



# Trust Council

## Minutes of Quarterly Meeting

June 14 – 16, 2016  
North Pender Island, BC

### Present:

#### Executive Committee:

Peter Luckham, Chair (Thetis)  
Laura Busheikin, Vice Chair (Denman)  
George Grams, Vice Chair (Salt Spring)  
Susan Morrison, Vice Chair (Lasqueti)

#### Local Trustees:

Alex Allen, Hornby  
Dianne Barber, North Pender  
Paul Brent, Saturna  
David Critchley, Denman  
Brian Crumblehulme, Mayne  
Jeanine Dodds, Mayne  
Peter Grove, Salt Spring  
George Harris, Galiano (June 15-16)  
Ken Hunter, Thetis  
Tony Law, Hornby  
Melanie Mamoser, Gabriola (June 14-15)  
Derek Masselink, North Pender (June 15-16)  
Bruce McConchie, South Pender  
Lee Middleton, Saturna (June 14-15)  
Heather O'Sullivan, Gabriola  
Timothy Peterson, Lasqueti  
Sandy Pottle, Galiano  
Dan Rogers, Gambier  
Wendy Scholefield, South Pender  
Kate-Louise Stamford, Gambier

#### Municipal Trustees:

Sue Ellen Fast, Bowen  
Alison Morse, Bowen

#### Staff Present:

Russ Hotsenpiller, Chief Administrative Officer  
Lisa Gordon, Director Trust Area Services  
David Marlor, Director Local Planning Services  
Cindy Shelest, Director Administrative Services (June 14-15)  
Carmen Thiel, Legislative Services Manager  
Mandy Giesbrecht, Executive Coordinator (Recorder)  
Miles Drew, Bylaw Enforcement Officer (June 15)  
Clare Frater, Policy Analyst (June 15)  
Pamela Hafey, Communications Specialist (June 15)  
Nicole Ranger, Finance Coordinator (June 15)

**Tuesday, June 14, 2016**

**1. CALL TO ORDER**

The meeting was called to order at 1:30 p.m. 24 Trustees were present; Trustees Harris and Masselink were absent. Chair Luckham acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations people. Local Area Trustees welcomed the group to the Pender Islands.

**2. APPROVAL OF AGENDA**

Chair Luckham called for new business items to be added to the agenda. Trustee Law requested to add item 9.3 Resolution to Oppose the Trans-Pacific Partnership Trade Agreement. Trustee Law noted that the Federal government deadline for written submissions on this issue is June 30.

**By General Consent**, Trust Council approved the new business item and adopted the agenda of the June 14-16, 2016 Trust Council meeting, as amended.

**3. GENERAL BUSINESS ARISING**

**3.1 Resolutions Without Meeting: TC-RWM-2016-001**

Provided for information.

**3.2 March 22-24, 2016 Trust Council Draft Minutes**

The following amendments were requested to the minutes:

- Correct the spelling of Trustee Critchley's name on page 8;
- Include an additional bullet in the discussion of electronic meeting options on page 10 to read "electronic meetings should include benefit for public and increased accessibility to Trust Council"; and
- BC Ferries update on page 13 to be noted as being provided by Trustees rather than specifically by Trustee Morse.

**TC-2016-037**

**MOVED by Trustee Rogers, SECONDED by Trustee Critchley,**

That the Islands Trust Council approve the minutes of the March 22-24, 2016 Trust Council meeting held on Hornby Island, as amended.

**CARRIED**

**3.3. Trust Council Follow Up Action List**

Trustee Rogers sought clarification on the processes around First Nations related budget matters; Director Marlor advised this would be taken on by the Senior Intergovernmental Policy Advisor once the position has been filled.

Trustee Morse queried whether the Minister has approved the 2016/17 Financial Plan Bylaw; CAO Hotsenpiller advised that approval confirmation has not yet been received.

**By General Consent**, the Follow Up Action List was received for information.

**3.4 Trustee Round Table**

Trustees participated in a round table session to discuss common issues, concerns and successes.

### **3.5 Debriefing from June 13 Housing Forum**

Trustees provided general commentary as follows:

- Excellent content but breakout sessions could use some more work;
- Appreciated the education around available resources through Canada Mortgage and Housing Corporation;
- Further research needs to occur in respect of housing agreements;
- Excellent networking opportunity;
- Before new homes are built, we should maximize density of current homes;
- Remove obstacles to affordable housing such as making STVRs available year-round;
- Consider opportunities for green housing and innovative ownership options;
- Important to understand specifics relevant to Islands Trust's circumstances;
- Important to find a way to measure the impacts of increased density; and
- Thanks to staff for organizing, this model is recommended as a guide for future collaborative events.

The meeting recessed at 2:52 p.m. and resumed at 3:10 p.m.

## **4. EXECUTIVE**

### **4.1 Chief Administrative Officer's Quarterly Report**

CAO Russ Hotsenpiller discussed the highlights of his report, including:

- A new, linear Trust Council agenda format;
- Plans for a web-based Trust Council package delivery format for future meetings;
- Update on the Victoria office space leases which have now been harmonized;
- Outreach activities since the March Trust Council meeting;
- Capital Regional District's initiatives to advance First Nations governance at the regional level; and
- Update on the Senior Intergovernmental Policy Advisor hiring process.

#### **4.1.1 Transition Plan Update**

CAO Hotsenpiller provided an un update on the Transition Plan document, noting:

- Urban Systems has been retained to update the data contained in the impact study with current budget numbers for use in the Plan;
- Attended Bowen Island to review process documents for a better understanding of past incorporation experience; and
- An overview on the anticipated financial implications of an affirmative incorporation vote on Salt Spring Island.

Trustees posed questions in relation to the following:

- How will any potential shortfall be managed?
- Is SSIWPA included in the numbers despite their special tax requisition?
- Why the new numbers are substantially lower than the previously proposed deficit?
- Will the communication strategy focus on benefits other than economic benefits?
- What issues exist which require legal review at this juncture?
- Will information be posted on the website to assist Trustees in answering incorporation questions from constituents?
- Transfer of bylaws does not seem to be addressed in the current documentation, will this be added?

CAO Hotsenpiller provided clarification as follows:

- It is unclear at this time what will be the recommended course of action to address any budgetary shortfall resulting from incorporation;
- General administration costs have been restructured in a manner more reflective of actual resource allocations, resulting in a reduction of the anticipated shortfall;
- A communication strategy is being developed to answer many of the questions arising from staff, Trustees and constituents and will be posted on the website once complete;
- Legal review will not be fulsome at this stage, simply need to understand what legal steps and costs would be associated to the transition phase; and
- Transfer of bylaws will be included in the final document.

#### **4.2 Executive Committee Work Program**

The top three priorities in the work program were:

1. Governance, Policy, Strategic Planning, Trust Council;
2. Communications, Advocacy, Policy Statements, Interagency and Public Relations; and
3. Organizational Improvements

**TC-2016-038**

**MOVED by Trustee Morrison, SECONDED by Trustee Stamford,**

That the Islands Trust Council approve the top priorities of the Executive Committee Work Program Report.

**CARRIED**

#### **4.3 Continuous Learning Plan**

Trust Council reviewed the Continuous Learning Plan and suggested the following additions:

- Heritage Conservation Act session;
- BC Ombudsperson session;
- Training webinar for using OneNote; and
- Making Meetings Work – best practice guidelines for electronic meeting participation.

**By General Consent**, the Continuous Learning Plan was received for information.

#### **4.4 Strategic Plan Update**

CAO Hotsenpiller provided an overview of the report noting that staff are considering how to synthesize the plan to enhance its usability. CAO Hotsenpiller answered Trustee questions related to content.

**By General Consent**, the Strategic Plan Update was received for information.

#### **4.5 RFD: Draft Amendments to “Islands Trust Council Meeting Procedures Bylaw 2004” re Electronic Meetings**

Legislative Services Manager Carmen Thiel provided a summary of the report. Trustees discussed the following:

- Loss of quorum and duration of loss of quorum;
- Conditions under which Trustees may participate electronically;
- Limited opportunity for any cost savings;
- Limit of one meeting per year doesn't take into account unanticipated illness or mobility issues; and
- Whether Council has the ability to waive these policy requirements in certain circumstances?

**TC-2016-039**

**MOVED by Trustee Brent, SECONDED by Trustee Fast,**

That the Islands Trust Council direct staff to prepare a draft bylaw to amend Bylaw No. 101, "Islands Trust Council Meeting Procedures Bylaw, 2004" in order to incorporate requested amendments regarding electronic participation as presented with the following recommendations:

- 4.4(c) – no more than four Council members may participate electronically at a regular meeting;
- 4.4(d) - the person presiding at a regular Council meeting must be present at the physical location of the Council meeting;
- 4.4.(e) - a Council member may not participate electronically in more than one regular Council meeting in any one calendar year;
- 4.5 - a land line connection not be required for closed Council meetings; and
- 4.6(c) - 15 minutes be the time established after which a meeting will be adjourned if communication is lost to one or more electronic participants resulting in the loss of quorum.

There was debate on the motion.

Carmen Thiel, Legislative Services Manager, noted that the amended bylaw would come back to Trust Council for readings and any further concerns could be discussed at that time.

The question was then called on the motion.

**CARRIED**

**4.6 Governance-Administration Session**

CAO Hotsenpiller hosted a session on Governance Administration. A copy of the presentation is retained with the agenda package. Key points included:

- Role clarity;
- Good decision making;
- Spheres of influence;
- Best practices;
- Delegation of Authority;
- Accountability; and
- Standards of Conduct.

**5. TRUST AREA SERVICES**

**5.1 Director of Trust Area Services Report**

Director Gordon provided an update on the highlights of her report including:

- Policy updates and Committee participation;
- Conference and workshop attendance; and
- All Council meeting packages are now available on the Islands Trust website for reference.

**5.2 Trust Programs Committee Work Program Report**

The Committee's top three priorities outlined in the report were:

1. Review the Islands Trust Policy Statement;
2. Amend Crown Land Cooperation Agreements; and
3. Protect Quality and Quantity of Water Resources.

Director Gordon advised that a co-op student has now been hired to work on the State of the Islands indicator project and that meetings have and will continue to take place with the Ministry of Forests, Lands and Natural Resources regarding crown land cooperation agreements. Water projects are currently on hold while the first two priorities are addressed.

**TC-2016-040**

**MOVED by Trustee Crumblehulme, SECONDED by Trustee O’Sullivan,**

That the Islands Trust Council approve the top priorities of the Trust Programs Committee Work Program Report, as presented.

**CARRIED**

**5.3 Trust Fund Board Quarterly Report**

Trustee Law presented the report, which was provided for information, and gave an overview on the board member recruiting process.

**5.4 RFD: NAPTEP Application – Link Island**

Trustee Law and Director Gordon provided a general overview of the NAPTEP process and the details of this specific application noting this will be the largest NAPTEP property in the Islands Trust.

**TC-2016-041**

**MOVED by Trustee Law, SECONDED by Trustee Morrison,**

That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for a portion of the land described as “Section 25, Nanaimo District (Part of DeCourcy Group of Islands),” Parcel Identifier 009-772-138 subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

**CARRIED**

**5.5 RFD: 2015-16 Annual Report**

Director Gordon provided an overview on report format and content. It was noted that the report contains small spelling and formatting errors. Director Gordon requested Trustees to provide feedback by email. The report will be released in September.

**TC-2016-042**

**MOVED by Trustee Busheikin, SECONDED by Trustee Stamford,**

That the Islands Trust Council approve the 2015-2016 Draft Annual Report for submission to the Minister of Community, Sport and Cultural Development.

**CARRIED**

The meeting recessed for the day at 5:12 p.m.

**Wednesday, June 15, 2016**

The meeting resumed at 8:30 a.m. 26 Trustees were present.

**6. LOCAL PLANNING SERVICES**

**6.1 Director of Local Planning Services Report**

Director Marlor provided an update on the highlights of his report including:

- First Nations database;
- Senior Intergovernmental Policy Advisor hiring process;
- LPS Professional Development Day on May 19, 2016; and
- Interagency meetings.

**6.2 Local Planning Committee Work Program Report**

Trustee Brent presented the report adding that current focus will be on shoreline marine planning. Trustee Brent invited Trustees to provide feedback on areas of focus, noting that the Senior Intergovernmental Policy Advisor will join this process once hired. Director Marlor noted that outcomes from the June 13 Housing Forum will also become an area of focus.

**TC-2016-043**

**MOVED by Trustee Brent, SECONDED by Trustee Peterson,**

That the Islands Trust Council approve the top priorities of the Local Planning Committee Work Program Report.

**CARRIED**

**6.3 Bylaw Enforcement Report**

This item was deferred pending the arrival of Bylaw Enforcement Manager Miles Drew at the meeting.

**6.4 RFD: Grants and Donations Policy**

Director Marlor presented the report noting policy updates are necessary as a result of Islands Trust being granted certified donee status. Trustee Morse requested clarification on the wording used in the notification letter from Canada Revenue Agency.

**TC-2016-044**

**MOVED by Trustee Morse, SECONDED by Trustee Crumblehulme,**

That the Islands Trust Council approve the draft updated policy "6.5.iv Grants and Donations Administration" subject to clarification of wording regarding Canada Revenue Agency and the definition of donations.

**CARRIED**

**7. ORGANIZATIONAL / FINANCE**

**7.1 Director of Administrative Services Report**

Director Shelest provided an overview of the highlights of her report including:

- Carbon inventory and climate action report;
- Hiring processes;
- Audit process; and
- Excluded staff salaries review.

**7.2 Financial Planning Committee Work Program Report**

Trustee Grove introduced the work program report. The Committee's top three priorities outlined in the report were:

1. First draft of the 2017/18 budget;
2. Completion of the 2015/16 year-end audit; and
3. Review of Purchasing Procedure Policy 6.5.iii.

**TC-2016-045**

**MOVED by Trustee Grove, SECONDED by Trustee Harris,**

That the Islands Trust Council adopt the top priorities of the Financial Planning Committee Work Program Report.

**CARRIED**

### **7.3 2015-16 Fiscal Year Financial Analysis**

Trustee Grove introduced the 2015-16 Fiscal Year Financial Analysis. Director Shelest provided background on variances noting the biggest contributor to variances is unspent salaries. Director Shelest also clarified the provincial funding model around grant revenues.

**By General Consent**, the 2015-16 Fiscal Year Financial Analysis was received for information.

### **7.4 RFD: Audited Financial Statements**

Trustee Grove provided an overview on the audit process and thanked staff for their work in this area. Director Shelest presented the Audited Financial Statements.

#### **TC-2016-046**

##### **MOVED by Trustee Grove, SECONDED by Trustee Morse,**

That the Trust Council approve the audited financial statements of the Islands Trust including the Statement of Financial Position, the Statement of Operations, the Statement of Changes in Net Financial Assets and the Statement of Cash Flows, for the year ended March 31, 2016.

**CARRIED**

### **7.5 2015-16 Allocated Financial Statements**

Trustee Grove provided an overview on the process and thanked staff for their work in this area. Director Shelest noted that Bowen Island does not appear on this report because their contributions are determined using a municipal calculation.

**By General Consent**, the 2015-16 Allocated Financial Statements were received for information.

The order of business on the agenda was varied to address sections 11.1.1, 11.1.2 and 11.1.3 ahead of item 8.

## **11. SUMMARY / UPDATES**

### **11.1 Trustee Updates**

#### **11.1.1 BC Ferries**

Trustees provided updates on BC Ferries issues as follows:

- Minister Stone cancelled the last meeting of the regional chairs committee and a new date has not yet been established;
- BC Ferries has reinstated the Sunday afternoon Langdale sailing after determining that its initial cancellation resulted in 100% of subsequent Sunday sailings running late;
- Weekend afternoon sailings will be reinstated to Gabriola Island during the summer peak season on a 2-year pilot basis;
- BC Ferry Corporation is considering a request from the Gabriola Ferry Advisory Committee to implement a pilot project for discounted evening rates but no commitment has been made yet;
- Minimum load on the Experience Card can be difficult for fixed-income families and the Gabriola Ferry Advisory Committee has requested BC Ferry Corporation to consider more flexibility here;
- Software updates seem to have created more flexibility in sales and fares; and
- Pilot project for walk-on reservations to Pender Island will be implemented this summer, fares can be reserved by phone but not online.



### 11.1.2 First Nations

Trustees provided First Nations updates as follows:

- Tuesday, June 21 is BC Aboriginal Day;
- Recent events promoting collaboration between First Nation bands continues to highlight First Nations' heavy opposition to LNG;
- Forum of Councils at UVIC was held in May, promoting cross cultural education experiences & better understanding of First Nations issues and interests;
- Gambier Trustees are developing a working group to include First Nations collaboration on OCPs with a focus on large crown land area;
- First Nations Chiefs will be consulting on a Saturna Island logging project, stakeholders are hoping many positives will flow from this meaningful engagement;
- Clam garden presentation recently held at Royal Roads University highlighted the importance of this issue to local First Nation bands and how to promote natural systems to nurture foreshores in a positive way.

### 11.1.3 Gulf Islands National Park Reserve Advisory Committee

Trustee Masselink advised the Committee will be meeting soon to discuss concerns around economic development operations and review the Committee's mandate and responsibilities under the negotiated Parks Agreement. The Committee hopes to meet on a regular basis to share responsibilities and outcomes to reengage the public in this park reserve. Interests include national marine protected areas and collaborating with the 21 First Nations groups that have overlapping claims in the land.

Trustee Middleton noted that many islands have suffered from the abandonment of oversight in recent years. He encouraged Trustee Masselink to embrace the opportunity to participate on the Parks Advisory Board adding that Trustee Masselink's responsibility is not to Trust Council, but to oversight of the committee and its mandate.

The order of business on the agenda resumed at item 8.

## 8. COLLABORATION / ENGAGEMENT

### 8.1 Invited Speakers

#### 8.1.1 Session: Marine Shipping Safety Panel

Misty MacDuffee, Raincoast Conservation Foundation, made a presentation titled *Value of Salish Sea's Biodiversity and Concerns with Increasing Vessel Traffic*, which included information on the following:

- Diverse geography, habitats and species;
- Importance of habitats and processes in the Salish Sea;
- Aquatic habitat contribution to eco-system benefits and services;
- Pressure on Salish Sea habitats due to number of residents in the region;
- Proposed increases in Canadian Salish Sea shipping and associated implications;
- Impacts to Orca populations, which are not recovering despite being a protected species, due to acoustic disturbances and impacts to food supply; and
- Cumulative effects of proposed shipping expansions and the need to fully understand the implications.

Chris Wellstood, Director of Marine Operations & Security and Harbour Master, Port Metro Vancouver, made a presentation titled *Vancouver Fraser Port Authority Shipping Trends* which included information on:

- Canada Marine Act – Purpose and Mandate;
- Mission and vision of the Port Metro Vancouver organization;
- Trade through the Asia-Pacific gateway;
- Organizational business sectors;
- Deep sea shipping developments;
- Shipping trends 1996-2016;
- Island anchorage trends 2009-2015;
- Shipping projections 2016-2026; and
- Balance between thriving communities, healthy environment and economic prosperity.

Robert Dick, Regional Director General, Pacific Region, Transport Canada, spoke about regulations and operating within a marine environment, specifically noting:

- Transport Canada does not operate in isolation and can only operate effectively if procedures are agreed to internationally;
- Canada is signatory to more than 50 conventions on shipping-related matters;
- Regulations are enforced under the Canada Shipping Act, 2001;
- MARPOL (Marine Pollutions Regulation) sets limits on ships' emissions (pollutants and waste);
- Standards of training certification for crews and enforcement of those regulations;
- Oversight through Memoranda of Understanding to share risk information about any vessels of concerns;
- Vessel pilot qualifications; and
- Common law right of anchorages – anchorages can only be prohibited for safety reasons and by federal legislation.

Captain Edward Dahlgren, Director of Operations and Harbour Master, Nanaimo Port Authority, spoke about the port authority's current initiatives including:

- Plans to collaborate with other stakeholders and the public;
- Overview of Nanaimo Port Authority's role and mandate;
- Highlights of environmental efforts in the region including restoration to Nanaimo river and installation of the port walkway to manage public access to the water & reduce industrial pollution;
- Balancing shipping demands with ecological concerns;
- Finding innovative ways to support the interests of the Islands Trust;
- Changes that have been made to date to address some of the environmental concerns;
- Federal ports do not receive funding from anywhere but the ships using the ports and public permission is required for port licensing; and
- The port authority's commitment to building a better marine environment through communication, education and collaboration.

Robert Lewis-Manning, President, Chamber of Shipping of British Columbia, spoke on the following:

- Community concerns have been expressed around pollution, spill response, anchorages, cumulative environment, governance, process, consultation, growth, industrial development;

- The shipping industry consists of a mixture of international trade and North American trade;
- Engagement is a concern for communities and First Nations groups alike;
- The number of stakeholders and competing interests can be a barrier to finding effective solutions;
- Changing governments, political philosophies and government mandates present additional challenges;
- The industry is currently slow which provides a good opportunity to fix what isn't working. The Federal government is in the data collection phase of their mandate and recommendations are expected to come forward in the fall;
- There is some expectation that Minister Leblanc intends to open the Oceans Act for amendments.

The meeting recessed 10:27 a.m. and resumed at 10:42 a.m.

Trustees addressed questions and comments to panel members on the following:

- Concerns that shipping issues are profit-driven.
- A 9-1-1 type callout system should be considered for rapid spill response.
- What processes could be taken to create a more comprehensive report on planning for vessel traffic in the area?
- Processes for assessing cumulative effects – do navigation rights outweigh the rights of residents?
- Need for local bases to address spills quickly due to rapid tide changes in the area.
- Closure of the Comox Coast Guard station is a concern for people in that area.
- Can the offloading of gypsum be relocated from Plumper Sound to a non-nuisance area?
- Are the SIGTTO (Society of International Gas Tanker and Terminal Operators) international standards included in Canada's legal framework?
- What is the ultimate authority for LNG ships if there is a spill in transit?
- What legal authority establishes new anchorages and can letters patent be amended to include sensitive areas?
- What work is being done to investigate the cumulative effects of regional growth?
- The Spill Mitigation Working Group seems to be industry focussed – would there be support for Islands Trust being a part of this table?
- Is there funding opportunity for island residents to become trained in spill response techniques?
- Would the port authority or chamber of shipping engage as leaders in driving for particularly sensitive sea area designation in the Islands Trust area?
- Who is ensuring balance between environmental and economic issues?
- Is there any potential for "slow steaming" to be considered as an alternative to anchorages?

Panel members provided the following responses:

- Canadian Coast Guard is the most frequently used method of spill reporting and generally the fastest responder;
- Comox Coast Guard Station was a housing station for radios only, its closure does not have any impact on response for the area;
- Gypsum is not classified as a marine pollutant but if there are identified safety concerns steps could be taken to address this;
- Port Authorities have adopted some of the SIGTTO rules into their jurisdictional procedures for best practices;
- National Energy Board is making adherence to TERMPOL (Technical Review Process of

Marine Systems and Transshipment) recommendations a requirement of licensing; Pacific Pilotage Authority has also made this a regulatory regime;

- Transport Canada has no authority to establish, create or designate anchorages. The Canada Shipping Act gives the right to anchorages anywhere under common law. Port Authorities have ability to establish anchorages and anchorage fees within their jurisdictions under the Canada Marine Act.
- Transport Canada is currently drafting a report that will address many of the questions being raised.
- Cumulative effects are being reviewed on many international levels to inform better decision making and understanding of impacts. Research shows the greatest noise impact on ocean life is ferries, not shipping. The bulk of Canada's goods are moved by ship and while shipping will grow with the economy, it does not necessarily mean more ships but bigger ships.
- The Spill Mitigation Working Group is not a decision making body, rather a place to ensure an opportunity for engagement and public feedback, open to discussion about how to collaborate with the Islands Trust.
- Chamber of Shipping has a mandate to address the topic of particularly sensitive sea area designation but cannot comment further at this time.
- Funding options are being reviewed in relation to spill response training for residents; no funding currently exists but there is potential.
- What occurs at sea cannot be regulated until a vessel is within a port authority jurisdiction.

The meeting recessed at 12:13 p.m. and resumed at 1:30 p.m.

## **8.2 Community Presentations**

### **8.2.1 Moving Around Pender Alternative Transportation Society**

The Moving Around Pender (MAP) Society made a presentation to Trust Council highlighting the four goals of their mandate:

1. To increase pedestrian, cycling and motoring safety on the Penders;
2. To decrease greenhouse gas emissions as mandated by the CRD and the Pender Islands' Official Community Plans;
3. To provide alternate transportation options to allow seniors and others who can't, or are apprehensive about driving, to stay on the island;
4. To provide a healthy alternative means of transportation for all residents and visitors.

The MAP Society also discussed funding sources, their current activities on the islands and requested Trust Council's endorsement of their transportation plan.

## **8.3 Delegations & Town Hall**

### **8.3.1 Gulf Islands Alliance**

Jan Slakov from Gulf Islands Alliance spoke on the Trans Pacific Partnership Trade Agreement and the potential negative implications of this piece of federal legislation. Ms. Slakov circulated a publication from MP Elizabeth May, a copy of which is retained with the agenda package.

**8.3.2 Gabriolans Against Freighter Anchorages Society**

Mary Colyer from Gabriolans Against Freighter Anchorages Society spoke on the Tetra Tech EBA Environmental Overview Assessment of Proposed Gabriola Island Anchorages. A copy of GAFA's written submission is retained with the agenda package.

**8.3.3 Town Hall Participant – Ms. Elizabeth White, Salt Spring Island Agriculture Alliance**

Ms. White expressed concerns regarding the loss of ALR land on the islands and that Trust Council may be seeking delegation of authority from the Agricultural Land Commission. Ms. White queried why the Islands Trust policy statement is silent on meeting agricultural objects and requested Trust Council to consider a motion to bring relationships with ALC and ALR forward as a future new business item.

**Town Hall Participant – Ms. Anne Macey, Salt Spring Island Natural Growers**

Ms. Macey stated that agricultural issues should be a new business item since these can be an economic driver and result in tourism growth. Ms. Macey expressed a desire to see agriculture move higher up in the Islands Trust's priority list in order to ensure lands are protected.

**Town Hall Participant – Mr. Michael Sketch, North Pender Island**

Mr. Sketch addressed Trust Council on the issue of Agricultural Land Commission, Local Trust Committees, and concerns regarding Island Trust's role in land use decisions and jurisdictions. A copy of Mr. Sketch's written submission is retained with the agenda package.

The order of business on the agenda was varied to address items 9.2 and 9.3 ahead of item 9.1.

**9. NEW BUSINESS**

**9.2 RFD: Trust Council Position on Moratorium for New Anchorages**

Trustee O'Sullivan introduced this item noting specifically:

- Transport Canada has the ability to recommend anchorage areas;
- Ports can establish anchorages under the jurisdiction delegated to them by Transport Canada;
- The moratorium is proposed for new anchorages only;
- A better engagement process and strategic plan are key considerations; and
- This area needs to be established as "no-go".

Trustee O'Sullivan requested Trust Council to consider two motions in respect of this issue.

**TC-2016-047**

**MOVED by Trustee O’Sullivan, SECONDED by Trustee Mamoser,**

That the Islands Trust Council request the Chair to write to the Minister of Transport to express the Islands Trust Council’s opposition to the proposal to establish five new freighter anchorages off the northeast coast of Gabriola Island and ask for a moratorium on any new freighter anchorages within the waters surrounding the Sothern Gulf Islands and Howe Sound until Transport Canada has:

- a) assessed the cumulative risk and impacts associated with projected vessel traffic increases in the Salish Sea,
- b) developed a 20-year mitigation plan that includes measures to minimize anchorage use, and
- c) implemented a process for comprehensive environmental, social and economic impact assessment prior to the establishment of any new anchorages.

Debate ensued. Friendly amendments were accepted by the Mover and Seconder as follows:

- Remove the word “five” from the first paragraph;
- Replace “Southern Gulf Islands and Howe Sound” in the first paragraph to read “Islands Trust Area”

**TC-2016-048**

**MOVED by Trustee Law, SECONDED by Trustee Scholefield,**

To amend the motion by replacing “Minister of Transport” with “Prime Minister of Canada”.

**CARRIED**

Trustee Dodds opposed

**TC-2016-049**

**MOVED by Trustee Middleton, SECONDED by Trustee Masselink,**

To amend the motion by adding bullet point D to read “engaged in a community consultation with a defined decision making pathway for analysis and potential approval of anchorages.”

**DEFEATED**

Trustees Luckham, Grams, Allen, Brent, Crumblehulme, Mamoser, Masselink, Middleton, Peterson, Scholefield, Morse In Favour

**TC-2016-050**

**MOVED by Trustee Fast, SECONDED by Trustee Dodds,**

To amend the motion by removing bullet points A, B, and C entirely.

**DEFEATED**

Trustees Dodds and Fast In Favour

The vote was called on the amended motion.

**CARRIED**

**TC-2016-051**

**MOVED by Trustee O’Sullivan, SECONDED by Trustee Mamoser,**

That the Islands Trust Council request the Chair to write the Minister of Transport encouraging Transport Canada to engage in full community consultation and a detailed public analysis of the potential implications of extending the jurisdiction of the Nanaimo Port Authority, with a particular focus on compatibility with the Object of the Islands Trust to preserve and protect the waters of the Salish Sea.

**CARRIED**

**9.3 Opposition to Trans-Pacific Partnership Trade Agreement  
TC-2016-052**

**MOVED by Trustee Law, SECONDED by Trustee Morrison,**

That the Islands Trust Council request the Chair to write to the Prime Minister of Canada (with copies to Trust Area Members of Parliament) requesting that Canada not proceed with participation in the Trans-Pacific Partnership Trade Agreement without certainty that the agreement will have no impact upon local government authority with respect to regulation, procurement, service provision and environmental protection.

Trustee Law noted the importance of specificity in respect of the impacts of this legislation on local governments.

**TC-2016-053**

**MOVED by Trustee Grove, SECONDED by Trustee McConchie,**

To amend the motion to exclude everything following "Trans-Pacific Partnership Trade Agreement".

The vote was called on the proposed amendment.

**DEFEATED**

Trustee Brent In Favour

Trustee Brent expressed concern that last minute business placed on the Trust Council agenda precludes staff from conducting the necessary background research to assist Trustees in communicating the rationale to constituents. Trustee Brent requested his opposition to the motion be noted in the minutes.

**TC-2016-054**

**MOVED by Trustee Grams, SECONDED by Trustee Grove,**

To amend the last line of the motion to read "...will have no impact upon existing local government authority and potential liability with respect to regulation, procurement, service provision and environmental protection."

**DEFEATED**

Trustees Grove, Grams and Middleton In Favour

The vote was called on the original motion.

**CARRIED**

The meeting was recessed at 3:23 p.m. and resumed at 3:44 p.m.

The order of business on the agenda was varied to address item 6.3 which had previously been deferred pending the arrival of Bylaw Enforcement Manager Miles Drew.

**6.3 Bylaw Enforcement Report – Information**

Miles Drew, Manager of Bylaw Enforcement, presented the report noting the following:

- Bylaw Enforcement Services are currently closing and opening equal amounts of files;
- Salt Spring Island currently has the greatest number of files;
- Staff are working on a short term vacation rental project and an unlawful dwelling project on Galiano Island; and
- Bylaw enforcement notification bylaws are working very well generally.

The order of business on the agenda was varied to address item 10 ahead of item 9.1.

**10. CLOSED SESSION (Separate Agenda Package)**

**TC-2016-055**

**MOVED by Trustee Busheikin, SECONDED by Trustee Morrison,**

That the Islands Trust Council meeting be closed to the public subject to Section 90(1) of the Community Charter in order to consider matters related to:

- (c) labour relations or other employee relations;
  - (g) litigation affecting the Islands Trust; and
  - (i) receipt of advice that is subject to solicitor-client privilege;
- and that staff be invited to attend the closed session.

**CARRIED**

The meeting was closed to the public at 3:51 p.m. and reopened at 4:01 p.m. The order of business on the agenda resumed at item 9.1.

**9.1 Session: Visioning**

CAO Hotsenpiller hosted a preliminary session to establish scope and objectives for engaging in a structured visioning session at a future meeting. Director Gordon provided background on the strategic plan initiatives surrounding organizational visioning.

General discussion ensued and Trustee comments were as follows:

- It is important to deliver on the strategic plan objectives;
- While the islands are a collective federation, they embrace their diversity and have individual community needs;
- It is important to paint a future picture before engaging the public;
- We must identify ways to attract families back to the islands;
- We need to develop resources that educate and promote living on the islands;
- The islands are all different but also have areas of mutual concern and benefit, we need to identify these along with strategies to promote them; and
- Increased provincial funding should form part of future visioning discussions.

**TC-2016-056**

**MOVED by Trustee Fast, SECONDED by Trustee Crumblehulme,**

That the Islands Trust Council direct staff to organize a facilitated visioning session of at least half a day at September trust council meeting.

**CARRIED**

The meeting recessed for the day at 5:24 p.m.

**Thursday, June 16, 2016**

The meeting resumed at 8:30 a.m. 24 Trustees were present; Trustees Middleton and Mamoser were absent.

**10. CLOSED SESSION (reconvened)**

**TC-2016-057**

**MOVED by Trustee Busheikin, SECONDED by Trustee Morrison,**

That the Islands Trust Council meeting be closed to the public subject to Section 90(1) of the Community Charter in order to consider matters related to:

- (c) labour relations or other employee relations,
- (g) litigation affecting the Islands Trust; and
- (i) receipt of advice that is subject to solicitor-client privilege;

and that CAO Russ Hotsenpiller be invited to attend the closed session.

**CARRIED**



The meeting was closed to the public at 8:30 a.m. and reopened at 9:26 a.m. No items were reported out from the closed meeting.

## **11. SUMMARY / UPDATES**

### **11.1 Trustee Updates (continued from previous day)**

#### **11.1.4 Watershed Protection Report for SSI-LTC**

It was requested this item be renamed SSIWPA on future agendas.

Trustee Grams provided the following updates:

- Members of the steering committee have changed resulting in a loss to the administrative environment but the addition of two FLNRO staff at the table;
- The Committee's mandate is to review water supply to find efficiencies and change usage habits where possible;
- Committee is researching increased capacity options through means such as supply cairns;
- Committee focus has evolved from the health of lake water to balancing the issues surrounding water supply across the island.

Chair Luckham congratulated Trustee Grams for bringing a strong leadership focus to this group.

#### **11.1.5 Howe Sound Community Forum**

Trustee Rogers provided the following updates:

- Forum held April 29 at Camp Fircon had the highest attendance to date;
- New MP Pamela Goldsmith-Jones is very engaged with current issues in the region;
- Discussions regarding more consistent approaches to environmentally respectful planning processes are ongoing; and
- Work continues to promote collaboration in the region to elevate the Islands Trust's profile in the region.

#### **11.1.6 Update from Office Relocation Select Committee**

Trustee McConchie advised that the Committee has reached consensus to develop a Request for Decision for the September Trust Council meeting to include recommendations regarding locations of key staff positions. Committee minutes continue to be posted on the website.

### **11.2 Priorities Chart**

**By General Consent**, the Priorities Chart was adopted as presented.

### **11.3 Proposed September 2016 Trust Council Agenda Program**

The following updates were requested to the agenda format:

- BC Ferries Update should reference Ferry Advisory Chairs instead of Trustee Morse specifically; and
- Town Hall should be changed to Public Comments

### **11.4 Disposition of Delegations and Town Hall Requests**

**By General Consent**, the Chair is requested to send letters of thanks to delegations.

**12. CORRESPONDENCE**

**13. NEXT MEETING:** September 13-15, 2016 on Mayne Island

**14. ADJOURNMENT**

**By General Consent,** the meeting adjourned at 10:03 a.m.

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Peter Luckham, Chair

Certified Correct

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Mandy Giesbrecht, Executive Coordinator (Recorder)