

**TRANSCRIPT OF THE GVRD'S
WATER COMMITTEE MEETING,
SEPTEMBER 10, 1999,
REGARDING AGENDA ITEM 4.2.
ON THE AMENDING INDENTURE**

DELEGATION BY PAUL HUNDAL, REPRESENTING SPEC (THE SOCIETY PROMOTING ENVIRONMENTAL CONSERVATION), RESPONDING TO WATER COMMITTEE AGENDA ITEM 4.2 ON THE AMENDING INDENTURE

PAUL HUNDAL: On the Amending Indenture. This issue has been with us for quite a while. I refer you to page 11 of your package. I would refer you to the bullet, 'Cancel the Amending Indenture now'. Now, this is what we have been asking you to do, and this is the proposed response that would be sent back to the District of North Vancouver and the City of Coquitlam, covering this issue. It says,

The Amending Indenture has a number of provisions, some of which have been discussed above, as being no longer applicable, and these sections are clearly referenced. The Amending Indenture also requires that the GVRD watersheds be managed based on a long term plan.

Now, that plan is the five year management plan that the Chief Forester is saying he wanted completed by the end of the year. Five year management plans for the Ministry of Forests are logging plans. Now, it may involve no logging, as the [Water District] Commissioner [Johnny Carline] has pointed out, that there may be a no-logging plan as part of the logging plan, but it is a logging plan nevertheless. We have to answer to the Province as part of the Amending Indenture requirement, as when producing these plans every five years we operate under those plans. Now, what we are saying, if you cancel the Amending Indenture, you don't have to produce any plans for the Province. We don't have to answer to the Province at all. And we have our own reasons to produce a long term plan, and we can continue to. So, when they [the staff at the Greater Vancouver Water District] say:

complete cancellation of the Amending Indenture would eliminate the established requisite for a long term plan for the watersheds, which would conflict with the GVRD's goals.

I ask the question, why would it conflict with our goals to not have to do a five year management plan for the Ministry of Forests, or for the Province? We can still produce a long term plan without their oversight. So, I don't see how it conflicts with the goals, and that needs to be explained by staff before they respond to the District of North Vancouver. They deserve that much. A proper explanation of why it conflicts with our goals. Because, otherwise it is very confusing, it doesn't make sense. And I heard also that the suggestion has been thrown out that if you cancel the Amending Indenture \$80,000 [per watershed] could be charged, they could raise the rent. Well, I strongly dispute that. The Amending Indenture is in addition to the Indenture. If you cancel the Amending Indenture, by the terms of it, you go back to the original Indenture. The original Indenture

has a one dollar per watershed rent. If they raise the rent, they are going to have to change legislation. They have got a contract with us. That contract is a 999 year lease. And it says one dollar a year. So, if they want to suddenly start to impose levies that aren't part of the contract, that's like expropriation without compensation. They wouldn't do it to Macmillan Bloedel, they wouldn't do it to anyone else. MacMillan Bloedel would be demanding compensation. You can't do that, you've entered into a contract with us. So, the \$80,000 is a paper tiger, it's not real. I can't see the politicians at the provincial level taking on half the voters in B.C. over \$80,000 a year, to go through this extent. I don't believe that that is a real risk. We should be canceling the Amending Indenture, and then we have no obligations to the Province, and then we can continue to produce whatever plan is appropriate for water quality purposes only.

MARVIN HUNT (Surrey Councillor), WATER COMMITTEE CHAIR: Any questions from members? Seeing none, I would just advise you that \$80,000 [per watershed] is peanuts compared to what the provincial government has done to cities and municipalities throughout this province over the last couple of years. So if you are talking about expropriation without compensation, they expropriated from us our [.....?] which had been negotiated and legislated. So I hear what you are saying, but you are talking to the walking wounded here. We know what this government has done to us, so please, we know that they don't necessarily abide by normal rules that you nor I would consider appropriate.

HUNDAL: In response to that. Municipal funding follows a different stream where they are allowed to do that. Whereas this is specific contract entered into for 999 years.

HUNT: Good try. There is legislation which says they are not allowed to do what they did. They threw the legislation out while they did it.

DISCUSSION OF WATER COMMITTEE AGENDA ITEM 4.2.

HUNT: 4.2, on the Amending Indenture agreement. Mr. Cameron.

KEN CAMERON, MANAGER OF GVRD'S STRATEGIC PLANNING DEPARTMENT: Mr. chairman, I thought it might be helpful if I could just summarize where we are with respect to the related issues of the water management planning and the Amending Indenture. As I think you are aware, we are at the end or nearing the end of the Analysis phase of the Watershed Management program. We are waiting for some comments from the Public Advisory Committee on the material that was presented at the workshop here in May, in Robson Square, and the Scientific Review Panel is also dealing with that, preparing its report to you which we have indicated we think they are trying to have before you at your next meeting [October 15]. What that means is that we have to kind of have that information, and that public advisory's response, particularly the scientific review panel's comments before we can really proceed into the stage of actually determining what our next step in terms of preparing a management plan. We are working quite hard to put ourselves into a position where we feel we have an adequate information base to draft Management Plan #5. So that is where we are on that.

This process and the discussions with the Province on the Amending Indenture. They started at the same time, and the discussions with the Province have been going on. As you recall, the purpose of the Amending Indenture was to provide a framework for management activity, and to permit the revenues from that management activity be used to support the water system, the general operation of the water system....

DIRECTOR TREVOR CAROLAN (North Vancouver District Councillor): Could you repeat that please, sir.

CAMERON: The purpose was to provide a framework for management activity in the watersheds, and to permit the resources from that management activity to be used to support the water system, to support the expenditures in the water system generally

CAROLAN: What exactly does that phrase mean?

CAMERON: What it means is that under the leases themselves, any net revenues after all of your management activity in the watersheds would be paid to the Province, whereas under the Amending Indenture the [Water] District is allowed to take the revenues from that process and used to support other aspects of the water system.

CAROLAN: In layman's language, and I'm interrupting Mr. Chair, does that mean selling logs out the watersheds for money, and giving that money to the provincial government? That's what it sounds like.

HUNT: That's what the current lease says.

CAMERON: The intent of the Amending Indenture was to permit, not to require, but to permit us to retain those revenues and to spend it on other parts of the water system. So, the planning process is nearing completion, and I think you have evidence in front of you that the Province is respectful of our need to do that, in an unconstrained way, they recognize that some parts of the Amending Indenture are not operative, they've said so in writing.

There are four things I think I could draw from the discussions we've had with the Province with respect to the Amending Indenture:

1. The first is that the contents of the Amending Indenture, now and in the future, should be driven by our planning objectives, should be driven by our management plan, activities, and what we want to do in the watersheds. The Province I think is respectful of the need to complete this process, so they know what that approach is.
2. Secondly, the Province has indicated that the Ministry we would be dealing with, on behalf of the Province, also would be determined to some extent by the outcome of the management plan activities, so it is predominantly an environmentally-based management planning activity, one might end up with the Ministry of Environment Lands and Parks, although there are some other issues related to that. The fact that it is the Ministry of Environment AND LANDS, as well as Parks, with some issues on the use of Crown lands. Whereas, if it were more a harvesting-based management plan it might likely remain with the Ministry of Forests. That is something the Province has an open mind, and acknowledges will be determined as well at the outcome of our process.

3. The third point is financial consideration for the use of these lands as a factor, as far as the Province is concerned. They are certainly interested in recovering from us at least their costs for administering their responsibilities. Although that may, or may not, amount to a large amount of money, it certainly is a very, very significant precedent, because currently we have use of those lands for a dollar for 999 years. So we are concerned about where that might lead either in the immediate or long term future.

4. And the fourth item was that the discussions have made it clear that seeing that there is ongoing management planning for the watersheds, and having the ability to insure that it is done, is an objective of the Province. They are interested in insuring that we have an effective management plan in place for these lands.

The interim measures that the province has agreed to in the correspondence that you have seen I think reflect that philosophy of wanting to respect the process that is underway, in the sense that the Province has been maintaining a stewardship role in respect of these lands and having an interest in how they are managed in the remaining 930 odd years of the leases.

I guess if I had to characterize our strategy in respect to this from the staff, or what we suggest as a strategy for the District in the current circumstances, there are four components to that.

1. First of all, I think we are trying to get a regime that reflects the Board's stewardship philosophy in respect of these lands, that is based on the public process that we have gone through. So I want to get to that point as a sort of basic position, so that we have an understanding from member municipalities of the public understanding of the Board's philosophy. And that is been through a process that will result from this planning process.

2. Secondly, we think it is important in the interim to maintain the maximum amount of economy and flexibility that we have in respect to the management options. In the absence of the Amending Indenture we would be back to the leases themselves, which have conditions in them that, if anything, are more onerous if we look at them formally than the Amending Indenture.

3. And so, a third part of this approach is to keep the leases as they are, in other words, very simple leases, very favourable term of 999 years, very very favourable consideration of a dollar per year. Those, I've suggested, are probably the most valuable asset that this District has, both in financial and non-financial terms. So, we want to make sure that the leases remain intact, despite whatever defects they may have, they certainly have a number of defects in these circumstances.

4. And so the fourth part is to look at what we want in the Amending Indenture, in getting to know where we want to be, and that we approve the management plan and then look at with the province what we want with the Amending Indenture, what we want to be saying, what are the issues and objectives that the Province might have, whether we can live with those, or whether we are better off without the Amending Indenture, and so on. But to do that after we have completed the process.

HUNT: Questions?

RICK MARUSYK (Mayor, Port Moody): Thank-you. Two questions. First, do we have a target date for the completion of the current plan to the month?

CAMERON: I want to bring this forward in the first quarter of next year. We can't bring this forward in October for reasons that I've mentioned, and there is a hiatus over the November, December and January period. We think it is time to get on to the planning-making process. We may not get full agreement on whether we have sufficient information, etc., from the Public Advisory Committee's report and the Scientific Review Panel, and we don't want to prejudge that on our own views of that, or the Board's views of that, but our sense is that we really want to be convinced that there is not a _____ preparing, least an overall strategic plan, a basic framework for the more specific plans for the three watersheds.

MARUSYK: The second question is a procedural one. This body, on what to do or what not to do with the Amending Indenture, would make a recommendation to the Board, or is it the purview of this body to decide? Does the GVRD Board have to make that decision, or the jurisdiction of this Committee?

HUNT: I don't think there is anything in our jurisdiction. I think everything we do has to go before the Board.

CAMERON: Okay. In particular since you have letters from the Board from three members.

MARUSYK: In that case I would like to forward a motion.

HUNT: You certainly can. I hope it doesn't conflict with what Beth wants to say.

BETH JOHNSON: I was just going to ask a question. One question is a clarification of your answer to Rick, and that is, given that this, you said you would like to quote, "bring this forward by the first quarter of next year". The Chief Forester's requirements were quite clear, that says: "completing the Analysis Report and the new Management Plan with a planned implementation date of January 1, 2000." When are you expecting, not hoping, but expecting your best target date for completing the Analysis Report and the new management plan? Is that the Spring of next year?

BOB CAVILL (manager of the GVRD's forestry department): We'll be moving into next year, in order to finish off with the drafting of the plans, simply because of the fact that public consultation has taken a fair amount of time, and the response from the Scientific Review Panel.

JOHNSON: If I could just clarify that. I'm still not clear. Are you saying that you are expecting by the end of the first quarter of next year you will have completed the Analysis Report and the new management plan?

CAVILL: The Analysis Report we have already received, and so it is in hand. The only final step is the drafting of the management plan itself.

JOHNSON: You expect that to be done by the end of the first quarter?

CAVILL: We are targeting early in the new year. The problem is that we have to wrap up all the Analysis stuff this Fall, and based on decisions that will be made, at the political level, as a result of the Analysis work that has been done, that will then guide us into a plan. There is no point to drafting up pieces and parts of the plan now because we haven't got some key decisions. So, it will spin over into next year. We did have a meeting with the Chief Forester sometime back where he was urging

us, and subsequently we got that letter, to please bring this planning process to an end. We all want that. He recognizes though that this is a very complex process, in terms of many arms and legs.

JOHNSON: My other question is, Mr. Chair, just a quick comment, I keep forgetting to ask the sections that the Chief Forester says are no longer applicable. A long time ago we were given a copy of the main leases, and I'm not sure, or Management Plan No.4, I know you have it referred to, but I should have asked that before, and we also don't see the main leases, so maybe Mr. Cameron, when you said that the leases are in some ways more onerous than the Amending Indenture, could you give some specific examples?

CAMERON: They prevent us from employing Asians.

JOHNSON: I'm sorry. Could you give us examples of how they are more onerous. There is no where in here other than the examples of how the Amending Indenture improves those onerous provisions, and therefore losing the Amending Indenture would put us back to something that we are not having. In other words, the Amending Indenture doesn't talk about Asians right now, so matter whether we have the Amending Indenture or not, that is still in the lease and it is not taken away by the Amending Indenture. So I am looking for things that the Amending Indenture helps us on that are onerous if we got rid of the Amending Indenture.

CAMERON: Well, I am going to read a relatively long sentence from the lease [Clause #2] for the Capilano and Seymour [and Coquitlam]:

"[And it is hereby agreed and declared that the said Lessee, its successors and assigns will during the continuance of this demise maintain at its own expense an organization as approved by the Lessor for the protection and preservation of the timber upon the lands thereby demised from fire. Said organization to be of an intensity not less than that maintained on provincial forests of relatively equal hazard.] AND it is further agreed and declared that the said Lessee, its successors and assigns shall reforest or afforest any part or parts of the lands hereby demised which shall or may hereafter become denuded of timber from any cause whatsoever in accordance with the best forestry practice as prescribed from time to time for Provincial Forests and that the fire-killed timber on the area at the time of this demise may be salvaged or disposed of for salvage by the Lessor, and the Lessor, his agents or contractors, shall have free right of entry to take and remove said timber at any time. AND that the growing timber be vested in the said Lessee, its successors and assigns subject to conditions that as and when any timber is cut and sold the statutory royalties then in force will be paid to the said Lessor, his successors and assigns, and any other moneys received by the Lessee, its successors and assigns, from the sale of the timber, after deducting the cost of Forest Protection and reforestation, will be payable to the said Lessor, his successors and assigns.

JOHNSON: So this is the one that you have already referred to, the fact that when we made money on logging, now we get to keep it, and in this case, if we got rid of the Amending Indenture, we would have to give it back to the Province. So we wouldn't be as motivated to log.

CAMERON: It does say that. But it also says we'll "reforest or afforest" the lands in "the best forestry practices prescribed from time to time for Provincial Forests".

JOHNSON: “Doesn’t the Amending Indenture now require that the plan, number 5 or number 4, whichever one you have at the time, address questions like best practices? In other words, I see provisions in the Amending Indenture that talks about the Lessee, this is obviously [clause] #7, page 18 of the Agenda:

That the Lessee agrees that all potentially productive forest lands shall be kept by the Lessee in growing timber stock and adequately stocked to the standards as fixed by the Chief Forester for the Province of British Columbia from time to time.

So, isn’t that essentially as the same as what we just read?

CAMERON: Um, well I guess the scheme of the Amending Indenture is that you will have a management plan for those particular assets rather than provincial established standards, through standards established through some other process.

JOHNSON: You get to come up with a management plan, but in the end the Chief Forester fixes the standards according to this Amending Indenture. So essentially, the Chief Forester is making the decision in the end as to what the management standards are, that’s what it says.

CAMERON: I think it needs to be seen that the management plan is the way in which those things can be reconciled.

JOHNSON: And you can’t have a management plan without an Amending Indenture.

CAMERON: We can have a management plan but it doesn’t have any status with the provincial Forester.

JOHNSON: Unless it was intelligently done and he was impressed by it.

CAMERON: Certainly.

HUNT: Okay. Anything else.

MARUSYK: Following Mayor Johnson’s comments. I don’t believe that there is any appetite to cut and sell timber from any of our watersheds. With that preface, I would move that this Committee recommend to the Board, the cancellation of the Amending Indenture upon completion and adoption of the management plan that is currently underway. Is anybody interested in seconding that motion?

CAROLAN: I’ll second that motion.

MARUSYK: I think this is a bit of a hybrid from simply recommending a cancellation right now, and will allow the addressing of some of the concerns that have been raised. I was one of several who early on spoke of removing the Amending Indenture. There are some concerns. Some we heard in camera last [this] summer. Some of the other more peculiar ones are, would be very swiftly dealt with through the Canadian Charter of Rights, or certainly the Human Rights Commission, on hiring practices, and some of the other things that we would find offensive. They weren’t in the day that they were written, but they certainly are now. I don’t think that is a reason to not move forward.

On balance, I don't think the concerns, they simply have caused me to pause, but they haven't caused me to stop in thinking about proceeding with the removal of the Amending Indenture. Canceling the Amending Indenture does not, I repeat, does not exclude, or inhibit, or preclude our ability to manage the watersheds. It does not inhibit, preclude, or exclude our ability to create, modify, and implement a long term, or ongoing management plan that is both consistent with GVRD goals, if not also consistent with the Province, if they are to come up with one or two. It also doesn't inhibit, preclude or exclude completing, as Mayor Johnson has asked, completing the current plan that is under way.

So, I think the lack of appetite for any cutting and selling of timber from our watersheds, that is if somebody is still in favor of that I would be interested in hearing him speak up now, but given what I have heard for the past three years there is no desire or appetite for that, I think this motion will send a clear message that we don't like the general approach that the Amending Indenture has, but respects the fact at the same time that we are in a process that we will have a completed plan that will in many ways, if not in all ways, place the specifics that we operate under for looking after our watersheds.

JOHNSON: I am pleased that the motion has been put on the floor. I was prepared to speak up now for canceling the Amending Indenture. I think probably the chances of persuading enough people in the Committee to do that are slim to none, and I think probably this is a compromise I hope that can be acceptable even to those have been concerned about what is being proposed about the Amending Indenture up until now. And I'll try to explain why.

I'm quite a cautious person, and I have to admit if I think I have a fault is that I tend to sort of believe that the staff's direction, given that their professionalism is right, unless shown otherwise. I mean, I tend to err on the side of the thinking that they've done a lot of work, and there has been a lot of research put into what they are proposing, and so that is the approach I seem to take. So, when I started taking a look into this, and reading the documentation and listening to the arguments, I guess I approached it with the idea that I was going to find out that it wasn't quite as bad, the Amending Indenture, and having it as it had been portrayed, and that it would be a really bad thing to jettison it, it would cause us a lot of problems, and it would be a serious mistake to do that. And I kept listening and reading, and I couldn't see evidence of either of those two things. And Ken [Cameron] and I have had a lot of conversations about it, and asked a lot of questions. Ken gave us four goals, and I don't see how canceling the Amending Indenture will fly in the face of any of those goals he talked about. Stewardship. How can canceling the Amending Indenture negate the stewardship that we hold over these lands? He talked about autonomy and flexibility. Well in a moment I'll explain why I think that our autonomy and flexibility are hindered by the Amending Indenture, certainly not helped. And I didn't hear anything in the answers about the leases when I just asked that question that changed my mind. And I was still prepared, even now, to change my mind based on something new that I learned about those leases that would have been tremendously damaging, that the Amending Indenture was helping protect us from. His third goal was to keep the leases as they are, except, obviously the parts about employment of Asians and things like that, and that removing the Amending Indenture will keep the leases as they are. And of course he talked about look at what we want in the Amending Indenture. Well, I guess I am arguing that we shouldn't have it, so that one goal can't be reached. If you read the Amending Indenture it gives a lot of lip service to the quality of the water. But if you read it very carefully the whole Amending Indenture reads as a 1967 version of the best way to log, and still, by the way, protect water. Now, it doesn't say that at first, it starts off by saying our goal is to protect our drinking water, but the whole thing is about how to log. And it includes things like, I just have to quote you a couple of them, in case you haven't read it recently. It includes things like "sustained yield" [logging] capacity, it talks about "for the purposes of developing, protecting, and improving the water yielding characteristics of lands by growing continually successive crops of forest products to be harvested in approximately equal annual or

periodic cuts....” But then on page 21 it says the “highest priority has to be given to water supply purposes, both in terms of quality and quantity and that the provisions of the forest management plan must be secondary to this objective.” So they contradict themselves. They are basically saying there forest management is a separate thing we are going after, and we have to make sure it doesn’t do any damage. But it certainly doesn’t suggest in any way that the forest management plan is there in order to improve the quality of the water. It says it can’t work in opposition to it. And then in section 20 it again talks about the woods harvested from the lands “shall not be less than 50% and not more than 150% of the approved annual cut. A requirement to cut.

If the whole tone of the Amending Indenture is a way to, for the Region to be able to make some money off of logging, granted to be put back into the forest, but still to make some money off of logging and not have to give it to the provincial government. And it probably came about because there was some opportunity for revenue generation. That’s the feeling that I have about it. So if there is no pressure to continue anything like this, then why does the Chief Forester say that he “recognizes the complexities and difficulties involved in preparing this plan, however I am somewhat concerned about the length of time. And I would be very reluctant to provide further extensions.” And then, as I read before, that he expects the planned implementation date to be January 1, 2000. Well, if they are backing off so much, and if they really think it is worthwhile. We are not logging anyway, and if their goal, if they are saying now we don’t really expect you to log, why would they be so concerned about that we are taking our time about doing a good job about making a plan? I just don’t understand why it is being suggested that they are so understanding when he says he is going to be very reluctant to extend it, extend any study, or opportunity for us to come up with a plan. So, the worries that have been raised are a political threat. I have to agree with Mr. Hundal that the province would be crazy ...

MARUSYK: It’s not a maybe.

JOHNSON: Yes. It would be politically suicidal for the current government, or the soon to be elected government, to anger half of the residents of the province of British Columbia, by doing anything that would be against us coming up with a reasonable plan, and getting rid of an Amending Indenture that promotes logging in the watersheds. I don’t think they are going to do something like that.

HUNT: Do you remember Burns Bog?

JOHNSON: Yes, and if I may. Marvin, do you remember that they backed off as quickly as they could when the outcry happened? There would be a huge outcry if this were to go ahead with any kind of.... Could you picture the headlines? Province insists about keeping, or retaliates against the GVRD because they want to get rid of something that promotes logging in the watershed. I don’t think so. Anyway, the second thing that’s been raised is that we have to finish the plan, and as Rick has said, we can finish the plan, we will finish the plan. Do you really believe that the GVRD, if the Amending Indenture is gone, won’t finish the plan? That’s not going to happen. Of course we are going to finish the plan. The Amending Indenture doesn’t force us. We are doing it because we want to do it. In fact we are doing it not in keeping with what the Amending Indenture says. And we’ve been granted leave to do that so far because our goal is a different one than what the Amending Indenture is pushing. So, I support the motion. I would suggest that we could even do it now, but I understand why some people might even be reticent to do that, and I think that we should give them notice as soon as possible.

PERCIVAL-SMITH: Look, 4.2 is just an answer to letters. We've been, or we are in this whole process of finishing off this management plan. I know that Johnson is not running for elections this year, so I can't say that you are running headlines for yourself, because you are not running, so I wouldn't say that about you. But I can never quite understand why this time of the year, quite pumped, just coming up to November elections, that we get all these sorts of things that I feel that are going to be, you know, major headlines in the Sun. And you know, it will get marvelous coverage one way or the other. You know I guess I never see that anybody gets anywhere in the context of correct decision making, when all this sort of thing happens just prior to an election. I always believed in my 22 years of politics that I take things as step by step, and I try to make a decent decision. Now, within the context of my 22 years, I think that I have made maybe 2 decisions that people have really disliked, but I still got reelected, the things are there, and everybody enjoys them. So I am just saying that I can never understand why people bring up motions like this when there is still a process, and that process is going to be reported out in the beginning of the year. That is when I think you bring forward your motions. I don't think it is now, when we haven't finished hearing from Dr. Pearse's Committee. We had a good meeting, I guess a few months ago, and we had a whole lot of environmental input. But I think that is a process, and I'm expecting that process. And when that report comes, I think that's when there's the major arguments, one way or the other, but I don't think we should upstage a thing when you haven't come to the conclusion of the end of that process. So I am expecting it to come. So I am just generally talking about the people around the table. Whoever is around the table, I'll presume you'll have all the reports and then we will try and make up a proper decision. So I just never understand why people bring these things up, because just to me it is just uncertain. And saying that the conclusion is a completed watershed management plan, based on all available scientific information and public involvement is the appropriate basis for considering the future of the Amending Indenture, and I think that is when we have everything coming in at the beginning of the year 2000, then I think that is when you can make your moves. I can never understand that just prior to elections we have all these motions that....

DOUG EVANS: It's the silly season.

PERCIVAL-SMITH: Now, I didn't say that.

HUNT: Now let's just be careful of what we say concerning....

PERCIVAL-SMITH: But I just think that this is what is in front of us is an answer to some letters. I think that when we get the full reports, I think that is when we really get into looking at what is being asked of us by SPEC and various other groups.

HUNT: Director Boname.

PAT BONAME: I need an answer, a couple of answers. Does that prevent the Province, for instance, from some crazy government wanting to log watersheds? Suppose somebody comes up with a scheme that you could continue to protect the water quality, but you can log in the watersheds. Does the Province have the authority to supercede the GVRD without the Amending Indenture?

CAMERON: I guess the... Without the Amending Indenture we would be with the wording of the lease, and it says that we shall reforest or afforest any parts of the lands in accordance with the practices set from time to time for provincial forests. So the Province set that standard for Provincial Forests, so that with no Amending Indenture we would be required to afforest or reforest.

BONAME: Because, if there was a profit to be made from logging, under the lease it would go to the Province.

CAMERON: Net profit after watershed management. With the lease, you can take as much revenue as required to maintain the watersheds, and to maintain activities within the watersheds. There is net revenue after that under the lease goes to the Province after you have paid the royalties. Under the Amending Indenture the Water District is able to retain those funds and apply them to the operation of the water system, not just the watersheds.

BONAME: So the incentive to do something crazy would not be with the Province, and certainly the GVRD Board would not be crazy enough to log, well we haven't been logging, we don't intend to log. But we are getting letters from different Councils saying that we have to stop logging. So this whole exercise is driven by the fear that we intend to log in the watersheds at some time, and we are developing a management plan slowly. Somehow that management plan would direct I guess the use of the watersheds. I wonder why, if you have something that protects you, why would you give away your hand for _____. I just have been reminded by my colleague, that I guess this is the silly season, and the North Shore News goes out to promote negativity. I think that I have to disagree.

CAROLAN: I am disappointed to hear from my colleague in West Vancouver, and I am sure that disappointment is going to be felt from Coast to Coast on the North Shore. I'll just go beyond that.

The watershed, to use a very old English phrase again, is known as the commons, and over the past 150 years the notion of commons has been eroded, and eroded, and eroded. And it is one of the very few areas that the people understand, that when they look up and see that green wall, because most people don't have that day to day opportunity to see a forest anymore, and to see a wilderness place. They see a common that belongs to them, the commons belongs to the people, and any leadership, and any leader, that attempts to actually set themselves above, or apart from the people, from the aspirations of the people, you can be sure that that leader, or that leadership group are going to be removed from that position. That is the message from history. And I have just gone back to teaching up at Simon Fraser. We have been looking again at the Greeks, we have been looking again at the old Asian masters and their leaders and what the lessons of history can mean. And without fail in every case, any leadership group that set themselves apart again from the people, and from that notion from the commons, aren't going to be around very long.

It has nothing to do with this issue as Corisande [Percival-Smith] might think with elections. I don't know where that comes. That is a spurious notion, that is a spurious element entered into this debate. If you look at the letters this is not late-breaking news. The letters have been coming from Coquitlam in April, they have been coming from our own Council in North Vancouver since March. This is something that has been pushed for and pushed for. It is not late-breaking news. The development of this has been going on for some time, and heaven knows that municipal authorities, we are pretty slow to get off the mark ourselves, we are, as Beth [Johnson] has said, are cautious people. Because we have to be. It is the public trust, and we are the guardians of that public trust. And here is an opportunity to do something that seems in every way to be the right thing, unless we have an ulterior motive somewhere in the background, or unless we want to leave one escape hatch into that ulterior motive. And it seems that the mood of the people has been telling us clearly and consistently year after year they don't want to see that logging plan. Let's close up the final door and let's begin closure of this excellent plan that we are doing here. I think that Beth has spoken so eloquently and I think in a rather noble way, because she has no political end in this, as far as I can tell. And there is a management plan that is moving forward that articulates, I think, the peoples view, and as far as I can make out from our scientific panel, as best as they are able, from a scientific

point of view as well. But Dr. Pearse himself just said that they have been hampered by this political influence that has lingered around one way or the other. I think it is an opportunity here, and I am going to close now, to dispel that political influence and to take that one element out of it altogether. It isn't on the table, it isn't in the game cards, we are dealing now with the management of a precious resource, and that precious resource is called the commons. And it is not for us to separate ourselves from the wishes of the people.

HUNT: Councillor Evans.

EVANS: Mr. Chairman. We started this 5 years ago I guess, and our position has been from the very start that water quality was the most central ingredient to look at in the watershed. And we stopped logging in the watershed and I haven't felt any political influence on me or on this Committee to start logging in the watershed. The provincial government hasn't come to us and say, heh, you're supposed to be logging up there, you better get at it. The only logging that has been done is where there has been a bug infestation, whether it has been blowdown, whether it has been cleanup from slides, or something like that. There's been no logging and there's no planned logging. If you are going to plan logging, then you do it like they did before when there was logging, you hire a logger, a contractor to go in there and he buys equipment, etc. At that time, when they stopped logging, I was opposed to canceling the agreement with him because it would cost us a million bucks or so, and it did cost us a million bucks when he sued us. And so we paid a million bucks to pay him off because he had a hired crew, he had logging equipment, etc., to do it. And so it ended. And all that has been done since then has been cleanup, there's been no development of any kind, or no influence, we've been very cautious with what we've done, and we've done it right. And we've said is we want a plan, we want a watershed plan. And so we've spent a great many dollars on that watershed plan. And we set up a Committee and people to do it. Now we are prejudging them, as far as I'm concerned, and we are saying we are doing this no matter what you say in your plan. And we haven't fully heard from the public on it, and we haven't fully heard from everyone on it, but we are prejudging it. Now, there is no logging that is going to take place until the Spring that I can see, unless it's cleanup, unless it's blowdowns, etc. And why are we in such a panic. I agree with the report. We should get the full management plan and then we should make that decision. And that's the time to make that decision. Not prejudge what that Committee is going to say or tell them what they are going to do. If we were going to do that, then why set up the Committee and pay all the money in the first place. So, I am not going to support the motion Mr. Chairman, there's no plans for logging, there hasn't been, let's let that Committee report and then we'll make the decision.

HUNT: Director Duncan.

DAVID DUNCAN (Pitt Meadows Mayor): Thank-you. I've sat on the Water Committee for almost 6 years. All through that period of time we've heard continuous concerns about water, and we've been continuously told that anyone who raises the question that there is a [GVRD] Board policy opposing logging, there is no logging in the watersheds. We have before us a report from Mr. Cameron, the May 31st report which is asking that all we do is wait until the management plan is in place, so then we can _____ intelligently and consider the future of the Amending Indenture. That's the course that I would take.

HUNT: Seeing no furthers, I'll speak on it, and I'll let it go back to Marusyk, to do the rotation. With all due respect to the City of Coquitlam, I have to start by saying, I'm not trying to be derogatory, this same letter I think all Councils received a similar letter from two people, you know, quoting these exact four steps that are on page 13 in the City of Coquitlam's letter. When that came to Surrey Council, seeing as I sit in this chair, as said, you know, this is really important news. The

only problem is, this is 1991. Because I think that these resolutions came out of 1991 through 1994 when the immediate ban on logging, well, I can't remember how many times I've heard Mayor Marusyk at this Committee deal with trying to reword the policy so that it can be abundantly clear that there is none, and there won't be any logging going up in the watersheds. So obviously, number one, is very very old history, it's not April or March of this year, it's five to eight years ago. Number 2 is the deactivation on logging roads. Well, the last time I was up in the watershed I saw deactivated roads up there, so that is obviously ancient history as well. Number three is what we are trying to work on is the management plan. And number four is the one that actually deals with the Amending Indenture.

I agree with everything that has been spoken. I think we all want to see some amendments to the Amending Indenture, whether it's completely thrown into the garbage can, whether it is to get the thing changed, whatever, but I have to agree that the worst thing that I think that we can do is to make quick decisions while we are in a process. We are so close to the end of the process. I mean, I realize what Mayor Marusyk is trying to do is trying to work a compromise to try and keep heading in the direction and I respect him for that. However, if I were the one that had moved the motion it might say seriously consider wiping this thing out once we got to the plan, but I really think that, we are bending so far over backwards on this issue, I think we should just wait until we have the process and that is where my vote will be today, is to wait for the process and then deal with it. And yes, if the conclusion is to get rid of the whole thing.... But I'm sorry folks, I'm sorry, I do not trust the people in Victoria period. Period. I mean, this is peanuts. I've already raised two illustrations already, being the municipal grants, which was \$120 million or something like that, so obviously they are not worried about something like that. Burns Bog, they are not worried about something like that, and remember, they wasted \$25 million on that one, and the Lord knows only where that money is. But, you know, I just don't trust those characters over there, and it's not just the politicians. It's obviously the staff that is feeding the politicians the recommendations. So I am sorry. At this point in time I am not about to go to Victoria and say let's do some amending on legislation, because I don't trust those guys period. So, having said that. Mayor Marusyk.

MARUSYK: Thank-you. Just as the mover of the motion, just a couple of responses. I think the timing issues have been covered off. This has nothing at all, has been in the loop for a number of years, in fact it probably has seen a couple of elections come and go. It is not about any particular election. In fact I would suggest the consideration of the opposite. Just because it is an election, do you stop doing work? I think that is absurd. I was in fact prepared to bring something forward like this back in May. Mr. Cameron raised some concerns. We had an in-camera meeting. Due diligence and due process has been looked after here, or we have given that time. I think this really comes to more of a rather simple philosophical approach to policy governance. The Amending Indenture does not just deal with logging, and we've had a lot of discussion about logging. As Mr. Cameron pointed out it has to do with SELLING timber, it has to do with logging, and then SELLING that timber. Not just the logging itself. It deals with a commerce issue, and that is the.... If somebody wants to speak up and say they are in support of it, please do now. Because, I see that by not supporting this motion, you, any individual who votes against this motion is in fact saying they would like to keep the door open for revenue as a result of timber harvesting. And if you do not support the

[Clamour of immediate objections from about four members opposed to Marusyk's motion. Marvin Hunt's objections and raised voice come to the forefront at this point.]

HUNT: I've tried to let everybody speak all day today, okay? I've tried and there have been times that we've gone right down to the line of impugning whether it would be staff or whether it would be

fellow members here on the Committee. I am going to ask that those comments be withdrawn, and we step back from the issue, and....

JOHNSON: With the effect that you want the other comments to be withdrawn?

HUNT: I realize that this is been an escalating process.

MARUSYK: It's an emotional issue.

BONAME: No, it's not.

HUNT: I want to all pull back. Let's pull back from all.

PERCIVAL-SMITH: A question on the motion.

HUNT: Okay. Let's pull back from all the issues, let's focus on issues alone, let's not talk on the motivations of anyone or what someone's opinion is going to be of someone else, however they choose to vote on this. Let's get out of the motivations, let's only deal with the issues that are before us. Okay. Question on the motion, the motion that is before us, the basic essence of it as I remembered is to.... No. Why don't you [recording secretary] read it to us.

RECORDING SECRETARY:

That the Water Committee recommend to the Administration Board cancellation of the Amending Indenture on completion and adoption of the management plan currently underway.

HUNT: Okay. That is what is before you. All those in favor [3 - Johnson, Marusyk, Carolan]. Contrary minded [5 - Hunt, Duncan, Boname, Stangier, Evans]. It is defeated.

DUNCAN: I would move in favor of the recommendation [by staff to stay with the Amending Indenture and to report that to the municipal councils with their resolutions to cancel the Amending Indenture].

EVANS: Seconded.

HUNT: A seconder on the recommendation. All those in favour. Contrary minded. That is carried.