



**ADOPTED**

## **Islands Trust Conservancy Board**

### **Minutes of a Regular Meeting**

**Date:** Tuesday, October 1, 2024  
**Time:** 10:00 a.m.  
**Location:** Electronic Meeting, and a physical location to view the livestream of the meeting:  
Islands Trust Victoria Office  
#200 - 1627 Fort Street  
Victoria, BC V8R 1H8

**Members Present:** Risa Smith, Chair  
Lisa Gauvreau, Vice Chair  
Charles Kahn, Trustee  
Susan Yates, Trustee  
Tanner Timothy, Trustee  
Tobi Elliott, Trustee

**Staff Present:** Clare Frater, Director, Trust Area Services  
Carolyn Stewart, Acting ITC Manager  
Corlynn Strachan, Administrative Assistant/Recorder  
Kathryn Martell, Ecosystem Protection Specialist  
Micaela Yawney, Communications Specialist  
Mike Richards, Strategic Fund Development Specialist

**Staff Regrets:** Nuala Murphy, Property Management Specialist  
Erica Wheeler, Species at Risk Program Coordinator  
Jemma Green, Covenant Management and Outreach Specialist

**Members of the Public Present:** No members of the public were in attendance

#### **1. CALL TO ORDER**

Chair Smith called the meeting to order at 10:00 a.m. and welcomed Trustee Timothy to the meeting. Trustee Timothy and Board members provided introductions.

Trustee Timothy provided a land acknowledgement.

#### **2. APPROVAL OF AGENDA**

The following additions to the agenda were presented for consideration:

- Welcome to Trustee Timothy and Board Introductions
- Land Acknowledgement

## **ADOPTED**

- Code of Conduct – Chair Smith reminded Board members and staff of the Standards of Conduct including respect, listening to each other, integrity, and ensuring confidential information remains confidential.

**By general consent** the agenda was approved as amended.

### **3. RISE AND REPORT (from the July 23, 2024 in-camera meeting)**

The Islands Trust Conservancy Board reported on the following items:

- The Islands Trust Conservancy Board agreed to spend up to \$6,000 from existing budgets towards the cost of a land survey and an Ecological Gifts Program appraisal, and the costs of covenant registration for a NAPTEP covenant on Salt Spring Island.
- The Islands Trust Conservancy Board directed staff to continue work on the management plan for the Ruby Alton Nature Reserve.
- The Islands Trust Conservancy Board directed staff to prioritize the Ruby Alton Management Plan over the Risk Management Policy development.

### **4. MINUTES/COORDINATION**

#### **4.1 Minutes of Meetings/Resolutions without Meetings**

##### **4.1.1 Islands Trust Conservancy Board Regular Minutes from July 23, 2024**

**ITC-2024-046**

**It was MOVED and SECONDED,**

that the Islands Trust Conservancy Board regular meeting minutes of July 23, 2024 were adopted.

**CARRIED**

#### **4.2 Follow-up Action List**

Discussion ensued on:

- Communications on the ITC Work Plan will be reported through the Heron Newsletter and eNews.
- Prioritizing the Ruby Alton Management Plan over the Risk Management Plan needs to be added to the regular Follow up Action List, as it was reported on the Rise and Report at this October 1, 2024 regular meeting.
- The follow up action item from the regular ITC Board meeting held July 23, 2024 “staff to provide a briefing on the disposition of lands to Indigenous governing bodies” needs to be added to the regular Follow up Action List report.
- ITC Manager Stewart advised she requested Information Services staff to place the progress bar onto the in camera Follow up Action Report, and this change has been scheduled for initiation in January 2025.

5. BUSINESS

5.1 Items for Approval

5.1.1 Islands Trust Conservancy Freedom of Information and Protection of Privacy Bylaw No. 4 – Request for Decision

Islands Trust Conservancy Manager Stewart presented the request for decision.

**ITC-2024-047**

**It was MOVED and SECONDED,**

that Islands Trust Conservancy Bylaw No. 4, cited as “Islands Trust Conservancy Freedom of Information and Protection of Privacy Bylaw No. 4, 2024”, be adopted.

**CARRIED**

5.1.2 Yarrow Koontz Natural Area Protection Tax Exemption Program (NAPTEP) Covenant Approval, Gabriola Island - Request for Decision

Ecosystem Protection Specialist Martell presented the request for decision.

Discussion ensued on:

- Firewood removal and use on covenants, work required for letters of permissions, and removal of debris from ground for fire safety.
- Ecological Gifts Program implications, and bringing David Cunningham to talk to ITC Board members at the November 19, 2024 ITC Board meeting.
- Priority agreements and accepting properties when covenant holder have a mortgage on the property.
- How and when to communicate First Nation referral responses to Board members, considering confidentiality.

**ITC-2024-048**

**It was MOVED and SECONDED,**

that the Islands Trust Conservancy Board authorizes the Chair to sign a covenant with Yarrow Koontz, over a portion of the Land described as That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, PID: 005-788-447, and directs staff to register the covenant through the Natural Area Protection Tax Exemption Program (NAPTEP).

**CARRIED**

5.1.3 Skye Larmour Natural Area Protection Tax Exemption Program (NAPTEP) Covenant Approval, Salt Spring Island - Request for Decision

Ecosystem Protection Specialist Martell presented the request for decision and advised that covenant co-holder, Salt Spring Island Conservancy, noticed minor typo errors in the baseline inventory report.

## ADOPTED

### ITC-2024-049

**It was MOVED and SECONDED,**

that the Islands Trust Conservancy Board authorizes the Chair to sign a covenant with Skye Larmour, over a portion of the Land described as Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, PID: 000-138-452, and directs staff to register the covenant through the Natural Area Protection Tax Exemption Program (NAPTEP), subject to minor edits as discussed by staff.

**CARRIED**

## 5.2 Items for Discussion/Direction

### 5.2.1 Natural Area Tax Exemption Program (NAPTEP) Covenant Requirements - Discussion

Discussion ensued on:

- What incentives are available from Islands Trust Conservancy (ITC) to property owners for work, legal, and other parts of covenanting a property?
- ITC Board members creating a list of questions for staff to answer at a future meeting including the following topics:
  - firewood harvesting
  - process for ecological gifts program registration
  - repatriation (Indigenous led work to restore sacred relationships between Indigenous people and ancestral land, co-management or returning land), and what “forms” repatriation could take
  - communicating First Nation referral responses to Board members, respecting confidentiality
- Having a discussion on size of NAPTEP properties allowed, and possibly not have a size requirement, and work required from staff to process applications for smaller properties
- Accepting properties that have a mortgage on them, and that many property owners have mortgages now due to the current cost of land
- The scope of ask of for this briefing, and aligning with First Nations engagement on the ITC five-year plan.
- That this is not just about NAPTEPs but includes other non-NAPTEP covenants and ITC nature reserves and how we accept land on the ITC Action List.

Ecosystem Protection Specialist Martell advised she will review possible changes to NAPTEP policies, and provided an explanation on the difference between the Opportunity Fund, and other types of support that Islands Trust is able to provide applicants.

### ITC-2024-050

**It was MOVED and SECONDED,**

that the Islands Trust Conservancy Board direct staff to review policies related to the acquisition of lands and covenants, to review topics including firewood, priority of mortgages, minimum size, and landholder support, this fiscal term.

**The meeting recessed for a break from 11:32 a.m. until 11:42 a.m.**

**5.2.2 Island Trust Conservancy Meetings with Executive - Briefing**

Discussion ensued on how often the Island Trust Conservancy Board wants to meet jointly with Executive Committee to discuss topics of mutual interest.

**ITC-2024-051**

**It was MOVED and SECONDED,**

that the Island Trust Conservancy Board direct staff to request meetings with the Executive Committee three times per year for focused discussion on topics of mutual interest, with the option of maintaining the joint liaison meeting in July, if needed.

**CARRIED**

Further discussion clarified the next meeting with the Executive Committee will take place electronically on October 9, 2024 from 1:00 p.m. until 2:00 p.m. The meeting invite will be sent out by the Executive Coordinator.

**5.3 Correspondence**

**5.3.1 Minister Kang response to Chair Smith regarding fund investment and land management in absence of approved Islands Trust Conservancy Plan, dated 2024-08-01**

Chair Smith advised that Islands Trust Conservancy (ITC) has funds requiring investment, clarifying that the ITC Board had asked Minister Kang if ITC could invest its money. The Minister responded yes.

Trustee Elliott commented that turn around time on referrals sent to the Ministry of Municipal Affairs regarding First Nations referrals has been amazing, within a month or six weeks, and wanted to express appreciation to Ministry of Municipal Affairs staff for responding in short order, so it does not restrict ITC's ability to put covenant on lands.

**5.3.2 Stewart Brands Email Correspondence with Staff Regarding Protective Covenants**

Islands Trust Conservancy Board members commented that Stewart Brands is a long term and passionate resident of Galiano, and they appreciate his correspondence and questions.

Discussion ensued on:

- Adding easy to follow communication for property and land owners on protective covenants to the Islands Trust website.

## ADOPTED

- Holding educational webinars to help public understanding that the Islands Trust Conservancy supports protection.
- Updating Islands Trust Conservancy application information.
- The Islands Trust Conservancy Board providing a response to Stewart Brands.

Director Frater commented that there are many upcoming Islands Trust webinars scheduled between now and the end of March, and advised if a webinar is desired, to consider the existing work program, where it fits with the priorities of the Communications Specialist, and to consider the appropriate deliverer of the message as the Islands Trust or Islands Trust Conservancy.

**By general consent** the Islands Trust Conservancy Board agreed that Chair Smith would draft a response to Stewart Brands and provide the draft to the Ecosystem Protection Specialist for review.

### 5.4 Updates for Information

#### 5.4.1 Public Acquisitions Report

Received for information.

#### 5.4.2 Public Covenants Report

Trustee Kahn commented that the mention of GALTT in the Larmour Covenant on the report is incorrect as Larmour is on Salt Spring Island. The Ecosystem Protection Specialist note this is a typo and will correct it.

#### 5.4.3 Budget Report

Discussion ensued on:

- Travel is at 85% spent as the majority of travel costs are done early in the year, with monitoring.
- Administrative support is the contribution that ITC makes to the overall operations of the Islands Trust.
- First Nations Engagement five-year plan funding is intended as capacity funding, the engagement letters have not yet been sent so there is no offer of capacity funding at this time, and the funding would be put out ideally by March 31<sup>st</sup>.
- The standard addition of \$1,160 per newly registered covenant to the property management budget for the following year.

Director Frater recommended an amendment to the Islands Trust Conservancy's 2025-26 budget request to Trust Council, requesting an addition of \$4,000 for bookkeeping services, as it is too hard for the ITC Manager to undertake bookkeeping as part of their duties.

**ADOPTED**

**ITC-2024-052**

**It was MOVED and SECONDED,**

that the Islands Trust Conservancy Board direct staff to add \$4,000 to the 2025-26 budget request for bookkeeping services, and add \$1,160 per covenant to property management funds to reflect new covenants taken on in the 2024-25 fiscal year.

**CARRIED**

5.4.4 2024 Islands Trust Conservancy Annual Work Plan - Mid-Year Update

Trustee Gauvreau acknowledged the incredible amount of work accomplished and the multidimensional team effort.

Trustee Elliott advised that Trust Council approved funding of \$40,000 to support Trust Area Services, since that area has been overtaxed and focus on the Policy Statement has taken up the Senior Policy Advisor and Director Frater's work. This funding is intended to be used to increase capacity for work in other areas including engagement with First Nations on the ITC five-year plan.

Discussion ensued on timing when First Nations referral letters would be sent out, and if requesting an extension on the ITC five-year plan is needed.

ITC Manager Stewart advised she has worked on drafting letters a few times since min-June but the work has been interrupted by other priorities. She also noted a report has been started for the November meeting to provide an updated process and timing for the ITC five-year plan/First Nations engagement project, based on what was provided in July.

Manager Stewart noted the need to consider timing of the new Acting Manager beginning to ensure there is no significant gap in time between sending letters out and follow up as this does not help relationship building. Manager Stewart and Director Frater will be discussing what is realistic in terms of the project timeframe given new Manager timing and other on-going Manager-led projects and will provide a recommendation on follow up with the Minister in the November report.

Director Frater advised she spoke with Ministry staff regarding an extension, they are putting it in the initial briefing materials to the new Minister, they expect such a request to come forward, and there was no concern expressed. They are looking for us to build good relationships and the current arrangement can continue. Director Frater also noted that there is currently no Minister to write to, so she recommends waiting until the new Minister is settled in, and has been briefed on what the Conservancy is, and then the latter can land in a good way.

Chair Smith suggested consideration be given to using the \$20,000 in funds received from the reconciliation grant to support hiring an Indigenous

## ADOPTED

Engagement Coordinator, preferably someone with First Nations knowledge, specifically for this project work.

Director Frater noted that ITC seeks to build relationships with the various First Nations and therefore staff undertaking the project is key. If a financial request is required for this project a Resolution Without Meeting (RWM) might be needed due to timing of Financial Planning Committee meeting in advance of the next ITC Board meeting.

### 5.4.5 Islands Trust Conservancy Quarterly Report to Trust Council

Trustee Yates thanked Chair Smith for the Islands Trust Conservancy presentation she gave at Trust Council.

### 5.4.6 Executive Committee Update (verbal)

Trustee Elliott reported on the following:

- Executive Committee's recommendation to support Trust Area Services capacity building was endorsed by Trust Council.
- The Chief Administrative Officer (CAO) Hiring Committee is close to completing its process and is meeting again October 4<sup>th</sup>.
- September Trust Council meeting.
- Executive Committee met with Ministry of Municipal Affairs on First Nations engagement.

### 5.4.7 Financial Planning Committee Update (verbal)

Trustee Yates advised there was no update.

### 5.4.8 Trust Council Update (verbal)

Update items were covered under item 5.4.6 Executive Committee Update.

### 5.4.9 Governance Committee Update

Trustee Gauvreau advised the Governance Committee's request for a comprehensive Provincial review of the *Islands Trust Act* was approved at Trust Council.

Chair Smith suggested raising this with Executive Committee at the October 9, 2024 Executive Committee meeting, to ensure Island Trust Conservancy (ITC) is involved with decisions that affect ITC.

Discussion ensued on collaborative decision making structures, engagement with First Nations, and consequences of changes to legislation.

## 6. PUBLIC COMMENTS AND DELGATIONS

There were no members of the public in attendance.



**ADOPTED**

**7. NEW BUSINESS**

There was no new business.

**8. NEXT MEETING**

The next meeting will be held electronically on November 19, 2024 at 10:00 a.m.

**9. CLOSED MEETING**

**9.1 Motion to Close the Meeting**

**ITC-2024-053**

**It was MOVED and SECONDED,**

that the meeting be closed to the public in accordance with the Community Charter, Part 4 Division 3, section: 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure could reasonably be expected to harm the interests of the Islands Trust Conservancy board; (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (k) negotiations and related discussions respecting the proposed provision of a service that are at their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the Islands Trust Conservancy if they were held in public; and that staff be invited to remain in the meeting.

**CARRIED**

**10. ADJOURNMENT**

**By general consent** the meeting adjourned at 12:52 p.m.

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Risa Smith, Chair

Certified Correct:

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Corlynn Strachan, Administrative Assistant/Recorder