



**TRUST FUND BOARD
REGULAR MEETING MINUTES
JANUARY 22, 2009**

Location: Victoria Office Boardroom, Islands Trust

<u>In Attendance:</u>	<u>Board Members</u> Louise Bell Michael Dunn Nerys Poole Christine Torgrimson, Chair Bruce Whittington	<u>Staff</u> Jennifer Eliason, Manager Kate Emmings, Ecosystem Protection Specialist Christine Pritchard, Communications & Fundraising Specialist Nuala Murphy, Secretary
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The meeting came to order at 10:00 a.m.

1.0 Agenda

The Board reviewed the agenda. The following item was added:

- Item 3.1 b Resolutions Without Meeting- Cancellation of October Trust Fund Board meeting - October 16, 2008

Resolution #TFB 09/1041

It was MOVED and SECONDED that the January 22, 2009 Regular Meeting agenda be approved as amended.

CARRIED

1.1 Election of Trust Fund Board Chair (Policy 94008)

Elections for the Trust Fund Board Chair were held as per TFB Policy #94008. One board member was nominated and willing to stand for election: Christine Torgrimson. Board member Torgrimson was elected Chair by acclamation.

1.2 Appointment of the TFB Representative to the Islands Trust Financial Planning Committee (FPC)

Appointment of the Trust Fund Board representative to the Islands Trust Financial Planning Committee was conducted as per Islands Trust Policy 2.3.iii *Financial Planning Committee Terms of Reference, C.1. Composition*. Chair Torgrimson volunteered to be this representative.

1.3 Membership of TFB Long-term Funding Committee

The Manager polled the Board members for 2009 membership to the Long-term Funding Committee. The following board members volunteered to be on the committee: Chair Torgrimson, Dunn, Whittington and Bell (pending).

1.4 Staffing update

The Manager informed the Board that Ardice Todosichuk left the position of Ecosystem Protection Specialist to take a position with the Auditor General and Kate Emmings was confirmed to the position. The hiring process to fill Jennifer Eliason's parental leave is underway and the acting Manager will start in mid April. An acting Secretary was appointed to fill Nuala Murphy's parental leave using the eligibility list from the November 2008 hiring process, and will begin April 20, 2009.

2.0 In Camera Session (Confidential Items)**Resolution #TFB 09/1042**

It was **MOVED** and **SECONDED** that this portion of the meeting is closed to the public pursuant to the following sections of the Community Charter: section 90, subsection (1) (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality and section 90, subsection (1) (j), information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act, and that the following individuals be invited to remain in the meeting: Jennifer Eliason, Christine Pritchard, Kate Emmings and Nuala Murphy.

CARRIED

The regular meeting reconvened at 11:23 pm.

3.0 Items for Approval**3.1 Minutes of Previous Meeting****3.1 a) September 30, 2008**

The Board reviewed the draft minutes. The following changes were made:

- Item 3.7 Board members discussed... Funding should be requested if third party reports are required to assess options that require legislative change. ~~to cover expenses required for legislative change, such as third party reports, should be requested.~~

Resolution # TFB 09/1043

It was **MOVED** and **SECONDED** that the minutes of the September 30, 2008 meeting be adopted as amended.

CARRIED

3.1 b) Resolutions Without Meeting

The Board received the following Resolutions Without Meeting for information:

- RWM Cancellation of October Trust Fund Board meeting - October 16, 2008

3.2 Follow Up Action List

The Board reviewed the Follow Up Action List for information.

Islands Trust Fund, Local Planning Services and Trust Area Services staff met to revise Islands Trust policy regarding Trust Fund Board's involvement in the planning process. Staff anticipates bringing a draft policy to the Board in April and Trust Council in June. Board members requested to see with the revised policies, the communication between the departments embedded in any planning application process and improved information sharing so that all planners know about conservation covenants and the NAPTEP program. The Manager explained that joint meetings and opportunities for internal information sharing are increasing, with upcoming training sessions on covenants and NAPTEP for planning staff.

3.3 RFD: NAPTEP Application – Collins, Galiano Island

The Ecosystem Protection Specialist presented the Collins NAPTEP application. The Galiano Conservancy Association has agreed to co-hold the covenant. The property

encompasses a healthy forest stand, likely younger than 80 years, veteran trees, and a provincially red listed plant community. The property qualifies for NAPTEP under the NAPTEP Regulation, section 2 (b) as an area that is key habitat for rare plant communities. The proposed covenant area lies in close proximity to the Galiano Club owned heritage forest and Montague Provincial Park. Staff caution possible edge effect degradation due to a road crossing the proposed covenanted area.

Resolution # TFB 09/1044

It was MOVED and SECONDED that the Trust Fund Board approve June D. Collins' proposal to covenant a portion of the land described as "that Part of Parcel A (DD 178808I) of District Lot 26, Galiano Island, Cowichan District, shown in Plan 1984R, except Part in Plans 11804 and 42519," PID 009-622-411, through the Natural Area Protection Tax Exemption Program (NAPTEP).

CARRIED

Further Discussion

Board member Bell requested staff provide the Board with a map of the subject island or entire Trust Area when presenting conservation applications to give a sense of the location of the properties that are discussed.

3.4 RFD: TFB 09001 Covenant Enforcement Policy

Staff recommended the creation of a Covenant Enforcement Policy to clearly outline the Board's decision making process in the event of a covenant breach and subsequent enforcement process. As each covenant holds individual restrictions and penalties, the proposed policy would set out the guiding principles. The proposed policy was reviewed by Islands Trust Fund legal council: Marie Potvin.

The Board proposed the following revisions:

- Section A Item 2: e. the Trust Fund Board...from a any other reliable source
- Section A Item 4: Person whose...will be instructed ~~required~~ to cease the activity... This should be done by a registered letter.
- Section A Item 5: the terms 'respond' and 'quickly' need clarification. At present staff immediately assess the breach and send out a letter as soon as the breach is confirmed. It should be defined when the Board is informed of the breach. It was suggested that the procedure includes a certain time frame for when Staff will make initial contact after confirmation of a breach and to outline the sequence of who is contacted when.
- Procedure should outline the coordinated effort with the covenant co-holder, if applicable. There should be a clause in the individual covenants that addresses this and, if so, this Item should refer to the covenant and to act accordingly. This should also cover how co-holders are notified and the procedure to let them know that Staff is acting on it, as well as, determining if there will be any cost or time sharing in the investigation or if Staff must undertake their own investigation.

The Manager will incorporate the Board's suggestions and will bring the proposed policy for the Board's consideration at the April meeting.

3.5 RFD: Breach Investigation and Covenant Enforcement Procedure

The Manager presented the Breach Investigation and Covenant Enforcement Procedure for comment from the Board. The following items were discussed:

- Item 2: add that all correspondence including emails is kept in a fireproof cabinet as in Item 1.
- Between Item 4 and 6, the Staff should notify the Chair, Board or potentially the local trustees, in the event of a serious breach so that the public doesn't know

more than the Board. This may be part of a confidential procedure and in that case it should be explained that trustees should not speak with the media etc.

- Item 5: In cases where ...the suspected breach is the result...to remedy the trespass.
- Item 7: Staff determine whether a major or minor breach has occurred and in the case of a major breach contact the Chair and other trustees as appropriate.
- Item 8: record and date all correspondence.
- Item 15: enforcement of rent charge not the first choice, assess all enforcement options and then finally the rent charge.

Resolution #TFB 09/1045

It was MOVED and SECONDED that the Board amend the Agenda to add Item 5.6 to discuss the BC Land Summit.

CARRIED

4.0 Items for Discussion/Direction

4.1 2010-2015 Regional Conservation Plan

The Ecosystem Protection Specialist presented the 2010-2015 Regional Conservation Planning Discussion Paper to the Board. The following discussion paper items were discussed:

- Section 1: Terrestrial Ecosystem Mapping (when complete) and other available data will be adequate for conservation analyses, although it may be difficult to apply point source data (e.g. rare species sightings) to all trust areas as some areas have more information than others. Use of this information may result in some areas being identified as priorities above other significant areas where there are similar or better attributes that remain unknown. The mapping scale is 1:16000 overall. This information will give a solid foundation to identify important areas and to evaluate where threats to biodiversity and gaps in conservation exist. Missing is streams mapping, but Local Planning Services has plans to improve this information. Terrestrial Ecosystem Mapping (TEM) is not adequate for species based conservation.
- Section 1: TEM was funded by a mix of sources including the Province, Parks Canada and the Islands Trust Fund. There was a large budget for it in the Coastal Douglas-fir zone, but that budget did not extend to Howe Sound. LPS and TFB have partnered to acquire TEM for Howe Sound islands.
- Section 2: There will be a focus on connectivity in the long term looking for networks. Links to Local Planning Services will be explored.
- Section 2 b: the cost of the review committees was discussed with the suggestion that having three localized groups for example a Northern, Southern and Howe sound group to reduce travel expenses. This could involve a panel approach to bring in local partners and information. It is anticipated that current budget levels should be able to cover these meetings.
- Evaluation of the effectiveness of the plan to date was discussed. There is an evaluation of the plan done at the end of each year to see where improvements have been made. The plan is considered a helpful tool for decision making by the Board.
- It is important to obtain input from local conservation groups and individuals. If the goals of local groups are captured in the plan, it is possible for them to use this plan to obtain external funding for conservation projects.
- Funding for acquisition will become available through the Nature Conservancy of Canada-Government of Canada Natural Areas Conservation Program as they

have the Southern Gulf Islands as an area of interest. NCC must complete a Natural Area Conservation Plan (NACP) for the region first.

- The Integrated Land Management Bureau and the Ministry of Environment have recognized the sensitivity of the Coastal Douglas-fir zone and have partnered to create Terrestrial Ecosystem Mapping for the zone.
- The 2010-2015 plan will build on the previous plan by identifying target areas for conservation using GIS as a tool to query various sources of data.
- Regional Conservation Plan (2010-2015) Timeline: The Ecosystem Protection Specialist plans to finish the plan by April 2010 and submit it for Trust Council approval in June 2010. There is the possibility that it may be held up by Howe Sound mapping. The Board will be kept informed of the plan's status. The Ecosystem Protection Specialist hopes to present a set of draft goals at the April meeting.

4.2 Bylaw referral from Galiano Island Local Trust Committee

The Ecosystem Protection Specialist presented the Bylaw referral from Galiano Island Local Trust Committee to the Board. This proposed bylaw amendment would change zoning of a portion of the property from agricultural to rural; this adjustment would also allow 12 waterfront lots to be created. It is a property adjacent to the Trincomali Nature Reserve which has a Peregrine Falcon nesting area.

Peregrine Falcons are not tolerant of disturbance so the Board recommended that a biologist should be engaged to assess the potential threat from the development of the proposed waterfront lots.

Resolution # TFB 09/1046

It was MOVED and SECONDED that the Trust Fund Board approves proposed Bylaws 201 and 202, rezoning portions of District Lot 57, Galiano Island, Cowichan District, subject to the following conditions:

- a. That the Galiano Local Trust Committee require assurance from a species at risk biologist that the proposed subdivision and development will not negatively impact the habitat, nesting and fledging of endangered Peregrine Falcon and Red or Blue listed sea bird species on the cliffs below; and**
- b. That the Galiano Local Trust Committee consider requiring the placement of conservation covenants on the cliff side portions of the proposed properties if recommended by the biologist.**

CARRIED

4.3 Long-term Funding Strategy update

The Manager informed the Board of the progress to date on the Long-term Funding Strategy and invited comments from the Board regarding the Update on Development document from Judi Stevenson.

Board members recommended Stevenson forward any questions to the Long-term Funding Committee (LTFC) Chair.

The Board postponed the LTFC's March Trust Council strategy presentation.

4.4 2009-10 Budget

The Chair updated the Board and Staff on the January 21, 2009 Financial Planning Committee (FPC) meeting. There is \$10 000 in the budget request to go to the Trust Council for long-term funding strategy development and implementation. The Property Management Specialist is in the budget for a 2% and 4% scenario growth,

but not 0%. The FPC is currently recommending 2% growth. The proposed 2009-10 Budget has gone to public consultation and can be viewed on the website.

5 Updates for Information

5.1 Public Acquisitions, Covenants and Dispositions Update

The Board reviewed the Public Acquisitions, Covenants and Dispositions Update for information. The Manager brought attention to Coats Millstone (Gabriola) where a transfer to a new owner has been considered, but is currently on hold as no alternate owner has been identified (Regional District of Nanaimo has concerns about liability issues). The Board has installed signage on the property to manage risks and reduce our liability. Keats Baptist Camp Area E (Keats) had been on hold but the Manager has spoken with the project manager and gone over the requirements of the Board and work may begin again on this. The Fairy Fen Invitation to Quote has gone out for a Land Survey to be completed.

The Ecosystem Protection Specialist highlighted the status of the Horton Bayviary covenant (Mayne). The Mayne Island Conservancy Society (proposed covenant holder) awaits approval to hold a Statutory Right of Way for the covenant.

5.2 Communications and Fundraising Update

The Board reviewed the Communications and Fundraising Update for information.

The Communications and Fundraising Specialist informed the Board of upcoming communications activities surrounding the expansion of NAPTEP to the Gabriola and Thetis Island Local Trust Areas.

Staff plan to submit a written request for funding from the Sunshine Coast Regional District for Terrestrial Ecosystem Mapping (TEM) for the Gambier Island Local Trust Area. The Howe Sound TEM project will also be partially funded from current ITF and LPS budgets and with unconfirmed funds from the 2009-10 budget.

5.3 2008-2009 Budget Report

The Board reviewed the 2008-2009 Budget Report for information.

5.4 Background Reading

The Board reviewed 'Systematic conservation planning' by C.R. Margules and R.L. Pressey.

5.5 BC Land Summit

The Manager invited Board members to register for the BC Land Summit Conference on May 20-22, 2009. The Manager also reminded Board members of the budget funding for Board education and travel and invited Board members to contact her if a training opportunity arises.

Resolution #TFB 09/1047

It was MOVED and SECONDED that the Trust Fund Board meeting adjourn at 3:10 pm

CARRIED

The next meeting is scheduled for April 9, 2009, from 10:00 a.m. to 3:00 p.m. in the Victoria Office Boardroom.