



REGIONAL DISTRICT of Fraser-Fort George

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REPORT FOR CONSIDERATION

TO: Chair and Directors

File No.: DOR 1.0

FROM: Meredith Burmaster, Manager of Community Services

DATE: December 1, 2022

SUBJECT Proposed Dore River Armouring Management and Maintenance Service

SUMMARY: Purpose: For Information
Attachments: Draft Bylaw No. 3290
Previous Reports: Item 12.2, June 2022

RECOMMENDATION(S):

THAT the report be received.

ENTITLEMENT	HOW VOTE COUNTED
All 1 Director/1 vote	Majority

ISSUE(S):

At the June 2022 meeting, the Board was provided an update on the Dore River Erosion Mitigation Project and gave approval for petitions to be prepared and distributed to affected property areas within the Dore Riverfront Armouring Management and Maintenance Service Area to gain elector assent to establish the Dore Riverfront Armouring Management and Maintenance Service. The petition documents were mailed out the week of June 20th, 2022.

One of the conditions of the conditional grant that could potentially fund the Dore River Erosion Mitigation Project is that the Regional District owns the resulting infrastructure; therefore, it has been deemed necessary that a taxable service be established to fund the ongoing maintenance and asset management of the bank armouring works.

The petitions returned to Administration were certified on November 9, 2022 by the Corporate Officer. The Petitions have been certified as sufficient to establish the service.

The Decision Options section of the report provides options for Board's consideration moving forward. Additional information pertaining to this proposed service and the project has been included in the Backgrounder.

The Board is being asked to consider the next steps in regard to this proposed service.

RELEVANT POLICIES:

1. *Local Government Act s. 185(b):*
 - allows for the establishment of a service that is considered necessary or desirable
2. *Local Government Act s. 337:*
 - provides for petitioning for a service in an electoral area
3. *Local Government Act s. 347*
 - allows for consent on behalf of electoral participating area electors
4. *Asset Management Strategy*
 - provides guidance on best practices in asset management to support sustainable service delivery
5. *Equipment, Facility, Utility and Land Asset Acquisition - Policy # RD-13-18*

- The Regional District will consider assuming the operation and control of assets where the transfer or conversion of an asset can be completed in a manner that does not pass any undue liability onto the Regional District and can be supported by a service.

STRATEGIC ALIGNMENT:

- Climate Action
 Economic Health
 Indigenous Relations
 Strong Communities
 None – Statutory or Routine Business

SERVICE RELEVANCE:

N/A

FINANCIAL CONSIDERATION(S):

N/A

OTHER CONSIDERATION(S):

In order for a petition to be certified as sufficient and valid, the owners of at least 50% of the parcels liable to be charged for the proposed service and the persons signing must be the owners of parcels that in total represent 50% of the net taxable value of all land and improvements within the proposed service area. Under the *Local Government Act* the decision of the Corporate Officer in certifying the petition as sufficient is final. Property owners of the twenty-two parcels within the proposed service area were mailed two letters with information about the petition process including the petition document. One letter was sent in June and the other in August. Eleven petitions from owners of parcels in the proposed service area were submitted and certified as sufficient.

Under the *Local Government Act*, the Board may authorize participating area approval for a service establishment bylaw if a sufficient petition is received for an electoral area service. In order for the service to now be established, a service establishment bylaw must receive three readings, participating area approval authorized and approval obtained from the Inspector of Municipalities prior to the Board's consideration of adoption of the service establishment bylaw.

DECISION OPTIONS:

1. Approve recommendations.
 - the report will be received

Other Options:

- a. Proceed with establishing the proposed service:
 - Consider the first three readings of the Dore Riverfront Armouring Maintenance and Management Service Establishment Bylaw No. 3290, 2022. The following motions would be in order:
 - *THAT Dore Riverfront Armouring Maintenance and Management Service Establishment Bylaw No. 3290, 2022 be now introduced and given first reading.*
 - *THAT Bylaw No. 3290 be given second and third readings.*
 - *THAT participating area approval be authorized to be given by Director consent pursuant to Section 347 of the Local Government Act.*
- b. Do not proceed with establishing the proposed service:
 - The following motion would be in order:
 - *THAT the Regional District not proceed with establishing a service for ongoing maintenance and asset management of the Dore River bank armouring infrastructure.*
 - There will be no ability to fund the ongoing maintenance and asset management of the bank armouring infrastructure if project proceeds.
 - The grant program's requirement to own the resulting asset will not be met without a service in place to support the long-term maintenance of the asset.

- The Dore River Erosion Mitigation Project would not be proceeded with.
- c. Postpone consideration if more information is required.

COMMENTS:

The establishment of a taxable service is one of the integral pieces of this project that is necessary for the project to proceed. The other outstanding requirements include obtaining the necessary regulatory and environmental approvals, completing consultation with Indigenous Governments, and securing a qualified vendor through RFP process within the grant timelines and budget.

Respectfully submitted,

“Meredith Burmaster”

Meredith Burmaster
Manager of Community Services

MB:ed

Dore River Erosion Mitigation Project Backgrounder

In June of 2020, a large rainstorm coupled with seasonal snowmelt created exceptionally high flows in the Dore River. This caused much damage and loss to properties along the Dore River between Highway 16 and Museum Road outside of McBride.

Regional District Administration worked with area residents to explore options to mitigate further damage and property loss along this channel of the Dore River from future high flow events. These discussions resulted in the Regional District making application to Infrastructure Canada's Adaptation Resilience and Disaster Mitigation's (ARDM) grant program to fund mitigation works in the affected area. Confidential and conditional grant approval was received in April 2021 which created complex conditions to move ahead with the project. It was necessary to take actions in order to meet the grant timelines, but in doing so meant obtaining alternate funding in case the ARDM grant did not come to fruition. The four main conditions of the grant that need to be met are:

1. Securing regulatory and environmental approvals
2. Conducting appropriate Indigenous consultation
3. Owning the resulting infrastructure
4. Meeting the grant timelines and funding envelope (construction must start by September 30, 2023 and be completed by December 31, 2023)

McElhanney Ltd. and Colliers Project Leaders were brought on very early in this process. They have been critical resources in not only providing the information that led the Regional District to getting conditional approval for the ARDM grant, but in assisting in navigating the Regional District through the complexities of moving the project ahead. Engineering and project management consultant services have been necessary to provide support when consultation was occurring with the Dore River residents and Indigenous Governments, as well as in the development and submission of applications to the Department of Fisheries and the Water Stewardship Branch to obtain Fisheries Act Authorizations and Water Use Approvals which has resulted in many more requests for information and discussion.

It is only through the availability of CoVid-19 Safe Restart Grant Funding, that Administration has been able to take the appropriate steps to move the forward project without guaranteed funding from the ARDM program. To date, \$157,000 of CoVid-19 Safe Restart Grant funding has been expended to get the project to this point. There is no additional funding available.

Current status of main grant conditions:

Securing regulatory and environmental approvals:

The Department of Fisheries and Water Stewardship has indicated general support in principle of the applications but cannot provide any guarantee of final approval or potential additions to the approval applications, until they have confirmed what construction window is being proposed along with other considerations.

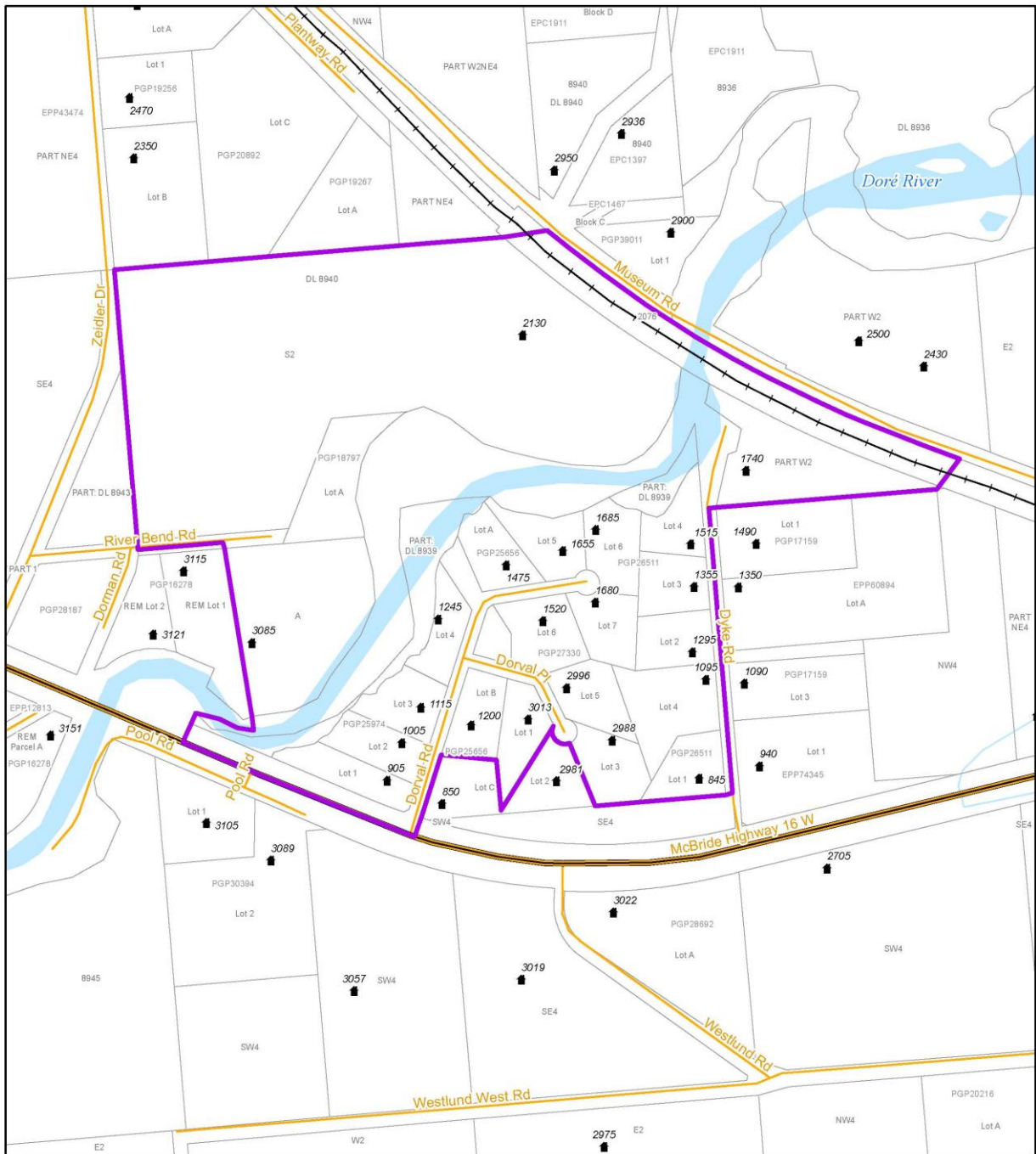
Indigenous Government consultation

Consultation has been ongoing with Indigenous Governments since before the application was submitted in January 2021. As identified by the Province of BC Consultation Area database, seven Indigenous Governments have been engaged by the Regional District with some overlap occurring with the Province of BC and the Department of Fisheries and their consultation processes. This consultation has resulted in requests for on-site cultural monitors and the initiation of an Archaeological Impact Assessment (needs to be completed before construction can be initiated). A permit is necessary for the required shovel testing involved in an Assessment. The permit is expected to be received no earlier than the Spring of 2023.

Taxable Service Details (related to owning infrastructure)

Several community meetings were held consulting affected area residents. These meetings were held via Zoom and in person. Based on the recommendations from the project's engineering consultants, 22 properties have been identified to benefit from the bank armouring works (see map). On the riverbank, physical properties will be protected from further erosion and any properties on the community water system would be impacted if the wellhouse on the river's edge was impacted. The taxable service proposal identifies that the 22 properties will equally share an annual

tax requisition of \$10,000 resulting in a parcel tax of \$455 per property. Complete details of this taxable service is in the Dore River Armouring Management and Maintenance Service Feasibility Study that was received by the Regional District Board in June 2022.



<h3>Doré River Service Area</h3>			<p>REGIONAL DISTRICT of Fraser-Fort George</p> <p>155 George St. Prince George BC, V2L 1P8 Phone: (250) 960-4400 Fax: (250) 562-8676</p>
<ul style="list-style-type: none"> Address Points Railway Dore River Service Area Highway Road 	<ul style="list-style-type: none"> Parcels Streams Lake River Wetland 		
<p>1:7,000</p>		<p>Date: 2022-05-30</p>	

Grant Program Approval and Timelines

The ARDM Grant Program Administrators will need to be consulted no matter what path is chosen for this project as the best-case scenario is for construction to occur in late summer of 2023 with the potential for winter 2024. Both of those scenarios involve going past the grant's completion date of December 31, 2023. The Grant Program Administrators have been firm that these timelines must be adhered to in order for grant funding to be guaranteed.

Risks to project:

If the taxable service is not approved by the Regional District Board, there will be no guaranteed funding moving ahead to support the bank armouring infrastructure.

Approximately \$157,000 of CoVid-19 Safe Restart Grant funding has been spent to get this project to this point. The CoVid-19 Safe Restart Grants were available as the resulting work to date can support emergency planning including an Immediate Response Plan. There are no more funds available for any additional costs. It would be impossible for this project move forward without additional funding available for additional engineering and project management expertise to assist with items such as final tender preparations and regulatory approvals and for the costs of a full Archaeological Impact Assessment (not taking into consideration if the Assessment results in any findings). It will not be until the time of construction tender and the receipt of competitive bids where Administration will be in a position to know if this project can feasibly be completed. If bids come in over budget, the project will not be able to proceed and any costs incurred to this point will not be reimbursed by the ARDM Grant.

Any changes to the regulatory approval submissions (the Department of Fisheries can add requirements based on which construction window is chosen) which can add time and cost.

In May of 2022, the last cost estimate for this project was the following:

Summer construction window (generally between August 1 and October 31st): \$2,287,670

Winter construction window (generally between January 1 to March 15): \$2,680,009

The amount of funding that has been conditionally approved by the ADRM grant program is \$2,499,241.