional Insured to the Aviation General Liability policy and the Protection & Indemnity policy. The Aviation General Liability policy limit could be as little as \$2M – depending on the size of the client although \$5M would be ideal. Consideration could also be given by the applicant to acquire a Protection & Indemnity policy of \$5M to \$10M. The desire would also be that the West Coast Wild Adventures also provide evidence the pollution liability limit.

ANALYSIS OF OPTIONS

Although permissible, throughout Staff's discussions with DFO and information provided by TC there were several concerns that were raised, and items identified that form the basis of the recommendation.

The primary concern is that there are increased risks of fuel spills with a fuelling station, which are heightened because it would be located in a public facility. A fuel spill would have increased impacts on the marine and aquatic environment and Harbours are already highly impacted from operations and adding increased potential for spillage and contaminants is not desirable.

Small fill stations, such as the one proposed, do not require any training, management, or oversight for the safe dispensing of fuel, therefore pose an increased risk level. Furthermore, there is a private marine filling station within the harbour that is certified and retains all the required safety equipment and training needed to manage a fill station.

DFO - SCH advised the District that they do not normally support the transportation of fuel and fill stations within their water lots primarily due to environmental concerns. They further noted that they are actively deterring the renewal of existing private fill stations due to the increased environmental hazards they pose.

Overall, Staff were unable to identify any benefits to the community at large or the Harbour associated with a fuel boat being located in the Small Craft Harbour.

There is a benefit to the small business to have a fuel boat to support their business, reducing the travel time required to fill their aircraft at the existing fuel station.

If the Harbour Authority were to permit West Coast Wild Adventures to have a fuel boat in place at Small Craft Harbour, Staff recommend several permit conditions be put in place to minimize the potential risks associated with this independent fuelling station. This would require staff time to ensure and monitor that regulations and conditions are being met. Staff would recommend that the permit include:

1. Verification that all Transport Canada Regulations are met.
2. Confirmation with Transport Canada Marine Safety requirements are met.
3. A minimum of \$5 million general third party liability naming the Ucluelet Harbour Authority, District of Ucluelet, Department of Fisheries and Oceans – Small Craft Harbour and Kasslyn Contracting with confirmation of pollution liability limit of no less than \$5 million.
4. A Marine Response Spill Kit on-site suitable for the volume of fuel being stored and dispensed.
5. Submission of a Safety Plan approved by the Ucluelet Harbour Authority and Ucluelet Fire Department.
6. A maximum term of 3-years.

A	Do not approve the request	<u>Pros</u>	<ul style="list-style-type: none"> • There would be no environmental risk to the Small Craft Harbour
		<u>Cons</u>	<ul style="list-style-type: none"> • N/A
		<u>Implications</u>	<ul style="list-style-type: none"> • A local business would not be authorized to have a fuel boat to enhance/support their business
B	Allow with conditions	<u>Pros</u>	<ul style="list-style-type: none"> • Benefit to a small business operator
		<u>Cons</u>	<ul style="list-style-type: none"> • There is always an inherit risk of fuel spills with a fuelling station • There are no net benefits to the District or Small Craft Harbour for the allowance of the fuelling boat • Potential increase in requests for small independent fill stations
		<u>Implications</u>	<ul style="list-style-type: none"> • Additional staff time would be required to monitor and ensure regulations are being met.



INFORMATION REPORT TO HARBOUR AUTHORITY

Harbour Authority Meeting: September 6, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: KEVIN CORTES, HARBOUR MANAGER

FILE No: 8700-30 HA

SUBJECT: HARBOUR MANAGER REPORT – SEPTEMBER 6, 2022, UPDATE

REPORT No: 22-133

APPENDIX: NONE

PURPOSE:

To update the Harbour Authority on the workings of the harbour since the May 2022 meeting.

DISCUSSION:

Location	Update	Issues
Small Craft Harbour – Boat Basin	<ul style="list-style-type: none"> • Painting and repairing dock railing and bull rails. • June - Gillnet Sockeye Fishery • July 15 - First Nations Commercial Salmon opening • August 1 - Area G Salmon Fishery • Late July to present - Tuna Fishery • Thirty charter vessels operating out of the inner basin • Influx of recreational cruisers and fishers • The ghost gear recovery compound is complete. To date, no gear has been recovered. 	
Small Craft Harbour – Outer Boat Basin	<ul style="list-style-type: none"> • Installed some new water faucets • Scraping, paint pre-work of upper wharf head • Refastening of deck planks (lower walkway) • RCMSAR has been repairing and painting the outer float house 	<ul style="list-style-type: none"> • Need to replace broken piling, still waiting on contractor
Whiskey Dock	<ul style="list-style-type: none"> • Continuing maintenance replacing planks upper wharf head. 	
52 Steps	<ul style="list-style-type: none"> • Painting of rails and light poles • Refastened decking • Dock usage 70% local recreational vessels during summer 	<ul style="list-style-type: none"> • Ramp track needs to be rebuilt before winter

	<ul style="list-style-type: none"> Replaced some of the stairs that were rotting. 	<ul style="list-style-type: none"> CBSA no longer recognizes Ucluelet as a designated harbour to clear customs. Victoria is the closest port of entry. A report to follow in the new year regarding potential options for a port of entry.
Piling replacement	<ul style="list-style-type: none"> To date repairs have not been made due to the piling contracting having timing and staffing issues The Harbour Master is working with DFO to secure more environmentally friendly pilings for the damaged pilings in the Outer Boat Basin 	<ul style="list-style-type: none"> Waiting to confirm date for piling replacement
Float House Restaurant	<ul style="list-style-type: none"> Ms. Fortune has been working with DFO-SCH to bring the Float House top of ramp upgrades (funded by a Tourism Recovery Grant) into alignment with DFO regulations. Ms. Fortune met with the owner of the Float House who provided the documentation required by DFO. 	<ul style="list-style-type: none"> The information is currently with DFO-SCH for feedback
Dumpsters	<ul style="list-style-type: none"> The Bear Aware dumpsters have been successful. However, there is still an issue with people placing, often household garbage, in front of the dumpsters causing animal issues. The dumpster has been removed from 52 Steps due to misuse. There has been minimal negative affect. 	<ul style="list-style-type: none"> This issue will need to be addressed in the new year, in conjunction with budget. Potential solutions such as an enclosed compound will be presented to the HA.
Other	<ul style="list-style-type: none"> Rate changes have been mostly accepted, although the increase in annual Charter Rates seem to only affect local Charter Operators. Busiest day of the season saw 85 commercial vessels, 117 recreational vessels and 36 charter vessels – August 26, 2022 Revenues are similar to last year, off only 3% to this point 	



Respectfully submitted: Kevin Cortes, Harbour Manager
Abigail K. Fortune, Director of Recreation & Tourism

Meeting	Meeting Item Description	Resolution Text	Description	Follow-Up Status
16-Feb-21	Ucluelet Harbour Authority Project Budget	THAT HA directs staff to provide a report regarding improvements to the public boat launch intended to solve issues with use during low tides.	Present Report to HA	In Progress: proposal/study to be presented at the next HA with a report from Herrold Engineering outlining the proposed work to improve the Pat Leslie Boat Launch.
04-May-21	Harbour Manager Report - May 4, 2021 Update Kevin Cortes, Harbour Manager	THAT HA direct Staff provide a report to HA donations at the Pat Leslie Boat Launch.	Present report regarding donation box at the Pat Leslie Boat Launch.	Complete: signage installed completed for parking 2021. In Progress: report to come to HA outlining potential ways to install a donation box or parking fee for Spring of 2023
07-Sep-21	Ucluelet Small Craft Harbour Service Level Survey	THAT the Harbour Authority direct Staff to distribute a survey regarding service levels to the Charter Operators.	Draft and distribute service level survey.	In progress: To be carried out end of season to be reported at following meeting
07-Sep-21	Ucluelet Small Craft Harbour Onboarding Rates Review	THAT the Harbour Authority direct Staff to provide a comparison for onboarding fees at a future Harbour Authority meeting.	Provide comparison of onboarding charges.	In progress to be completed by end of season, Comparing like sized Harbours.

Meeting	Meeting Item Description	Resolution Text	Description	Follow-Up Status
01-Mar-22	Harbour Master Report	<p>It was moved and seconded THAT the Harbour Authority direct staff to write a letter to the Department of Fisheries, asking that they consider using materials other than creosote, when replacing pilings in the harbour.</p> <p>It was moved and seconded THAT the Harbour Authority request the District of Ucluelet Council to also write a letter to the Department of Fisheries, asking that DFO consider using materials other than creosote, when replacing pilings in the harbour.</p>	Write letters to DFO.	Complete
01-Mar-22	Other business	It was moved and seconded THAT the Harbour Authority direct staff to cancel the May 17, 2022 Harbour Authority Meeting, reschedule it for May 2, 2022 at 4:00PM and provide public notice of the change.	Update schedule and give notice.	Complete
02-May-22	March 1, 2022 Regular Harbour Authority Minutes	It was moved and seconded THAT the Harbour Authority adopt the March 1, 2022 Regular Harbour Authority Minutes as presented.	Print, file and post minutes.	Complete
02-May-22	WestCoast Wild Adventures Ltd fuel boat Louis Rouleau, Owner/Operator, WestCoast Wild Adventures Ltd.	It was moved and seconded THAT the Harbour Authority direct staff to provide a report to be presented at a Special Harbour Authority meeting, to be advertised for and held within the next 30 days, outlining pros and cons of WestCoast Wild Adventures' request to dock a fuel boat next to the existing airplane float dock.	Provide report on fuel boat.	In progress - report was moved to and being presented at the September 6th Harbour Authority meeting in order to fully and properly research the request.

Meeting	Meeting Item Description	Resolution Text	Description	Follow-Up Status
02-May-22	Harbour Master Contract Authorization	It was moved and seconded THAT the Harbour Authority approve Option A, to recommend to the District of Ucluelet Council to award a five-year contract between Kasslyn Contracting and the District of Ucluelet for Harbour Master services in the amount of 42% of gross revenues collected under the District of Ucluelet Harbour Regulation Amendment Bylaw 1296, 2021 plus GST.	Sign and file contract.	Complete