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Galiano forest review underway

Helena Chambers

Questions are still being raised about the role of Galiano Island's trustees in the ongoing review of the Forest Land Use Bylaw. The review opened on May 18. In her presentation at the May 24 Galiano Local Trust Committee meeting, Ursula Deshield referred to commitments made by the trustees at the April LTC meeting to adopt a 'hands off' position. She expressed concern about statements made by Trustee Smith during the first review meeting. Smith's remarks were described as an 'abrupt interjection' in the midst of a free-flowing discussion of the funding of the review. 'The community needs clarification on this,' she said.

Both trustees replied that they intended to remain at 'arms length' from the process unless asked to give information, but Trustee Smith claimed the right to make a 'minor exception' to this rule should he feel the meeting was being misinformed and required correction.

At the conclusion of the LTC meeting, there was the customary Town Hall session. About 70 Galianoites were present, indicating a continuing high level of interest in the Forest Land Use Bylaw review. Many people questioned not only whether the Forest Land Use Bylaw review was appropriate without a concurrent Official Community Plan process, but whether this was actually possible since the bylaw document is dependent on the OCP.

The List

Trustee Smith volunteered that in order to 'jump start' the review, he had compiled for Mr Sloan, the consultant hired to assist in the Forest Land Use Bylaw review, a list of names of people in the community who he thought should be included in the process.

The list had also indicated the political leanings of the individuals. He referred to the list as '...grass seed. You throw it on the ground and if the ground is fertile it can expand and expand....' (He gave no specific reason for the assumed fertility.)

Smith was asked to make copies of the list for the public. He responded that he doubted his right to distribute it, because the Islands Trust had a contractual relationship with Sloan. 'It is not a closed list,' said Smith, 'we just pushed him (Sloan) in the

right direction.'

Sloan said later that the list had not been used and was no longer on his file. He remarked that he had found that interested parties quickly revealed themselves in self-initiated phone calls, personal meetings, letters, etc. Sloan said he would have no objection to the list being made public if Mr Smith chose to do so. 'It's his list,' said Sloan.

Funding the Review

Trustee Sharp was asked to respond to a conjecture that the Minister had funded the review because she hoped it would provide an up-to-the-minute community definition of what Galiano wanted for the Forest Lands. She would therefore find it easier to justify addressing Galiano's concerns about the PMFL, and the Island's pleas for an amendment that would ensure that Forest governance on the Island would be guided by the results of the review. Sharp responded that in his opinion the conjecture was not unreasonable.

Bylaw Enforcement

While the review is underway, is the current bylaw still being enforced? In his answer, Trustee Smith acknowledged that many illegal home constructions had taken place but all situations were not alike. Asked to be specific, the questioner offered as an example the prosecution of Ben Maberly.

In November 2005, Maberly and Fred Stevens, both members of Galiano's founding families, were served with a Court summons to answer charges of non-compliance with the Forest Bylaw. Their public declaration, just prior to the all-candidates meeting, that they were being 'evicted', and the formal announcement from the Trust that legal action was being pursued, are generally perceived as having influenced election results.

Smith said that he was fully aware that Mr Maberly did not intend to conform with the Forest Bylaws and had been expecting the legal action that had been brought against him by the Trust. Maberly has three completed residences on his Forest 1 zoned land. Forest 1 does not allow residential use. Smith justified Maberly's behaviour as 'civil disobedience.'

Smith went on to say that he was confident that Mr Maberly 'would conform when the dust settles.' ☞

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