

THE NEW BRIGHTON DOCK – understanding a complex situation and a path forward

GOAL

Gambier's South West Peninsula Community requires that the New Brighton Dock be maintained as a public facility at reasonable cost to the residents given its role as the critical access point to this part of the island.

The New Brighton Dock provides essential access for working commuters, school children, mail delivery, medical appointments, groceries, and connection to BC Ferries Route 3. It also is the primary point for emergency services, garbage removal, building supply delivery, trades people, BC Hydro repairs; and is an important social gathering point through-out the year.

CURRENT SITUATION:

The New Brighton Dock is managed by the Squamish Nation Marine Group on behalf of the Squamish Nation.

The Squamish Nation acquired the New Brighton port facility in 2013 as part of its Rights and Title negotiations with the Federal Government. As of the end of 2019, the terms of the management contract with the Ministry of Transportation had been fulfilled. The Squamish Nation Council is now considering its options which include:

- Sell to a private buyer
- Sell to the community
- Dismantle the dock
- Continue to hold ownership and manage the dock for a fee

BACKGROUND

The Federal Government has implemented a "Divest or Destroy" policy with all its dock facilities across Canada since 1995. Docks have been dismantled (ie Denman Island) and there are about ten federally managed docks left on the BC Coast that are considered remote access similar to the one at New Brighton. Some of these ports, such as False Bay on Lasqueti, are slated for divestiture, but no new owner has come forward.

When the nine public docks on the Sunshine Coast and Howe Sound were offered for divestiture by the federal government in 2000, New Brighton was not part of the process as it was deemed a remote access port. The Sunshine Coast Regional District took over ownership/management of the other nine facilities including the four other ports on Gambier Island. In 2012, Transport Canada moved ahead with divestiture of the New Brighton dock without consultation with the local community. The Sunshine Coast Regional District was beginning a process of possibly negotiating with the federal government for the dock when it was announced the Squamish Nation had been successful in its interest for the facility. This was in accordance with federal divestiture policy to make federal assets available for Rights and Title negotiations with First Nations. At the end of 2019, the terms of the Squamish Nation's management contract with the Ministry of Transportation had been fulfilled.

The Gambier's Southwest Peninsula Community is in this difficult position because of a long-standing and firm federal government policy, not because of the Squamish Nation. The Nation has fulfilled the terms of their contract with the Crown and are exercising their rights as owners of the facility.

POSSIBLE COSTS TO THE COMMUNITY

Community ownership and management would not be of interest to all of Gambier Island. The Southwest Peninsula could be primarily responsible to carry the cost depending on how acquisition and ongoing maintenance costs for the dock are negotiated.

The Squamish Nation staff have asked that the community provide a bid for ownership/management as one of the options to be considered by the Council. Although a price has not been suggested, staff have indicated all reasonable offers would be considered. An expression of interest by the community to bid on the facility should be made in the next month or so. There may be avenues to delay this and that is presently being discussed with Squamish Nation Staff.

Ongoing maintenance costs - At the present time there is little specific information about the actual costs to manage this dock on an annual basis. An estimate of approximately \$100,000 per year to insure, manage, maintain, and capitalize for large repairs is a rough assumption. Therefore, given that there are roughly 300 properties on the Southwest Peninsula, it could cost about \$300.00 per property per year without other sources of funding. This is a very hypothetical scenario.

OPTIONS FOR CONSIDERATION BY THE COMMUNITY

This is a very complex situation that involves all levels of government, but more importantly, could significantly impact people's day to day functioning on the southwest area of Gambier. Here are a number of options with benefits and possible down-sides that the community could consider as a way forward:

Success defined as the long-term securement of the New Brighton Dock as a public facility that is available as the primary access point to the southwest peninsula at a reasonable cost to community members in this area.

1. Advocate to the Federal Government repurchase the dock. Expectation of success - LOW

Advantages	Concerns
Long-term ownership	Transport Canada has told our MP a hard "No"
Cost spread across a large tax base	Expensive legal/advocacy process with low expectation of success
Status quo prior to 2012 re-established	No improvements
	No history of the federal government taking back facilities

2. Local Ownership and Management of the New Brighton Dock. Expectation of success - MEDIUM

Advantages	Concerns
Local control of the future of this critical piece of transport infrastructure	A mechanism for maintenance fees would have to be negotiated with the community or the Regional District in the form of some kind of parcel tax similar to the Langdale Float levy.
The Gambier Island Community Association has recently updated its bylaws and can hold infrastructure on behalf of the	Non-profit dock management is another onerous undertaking for a limited group of islanders available to volunteer their time.

community as well as issue tax receipts for donations.	
Control costs and use local people for basic maintenance	Could cause fractures in the community as locals set management fees for their neighbours and determine conditions of moorage – <i>if Regional District is not the avenue for fee recovery</i>
Control access and moorage by non-islanders.	Would still need to determine docking fees with BC Ferries for ongoing Stormaway access
Continue to work on provincial and other governmental support	Fund raising for the dock could impact other local charities such as the Community Centre.
Opportunity to employ local “wharfinger”	

3. Not take any action. Expectation of long term success - POOR.

Advantages	Concerns
The New Brighton Dock has a zoning “use” under the Local Trust Official Community Plan therefore no long-term private moorage (barges, yachts, etc.,) is permitted without going through a public re-zoning process. Waiting for more clarity on this.	There are apparently potential private buyers under consideration by the Squamish Nation Council.
“off-island” ownership is clear	Control of the future of the New Brighton Dock is not with the local community
No further drain on local volunteers to sort out on-going management of dock operations organization	Possibility that public access will be restricted or eliminated. This would severely impact this community on the Southwest Peninsula.
	If the new owner’s negotiations with BC Ferries re route 13 is unsuccessful , then the route could be relocated to the Gambier Harbour dock which is seasonal. This would severely impact this community on the Southwest Peninsula.
	If negotiations with BC Ferries are successful re route 13 then costs to ride the Stormaway will probably increase.
	A private owner will need to make a profit therefore costs for moorage and BC Ferries would be more expensive than if publicly owned or owned through a not-for-profit mechanism.
	Potential for protracted legal negotiations to sort out rights and responsibilities of a private owner.

	The owner could resell/ abandon or dismantle at any time.

4. Ownership and Management by the Sunshine Coast Regional District (RD) Expectation of long term success - MODERATE

Advantages	Concerns
Tax spread over a larger tax base	In order for the Regional District to take over ownership of the New Brighton Dock a referendum across the Sunshine Coast would have to indicate support. Then there is a significant process to develop the additional “function”
Long-term resolution	The RD has been considering divesting some of their public docks. They may look at “trading” one or more docks in the Southwest Peninsula for the New Brighton Dock. This would be considered through a public process.
Logical owners as island service providers	The RD has a policy of maintenance but no improvements on all its public docks therefore the dock will stay the way it is.
Clear public engagement process in place	Possible additional fees to be added as a property tax similar to how the Langdale Float is paid for in our rural tax.
All island public dock facilities managed together	Owning and managing port facilities is a very expensive undertaking. There is a trend on the Sunshine Coast to move more and more of the direct cost of this function onto the islands themselves as a part of tax apportionment.
Local ownership	The RD insures its docks for liability, not for replacement. If any of their current facilities are destroyed, then it will be a community effort to support the rebuild.
Opportunity to apply for provincial community grants and other forms of support	

5. Advocate to the Squamish Nation to retain ownership Expectation of long term success - LOW

Advantages	Concerns
Status Quo in terms of management style	Squamish Nation Staff are not recommending this option to their Council as this “asset” does not fit within their management and they are physically

	not present in this part of Atl'ka7tsem (Howe Sound)
Both liability and replacement insurance is the standard with the Squamish Nation Marine Group.	A mechanism for maintenance fees would have to be negotiated with the community.
	No local monitoring of the dock

BC Ferries – the Ferry Corporation has been clear during discussions with the Ferry Advisory Committee for route 13 that it is not interested in the New Brighton Dock, but there has not been a recent follow-up ask. Although there is an obvious contribution role for BC Ferries in the long-term future of the dock, the contact staff there are very much focused on the immediate functioning of the fleet during the pandemic and there is a low expectation of a response on this. There will be follow-up.

There is a developing possibility that the Gambier Island Community Association could make a bid on behalf of the community as an option to the Squamish Nation Council. Money could be raised for the purchase through tax deductible donations. After a recent meeting between MP Weiler and SCR D staff and Directors Pratt and Hiltz, there is an understanding of the possible role that the Regional District could take through its rural taxation function and possible management of the facility. This type of joint local/RD ownership and management of community docks is quite common on other islands in the Salish Sea, although not necessarily for their “critical access” port. This is a clear process but has a long timeline of at least a year or more. In the meantime, maintenance and insurance costs would have to be bridged through donations and the possible temporary agreement with the Squamish Nation Marine Group and/or an appeal for emergency funding from provincial and federal sources.

As more details emerge, the options change and that is occurring more quickly as Squamish Nation staff examine the best path forward for the Nation and its Membership.

There is still a lot of work being done in the background and ongoing meetings to develop a political solution that brings all levels of government together to support this lifeline to the community through grants or other sources of funding. Media involvement and petitions are also being considered. A survey is coming to help provide valuable information to advocate for the dock. Your support and suggestions are appreciated.

Kate-Louise Stamford, Gambier Island Trustee

With advice from several local community members and GICA Chair – Danny Tryon

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