



## Lasqueti Island Local Trust Committee Minutes of Special Meeting

<b>Date:</b>	<b>October 6, 2017</b>
<b>Location:</b>	<b>Lasqueti Island Community Hall Main Road, Lasqueti Island, BC</b>
<b>Members Present</b>	<b>Laura Busheikin, Chair Susan Morrison, Local Trustee Timothy Peterson, Local Trustee</b>
<b>Staff Present</b>	<b>Sonja Zupanec, Island Planner Fiona XETXÁTTEN MacRAILD, Senior Intergovernmental Policy Advisor, Marine and First Nations Issues Dave Olsen, Recorder</b>
<b>Others Present</b>	<b>Denise Smith, Land Manager, Tla'amin Nation</b>

### 1. **Call to Order**

Chair Busheikin called the meeting to order at 6:57pm. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

### 2. **Introductions - Laura Busheikin, Chair, Lasqueti Island Local Trust Committee**

Chair Busheikin introduced the Trustees, Staff, and Denise Smith.

### 3. **Welcome - Denise Smith, Land Manager, Tla'amin Nation**

Ms. Smith described her role with the Tla'amin Nation and described the status of her government and what she will present at the meeting tonight.

### 4. **Opening Remarks - Laura Busheikin, Chair, Susan Morrison and Tim Peterson, Trustees, Lasqueti Island Local Trust Committee**

Chair Busheikin described the goals of the meeting: to hear from the public, and to further build the relationship between the Local Trust Committee (LTC) and the First Nations.

A member of the public questioned the Chair's statement that there were no draft bylaws being considered by the LTC and pointed out that the bylaws were scheduled to be completed by January 2018.

Chair Busheikin responded by explaining what First Reading is and that the LTC makes the decisions not the Planner. She noted that they were behind the proposed project schedule and that they haven't had a fulsome conversation yet.

A member of the public asked if it was possible to give 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings at the same meeting.

Chair Busheikin responded that it was not possible.

Trustee Morrison acknowledged hearing from the public and that she had pulled the process back at the last meeting even before this public meeting.

She concluded by stating that she was looking forward to making progress to protect our beautiful shoreline for 50 years time.

Trustee Peterson noted that the LTC hasn't made any decisions to move ahead with any proposal. He hoped that we could share information tonight and learn something new. He stated that our job is to uphold the "Preserve and Protect" mandate as well as respond to our constituents. He concluded by stating that we are at the proposal stage and we are not going to ram anything through that is not supported by the community.

Chair Busheikin addressed an issue that came up at the last meeting: the most respectful language to use regarding indigenous names. She advised that if you don't know the specifics, "First Nations" is recommended, whereas "Indian" has negative implications. The term "Aboriginal" is also respectful.

## 5. Approval Of Agenda

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

## 6. Lasqueti Marine Shoreline Protection Project - Presentations and Community Engagement on:

### a. First Nations Background and Opportunities for Collaboration

Policy Advisor MacRAILD began her presentation and the following was noted:

- She explained her background;
- The focus of the presentation was private property rights;
- She noted that there was lots of information to take from the table, all backed up with much rigorous research;
- She would leave the map of 28 First Nations in the Community Hall with the hope that an evening of story telling could happen with Dana Lepofsky;
- "Tla'amin" was "Sli'a'mon" until last year when they became a Treaty Nation.
- There are two modern treaty Nations: Tsawwassen and Tla'amin.

Denise Smith began her presentation about the recent Treaty the Tla'amin Nation signed with the Canadian Government, and the following was noted:

- Prior to the treaty, Tla'amin did not own their land;
- A description of the treaty process was given;
- They had to come up with a method to continue to share territory. The Treaty is available online at <http://www.tlaamination.com>
- There are 26 chapters in the treaty.
- They borrowed \$13 million from the Canadian Government to negotiate their land back.

- Now they own 8,000 hectares of fee simple land; they can also buy 1,000 hectares more within 10 years.
- Privately owned land has never been on the table.
- Harwood Island is now privately owned by the Tla'amin Nation; the Coast Guard would not sign an agreement, so they are no longer welcome.
- Tla'amin wanted to own their own land; it is restricted fee simple, they can only sell to other Tla'amin people;
- April 5, 2016 the Treaty came into effect.
- She is a legislator and Land Manager; it was her second time on Lasqueti Island.

Ms. Smith then explained how the Shoreline Protection Project affects the Tla'amin and the following was noted:

- We have treaty rights and different areas have different rights.
- Lasqueti Island is important to us for fishing rights;
- The Tla'amin have a much smaller fishing area than in the past.
- Shoreline protection includes Tla'amin archaeological sites; the BC law says you have to preserve these sites and obtain a permit prior to development.
- Tla'amin support the objectives and scope of the shoreline protection project as drafted.
- She is at the meeting to protect the Tla'amin interest.

Due to time constraints, Chair Busheikin suggested that another Community Meeting could be held in the near future.

- b. Identification and Protection of Shoreline Values – not presented
- c. Options for Voluntary Stewardship – not presented
- d. Options for Policy and Regulatory Changes – not presented

## **7. Next Steps - Susan Morrison and Tim Peterson**

Trustee Morrison stated that there are no bylaws and asked the public to let her know whether they think the shoreline needs protection.

Chair Busheikin opened the meeting to questions or comments from the public.

Staff was asked to clarify the current bylaw setbacks for building and construction. Planner Zupanec stated that there is a 7.5 metre setback if hardened, otherwise there is a 15 metre setback from the natural boundary of sea.

Other comments from the public included the following:

- The Trust Fund Board owns a lot of land; they could return some property to First Nations.
- The LTC was said to have made a motion for staff to change the Official Community Plan (OCP) and Land Use Bylaw (LUB); that this was a pilot project for the Islands Trust but Lasqueti Island is an atypical island.
- A bylaw enforcement officer was asked the following:
  - If inspections would be complaint driven? Answer: No.
  - if s/he had the authority to enter property within a DPA? Answer: Yes, they can enter for a suspected violation and they can inspect all of your property.

- Is the owner's permission needed to inspect a permitted building? Answer: Yes, but if not forthcoming, they will obtain a court order and have the police assist.
- No one here would want to destroy any of the shoreline and likely no objection to protecting vulnerable areas. There is an opportunity to explore options.
- Lasqueti has the largest area of Coastal Douglas Fir still intact despite logging in the past, so we must be doing something right; DPAs are not wanted.
- Development Permits are overkill; only 2 creeks on Lasqueti Island can support salmon. When the winter Southwester blows, there are 12' high waves. There is only one useable access on the North side. We do not need DPAs all over the island and I am dead set against it.

Chair Busheikin asked the public to hold their applause and extended the meeting to 9pm.

Further comments from the public were then noted:

- The cost to build a woodshed within a DPA was estimated to include \$5,000 for an environmental survey and another \$5,000 for a topographic survey, which includes every building and tree of interest. For a 160 acre property being subdivided, this may not be a big cost but for the individual property owner this is very expensive. Some properties are fully within the 30m setback.

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**It was MOVED and SECONDED,**

that the Lasqueti Island Local Trust Committee request staff to remove the Development Permit Area option from the Shoreline Protection Project.

Chair Busheikin cautioned the Trustees that she was not aware of what percentage of the population was present and that it is not customary to do referenda.

**CARRIED**

Trustee Morrison then explained that the Shoreline Protection Project does not now stop, but only that DPAs are no longer possible.

Further comments from the public were invited and the following was noted:

- Protect archaeological sites without permits. Marshall Beach is an example of encroachment. Use the expertise on the island to identify those sites.
- Everyone wants Lasqueti protected.
- Glad that the motion passed to reduce our anxiousness.
- Appreciated the First Nations presentations and would love to understand what our role as a community could be to facilitate the reconciliation.
- Protect the shoreline from people that tie up boats and leave them.
- Denise Smith was thanked for her presentation and welcomed to a property where a midden is visible.
- During the RAR process, planners with good intentions wanted to punish the people that had protected riparian areas. With this project, don't punish those that have protected the shoreline.

Chair Busheikin clarified that staff didn't make any decisions.

Trustee Morrison pointed out that the Province imposed the RAR bylaws.

**8. Adjournment - Laura Busheikin**

**By general consent** the meeting was adjourned at 9:02pm.

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Laura Busheikin, Chair

Certified Correct:

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Dave Olsen, Recorder