



Trust Fund Board Minutes of Regular Meeting

Date: Monday, September 28, 2015
Time: 10:00 am
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

Board Members Present: Tony Law, Chair
Dereck Atha (by teleconference)
Kate-Louise Stamford (by teleconference)
Julie Glover
Susan Morrison

Board Members Regrets: Ronald Bertrand

Staff Present: Jennifer Eliason, Islands Trust Fund Manager
Kate Emmings, Ecosystem Protection Specialist
Nuala Murphy, Property Management Specialist
Corlynn Strachan, Secretary

Guests: Travis Smart of Clam Bay Holdings Ltd., Bo Helliwell of Blue Sky Architecture, and Dan Hodgins of Clam Bay Farms joined the meeting by teleconference at 1:00 pm and left the meeting at 1:20 pm.

1. CALL TO ORDER

The meeting was called to order at 10:03 am.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

The ITF Manager noted the following staffing update: Christine Rikley, the ITF Communications and Fundraising Specialist, moved to new position within the provincial government. Rob Gratton, the acting ITF Communications and Fundraising Specialist, declined to compete for the position. There is currently a hiring process to fill the position resulting in 2-4 week gap in staffing.

3. CLOSED MEETING

The Trust Fund Board convened the closed portion of the meeting at 10:08 am and resumed in open meeting at 11:14 am to rise and report.

TFB-2015-071

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 Trust Fund Board; (g) litigation or potential litigation affecting the municipality; and (i) the receipt of advice that is subject to solicitor-client privilege,

including communications necessary for that purpose; and that Jennifer Eliason, Kate Emmings, Nuala Murphy, and Corlynn Strachan be invited to remain in the meeting.

CARRIED

4. RISE AND REPORT

The Trust Fund Board reported on the following items:

- The Trust Fund Board approved an Opportunity Fund grant of \$1,250 to the Mayne Island Conservancy Society to cover part of the costs of an ecological assessment required for conservation of a property on Mayne Island.
- The Trust Fund Board approved seeking an injunction against individuals responsible for the trespass and damages at Mount Trematon Nature Reserve, Lasqueti Island and will request support of the Executive Committee for further legal action if required.

5. MINUTES/COORDINATION

5.1 Minutes of Meetings/Resolutions without Meetings

5.1.1 Approval of the July 20, 2015 TFB Regular Meeting Minutes

By general consent, the Trust Fund Board regular meeting minutes of July 20, 2015 were adopted.

5.2 Follow-up Action List

The Trust Fund Board reviewed the Follow-up Action List for information.

6. BUSINESS

6.1 Items for Approval

6.1.1 RFD ITF Nature Reserve and NAPTEP Monitoring Report 2015

TFB-2015-072

It was MOVED and SECONDED,

that the Trust Fund Board accept the "Islands Trust Fund Nature Reserve and NAPTEP Monitoring Report 2015".

CARRIED

6.1.2 RFD 2016-2017 Budget Request

Board members discussed maintaining the current level of base funding for the 2016-2017 fiscal year.

TFB-2015-073

It was MOVED and SECONDED,

that the Trust Fund Board request the same base budget as 2015-2016 for the 2016-2017 fiscal year.

CARRIED

6.1.3 RFD Revised Policy 3.3 Relationships with External Groups

The ITF Ecosystems Protection Specialist reviewed the background on the Trust Fund Board's direction to staff to bring forward a policy recommendation to guide sharing of conservation mapping. Board members reviewed the revised policy.

TFB-2015-074

It was MOVED and SECONDED,
that the Trust Fund Board approve the revisions to TFB Policy 3.3 Relationships with External Groups.

CARRIED

6.1.4 RFD Horton Bayvairy Nature Reserve Management Plan, Mayne Island

The ITF Property Management Specialist highlighted several action items in the plan including removal of old debris from the site, controlling invasive species, and future review of the need for signage.

TFB-2015-075

It was MOVED and SECONDED,
that the Trust Fund Board approve the "Horton Bayvairy Nature Reserve Management Plan" dated 2015 Final Draft.

CARRIED

6.1.5 RFD Fallow Deer Hunting in Covenant Areas on Sidney Island

Board members reviewed the waiver request from Sallas Forest Strata Corporation to allow for the hunting of European fallow deer within the covenant areas on Sidney Island, discussing annual review of the waiver and potential impacts of hunting on other species and ecosystems.

TFB-2015-076

It was MOVED and SECONDED,
that the Trust Fund Board approves the request from Sallas Forest Strata Corporation to allow for hunting of European fallow deer in the Sidney Island conservation covenant areas by issuing a written waiver to restrictions in sections 3.2 (i) of the covenants subject to the following conditions:

- a) The waiver is provided for the express purpose of culling European fallow deer, either by guide hunter or by permitted landowners and guests;
- b) The waiver does not constitute a right to violate the covenant for any other purpose;
- c) The waiver to the covenant and the effects of hunting will be reviewed by Islands Trust Fund staff on an annual basis, and the waiver may be revoked by the Trust Fund Board at any time.

CARRIED

6.1.6 RFD Clam Bay Farms Covenant

The ITF Ecosystems Protection Specialist presented the covenant proposal to Board members and highlighted the request from Clam Bay

Holdings for signage, fencing of the veteran Douglas-fir, installation of gates, and application of gravel to the driveway. Board members reviewed and discussed existing covenants held by the North Pender Island Local Trust Committee, the BC Hydro Statutory Right of Way, and re-zoning.

TFB-2015-077

It was MOVED and SECONDED,

that the Trust Fund Board authorizes the Chair to sign a covenant with Clam Bay Holdings Ltd., Inc. No. BC0927152, over the Land described as PID 006-612-148, that part of Parcel K (DD 50314-I) of Sections 22 and 23, Pender Island, Cowichan District, Lying Westerly of Plan 5063 Except Part in Plan EPP48267.

CARRIED

TFB-2015-078

It was MOVED and SECONDED,

that the Trust Fund Board approves the request from Clam Bay Holdings Ltd., (Inc. No. BC0927152), pursuant to section 4.2 of the Covenant, to undertake the following activities in the Covenant Area on the land described as PID 006-612-148, that part of Parcel K (DD 50314-I) of Sections 22 and 23, Pender Island, Cowichan District, Lying Westerly of Plan 5063 Except Part in Plan EPP48267:

1. Place one sign to post the weight limit for the driveway, which may be placed at the entrance to or along the driveway identified in the Report attached to the Covenant, during the construction on the land;
2. Install a fence around the veteran Douglas-fir identified in the Report attached to the Covenant, during the construction on the land, to protect the root zone and the base of the tree, provided the fence does not impact the Natural State of the Covenant Area; and,
3. Apply top course gravel to the driveway identified in the Report attached to the Covenant, after completion of the construction. This gravel may continue to be maintained and replaced, provided it does not damage the Natural State of the Covenant Area,

Subject to the following conditions:

1. The approvals to post signage and fence the tree:
 - a. are provided for the express purpose of protecting the Natural State of the Covenant Area during construction of buildings noted in the Site Plan, dated June 9, 2015;
 - b. are valid for a period of not more than 5 years from the date given, and are subject to termination as set out in the resolution; and
 - c. may be withdrawn immediately at the sole discretion of the Trust Fund Board if damage is observed to the Natural State of the Covenant Area arising out of any of either of these approved activities, whereby the Owner must immediately remove the improvements as directed by the Trust Fund Board.
2. The permitted activities must be undertaken in a manner that does not damage the Natural State of the Covenant Area.
3. These approvals are solely for the specific purposes specified in this resolution and do not create additional rights for owners or residents of the Land, does not alter the terms of the Covenant in any way and

does not authorize any activities otherwise prohibited by the Covenant except as specifically set out in the resolution.

CARRIED

6.1.7 RFD Manzanita Ridge Nature Reserve Management Plan, Salt Spring Island

The ITF Property Management Specialist highlighted recent revisions to the plan, clarifying the public access to the reserve.

TFB-2015-079

It was MOVED and SECONDED,

that the Trust Fund Board approve the “Manzanita Ridge Nature Reserve Management Plan” dated August 27, 2015.

CARRIED

6.1.8 RFD Barrineau NAPTEP Covenant Request

The ITF Manager explained that the septic fields for the home and cottage have been identified as within the covenant area, and that in order to rebuild the home, which was destroyed by fire, the septic field for the house must be replaced to meet regulations. The covenant currently permits the maintenance, replacement or restoration of existing sewage or water systems that are identified in the baseline report.

TFB-2015-080

It was MOVED and SECONDED,

that the Trust Fund Board direct staff to prepare a modification agreement, to be registered at the landowner’s expense, to update the baseline report for the Barrineau NAPTEP covenant to reflect the existence of the septic fields in the covenant area, thereby allowing the owners to maintain, replace or restore any waste disposal system existing in the Covenant Area, as permitted in section 7.2 of the covenant.

CARRIED

6.1.9 RFD Wallace Point NAPTEP Covenant (rescind and replace)

The ITF Ecosystem Protection Specialist reviewed the reason for the “rescind and replace” of the Board resolution for this covenant.

The terms of the covenant as well as its location and area remain the same as those approved at the July 20, 2015 meeting. However, an updated reference plan will result in a change in the PID and legal description of the land, and requires that prior resolutions be rescinded and a new resolution be passed to allow registration of the NAPTEP covenant on the land title.

Confirmation of the registration of the reference plan was not received prior to the meeting. Board members agreed to put this item on hold and bring to Resolution without Meeting.

6.1.9 RFD Request for Reappointment - J. Glover

TFB-2015-081

It was MOVED and SECONDED,

that the Trust Fund Board direct staff to contact the Board Resource and Development Office to request the re-appointment of Julie Glover to the Board for a third term.

CARRIED

6.2 Items for Discussion/Direction

6.2.1 Briefing - Brooks Point Covenant

The ITF Ecosystem Protection Specialist presented the briefing to the Trust Fund Board.

6.2.2 Briefing - Pilot Outreach Projects Evaluation and Next Steps

Board members discussed the success of the recent outreach projects, the need to tailor projects for each island, and possible future outreach with realtors on Salt Spring Island and Hornby Island.

6.2.3 Briefing - Species at Risk Consultation

The Islands Trust Fund received correspondence from the Species at Risk Recovery Unit (Environment Canada) regarding species management plans they are developing in our area. The ITF Ecosystem Protection Specialist is preparing a response, and will coordinate with Local Planning Service and Trust Area Services staff.

6.2.4 NAPTEP Expansion

The ITF Manager advised Board members that the Bowen Island Municipality (BIM) has signed an agreement with the Islands Trust Council to enter the Natural Area Protection Tax Exemption Program. Board members discussed the successful resolution of the Union of BC Municipalities seeking a British Columbia-wide conservation tax incentive program and reviewed a background paper from the Land Trust Alliance of BC.

6.2.5 Correspondence re: South Winchelsea Island

Board members reviewed correspondence from TLC - The Land Conservancy advising the transfer of South Winchelsea Island to the Nature Conservancy of Canada and a request to remove the covenant.

6.2.6 Correspondence re: Mountain Road, Salt Spring Island

Board members reviewed correspondence from the Ministry of Transportation and Infrastructure (MOTI) proposing to dedicate Mountain Road as a public road through the Cunningham Nature Reserve. The ITF Manager has sent several questions to MOTI, and is currently awaiting response.

6.3 Updates for Information

6.3.1 Public Acquisitions Update

The Trust Fund Board reviewed the Public Acquisitions Report for information.

6.3.2 Public Covenants Update

The Trust Fund Board reviewed the Public Covenants Report for information.

6.3.3 Budget Report 2015-16

The Trust Fund Board reviewed the Budget Report for information.

7. NEW BUSINESS

There was no new business.

8. NEXT MEETING

The next meeting will take place on Tuesday November 17, 2015.

9. ADJOURNMENT

By general consent, the meeting was adjourned at 2:07 pm.

Tony Law, Chair

Certified Correct:

Corlynn Strachan, Secretary