

DATE: September 29, 2020

FILE: 6130-01

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Beach Fire Program – Service Delivery

Purpose

To review service delivery options for beach fire programs.

Recommendations from the Chief Administrative Officer:

1. THAT staff be directed to continue to provide the beach fire program at Goose Spit Park at a reduced service level while maintaining reasonable oversight of the program.
2. THAT staff be directed to continue to provide the beach fire program at Little River Crescent Beach and Joe Walker Park in 2021 and beyond at its current service level.

Executive Summary

As part of the parks and greenways service renewal action plan, a consideration was presented to explore the cancellation of the beach fire program. A beach fire program has been in place since 2009 at Goose Spit Park, Little River Crescent Beach and Joe Walker Park.

- Little River Crescent Beach is located on lands owned by BC Ferries and although no formal agreement to allow its use is currently in place, BC Ferries has expressed support for the program and an agreement-in-principle for use is forthcoming. This program costs approximately \$7,000/year to operate.
- Goose Spit Park beach fire program is currently the parks service most expensive program and costs approximately \$75,500/year to operate. An opportunity exists to reduce this expense and still allow the social benefit of beach fire rings to continue through a service reduction.
- Joe Walker beach fire program does not add any tangible financial cost outside of normal park maintenance costs.
- Beach fire program helps deter illegal fires and fires in higher risk areas.

Prepared by:

Concurrence:

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Government Partners and Stakeholder Distribution (Upon Agenda Publication)

Comox Fire Protection District	✓
Willemar Bluffs Community Association	✓
Comox Fire Department	✓
K'ómoks First Nation	✓
BC Ferries	✓

Background/Current Situation

Currently the Comox Valley Regional District (CVRD) manages beach fire programs each year at Joe Walker Park, Little River Crescent Beach and at Goose Spit Park. All of these programs were suspended for 2020 because of concerns around group gathering related to COVID-19.

The beach fire rings at Joe Walker Park are not discussed in further detail in this report as there is no tangible increase in service delivery for the park as a result of the rings as a permanent outhouse and shelter exist at the site and ongoing park maintenance will occur at the park regardless of the presence of fire rings. There are usually two fire rings installed at Joe Walker Park each year.

Although the beach fire program was suspended at Goose Spit Park in 2020, portable hibachis, barbeques and other propane stoves were still permitted within the park in accordance with the parks regulations bylaw. This allowed families and park users the ability to cook within the park while still meeting provincial objectives related to COVID-19 to reduce gathering by eliminating the focal point draw associated with beach fires.

Little River Crescent Beach program:

Little River Crescent Beach has had fire rings in place since 2002. Little River Crescent Beach is not a CVRD park and is located on lands owned by BC Ferries. No formal agreement is currently in place with the land owner to permit this use, however, recent staff conversations with BC Ferries indicate they are supportive of the program and are willing to enter into an agreement-in-principle for the use.

This location is within the Comox Fire Protection District and a beach fire permit is required. There are usually four rings installed at Little River Crescent Beach each year.

The program currently runs from February through to October and involves seasonal installation and removal of the fire rings and garbage cans; rental and servicing of a porta-pottie; and ongoing site maintenance through a parks service contract. The program does not employ a site-specific park steward and is managed in a fashion typical of CVRD parks.

Goose Spit Park program:

In 2002, the parks rules and regulations bylaw was amended to permit beach fires at Goose Spit within designated fire rings. This was in response to escalating callouts for the Town of Comox's fire department and the RCMP as well as to reduce illegal fires in other areas of Lazo North (Area B) including under the Willemar bluffs.

In 2009, the Goose Spit beach fire program was created as a response to public comments and concerns related to the unregulated burning of beach fires in the park. The program is currently run through a park steward contractor that patrols the beach, ensures beach fires are under control and that no driftwood is being burned, monitors for infractions of park bylaws, aids with park maintenance objectives, and provides ecological education to the public. This steward ensures fires are properly extinguished and that parks users vacate the park at park closing. Firewood is provided for each ring and additional bundles are available for purchase from the park steward.

There are usually 10 rings set out at Goose Spit each year and the program typically operates from May 1st to September long weekend.

A beach fire permit is issued each year from the Comox Fire Department although they technically do not have jurisdiction over the spit. No fire protection district exists for the park portion of the spit although historically the Comox Fire Department has responded to fire concerns as they are responsible for the fire protection of the homes on the Willemar bluffs.

An evaluation report of the Goose Spit fire program was conducted in 2009. This report recommended ongoing education and management of beach fires at Goose Spit along with the consideration of a graduated restriction of open recreational burning at Goose Spit leading to a total ban. The report concluded that beach fires at Goose Spit have minimal health impact to the local residents based on analysis of particulate matter data. To further reduce particulate matter and address concerns raised by adjacent residents, the CVRD has been using kiln-dried firewood in the beach fire program and at Goose Spit has been monitoring that fires are properly extinguished at park closing to eliminate smoke that would result from smouldering fires. Air quality while important to consider regionally was not analyzed as a major decision-making factor.

Based on conversations with the Comox Fire Department the risk of a large fire at Goose Spit is minimal given the low fuel loads on the spit which makes it a reasonable site for a beach fire program. The program also helps deter illegal beach fires under the Willemar bluffs where fire risk is higher.

Goose Spit is a unique landform fed by the Willemar bluffs through the process of littoral drift. It is home to a number of blue and re-listed plants and animals including the rare sand-verbena ecosystem. Brandt geese use the spit as a migratory stop from March through to May and the sheltered lagoon provides food and habitat for many waterfowl. The parks department has worked hard over the years to improve the ecology of the spit based on the adopted 2009 Goose Spit Coastal Park Enhancement Plan. The park receives heavy visitation and managing the ecological impacts to the native at-risk ecosystems such as the sand-verbena is challenging and requires considerable park resources.

An opportunity may exist to partner with the K'ómoks First Nation (KFN) to deliver interpretive and educational programming to Goose Spit Park in the future. Goose Spit is a culturally significant site for KFN and has historically been used for resource harvesting.

The onset of the COVID-19 pandemic has led to an upsurge in visitor use in the parks as people seek refuge for social, mental and physical health. It is hard to predict whether we will be in a similar situation relative to the pandemic in 2021. If the same provincial COVID-19 restrictions are in place for 2021, it is likely the beach fire program would again be suspended in the same manner as it was in 2020.

Policy Analysis

The COVID-19 Response and Renewal Framework plan calls for evaluating services for fiscal efficiencies and assessing tasks and work plans. Included in this framework was to consider cancelling the beach fire program based on fiscal responsibility.

Goose Spit Park is regulated by the CVRD Parks Regulations Bylaw No.103 (2020). This bylaw governs the use, management, improvement, operation, and control of regional district parks. Section 11 of this bylaw refers to fires and specifies fires are not permitted unless located within a designated fire ring or receptacle. The bylaw as it pertains to fires reads:

Fires

11. (1) No person shall kindle, build, light, maintain, or use any fire at any location in a park other than a fire in a fire ring or receptacle provided for the purpose at Joe Walker Park or Goose Spit Park by the regional district, and in accordance with regulations in 10(2) below. The prohibition under this section does not include the use of a portable hibachi, barbecue, or propane stove.

- (2) Fires shall be permitted year round at Joe Walker Park and beach fires shall be permitted at Goose Spit Park between and including May 1st and the first Monday of September only and in accordance with the following:
- (a) fires will be located only within a fire ring or receptacle provided for the purpose by the regional district;
 - (b) no person shall burn any unsuitable materials including but not limited to driftwood, organic yard waste, house hold waste, plastic, rubber, flammable or combustible liquid, or any treated lumber, or construction debris, or toxic waste;
 - (c) no person shall build a fire exceeding 1 meter in height and 1 meter in diameter;
 - (d) a pail of water containing at least 10 liters must be kept at each fire at all times;
 - (e) all fires must be extinguished by no later than 11:00 pm; and,
 - (f) fires can be banned at these facilities by the regional district posting fire closures or by a fire chief order.

Options

The following options are available:

1. Reduce service delivery of the beach fire program at Goose Spit and maintain the beach fire program at Little River and Joe Walker Park.
2. Reduce service delivery of the beach fire program at Goose Spit, suspend the beach fire program at Little River and maintain the beach fire program at Joe Walker Park.
3. Suspend the beach fire programs at Goose Spit, Little River and Joe Walker Park for 2021 only and allow for further assessment of the program.
4. Cancel the beach fire programs permanently. This would include a ban of beach fires at Goose Spit and CVRD parks but would still permit the use of portable propane fire rings.
5. Leave beach fire program as-is.

Staff are recommending option 1 at this time.

The beach fire program at Goose Spit Park is a large contractual expense borne by electoral area taxpayers for what may be considered a regional asset. Reduction of service at this location will still maintain the high social value of the fire rings while supporting the board driver of fiscal responsibility. Maintaining the beach fire program at Little River is appropriate given that BC Ferries is supportive of the program and that it is a highly used by the general public. Maintaining the beach fire program at Joe Walker is appropriate given it does not tangibly increase park costs.

Financial Factors

The beach fire program projected costs are broken down below:

Little River beach fire program

Total projected costs are approximately \$5,000 for 2021 and approximately \$7,000/year for each subsequent year. This cost is supported by a \$1,500 grant-in-aid to the Comox Fire Protection District and the remainder is covered by the electoral areas parks and greenways service (function 621).

Table 1 - Little River beach fire program projected 2021 costs:

Service	Approximate expenses for 2021 for Little River Crescent Beach
Firewood*	\$ 0.00
Toilet rental and servicing	\$1,100.00
Garbage collection	\$ 720.00
Maintenance contract (includes litter removal, general site maintenance)	\$3,410.00
Total Cost	\$5,230.00

* Firewood purchased in 2020 was not used as the program was suspended. This firewood is available for use for 2021 season. Typical firewood cost for the program is \$2000/year.

Goose Spit beach fire program:

Total projected costs are approximately \$24,000 to \$70,000 for 2021 depending on the level of service. These costs would increase by an additional \$5,000/year to cover firewood costs if the program is continued. This cost has historically been borne by the electoral areas parks and greenways service (function 621).

Table 2 – Goose Spit beach fire program projected 2021 costs based on three scenarios:

Service	Parks steward services	Approximate 2021 Expenses for Alternative Options at Goose Spit Park		
		Cancel beach fire program. Remove fire rings and promote portable hibachis.	Reduce service beach fire program. Fire rings remain.	Leave beach fire program as-is
Firewood*		0	0	0
Park steward:	Park security and park closure (7 days/week)	\$12,500.00	\$12,500.00	Included
	Seasonal fire ring installation/removal	No	\$1,000.00	Included
	Firewood management	No	\$2,000.00	Included
	Park patrols – 3 days/week	\$11,500.00	0	N/A
	Park patrols – 7 days/week	No	\$20,500.00	Included
	Supplemental park maintenance	No	No	Included
	Park traffic control	No	No	Included
	Park public education	No	No	Included
Park steward total cost		\$24,000.00	\$36,000.00	\$70,500.00
Total Expenses		\$24,000.00	\$36,000.00	\$70,500.00
Less Revenue from Firewood sales		0	0	\$500.00
Total Projected Cost		\$24,000.00	\$36,000.00	\$70,000.00

* Firewood purchased in 2020 was not used as the program was suspended. This firewood is available for use for the 2021 season. Typical firewood cost for the program is \$5000/year at Goose Spit.

Goose Spit Park was funded by the regional parks service from 1972 to 1975 at which point the regional parks service became inactive. From 1976 to present the park has been funded through the electoral areas parks and greenways service (function 621). An opportunity may exist in the future to resurrect the regional parks service, which could help finance the Goose Spit beach fire program.

Legal Factors

Under the *Occupiers Liability Act*, the CVRD owes a duty of care to ensure the occupied property is reasonably safe. Under the act a person is deemed to willingly assume all risks subject only to duty of care if the entry is for the purpose of recreational activity and the occupier receives no payment or consideration for entry or the activity. Payment for firewood should have a legal review if this payment for activity is to continue.

Regional Growth Strategy Implications

Not relevant.

Intergovernmental Factors

The Comox Fire Protection District regulates fires in Lazo North (Area B). The beach fire programs use the support of the Comox Fire Department for the issuance of beach fire permits and to attend to any fire concerns. The Comox Fire Chief is supportive of the beach fire programs.

The Town of Comox has historically not permitted open fire pits within the municipality. Recently they have approved the use of portable outdoor propane or natural gas fire rings on residential properties between 16:00 and 23:00 hours. This permission has not been extended to Comox parks.

The CVRD has a licence of occupation for the use of Goose Spit Park. This licence includes the requirement to keep the site in a safe, clean and sanitary condition and that anything on the land not be a nuisance to an owner or occupier of land in the vicinity of the park.

BC Ferries owns the land where Little River Crescent Beach is located and are supportive of the program. Currently no agreement is in place to allow beach fires in this location, however, BC Ferries has indicated they are willing to enter into an agreement-in-principle for the use. BC Ferries has also indicated that future re-configurations planned for the terminal in 2025 may impact the beach fire program.

Interdepartmental Involvement

Support from the communications department will be required to help with messaging on the direction of the beach fire program.

Citizen/Public Relations

The suspension or cancellation of the beach fire program at Goose Spit will likely be met with community resistance. It may also lead individuals to seek out more secluded areas to have beach fires and parties which may result in increased beach fires below the Willemar bluffs or elsewhere where the fire risk is greater.

A shift to a fire ban and encouraging the public to use portable fires units would require additional expense for beach users and could take a few years to implement and be accepted by the general public. Acceptance of a fire ban may be more acceptable to the public if it was part of an overarching regional policy to regulate open burning and improve air quality.

The neighbouring residents are concerned about the smoke from the beach fires and the potential fire risk. The Comox Fire Department has concluded that Goose Spit is one of the safest sites in the Comox Valley for beach fires. To address smoke concerns the CVRD installs the rings away from the Willemar bluffs and ensures fires are properly extinguished at the end of each day.