



LEGISLATIVE MONITORING REPORT

November 14, 2017

This document is intended to advise Trust Council about past or proposed external regulatory changes that could directly affect Islands Trust operations, local trust committee/island municipality bylaws or regulations, or Strategic Plan projects. The chart captures changes in the last six months and is organized according to the following categories:

- Planned legislation
- Legislation in process
- New legislation in effect
- Court decisions
- New resources
- Discussion/Planning/Trust Fund Board (TFB) related advocacy topics
- Environmental assessment processes in the Trust Area
- Legislative change requests

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Legislation in process

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
<p>Bill C-55 <i>An Act to amend the Oceans Act and the Canada Petroleum Resources Act</i></p>	<p>Second Reading and Referral to Committee October 17, 2017</p>	<p>The proposed amendments to the Oceans Act in Bill C-55 allow for the creation of a new type of Marine Protect Area, interim marine protection areas, and create new powers to freeze the footprint of existing activities while MPAs go through the consultation and designation process.</p> <p>The bill also includes amendments that would require application of the precautionary principle when deciding whether to designate new marine protected areas.</p> <p>It also includes strengthened enforcement provisions. The Bill also proposes amendments to just one (among several) offshore oil and gas laws to allow for cancellation or suspension of oil and gas interests in MPAs.</p> <p>(amended from analysis by West Coast Environmental Law)</p>	<p>The Islands Trust Policy Statement includes Policy 3.4.2</p>	
<p>Bill C-64 <i>An Act respecting wrecks, abandoned, dilapidated or hazardous vessels and salvage operations</i></p>	<p>First Reading October 30, 2017</p>	<p>The proposed legislation will proactively deal with wrecked, abandoned or hazardous vessels. Bill C-64 will also bring the <i>Nairobi International Convention on the Removal of Wrecks, 2007</i> into force of law in Canada.</p> <p>The <i>Wrecked, Abandoned or Hazardous Vessels Act</i> will:</p> <ul style="list-style-type: none"> • prohibit vessel abandonment; • strengthen owner responsibility and liability for hazardous vessels and wrecks, including costs for clean-up and removal; and • empower the Government of Canada to take proactive action on hazardous vessels 	<p>Significant advocacy over last 10 years</p> <p>EC has directed staff to develop a brief summary of powers and responsibilities and undertake a community led inventory.</p>	<p>TAS staff to attend Transport Canada briefing November 27, 2017</p>
<p>Bill-C352 An Act to amend the Canada Shipping Act, 2001 and to provide for the development of a national</p>	<p>First Reading April 13, 2017</p>	<p>MP Sheila Malcolmson’s Bill C-352 would improve vessel registration, set-up a vessel turn-in pilot program, support vessel recycling, and make the Coast Guard responsible for directing the removal of abandoned vessels.</p>	<p>Chair letter to Minister of Transport expressing support for Bill C-352.</p>	

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strategy (abandonment of vessels) (Federal Private Members Bill)				
Bill 15 – Local Elections Campaign Financing Amendment Act, 2017 (Provincial)	Second Reading November 8, 2017	The bill would reform election campaign financing in time for the 2018 municipal elections. Proposed amendments will prohibit unions, corporations and non-B.C. residents from donating to candidates, third-party advertisers or elector organizations that endorse a slate of candidates. Under the bill, an individual will be able to donate a maximum of \$1,200 a year to the campaign of a candidate or an elector organization.		Information to Islands Trust candidates will be provided by the Regional Districts who administer elections.
Bill M205 - Heritage Conservation (First Nations Protection) Amendment Act, 2017 (Provincial Private Members Bill)	First Reading October 26, 2017	MLA Adam Olsen’s bill would amend the <i>Heritage Conservation Act</i> to create a framework for First Nations to request the minister to issue emergency temporary protection orders to protect heritage sites or objects from injury or desecration. It would also create a First Nation heritage protection program which would provide funding to local governments to protect sacred sites.		
Bill C-45 , <i>An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other</i>	Second Reading June 8, 2018 Consultations closed	Bill C-45 would provide legal access to cannabis and control and regulate its production, distribution and sale. The federal government intends the bring the Act into force by July 2018. Minister of Public Safety and Solicitor General Mike Farnworth announced that the Union of B.C. Municipalities has been invited to establish a standing committee with the Province to support the development of the regulatory framework for cannabis legalization in British Columbia. To help provide some context to consultations, a discussion paper has also been developed		Once the province has introduced related legislation, staff will provide advice on potential zoning amendments that may be required re: where commercial

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Acts (Federal)	November 1, 2017	on Cannabis Legalization and Regulation in BC. In September 2017, the province invited the Union of BC Municipalities to establish a standing committee with the provincial government to support the development of the regulatory framework for cannabis legalization in BC		production of cannabis and cannabis products may take place, where cannabis and cannabis products may be sold.

New legislation in effect

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
<i>Contaminated Sites Regulation</i> Amendments	Consultation closed. Significant changes to the Contaminated Sites Regulation under the Environmental Management Act have been made and are effective November 1, 2017.	The Province has amended the Contaminated Sites Regulations to incorporate new soil, water, and vapour standards to reflect current science. These include up-to-date toxicology data, the new BC environmental groundwater model, and new environmental quality standards. The Province asked for feedback earlier in 2016 and 40 local governments, including the Islands Trust, responded. Previously proposed amendment that would have negatively impacted local governments were dropped.	When the regulation was first brought in in the late 1990s, the Islands Trust and many other local governments, based on legal advice, opted out.	All local trust committees opted out of the receipt of contaminated sites profiles. Those local government that opted-out may remain opt-ed out under the new legislation.

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Court Decisions

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
<p>City of Victoria seeking injunction to remove vessels and docks</p> <p>(in progress)</p> <p>(BC Supreme Court)</p>	<p>Nov 7, 2016</p> <p>Judge reserved decision</p>	<p>The City of Victoria has a licence of occupation over the Gorge waterway and is seeking an injunction to remove 17 boats and four docks from a section of the waterway. The City asserts that the zoning bylaw provide powers to regulate anchoring while a boat owner has countered that the matter is under federal jurisdiction.</p>	<p>Bowen Island Municipality has obtained a licence of occupation for Mannion Bay and is planning to initiate enforcement against non-compliant vessels in January 2018.</p>	<p>TAS staff will monitor for outcome</p>

New Resources

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
<p>2016 Salish Sea Toxics Monitoring Review: A Selection of Research</p>	<p>Released in May 2017</p>	<p>2017 report from the Puget Sound Ecosystem Monitoring Program presents an overview of selected recent monitoring and research activities focused on toxic contaminants in the Salish Sea. The report describes that toxic chemicals reach the Salish Sea through a variety of pathways, including stormwater runoff, atmospheric deposition, industrial and municipal discharges, and agricultural runoff. The report found that:</p> <ul style="list-style-type: none"> • Aquatic biota are exposed to contaminants at levels that can adversely affect their health and the health of people that consume them. • The levels of some contaminants have declined in sediments and aquatic biota as a result of successful management actions. • Contaminants of emerging concern such as estrogenic chemicals and microplastics are widespread and frequently detected • Contaminant source control and cleanup have been an effective approach to reduce sediment contaminant loads in many areas. • Stormwater impacts and responses are being addressed through coordinated regional efforts. 		

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NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
		<ul style="list-style-type: none"> On-the-ground remediation of contaminated sites is ongoing throughout the region. 		

Discussion/Planning/Trust Fund Board Related Advocacy Topics

DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Climate Projections for the Capital Regional District Report	Released April 2017	The purpose of this report is to quantify, with the most robust projections possible, the related climate impacts (including changes to climate extremes) associated with global warming. This report focuses on the “business-as usual” emissions scenario and a 2050s timeframe.	Islands Trust Climate Action Revenue Incentive (CARIP) Public Report for 2016	Trust Council climate change session in March 2018. Provide to planners.
BC Municipal Climate Leadership Council		BCMCLC members are supported by Community Energy Association to engage their colleagues and communities to act on climate change . Rather than an advocacy group, members are mentored to develop strategies that work within the context of their communities while developing planning and implementation frameworks that can be adopted by other BC communities.	Trustee Sue Ellen Fast is a member.	
Climate Solutions and Clean Growth Advisory Council (Provincial)	Announced October 23, 2017	The Climate Solutions and Clean Growth Advisory Council will provide strategic advice to the BC government on climate action and clean economic growth. It includes members from First Nations, environmental organizations, industry, academia, labour and local government. The advisory council will also report on progress towards meeting legislated		

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		carbon reduction targets.		
DFO project for co-Development, co-Design, and co-delivery of Indigenous fisheries programs	Announced October 5, 2017	<p>DFO is undertaking a major review of Indigenous programs and developing a joint vision for the future of these programs that support Indigenous participation in fisheries, aquaculture and the management of aquatic habitat and resources.</p> <p>The review will look at five federally supported programs: Aboriginal Fisheries Strategy, Aboriginal Fisheries Guardian Program, Aboriginal Aquatic Resources and Oceans Management Program, Atlantic Integrated Commercial Fisheries Initiative and the Pacific Integrated Commercial Fisheries Initiative.</p>		
Federal Oceans Protection Plan	Announced November 7, 2016	<p>The federal government announced a \$1.5 billion ocean protection plan, that addresses many but not all, of Islands Trust Council's oil spill and derelict vessel advocacy requests, and may provide tools for better oversight of anchorages.</p> <p>The Oceans Protection Plan has four main priority areas:</p> <ul style="list-style-type: none"> improved marine safety system, including new preventive and response measures; restoring and protecting the marine ecosystems and habitats, as well as taking measures to address abandoned boats and wrecks; strengthening partnerships and launching co-management practices with Indigenous communities, including building local emergency response capacity; and investing in oil spill cleanup research/ methods. 	Significant advocacy since 2010.	<p>Trust Council session in Dec. 2017.</p> <p>Continue to monitor.</p>

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Addressing Canada's Abandoned Boats, an initiative under the Oceans Protection Plan	May 31, 2017	<p>Two programs will address the issue of abandoned boats and vessels: Transport Canada's Abandoned Boats Program and a related program by Fisheries and Oceans Canada.</p> <p>Assessment and Removal Projects (\$5.6 million over 5 years): Education and Awareness (up to \$750,000 over 5 years): Research (up to \$500,000 over 5 years):</p> <ul style="list-style-type: none"> • program will provide funding for research into processes and materials that help improve boat recycling and design • up to 100% for research projects. • Eligible recipients are: academia, researchers, universities, marinas or other industry and community stakeholders involved in boat design, construction and recycling. 	<p>From 2012-2016, staff have participated in Joint Working Group for Removal of Problem Vessels.</p> <p>On June 8, 2017 , staff attended Transport Canada briefing in Vancouver on the abandoned boats funding program.</p> <p>TAS staff are participating on the CRD derelict vessel working group.</p> <p>TAS staff researched regional districts applying for TC funding – very few at this time.</p> <p>TAS staff have sent a notice to subscribers inviting reports of abandoned vessels and posted information to the Islands Trust website.</p> <p>The Chair and staff attended an Ocean Protection Plan engagement session in Vancouver on November 2, 2017.</p>	<p>Create a summary of programs/powers related to derelict vessels and structures.</p> <p>Attend a abandoned boat engagement session in Victoria on November 27, 2017.</p> <p>Continue to liaise with CRD committee.</p> <p>Monitor abandoned boat reports and forward to potential removal agencies.</p>
Updating Canada's Tentative List for World Heritage Sites	Nomination period closed January 27, 2017	Applications are being reviewed by an independent Ministerial Advisory Committee of Canadian experts in the fields of natural and cultural heritage. The Advisory Committee will recommend to the Minister of Environment and Climate Change and Minister	March 2017: That the Islands Trust Council support in principle the application of the Salish Sea Trust for nomination of the Salish Sea to Canada's Tentative List for World Heritage Sites; such support being given upon	

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		responsible for Parks Canada those properties with strong potential for successful inscription as World Heritage Sites.	<p>the condition that the application will not be approved without the support of the Indigenous peoples whose traditional territories include the affected area.</p> <p>The resolution clarifies that once the First Nations in the Trust Area have expressed their support, Trust Council would then likely support the UNESCO application.</p>	
OceanWatch – Howe Sound Edition Action Plan Task Force	Formed in June 2017	The Ocean Watch Task Force members are elected officials and staff representatives of the Howe Sound Community Forum member communities. The Task Force has a mission to advance the implementation of action items outlined in the Ocean Watch – Howe Sound Edition report. To achieve this goal, the Task Force will provide recommendations to Howe Sound’s local governments to support initiatives and projects that further marine ecosystem protection and ocean health.	<p>Gambier LTC is a member of the Task Force. Trustee Stamford is Co-Chair of the Task Force.</p> <p>The Islands Trust Fund will contribute \$500 towards the Task Force’s planned Howe Sound Marine Reference Guide. Bowen Island Municipality has committed \$1742 a year for three years.</p>	
Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP)	Islands Trust signatories include: the Islands Trust Council, Trust Fund Board, Gambier, Gabriola Galiano and Hornby Island LTCs.	<p>The CDFCP is a partnership of 40 organizations that have signed on to the CDFCP Statement of Collaboration,</p> <p>In 2015, the CDFCP issued a Conservation Strategy that will begin to address a multi-variable approach to ecosystem conservation.</p>	<p>September 2017: Executive Committee met with the Minister of Environment and Climate Change Strategy and discussed CDFCP funding levels and support.</p> <p>June 2017: Mapping contract deliverables provided to planning staff. Evaluation of next steps delayed due to limited staffing, but now underway.</p> <p>April 27, 2017 meeting: Gambier Island LTC currently working with CDFCP contractor to</p>	Gambier Island planner to review mapping information and follow up with the Gambier Island Local Trust Committee.

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			<p>inform its OCP review.</p> <p>November 2015: Chair sent a letter to the CDFCP Steering Committee in support of the Conservation Strategy.</p> <p>September 2015: Islands Trust resolution at UBCM to support CDFCP approved and forwarded to the Minister of Forests, Lands and Natural Resource Operations.</p>	<p>The Islands Trust Fund Ecosystem Protection Specialist will continue to be on the CDFCP Steering Committee.</p>

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Provincial Species and Ecosystems at Risk and Local Governments Working Group	Active since 2009.	<p>The Species and Ecosystems at Risk Local Government Working Group (SEAR LGWG) was established in the fall of 2009</p> <p>The SEAR LGWG consists of representatives from municipal, regional and provincial governments and the Union of British Columbia Municipalities (UBCM). A jointly prepared discussion paper Working Together to Protect Species at Risk: Strategies Recommended by Local Government to Improve Conservation on Municipal, Regional and Private Lands in British Columbia was completed in January 2011.</p> <p>In 2016, the Working Group struck a SEAR Charter Advisory Committee to help develop a SEAR Charter between the province and local governments to provide greater clarity on roles and responsibilities of both parties. The Charter is currently in draft form and being reviewed by the advisory committee. A SEAR Charter was one of the four short-medium term recommendations that came out of a 3-year SEAR Incentive Project, which supports the Five Year Plan for Species at Risk in B.C.</p>	<p>The full report and highlights from the symposium have been posted to the SEAR LGWG webpage.</p> <p>Marnie Eggen, Island Planner, and Jennifer Eliason, Islands Trust Fund Manager are members of the Species and Ecosystems at Risk (SEAR) Local Government Working Group (LGWG); Marnie Eggen is a member of the a SEAR Charter Advisory Committee and Jennifer Eliason is a member of the SEAR Incentive Project Committee.</p> <p>Staff provided a response to the Province’s survey of local government in 2014.</p> <p>LPS and ITF staff attended the 4th SEAR Local Government Working Group Symposium (31 Jan – 1 Feb 2017) in Victoria. The ITF Manager presented on tax incentives for conservation.</p>	<p>LPS staff and ITF staff will continue to participate in the Working Group.</p>
Proposed Sunshine Coast Fixed Link	<p>BC Gov’t awarded contract on Feb 3, 2016, for feasibility study.</p> <p>Consultation closed fall 2016, except</p>	<p>The Government of B.C. is studying the costs and benefits of a possible highway link between the Sunshine Coast and Metro Vancouver. The link could include direct bridge connections across Howe Sound islands. The costs and benefits of each route will be assessed, and compared with ferry services.</p>	<p>MOTI minister, Claire Trevana, advised EC at UBCM that she expected the feasibility report would be on her desk by the end of September, 2017.</p> <p>In 2016, the Gambier Island Local Trust Committee Chair wrote a letter to the Ministry of Transportation and Infrastructure’s consultants.</p> <p>In 2016, Ann Kjerulf, Regional Planner</p>	<p>Staff will monitor for release of final report</p>

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	with FN, which is ongoing		Manager and Aleksandra Brzozowski, former Island Planner, attended a local government staff consultation and Trustee Stamford attended an elected officials session.	
Review of federal environmental assessment processes	In progress	The federal government sought comments from June 29 to August 28, 2017 on a discussion paper that outlined its proposed approach to environmental and regulatory processes. Canadians were also invited to comment on program and policy options for a revised <i>Fisheries Act</i> until August 28, 2017.	In 2016, the Islands Trust Chair wrote to the Minister of Environment and Climate Change	TAS staff will continue to monitor.
Anchorage concerns	Federal efforts to create Gabriola anchorage on hold.	<p>The Pacific Pilotage Authority has put a hold on the proposed new Gabriola anchorages based on stakeholders' and partners' concerns regarding the consultation process.</p> <p>At the end of August Transport Canada advised that they have an anchoring initiative under the Ocean Protection Plan that will lead to the development of a national framework for identifying and designating new anchorages, as well as best management practices for the behaviour of vessels while at anchor. This initiative will involve engagement with interested parties and organizations, including the Islands Trust.</p> <p>In the meantime, Transport Canada is working with the Pacific Pilotage Authority, the Vancouver Fraser Port Authority, the Chamber of Shipping and the Shipping Federation of Canada, and possibly others, to develop an interim protocol for the management of vessels anchoring in the Southern Gulf Islands.</p>	<p>Highlights:</p> <p>On April 18, 2017 Chair Luckham , Trustee McConchie and Trustee O'Sullivan attended a Chamber of Shipping of BC roundtable discussion about anchorage issues in the Gulf Islands.</p> <p>In 2016,Chair Luckham wrote to the Prime Minister to express Council's ask for a moratorium until Transport Canada does proactive planning/mitigation and wrote to the Minister of Transport encouraging Transport Canada to engage in full community consultation and a detailed public analysis of the potential implications of extending the jurisdiction of the Nanaimo Port Authority,</p> <p>In 2016, Chair Luckham wrote to Pacific Pilotage Authority regarding the timing of the planned public meeting about the proposed Gabriola Island anchorages.</p>	TAS staff will continue to monitor.

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			<p>In 2015, Chair Luckham wrote to the Honourable Marc Garneau, Minister of Transport, re minimizing anchorage use.</p> <p>In 2015, the Islands Trust hosted a stakeholder meeting about the Plumper Sound, Cowichan Bay and proposed Gabriola anchorages to promote dialogue and increased understanding of the issues.</p>	
Capital Regional District Climate Action Inter-Municipal Working Group	The Regional Climate Action Strategy and Climate Projections for the Capital Region were released in April 2017	The Climate Action Inter Municipal Working Group (IMWG) was developed in 2009 as a reporting and feedback mechanism for local government staff working on climate mitigation and adaptation related work in the Capital Region and meets quarterly.	Seth Wright, Planner 2, has been a member of the working group since February 2015. Local Trust Committees have established GHG reduction targets in the OCPs.	
Integrated Geoduck Management Framework 2017	Released in March 2017. Implementation underway.	<p>Policy guidance for the licensing of geoduck aquaculture. Guidance on:</p> <ul style="list-style-type: none"> - Coastwide opportunities - Siting guidelines aimed at minimizing overlap with commercial wild fishery while providing opportunities for aquaculture - Wild harvest 'opportunities' prior to aquaculture 	Chair wrote a letter on the draft Framework to Jeff Johansen, Regional Manager for Invertebrates, Pacific Region, DFO in 2014.	RFD and staff report to EC on Nov. 22, 2017.
Private Docks on Crown Foreshore Now "Generally Permitted" by	Announced January 2017.	General Permissions for docks in the Islands Trust Area apply to all areas north of the Englishman River on Vancouver Island. This includes all of the Denman and Hornby local trust areas, as well as the most north-	LTCs received briefings in Jan-March 2017. Chair wrote to FLNR Minister in April 2017 to request that the general permissions area not	Staff will continue to monitor.

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Province		<p>westerly portion of the Ballenas-Winchelsea area. General permissions also apply south of Coal Island. This includes James and Sidney islands and the water and associated islands south of there to the southern boundary of the North Pender Island Local Trust Area.</p> <p>In the General Permission area, the Province has established that no permission from the Province is required to place a private dock provided that certain conditions and construction standards are met.</p> <p>The FLNRORD website states that states that non-compliance with local government bylaws and zoning will result in the dock not being eligible for a Land Act authorization.</p>	<p>be expanded further until 2018 at the earliest to give local governments time to amend Official Community Plans and Land Use Bylaws as needed.</p>	
Operational review of BC Ferries	Launched in fall 2017	The Province of BC has initiated an operational review of BC Ferries. Media reports suggest this full operational review will look at everything from the reservation system through to information technology, through to executive structure	On November 21, 2017 the Chair attended a meeting with the Minister of Transportation and Infrastructure with the Coastal Regional District Chairs. The operational review was discussed.	TAS staff will continue to monitor.

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Environmental Assessments in/near the Islands Trust Area

ENVIRONMENTAL ASSESSMENT	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
BURNCO Aggregate Project environmental assessment process update	<p>Draft Summary Assessment Report released on October 27, 2017.</p>	<p>BURNCO Rock Products Ltd is proposing to construct and operate a sand and gravel mine within the Lower McNab Valley, approximately 22 kilometres (km) southwest of Squamish and 35 km northwest of Vancouver. The projected lifespan of the proposed Project is 16 years. The average estimated rate of sand and gravel production is 1,000,000 tonnes per year, with one barge (two transits) every other day.</p> <p>The Draft Summary Assessment Report for BURNCO Aggregate Project (Burnco Project) notes that as a member of the working group, the representative for the Gambier Island Local Trust Committee expressed concern about the mineral composition of the mine site, cumulative effects, noise generation and air quality monitoring.</p> <p>The report notes that with regard to glass-sponge reefs, it was determined during the EA that they were at a depth and in locations that would be unaffected by the project. As far as the other concerns raised by local governments, the report states that there are proposed conditions for fish and fish habitat, marine mammals, air quality, noise and visual impacts, and the implementation of a Community Advisory Group that local governments will be invited to participate on.</p>	<p>Aleksandra Brzozowski, former Island Planner, was a member of the Environmental Assessment Office Working Group.</p> <p>Trustee Stamford joined the Working Group in January 2016.</p> <p>In 2016, Chair Luckham wrote a letter to the BC Environmental Assessment office</p> <p>In 2016, 2016 Gambier LTC Chair wrote a letter to the BC Environmental Assessment office</p> <p>In 2013, Chair Malcolmson wrote a letter to the BC Environmental Assessment Office.</p>	
Roberts Bank Terminal 2 Canadian Environmental assessment	<p>Consultation on the application closed on October 29, 2016</p>	<p>Port Metro Vancouver (PMV), proposes to build a new container terminal at Roberts Bank, Delta, B.C. consisting of a new three-berth marine container terminal located at Roberts Bank, Delta, B.C. The terminal could result in 520 additional vessel transits in the Salish Sea.</p> <p>In April 2015, CEAA issued the Roberts Bank Terminal 2 Project Review Panel Final Terms of Reference which</p>	<p>In 2016, Chair Luckham wrote a letter to CEAA.</p> <p>In 2013, Chair Malcolmson wrote a letter</p>	<p>None planned. Staff will monitor for final report and decision</p>

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	<p data-bbox="352 735 506 764">May 1, 2017</p> <p data-bbox="352 911 520 940">May 16, 2017</p>	<p data-bbox="579 207 1283 695">stated that the environmental assessment must also take into account the environmental effects of marine shipping associated with the project which is beyond the care and control of the proponent (PMV) and within the 12 nautical mile limit of Canada’s territorial sea. However, for the purposes of the Minister’s decision on whether the project is likely to cause significant adverse environmental effects, the environmental effects of marine shipping are not considered environmental effects and will not be subject to conditions to the proponent in any decision statement issued by the Minister under CEAA 2012. CEAA has received correspondence from number First Nations, local governments, non-profits agencies and individuals criticizing this approach.</p> <p data-bbox="579 756 1241 922">The Review Panel has received revised responses to its requests for additional information from the Vancouver Fraser Port Authority . The 282 page report focuses on coastal geomorphology and geotechnical/seismic information.</p> <p data-bbox="579 943 1272 1040">The Review Panel requested that the Proponent prepare and maintain a compilation document of the Review Panel information requests (IRs) and the Proponent’s responses</p>		

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Islands Trust Requests to the Province of BC for Changes to the Islands Trust Legislation/Regulation (during past 10 years)

ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
<p>1. Amendments to the <i>Islands Trust Act</i> that would cause four local trustees to be elected to sit on the Salt Spring Island Local Trust Committee and Trust Council.</p>	<p>July 20, 2007</p>	<p>Letter to Hon. Ida Chong, Minister of Community Services</p>	<p>May 2008 Minister Chong suggested Islands Trust hold a referendum in the Salt Spring Island LTA. If the referendum was successful, Minister Chong was willing to approve four local trustees for the SSILTC, but not to increase Salt Spring Island representation on Trust Council.</p> <p>Turned down by Salt Spring Island LTA referendum November 15, 2008.</p>
<p>2. Changes to the <i>Islands Trust Act</i> that would enable the Islands Trust Council to determine the size of its Executive Committee.</p>	<p>July 20, 2007</p>	<p>Letter to Hon. Ida Chong, Minister of Community Services</p>	<p>Not advanced by the Ministry. Never formally turned down.</p>
	<p>June 2008</p>	<p>Trust Council later requested a simpler amendment - that S. 20(3) of the <i>Islands Trust Act</i> be amended to increase the number of vice chairs from three to four.</p>	
	<p>June 2011</p>	<p>Raised during a meeting between the Executive Committee and the Hon. Ida Chong, Minister of Community Services</p>	
<p>3. The necessary changes to provincial / legislation and regulations to permit Islands Trust bodies to hold meetings through electronic or other communication facilities.</p>	<p>July 20, 2007</p>	<p>Letter to Hon. Ida Chong, Minister of Community Services</p>	<p>Achieved in 2009 through provincial creation of a new Islands Trust Regulation.</p>
<p>4. Changes to provincial/legislation and regulations be made, if necessary, to confirm that Islands Trust bodies may perform their duties and functions while outside of the Islands Trust Area.</p>	<p>July 20, 2007</p>	<p>Letter to Hon. Ida Chong, Minister of Community Services</p>	<p>This topic originally arose in response to a court case, where a bylaw was quashed because the public hearing was held outside the jurisdiction. Further evaluation determined that the relevant legislation had been amended and did not apply to local trust committees.</p>

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ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
5. Natural Area Protection Tax Exemption Program (NAPTEP) – extension to Bowen Island Municipality	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved June 2010 through minor amendment to legislation.
6. Bylaw dispute adjudication system	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved in 2011
7. Trust Fund Board corporate status and name change	June 2011	Name change raised during a meeting with the Hon. Ida Chong, Minister of Community Services	Advised by Minister to explore other solutions first to determine if can resolve challenges in other ways. Trust Fund Board has asked Trust Council Chair to seek this change in writing. Several requests have been made
	June 2011	Staff met with Ministry staff	
	November 20, 2012	Letter to Hon. Bill Bennett, Minister of Community, Sport and Cultural Development	Response received Feb 2013. Minister Bennett stated that changing the corporate structure of the Trust Fund Board has broad implications that require careful consideration. He further noted that government often requires a compelling reason, such as a legislative barrier to operations, prior to considering such a legislative request. He suggested that Islands Trust staff contact the Assistant Deputy Minister to arrange for further evaluation of the proposal.
	Sept 2013 and Feb 2014	Letters to Hon. Coralee Oakes, Minister of Community, Sport and Cultural Development	Several contacts with Ministry staff have been made, most recently in May 2015. The Assistant Deputy Minister repeated earlier advice that that the ministry does not currently have the capacity to undertake this complex a legislative change, given other provincial priorities.
	May 12, 2015	Executive Committee and senior staff met with new Assistant Deputy Minister Jay Schlosar, who has since left government	
	September 2015	Letter to Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development	Minister Fassbender was not responsive to Trust Council's request for legislative changes. Conversation during the meeting focused on Salt Spring governance

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ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
	November 2015	Executive Committee and CAO met with Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development	and his request that Executive Committee meet with the Aboriginal Aquaculture Association.
8. Support in principle amending the Islands Trust Act to add "First Nations" to the list of those with whom we work "in co-operation."	September 2015	Trust Council requested the Executive Committee to consider asking the Minister of Community, Sport and Cultural Development to make this amendment, at an appropriate time, with respect to available resources and the potential for the amendment to be achieved.	

TRUST COUNCIL DIRECTION	WHEN	METHOD	COMMENTS FROM TC MINUTES
That Trust Council approve in principle a review of the <i>Islands Trust Act</i> .	Dec 2016	Resolution TC-2016-099	Discussion included the history of past requested changes to the Act, the capacity for the review to be added to the work program, the timing of the request, the desire for sustained provincial funding to support the Trust Fund Board and the opportunity to ask for tools in order for Islands Trust to be more effective.
That Trust Council add to the 2014-2018 Strategic Plan the project of investigating the principle of amending the <i>Islands Trust Act</i> and assign the project to the Executive Committee.	Dec 2016	Resolution TC-2016-100	It was indicated that the Executive Committee would decide when it was appropriate to assign a priority to this.

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