



ENVIRONMENT COMMISSION

JUNE 16, 2011

6:00 PM – CVRD Boardroom, 175 Ingram Street

AGENDA

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2. <u>ADOPTION OF MINUTES:</u> M1 Adoption of minutes of Environment Commission from May 19, 2011	3 – 5
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4. <u>DELEGATIONS</u> – none	
5. <u>CORRESPONDENCE</u> - none	
6. <u>SUB-COMMITTEE REPORTS</u> R1 Land Committee - David Polster R2 Communications - Chris Wood R3 Water - Roger Hunter R4 Agriculture – Judy Stafford R5 Climate Change – Pete Keber	No report See B1 Verbal No report Verbal
7. <u>INFORMATION</u> - none	
8. <u>NEW BUSINESS</u> NB1 Review of Environment Commission's role(from Commission binder) NB2 Development of a work plan to achieve the Commissions' mandate NB3 New members criteria NB4 Summer meeting schedule	9-15
9. <u>ADJOURNMENT:</u> <u>NEXT MEETING:</u> July 21, 2011	

Distribution:

CVRD Director Gerry Giles (Co-Chair)	Peter Keber
CVRD Director Rob Hutchins	Judy Stafford
CVRD Director Tom Walker	Justin Straker (Co-Chair)
CVRD Director Phil Kent	Kevin Visscher
Bruce Fraser	Larry George, Cowichan Tribes
Rodger Hunter	Chris Wood
Dave Polster	Roger Wiles

As Well As:

Director Morrison
Director Duncan
Director Kuhn
Warren Jones, CAO, CVRD
Brian Dennison, General Manager, Engineering and Environment Services
Kate Miller, Manager, Regional Environmental Policy Division

Agenda Cover Only:

Director G. Seymour	Director T. McGonigle
Director M. Marcotte	Director B. Harrison
Director D. Haywood	Director K. Cossey
Director M. Dorey	Director L. Iannidinardo
Tom Anderson, General Manager, Planning and Development Services	

Minutes of the regular meeting of the ENVIRONMENT COMMISSION held in the CVRD Boardroom, 175 Ingram Street, Duncan, on May 19, 2011 at 6:00 pm.

PRESENT: Director Giles – Co-Chair Rodger Hunter
Dave Polster Bruce Sampson
Roger Wiles Director Kent
Alternate Director Paterson Director Walker
Pete Keber Chris Wood

ALSO PRESENT: Kate Miller, Manager, Regional Environmental Policy Div
Dyan Freer, Recording Secretary
Director Duncan

REGRETS: Justin Straker, John Morris, Judy Stafford, Bruce Fraser,
Kevin Visscher

GUEST: Kim Van Bruggen, ACUMEN Communications
Suzanne Wilkinson, prospective commission member

**APPROVAL
OF AGENDA**

It was moved and seconded that the agenda be approved as presented with the change of order of NB1 to first item of business.

MOTION CARRIED

**ADOPTION
OF MINUTES**

It was moved and seconded that the minutes of the April 21, 2011, Environment Commission meeting be adopted as presented.

MOTION CARRIED

**DELEGATIONS
NEW BUSINESS
NB1**

No delegations

Engineering and Environment (E&E) Department Overview – Brian Dennison, General Manager of E & E services gave an overview of his department with a PowerPoint presentation showing all divisions and their responsibilities. Discussion ensued. The question was asked 'How can the Environment Commission help? GM will bring that forward to his division managers for discussion. A third party viewpoint would be helpful. Dave Polster offered to help revegetate the old incinerator sites by sharing his expertise.

Introduction of Kim Van Bruggen who gave a presentation on the upcoming launch of the Zero Waste Challenge that is going out to the residents of CVRD soon. Results of the latest poll of residents showed overwhelming support for this initiative. On-line promotions and teams in the community will be prominent emphasizing 'The 5'R's: refuse, reduce, reuse, recycle, and recover'. Discussion ensued on how to accomplish this. Positive participation and opportunity will be part of it. Community members will be asked to help as well in an advisory capacity. There followed a brief discussion on the vision of the South Cowichan Eco Depot .

**BUSINESS ARISING
OUT OF MINUTES
B1**

Call for volunteers for Ecostravaganza - Chris Wood

Held on June 4th, 2011 from 10 am – 4 pm. Needs three teams to staff the booth. Will bring a laptop for presentations and show the State of Environment Report as well as Phil Kent will prepare presentations on sustainability. Volunteers: Chris and Rob Hutchins will take set up and the first shift; Roger Wiles and Pete Keber for Noon to 2 pm shift; Phil Kent possibly with Kevin Visscher for last shift and take down.

ACTION: Dyan to send email out requesting volunteers for third time slot to be filled.

B2

Ecole Mill Bay Ecostravaganza funding request – Kevin Visscher

It was moved and seconded

That the Environment Commission support, to a sum no greater than \$500, the Ecole Mill Bay Ecostravaganza funding request.

MOTION CARRIED

B3

Ipsos Reid Survey – good indication of local government opinion in the community.

CORRESPONDENCE

Email from Bruce Sampson dated April 21, 2011, announcing his resignation. Chair presented a gift and thanked him for the time and effort made to the Environment Commission. He and his knowledge will be truly missed and were an asset to the commission. Members shared their perceptions of working with Bruce and his wealth of knowledge and experiences that he brought to us.

REPORTS

R1

Land Committee – Dave Polster No report

R2

Communications Committee – Chris Wood

A joint meeting with Economic Development Commission is planned for June. A sub-committee of Environment Commission is meeting with an Economic Development and Social Planning sub-committee to discuss the agenda for this meeting. Topic will be 'to make the notion of sustainability more meaningful'. The commissions can provide positive input to help define the term and the framework of how to put this plan into effect. Will work with the planning department as well.

It was moved and carried

That the Environment Commission communications working group enter a discussion with the Economic Development Commission, Social Planning Cowichan and other interested groups to develop with partners a program of targeted events for the September to November period, to raise awareness among decision-makers and the public of the direct link between land-use decisions and the sustainability goals of the CVRD Strategic Plan, the EDC Sustainable Economic Development Strategy, Vision 2020 and 12 Big Ideas.

MOTION CARRIED

i. Draft Economic Development Sustainability Plan - A good framework to work forward.

R3

Water Committee – Rodger Hunter - No report. Questions where the Air Committee should be included? A study should be done as a follow

up re hospital admissions of youth to our District hospital. No air emissions study for this year. What would that cost? We need to pay attention to this issue.

ACTION: Manager, Regional Environmental Policy Division will find out cost to do a study.

R4

Climate Change, Energy and Smart Growth Committee - Pete Keber met with Phil Kent. This committee overlaps all other committees. Thought the main thing needed is to reinforce the message that climate change is real and to show what local government is doing already to mitigate climate change. His committee needs to be involved with the communication group. Should it be included in any other group?

ACTION: Each group Chair to discuss with their group if they can include climate change as a subject to be part of their plans. Rodger Hunter stated that Climate Change group can be included with the water or land committees to make a larger group.

**INFORMATION
IN1**

PMFL – Chair has sent a letter asking to speak to the Minister of Forest and Lands and [Natural Resource Operations](#). No appointment as yet. Domenico Iannidinardo, Manager of Environment and Resource Integration, TimberWest Forest Corp will be presenting to the Regional Services Committee May 25 at 6:00 pm re. Overview of TimberWest's Watershed Management Program and Operating Plans. It is posted on the CVRD website under Agendas/Regional Services Committee/May 25, 2011. It has become an issue throughout the different forest companies and they are all discussing it. Commission members are invited and the land committee will try to attend. This issue is going to UBCM in the fall.

IN2

Town Hall meeting with Director Giles in Cobble Hill on June 23rd, 2011. Subject will be water and water management. Pete Keber and Rodger Hunter will give a presentation of the State of Environment Report.

NEXT MEETING

Thursday, June 16, 2011 @ 6 pm

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:55 pm.

Comments from Mill Bay Ecostravaganza June 4, 2011

1. Good maps of trail networks, access points, and parking available online would be most helpful.
2. We need to go to Parliament and/or the Legislature and demand more action (like carbon taxes) using peaceful civil disobedience. – Peter Nix
3. Build cycling infrastructure – bike paths and bike lines- to encourage people to cycle.
4. Provide tax incentives to acreage owners who actually grow food.
5. Provide tax incentives to homeowners who produce their own power.
6. More bike trails/connecting trails between parks (so we don't have to drive to get to them!)

B2

Subcommittee Report

ENVIRONMENT COMMISSION JUNE 16, 2011

DATE: June 7
FROM: Chris Wood
SUBJECT: Sub-committee Report for Communications

Recommendation: That the Commission approve the attached draft agenda for a joint meeting of the EC and Economic Development Commission.

Purpose: To provide a clear focus and positive outcome for the joint meeting. To move forward the regional sustainability agenda by starting a process of engagement with community actors to agree on a shared definition of 'sustainability' for the Cowichan.

Financial Implications: Some support for events; not currently estimated.

Background Discussion:

Chris Wood met with Rodger Hunter and Rodger Wiles (for the EC) and Phil Kent (for the EDC) to discuss the agenda for the proposed joint meeting of the two commissions. It was agreed to propose that each Commission endorse the attached draft agenda.

Several Commission members staffed a booth at the Ecostravaganza event, which drew a steady stream of visitors. Our thanks to everyone who gave their time, and to Dyan Freer for her logistical support.

How is this recommendation relevant to the environment commission's goals and how does it link with desired outcomes?

It will further consensus around an achievable sustainability and build momentum and support for more specific policy actions.

Submitted by, Chris Wood

Joint meeting of the CVRD Economic Development Commission and Environment Commission, June, 2011

Proposed Agenda.

Date, time, location TBD

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Primary meeting purpose: 1) to determine if the two Commissions can agree on the framework and principles of a CVRD-led process to reach a common definition of the terms 'sustainable' and 'sustainability', as used in the CVRD's Corporate Strategic Plan, the EDC's Sustainable Economic Development Strategy, and the EC's State of the Environment report and 12 Big Ideas, and 2) to recommend to the CVRD a 'menu' of formalized approaches to such a process (eg: The Natural Step and other models).

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Call to order

Selection of meeting chair (from either EDC or EC chairs)

Chris Wood (EC): introduce presentation on the meeting purpose, tying it back to evolution from Vision 2020, drawing links to CVRD's Plan, EDC and EC initiatives, and identifying objectives for this meeting.

Phil Kent (EDC): short primer on the fundamental motivations for pursuing sustainability (ie: the past is no longer prologue to the future; yesterday's systems and thinking no longer suit the future; some common elements of the main frameworks for developing community consensus.

Rodger Hunter (EC, Watershed Board): short presentation on observed changes to water supply, as leading indicator that future will be unlike the past, and that existing strategies are insufficient to the emerging reality of this key resource.

Tom Anderson (CVRD): presentation on current staff plans to develop a regional sustainability plan and expectations/opportunities for input from the two Commissions.

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Discussion:

- 1) Purpose of developing a common understanding of "sustainability" for the CVRD, the EDC, EC and in future other partners (eg: Social Planning Cowichan).
- 2) Principles to be respected in developing a process framework for reaching consensus on such a common definition.

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Anticipated meeting outcome: a motion supported by members of both Commissions framing a common recommendation to the CVRD on the purpose, principles and a short menu of alternative processes for developing a region-wide understanding of, and criteria for, 'sustainable' action in the CVRD.

4. THE ENVIRONMENT COMMISSION

4.1 BACKGROUND (*taken from the Environment Commission binder*)

Whether a regional district in BC chooses to create Environment Commissions is entirely discretionary. Some regional districts do not utilize this level of community input and thus have not established Environment Commissions.

CVRD Bylaws 2943 & 3243 establish a CVRD Environment Commission as pursuant to the provisions of the *Local Government Act* and the *Community Charter*. The following Section offers a brief summary of the purpose and role of the Environment Commission and the procedures to be followed by the Environment Commission in the carrying out of its duties.

4.2 TERMS OF REFERENCE

PURPOSE:

The CVRD Environment Commission is a community based advisory commission providing input to the CVRD Board of Directors on environmental and sustainability issues. The Commission evaluates specific issues affecting the community, provides guidance and recommends solutions to the Board.

This committee will also:

1. Act as the CVRD Environmental Strategy Monitoring Committee:
 - Review and, as appropriate, keep current the CVRD Environmental Strategic Plan that provides strategic guidance on priority environmental issues and responses for the Cowichan Valley Regional District;
 - Receive, consider and report on submissions from the public regarding any amendments;
 - At the request of the Board work with and provide advice to the Cowichan Valley Regional District staff assigned to the implementation process.
 - Monitor CVRD progress in implementing the approved Plan.
2. Act as the Plan Monitoring Committee for the CVRD's Solid Waste Management Plan and subsequent amendments to:
 - Provide comment and advice to the CVRD on the design and implementation of the public consultation process component of amendments to the Plan;
 - Receive, consider and report on submissions from the public regarding any amendments;
 - Work with and provide advice to the Cowichan Valley Regional District staff assigned to the amendment process.
 - Monitor CVRD progress in implementing the approved Plan.
3. Act as the Plan Monitoring Committee for the Central Sector Liquid Waste Management Plan. (as above)
4. Act as the Local Advisory Water Protection Advisory Committee.

Relationship to the CVRD Board:

The Commission is tasked with making high level policy recommendations to the CVRD Board of Directors on environmental and sustainability issues.

The Commission will report and make recommendations to the CVRD Board, which may refer matters to other appropriate committees prior to consideration by the Board.

The Commission will be chaired by a member of the Commission elected by the Commission on an annual basis.

The Commission is available to the CVRD Board of Directors to undertake specific inquiries aimed at evaluating a major issue or issues affecting the community and recommending solutions.

The Commission may initiate its own business. That is, it may review an issue it deems in the best interest of the community and may make recommendations to the Board.

Membership:

As provided in Bylaw 3243, an Environment Commission is composed of up to 15 members. (ten from the public sector, one First Nations representative, one from the Economic Commission, and three CVRD Board representations as appointed by the CVRD Chair).

The membership of an Environment Commission should be balanced, to represent a cross-section of people and geographic areas within the regional district. Public sector members are selected primarily from applicants in response to advertising and will be drawn from the following general sectors or organizations concerned with environmental sustainability within the Cowichan Valley:

1. Conservation / Environmental groups
2. Business Community
3. Professional / Labour Associations
4. Academic / Scientific or Research Institutions
5. Youth / Seniors Groups
6. Citizens At Large

During the first meeting of each calendar year, the Environment Commission is required to elect a Chairperson and a Vice-Chairperson. In the absence of a Chairperson and Vice-Chairperson the Commission must elect from the members present a temporary Chairperson for the purpose of that meeting only.

Term of Office:

Two years is the recommended term of office, with an optimum staggering of representation with 50% rotating every year.

Members may be re-appointed at the discretion of the CVRD Chair.

Members will serve without remuneration.

Budget:

An annual budget will be available to cover costs related to the administration of the Commission (meeting, travel, and communications expenses).

The Commission will identify any additional funding they require on an annual basis.

The Commission may strike sub-committees as appropriate to deal with particular issues. The rules of procedure of the Cowichan Valley Regional District will apply.

4.5 BIAS, CONFLICT OF INTEREST AND ENVIRONMENT COMMISSION MEMBERS

It is inevitable that both elected and non-elected local government representatives will have their own biases and viewpoints, and that Environment Commission members will have their individual points of view. However, members of an Environment Commission must not participate in matters in which they have a conflict of interest. A conflict of interest can be either a *pecuniary interest* or a *non-pecuniary personal interest* in a land use planning matter. A pecuniary interest is an interest capable of being measured or assessed in terms of a financial benefit or loss, and may be present in the following examples:

- a matter involving a client or employee of an Environment Commission member's business;
- a matter involving the employer of an Environment Commission Member;
- a matter involving the parent company of the employer firm of the Environment Commission Member;
- another type of professional/client relationship between an applicant and an Environment Commission member;
- an Environment Commission member's ownership of land, which could be affected beneficially or detrimentally by a proposed development, depending on the nature of the impact and whether it is particular to only a limited number of parcels or to the entire community;
- contractual relationships between an Environment Commission member and an applicant;
- a family relationship between an applicant and an Environment Commission member, particularly where the family member is dependent or is otherwise financially connected to the Environment Commission member;
- a legal relationship such as an action for damages between an applicant and an Environment Commission member.

Unfortunately, there is no simple answer to the question "what is a direct or indirect pecuniary interest?" However, because of the serious consequences that can flow from a finding that someone has participated in a matter in which he or she has a conflict of interest; it is prudent to take a cautionary approach. This means obtaining advice from CVRD administrative staff or, if a situation looks as if it is close to a line or in a gray area, declaring the conflict and withdrawing from participation in the matter.

In a general sense, Environment Commission members have a legal right to participate in an advisory capacity in the decision making process. That is, where Environment Commission members have a pecuniary interest held in common with the community, this does not prevent them from participating. They are said to have a *community of interest*.

Having and declaring a conflict of interest is not an admission of fault or guilt. It is merely a recognition that good government in a democratic society demands that decisions be made by persons who are free of any personal or financial involvement in the subject matter under discussion.

4.6 THE LAW OF DEFAMATION

It is important that Environment Commission members understand what does and does not constitute a defamatory statement, since such statements can cause damage to a person's reputation, can have serious impacts for the person in their professional or public life, and can obviously cause a great deal of personal anxiety and distress. Defamation is the term used to describe the two separate actions of libel, which is committed in written form, and slander, which is committed orally. Defamation is generally a non-substantiated attack on a person, intended to lower the person in the estimation of others.

If an Environment Commission member makes a statement that is a factual one, and the facts are correct, then there has been no defamation. Hence, stating publicly that "Mr. Smith was convicted of destroying fish habitat" is not defamatory, provided that it is true. However, it could be highly defamatory as a statement if it is not true. Using another example, to make a statement such as "Mr. Smith does not tell the truth" is extremely dangerous, because it is the sort of statement that is not necessarily easy to prove.

As the Environment Commission is often placed in situations where its statements are important and will be taken to heart, Environment Commission members should ensure that their comments are true and fair, and do not indicate an opinion that alleges wrongdoing on someone's part. In the unlikely event that a potentially defamatory comment is made, inadvertently or in the heat of a moment, it should be followed by an immediate apology, which may negate the original statement and the alleged defamation.

In most cases Environment Commission members are protected from legal actions under the CVRD Indemnity Bylaw, in the same manner as Board and Committee members are protected.



COWICHAN VALLEY REGIONAL DISTRICT
Bylaw No. 2943 - Consolidated for Convenience with
Amending Bylaw No. 3243

A Bylaw to Establish an Environment Commission for the
Cowichan Valley Regional District

WHEREAS the Board of Directors of the Cowichan Valley Regional District wishes to establish an Environment Commission to direct and provide input to the CVRD on environmental issues;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

CITATION

1. This bylaw may be cited for all purposes as "**CVRD Bylaw No. 2943 - Environment Commission Bylaw, 2007**".

DEFINITIONS

2. In this bylaws:
 - a) "Commission" means the Environment Commission established by this Bylaw.
 - b) "Board" means the Board of the Cowichan Valley Regional District.

MEMBERSHIP

3. The Commission shall consist of fifteen members, as follows:
 - a) Three Commission members shall be Directors of the Cowichan Valley Regional District.
 - b) One Commission member shall represent First Nations in the CVRD
 - c) Ten Commission members shall be drawn from applicants in response to advertising and shall represent citizens, environmental professionals, community groups, organizations and/or sectors concerned with environmental sustainability within the Cowichan Valley Regional District.
 - d) One Commission member shall represent the CVRD Economic Development Commission.
 - e) All Commission members shall be appointed by Board.

TERM OF OFFICE

4. a) The term of office for the ten Commission members who are drawn from applicants in response to advertising shall be two years. However, in calendar year 2009, five members shall be appointed to a term expiring December 31, 2009 and the other five members shall be appointed to a term expiring December 31, 2010.
- b) In the event of an appointment vacancy, a replacement appointee shall be appointed for the otherwise unexpired term of appointment.
- c) The Board may remove from membership any member who has failed to attend three consecutive Commission meetings without good cause.

PROCEDURE

5. a) At the first meeting in each year, and yearly thereafter, the Commission shall elect from amongst its own members, a Chairperson and Vice-Chairperson who shall hold office until a successor is elected.
- b) In the absence of the Chairperson or vice-Chairperson, the Commission shall elect from the members present a temporary Chairperson for the purpose of that meeting only.
- c) All decisions, resolutions and recommendations of the Commission shall be made by a majority of the members present at the meeting, with each member having one vote.
- d) Where not otherwise covered in this bylaw, the rules of procedure governing Commission meetings shall be those of the Cowichan Valley Regional District's Board Committee and Commissions Procedures Bylaw.
- e) Minutes shall be kept for all meetings of the Commission, and a copy of such minutes shall be forwarded to the office of the Cowichan Valley Regional District.

RESPONSIBILITIES

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6. The responsibilities of the Commission shall be as follows:
 - a) Develop an Environmental Strategic Plan that will provide strategic guidance on priority environmental issues and responses for the Cowichan Valley Regional District.
 - b) Act as the Plan Monitoring Committee for the CVRD's Solid Waste Management Plan, Central Sector Liquid Waste Management Plan, and to the Local Advisory Water Protection Committee.
 - c) Undertake specific inquiries aimed at evaluating a major issue or issues affecting the community and the environment and recommending solutions to the Board.
 - d) Monitor and advance implementation of the CVRD Environmental Strategic Plan and report annually, or as required, to the Board.

GENERAL

7. All members of the Commission shall serve without remuneration, except for mileage and meals as provided by the Regional District.
8. The Commission may strike sub-committees as appropriate to deal with particular issues and may refer matters to other appropriate committees prior to consideration by the Board.
9. No recommendation of the Commission or other matter requiring ratification by the Regional Board shall be acted upon until it has been considered by the Regional Board.

READ A FIRST TIME this 11th day of April , 2007.

READ A SECOND TIME this 11th day of April , 2007.

READ A THIRD TIME this 11th day of April , 2007.

ADOPTED this 11th day of April , 2007.

W.J. (Jack) Peake
Chairperson

Joe E. Barry
Corporate Secretary