

## PROTOCOL AGREEMENT

ON

### AQUACULTURE USES IN THE ISLANDS TRUST AREA

**BETWEEN:**

**PROVINCIAL MINISTRY OF AGRICULTURE, FISHERIES AND FOOD**

**AND:**

**ISLANDS TRUST**

**WHEREAS:**

Pursuant to Section 3 of the *Islands Trust Act*, the legislated object of the Islands Trust, is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations, and the government of the Province;

Pursuant to Section 8.1 of the *Islands Trust Act*, for the purpose of carrying out the object of the Trust, the Islands Trust Council may, subject to the approval by the Minister of Municipal Affairs and Housing, enter into agreements with the Province and agents of the Province respecting the coordination of administrative activities within the Trust Area;

The **ISLANDS TRUST**, through the following corporate entities is responsible for:

**Trust Council** - making recommendations to the Lieutenant Governor in Council respecting the acquisition, use and disposition by the Crown in right of the Province of land situated within the Trust Area, establishing general policies to carry out the object of the Trust, ensuring proposed local planning activities comply with the Trust object and Policy Statement;

**Trust Fund Board** - acquiring and holding land in perpetuity to protect significant environmental sites and features; and

**Local Trust Committees** - providing local land use planning and regulation and responding to the concerns of island residents and property owners;

**The Aquaculture and Commercial Fisheries Branch of the Ministry of Agriculture, Fisheries and Food (The Ministry)** is responsible for the orderly and sustainable development and growth of the aquaculture industry, including the administration of licenses for aquaculture operations under the *Fisheries Act* and establishing farm operating standards under the *Farm Practices Protection (Right to Farm) Act* and their regulations. Aquatic Crown Lands in the Trust Area form part of the unique amenities of the Trust Area and require special attention to maintain their unique character;

Both the Ministry and the Islands Trust share responsibility for the protection and conservation of aquacultural habitat and resources in the Trust Area for the enjoyment of present and future generations;

Both the Ministry and the Islands Trust recognize that environmental and land use planning issues related to aquacultural uses are complex, often transcending political boundaries, and thus require coordinated responses from the parties;

**AND WHEREAS:**

Both parties recognize the need to clarify:

1. the Ministry's responsibility for aquaculture in the Trust Area;
2. local trust committee responsibility for land use planning and regulations in the Trust Area; and
3. the Islands Trust responsibility to preserve and protect unique amenities and the environment of the Islands Trust Area;

**THEREFORE:**

The Ministry and the Islands Trust are committed to:

1. develop agreements and procedures to promote a consultative process on issues of common interest;
2. set out a process by which consultation will take place; and
3. identify those issues that should be the subject of consultation; in order to enhance their respective abilities to achieve their mandates within the Trust Area in a manner which is respectful of each agency's jurisdiction.

## **ADMINISTRATION OF PROTOCOL**

The key contacts for administering this Protocol are the:

Executive Director - Islands Trust  
Director - Aquaculture and Commercial Fisheries Branch

## **TERMS OF PROTOCOL**

The parties may agree to amend or terminate this Protocol at any time.