



LEGISLATIVE MONITORING REPORT
August 2019

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** – the intention to draft and pass new legislation is being developed and may be in a consultation or draft stage. No bill has been introduced to legislature/parliament yet.
- **LEGISLATION IN PROCESS** – a bill has been introduced to legislature/parliament and is awaiting Royal ascent, or Royal ascent has been issued but the new law or regulation has not come into force yet.
- **NEW LEGISLATION IN EFFECT** – legislation has received Royal ascent and any specified timeline for it to come in effect has occurred, or any requirement that a Regulation receive royal ascent in order for the legislation to come into effect has occurred.
- **COURT DECISIONS** – a ruling from any level of court that affects the Islands Trust.
- **NEW RESOURCES** – publically available reports or websites that provide information relevant to Islands Trust work.
- **DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS** – information related to topics of interest to Islands Trust.

PLANNED LEGISLATION	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDSTRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial BC Building Code Amendments (proposed)	Early consultation.	<p>Current BC Building code limits secondary suites to floor area of not more than 90 square metres, has a floor space of less than 40% of the habitable building space, located within a building containing only one other dwelling unit and located in and part of a building which is a single real estate entity.</p> <p>Proposed changes removes the floor area limitations, and requires a fire wall separating it from the rest of the building.</p>	LTCs and BIM may have regulations regarding size of secondary suites. The proposed Act change will lift building code limitations, providing more freedom to LTCs/BIM to establish different sizes for secondary suites	Once in-force, LTCs/BIM may wish to review their secondary suite regulations and amend as required. Staff will monitor for consultation opportunities.
Federal <i>Aquaculture Act</i> and regulations	<p>Ongoing</p> <p>Announced: Dec 10, 2018.</p> <p>Public engagement Spring – Summer 2019.</p> <p>“What We Heard” report expected early 2020.</p> <p>Royal Assent expected early 2022.</p>	<p>Key initiatives include:</p> <ul style="list-style-type: none"> • A study on the alternative technologies for aquaculture, including land and sea-based closed containment technology for fin fish. • Moving towards an area-based approach to aquaculture management – to ensure that environmental, social, and economic factors are taken into consideration when identifying potential areas for aquaculture development – including considerations relating to migration pathways for wild salmon; • Developing a framework for aquaculture risk management, based on the precautionary approach, which will ensure the sustainable management of aquaculture, and will be the overarching framework for future policies. We will work with provinces, territories, Indigenous peoples, stakeholders, and the scientific community. <p>Creating a single comprehensive set of regulations, the General Aquaculture Regulations. This will bring more clarity for industry, stakeholders and the Canadian public about how aquaculture is managed for responsible growth in Canada.</p>	<p>January 2018 Chair letter to the Honourable Dominic LeBlanc, Minister of Fisheries and Oceans re request for ecosystem-based study of potential impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea</p> <p>2018 UBCM resolution calling for DFO to conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture and consider increased</p>	<p>The Provincial government has responsibility for issuing tenures for aquaculture. Local governments have zoning authority. This generally does not include regulating anything covered through aquaculture licenses from FOC.</p> <p>Once the amendments are complete, a review should be undertaken to determine any necessary zoning amendments.</p>

PLANNED LEGISLATION	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDSTRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
			monitoring and enforcement.	
Provincial Species at Risk Legislation	On hold Anticipated 2020 SAR legislation is off the table , confirmed by Ministry of Environment with no details as to why or when/if it will be reintroduced.	<p>May 2019 - BC staff working in this area are waiting on further direction. ITC is monitoring.</p> <p>The Ministry of Environment and Climate Change Strategy is developing legislation for protecting and recovering species at risk in BC and has begun an active consultation process. Consultation with local governments on the Charter began in May 2018 and will be followed up with requests to local governments to sign on to the Charter.</p> <p>In 2016, the Working Group struck a Species and Ecosystems at Risk (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 expected to compliment the anticipated provincial SAR legislation.</p> <p>The SEAR Local Government Working Group (LGWG) consists of representatives from municipal, regional and provincial governments, and the Union of British Columbia Municipalities (UBCM). A jointly prepared discussion paper was completed in January 2011.</p> <p>The SEAR LGWG was established in the fall of 2009.</p>	<p>May 2019 - Islands Trust Staff sat on the SEAR LGWG. A Local Government Charter is being finalized. When it is, it is anticipated that local governments will be asked to sign.</p> <p>LPS and ITF staff attended the 4th SEAR LGWG Symposium (Jan 31–Feb 1, 2017). The ITF Manager presented on tax incentives for conservation.</p> <p>2016 Chair letter to Ministry of Environment re provincial SAR measures.</p>	LPS staff and ITC staff will continue to participate in the Working Group. The SEAR LGWG is developing a SEAR Tool Kit and Charter. These will be provided to trustees when available. Staff will continue to monitor.

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDSTRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Bill 28, <i>Zero-Emission Vehicles Act</i>	Royal assent May 30, 2019 – not yet in-force. Comes into force by regulation.	<p>This bill sets into law the zero-emission vehicle mandate that was announced in Fall 2018 as part of the CleanBC economic agenda. It further outlines a credit/debit system, similar to what exists in California, in that it will allow new vehicle car dealers to meet the provincial compliance targets. In particular, the bill legislates that:</p> <p>“(a) in 2025 and in each subsequent year, at least 10% of all new light-duty motor vehicles sold or leased in British Columbia must be zero-emission vehicles;</p> <p>(b) in 2030 and in each subsequent year, at least 30% of all new light-duty motor vehicles sold or leased in British Columbia must be zero-emission vehicles;</p> <p>(c) in 2040 and in each subsequent year, 100% of all new light-duty motor vehicles sold or leased in British Columbia must be zero-emission vehicles.”</p>		<ul style="list-style-type: none"> • LTC and BIM could establish parking standards for uses; • Update bylaws to specify number of parking stalls for EV’s; • Could establish charging stations as an amenity for which additional density could be provided; • Advocate with BC Ferries to designate electric car parking and charging facilities at terminals.
C-68 An Act to amend the <i>Fisheries Act</i> and other Acts in consequence	Royal assent given June 21, 2019. Multiple sub-sections are in-force while others come into force by Governor in Council.	<p>Changes were made to the <i>Fisheries Act</i> in 2012 that diminished the ability to protect fish and fish habitat. Proposed amendments would:</p> <ul style="list-style-type: none"> • restore lost protections by returning to comprehensive protection against harming all fish and fish habitat • strengthen the role of Indigenous peoples in project reviews, monitoring and policy development • recognize that decisions can be guided by principles of sustainability, precaution and ecosystem management • promote restoration of degraded habitat and rebuilding of depleted fish stocks • allow for the better management of large and small projects impacting fish and fish habitat through a new permitting framework and codes of practice • create full transparency for projects with a public registry • create new fisheries management tools to enhance the protection of fish and ecosystems • strengthen the long-term protection of marine refuges for 	<p>Previous Chair letters sent during 2018/19:</p> <ul style="list-style-type: none"> • Aug 1, 2019 - Regional Cooperation for a Moratorium on the Pacific Herring Fishery in the Salish Sea • July 19, 2019 - Moratorium on the Pacific Herring Fishery in the Salish Sea • Feb. 8, 2018 - Draft 2017/2018 Pacific Herring Integrated Fisheries Management Plan • Jan 2, 2018 - Request for ecosystem-based 	No current action planned.

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		<p>biodiversity</p> <ul style="list-style-type: none"> • help ensure that the economic benefits of fishing remain with the licence holders and their community by providing clear ability to enshrine current inshore fisheries policies into regulations • clarify and modernize enforcement powers to address emerging fisheries issues and to align with current provisions in other legislation. <p>The enactment also makes consequential amendments to other Acts.</p>	<p>study of potential impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea</p>	
<p><i>Heritage Conservation Amendment Act, 2019</i> (Bill 14)</p>	<p>Royal assent given May 30, 2019 – not yet in-force. Comes into force by regulation.</p>	<p>Amendments to the <i>Heritage Conservation Act</i>, mean greater protection for areas with heritage and archeological values in the province. Under the proposed changes:</p> <ul style="list-style-type: none"> • people will be legally required to report discoveries of specified sites or objects with potential heritage value; • a person may be required to obtain and pay for a heritage inspection or investigation prior to obtaining a permit to alter a heritage site in some circumstances. For example, if a person wants to alter a site to develop land, but there is little or no information about the site, they may be required to complete archeological studies to gather required information; • the ministry will have enhanced powers to refuse, amend, suspend and cancel permits; and • compliance and enforcement tools will be improved. <p>The amendments also bring BC’s heritage legislation into alignment with other jurisdictions. While changes to reporting requirements will come into effect through regulation, expected within the next year, the remainder of the changes came into effect when the bill received royal assent.</p> <p>Local governments have separate powers for heritage protection under s.15 of the <i>Local Government Act</i>. This section is not impacted by the new legislation.</p>	<p>Does not affect local planning. Planning staff already advise landowners of the process if potential archeology site in the area.</p>	<p>No current action planned.</p>

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDSTRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Bill 21 - <i>Forest and Range Practices Amendment Act, 2019</i>	Royal Assent May 16, 2019	<p>Amendments to the Forest and Range Practices Act will support the health and sustainability of BC's forests and range lands, while strengthening public confidence in how these vital resources are managed. Initial changes to the act will be followed over the next two years by more substantive changes, which will be informed by a public consultation. Changes include:</p> <ul style="list-style-type: none"> • creating more frequent and reliable opportunities for public input; • improving information sharing in forest planning; • strengthening the minister's ability to manage forest activity; • expanding the definition of wildlife in the act to help protect at-risk species; and • improving and streamlining range-use planning. 		No impact on local planning. <i>Forest and Range Act</i> applies to Crown Land used for forest activities (leased for forestry).
Code of Practice for Agricultural Environmental Management – BC Reg 8/2019	In force – Royal Assent given on February 28, 2019. It replaces the Agricultural Waste Control Regulation	The regulation was developed to help ensure agricultural practices are consistent with the protection of clean, safe drinking water and clean air. It provides clearer, and more straightforward and environmentally sustainable requirements for the storage and use of manure, other nutrient sources and agricultural material. The regulation applies to agricultural operations in British Columbia, from small hobby farms to large commercial operations.	On January 15, 2018 Chair letter re Agricultural Waste Control Regulation LTCs and BIM have setback requirements for buildings and structures.	When undertaking future zoning amendments for agricultural operations, Section 17 of the regulation should be considered in relation to setbacks.
<i>Agricultural Land Commission Amendment Act</i> and Agricultural Land Reserve (ALR) General Regulation - BC Reg 171/2002 amended by BC Reg 7/2019 and 30/2019.	In force – Royal Assent given February 28, 2019.	Agricultural Land commission (ALC) regulation was split into two. BC Reg 171/2002 was amended to include procedures around subdivision and use amendments. BC Reg 30/2019 includes details on uses outright permitted in the ALR that local governments cannot prohibit, but can regulate, and uses that local governments may prohibit.	LTCs/BIM that have land in the ALR have regulations that regulate use and density of ALR.	LTCs/BIM should review their regulations to ensure that they are compliant with the new ALC regulations on use and density.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDSTRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
<p><i>Local Government Act</i> (LGA), section 275 under Bill 3 – 2019 and <i>Municipal Affairs And Housing Statutes Amendment Act</i>, 2019</p>	<p>In force - Royal Assent given March 25, 2019 and legislation came into effect on April 16, 2019</p>	<p>This <i>Local Government Act</i> amendment will provide regional districts with an additional tool to expand high-speed Internet to under-served areas. The changes enable regional districts to provide financing for capital costs to internet service providers where it may not otherwise make sense from a business perspective.</p> <p>Regional Districts have been historically challenged to deliver broadband services within their jurisdictions, where legislation limited the options available to them. Specifically, the prohibition on assistance to business within the LGA excluded regional districts from providing financial assistance to internet service providers. The LGA does contain specific exceptions for services that are considered essential, such as telephone, natural gas or electricity. The changes to the LGA reflect that high-speed Internet is now considered an essential service.</p>	<p>Letter from Chair to The Honourable Jinny Sims, Minister of Citizens’ Services and The Honourable Navdeep Bains, Minister of Innovation, Science and Economic Development Canada will be sent early September 2019. Letter is in support of the Connected Coast initiative and requests further funding for islands not receiving an internet connection landing site to their island.</p>	<p>Await response and monitor.</p>
<p>Bill 25 – 2019: Coastal Ferry Amendment Act, 2019</p>	<p>In force - Royal Assent given May 16, 2019 and s.2 and s.4 of the Bill came into effect on May 22, 2019.</p>	<p>The legislation captures several amendments that will signal an emphasis on public interest within the <i>Coastal Ferry Act</i> but is also intended to capture government’s broader goals. The amendments are based on the recommendations in Blair Redlin’s report on the Coastal Ferry review.</p> <p>Some highlights of the amendments to the Coastal Ferry Act are that it:</p> <ul style="list-style-type: none"> • requires the BC Ferries Commissioner to prioritize public interest when regulating ferry services, including consideration of the Province’s greenhouse gas emission targets; • facilitates the participation of consumer advocates in the BC Ferry commissioner’s regulatory processes to consider the needs of people in the review of ferry services; 	<p>In 2015 and 2016 islands Trust undertook substantive advocacy relating to BC Ferries as documented on the website at: http://www.islandstrust.bc.ca/trust-council/advocacy/bc-ferries-advocacy/</p>	<p>No current action planned.</p>

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		<ul style="list-style-type: none"> • increases the number of BC Ferry Authority directors appointed by government from two to four, to bring a greater public interest perspective to the role of BC Ferries' shareholders; • ensures that the BC Ferry Authority oversees the strategic direction of BC Ferries in support of public interest including safe, reliable and affordable coastal ferry services in British Columbia; • requires the BC Ferry Authority to set term limits when appointing directors to the BC Ferry Services Board, to improve the oversight of BC Ferries; • expands definition of 'executive' at BC Ferries to include 'vice-presidents,' to provide greater transparency and oversight of executive compensation; • once in force, these amendments are intended to re-frame the model to better reflect public interest and the view that ferry services are an integral part of B.C.'s transportation network. 		

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDSTRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Wu v. Vancouver (City)	January 21, 2019 - BC Court of Appeal Reverses the BC Supreme Court Decision	<p>The decision of the Court of Appeal in <i>Wu</i> represents an important development in the law pertaining to local governments and public authorities in general, and provides significant clarity to the question of the consequences of a public law duty not being followed. There are a number of important conclusions which can be identified from this case, including the following:</p> <ol style="list-style-type: none"> 1. Liability will not flow as an automatic consequence of a breach of a public law duty, even where it is foreseeable that such a breach may result in a loss to a claimant. 2. Where there has been a delay in the making of a statutory decision, the appropriate remedy for an aggrieved party is to bring a legal proceeding to compel a decision to be made (and not an application for a particular outcome of such a decision). 3. Previously identified private-law duties of care owed by public officials still remain – for example: duties to avoid negligent misrepresentation, duties arising from the exercise of the building inspection function of a local government, and duties to avoid a risk of physical harm or property damage, for example, in the context of municipal infrastructure including parks, sidewalks and etc. <p>Notwithstanding the decision of the Court of Appeal, we recommend the following be considered by local governments – so as not only to avoid the potential for liability, but also the risk of litigation being initiated (even if that litigation may not prove to be successful):</p> <ul style="list-style-type: none"> • Review internal procedures for processing applications – ensure that any stated or estimated processing times are practically achievable. • Review how application procedures and timelines are communicated to the public, and ensure that the possibility of delays in the processing of an application is clearly communicated. • Consider the inclusion of disclaimer language on application forms so that the applicant understands the local government does not guarantee a final decision will be made within any specific time period. • If changes to bylaws are being considered which may affect an in-stream application, seek legal advice. 	No previous action undertaken.	No current action planned. This case affirms that length of time to make a decision has no effect on the validity of that decision. This is an important case in relation to Islands Trust processes; however, it simply allows a lot of leeway around processing timelines.

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
BC Active Transportation Design Guide – Working Group participation	Published and publically available.	<p>The Ministry of Transportation and Infrastructure has developed the BC Active Transportation Design Guide as part of the broader Move, Commute, Connect - BC Active Transportation Strategy in support of CleanBC. The Design Guide addresses infrastructure for active transportation, focusing primarily on walking and cycling but covering all human-powered forms of travel, including running, scootering, skateboarding, in-line skating, using a wheelchair, paddling, and skiing/snowshoeing. Providing a seamless connection to transit, ferries, and other forms of transport is also a key consideration to enable an integrated, multi-modal transportation system serving all communities and the needs of British Columbians.</p> <p>The Design Guide provides consistent, appropriate guidance on the design of active transportation infrastructure, and is intended to be used by jurisdictions of all sizes and contexts throughout BC, including urban and rural communities. The Design Guide is a detailed planning and engineering reference that provides practical design guidance and application information for active transportation infrastructure. The Design Guide incorporates theory, recent research, design concepts, best practices, new methodologies, and innovations to maximize the benefits of investing in active transportation infrastructure. It will be the first of its kind in British Columbia.</p> <p>The goals for the Design Guide are, broadly, as follows:</p> <ol style="list-style-type: none"> 1. Provide a Design Guide that is useful for communities of all types and sizes; 2. Ensure consistency in active transportation facility design throughout BC; 3. Provide a free, widely available resource to increase the quality of active transportation facility design throughout BC; and 4. Support provincial grant programs with design guidance specific to BC to clarify the Province’s expectation for an active transportation facility design. 	An Islands Trustee attended meetings in support of the development of this guide.	LTCs may wish to consider the guidelines when developing OCP policies in relation to active transportation, or DPA guidelines for villages, etc.

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Preliminary Strategic Climate Risk Assessment for BC	Published July 2019 by Provincial Government	A 400+ page report evaluating the risks to BC over the next 30 years on 15 specific climate-change driven events, each weighed on a sliding scale of consequences from “low” to “high”.	No previous action undertaken on this report.	Staff will use as a reference as needed.
The Protection of Drinking Water: An Independent Audit	Published July 30, 2019 by the Office of the Auditor General of BC	The office concluded that the Ministry of Health (Health) and the Provincial Health Officer (PHO) are not sufficiently protecting drinking water for all British Columbians. Eight recommendations were made. Five to Health, including providing leadership to coordinate the ministries, undertaking a legislative review, identifying risks and developing a strategic plan, and reporting out to the public. Three recommendations to the PHO include taking action to improve its oversight, reviewing legislation, monitoring progress and trends, and reporting out on a timely basis.	In 2017, Director of Trust Area Services was interviewed by the Office of the Auditor General	Staff will use as a reference as needed.
Handbook for Water Champions: Strengthening Decision-Making and Collaboration for Healthy Watersheds	Published: April 27, 2019	This handbook is a practical guide intended for local groups, collaborative organizations, and Indigenous and Crown governments seeking to better understand watershed governance. It offers guidance on how to work with different partners, as well as the steps needed to build effective collaborative watershed initiatives. It was co-published by the POLIS Water Sustainability Project and the Centre for Indigenous Environmental Resources. Handbook	No previous action undertaken on this report.	Staff will continue to monitor water issues.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Species at Risk Act (SARA) - Section 11 - Agreement re orca.	Interim Order ; Government of Canada – in effect from June 1- October 31, 2019	<p>The Department of Fisheries and Oceans announced new rules to protect endangered southern resident killer whales off the coast of BC.</p> <ul style="list-style-type: none"> • All vessels are prohibited from approaching any killer whale within a 400-metre distance. This prohibition applies throughout the Southern Resident killer whale critical habitat. • Recognizing their specialized knowledge to identify different species, commercial whale watch operators and eco-tourism companies that demonstrate a commitment to environmental conservation may apply for authorization from the Minister of Transport to approach non-Southern Resident killer whales to a distance of 200 metres. • Vessels are prohibited from entering areas newly designated as Interim Sanctuary Zones. These zones are located at Swiftsure Bank, off the east coast of Saturna Island, and south-west of North Pender Island. Some exemptions are provided for emergency response vessels and Indigenous persons engaged in certain activities. 	No direct resolution or advocacy regarding the distance that a vessel should be within when approaching an Orca; however, considerable advocacy regarding ocean and marine life protection in various formats.	No current action planned.
Cowichan Valley Regional District Drinking Water and Watershed Protection Steering Committee	Date to be confirmed; however, first meeting is being arranged	The primary focus of the program is to protect drinking water quality and supply by science informed planning and management.	No previous action on this Committee.	Freshwater specialist to sit on the steering committee representing Islands Trust.
Proactive Vessel Management	Comment period closes Friday, September 27, 2019	The Oceans Protection Plan is developing a new approach to managing marine traffic issues in local waterways and is reaching out across the country to seek thoughts on a national framework that provides guidance and direction for how proactive vessel management could be delivered across Canada.	Islands Trust has applied for a \$1,500 grant to hire a contractor to draft a comprehensive submission.	Hire contractor or find capacity within existing resources.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Feedback requested on the management of private forests - Ministry of Forests, Lands, Natural Resource Operations and Rural Development. Throne Speech Highlights	Open until July 9, 2019	<p>The Private Managed Forest Land Program was established in 2003 with the introduction of the <i>Private Managed Forest Land Act</i>. Public input on the program is welcome until 4 p.m. on July 9, 2019. Feedback forms and more information are available: https://engage.gov.bc.ca/privatemanagedforest</p> <p>The objectives of the review are to confirm the primary goals of the program, which are to encourage private landowners to manage their lands for long-term forest production and encourage sustainable forest management practices, including protecting key public environmental values. Government also wants to increase public awareness and understanding of the program.</p> <p>The ministry will also meet directly with and accept written submissions from landowners, local government, First Nations and organizations and community groups that are directly impacted by activities on private managed forest land.</p>	<p>Previous Chair letter sent during July 19, 2019:</p> <p>Private Managed Forest Land Act (PMFLA) Consultation Feedback from Islands Trust Council</p>	Staff will continue to monitor.
Federal Bill C-64 - <i>Wrecked, Abandoned or Hazardous Vessels Act</i>	In force – Royal Assent given February 28, 2019	<p>The new legislation prohibits vessel abandonment and enacts within Canadian law the International Convention on the Removal of Wrecks, 2007.</p> <p>The Act:</p> <ul style="list-style-type: none"> • addresses owner responsibility and liability for abandoned and derelict vessels; • includes provisions that require owners of vessels of 300 gross tonnage and above, and unregistered vessels being towed, to maintain wreck removal insurance or other financial security; and • empowers the government to remove vessels and charge the cost of doing so back to the Owners. <p>Penalties for non-compliance and prosecution could result in a fine of up to \$1M for individuals and \$6M for companies or corporations.</p>	Islands Trust advocacy in this area has been extensive. See website.	

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<p>Court of appeal decision on the Constitutionality of Amendments to Provisions in the <i>Environmental Management Act</i>, R.S.B.C. 2003, c. 53 Regarding the Impacts of Releases of certain Hazardous Substances (Trans Mountain Pipeline)</p>	<p>Unanimous decision handed down May 24, 2019</p>	<p>On a constitutional reference by the Province of British Columbia, the Court opined that it is not within the authority of the Legislature to enact a proposed amendment to the <i>Environmental Management Act</i>. The amendment was targeted legislation that in pith and substance relates to the regulation of an interprovincial (or “federal”) undertaking — the expanded interprovincial pipeline of Trans Mountain Pipeline ULC and Trans Mountain Pipeline L.P which is intended to carry “heavy oil” from Alberta to tidewater. The amendment thus lies beyond provincial jurisdiction.</p> <p>The Government of British Columbia has announced it will appeal this decision.</p>	<p>Previous Chair letters sent during 2018/19:</p> <ul style="list-style-type: none"> • Islands Trust submission to NEB re TMX Reconsideration hearing • Islands Trust Comments re: National Energy Board reconsideration of Trans Mountain Pipeline Expansion Project <p>Islands Trust website pages with advocacy:</p> <ul style="list-style-type: none"> • Opposition to Trans Mountain • Oil Tanker Traffic Expansion 	<p>Staff will continue to monitor.</p>
<p>Bowen Island On-Demand bus service</p>	<p>In effect from July 15 – Sept 15, 2019</p>	<p>Pilot project to test the on-demand bus service administered by Translink. People can download the TapRide app and request a pick-up, up to two weeks in advance. The service is in addition to it’s regular bus routes and if available weekday evening from 4:30 p.m. - 9:30 p.m. and weekends from 10:00 a.m. – 5:30 p.m.</p>	<p>No previous action undertaken on this initiative; however, other LTCs have expressed a desire for a community bus service or improvements to an existing service.</p>	<p>Staff will continue to monitor.</p>

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Fisheries and Oceans Canada will create an external Advisory Committee on Aquaculture Science	Announced May 28, 2019	<p>The new Advisory Committee on Aquaculture Science will be made up of five members who will be selected based on their area of expertise and independence. This Committee will be made up of Canadian and international scientific experts, and will also include an Indigenous representative. DFOC launched a public process to select Committee members by requesting submissions by June 30, 2019.</p> <p>The creation of this committee aligns with recommendations from the 2018 Report of the Independent Expert Panel on Aquaculture Science.</p>	<p>Previous Chair letter sent during January 2, 2018:</p> <p>Request for ecosystem-based study of potential impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea</p>	Staff will continue to monitor.
Draft-Pacific Herring Integrated Fisheries Management Plan (IFMP)	Available for review/comment until January 9, 2019	<p>The purpose of this Integrated Fisheries Management Plan (IFMP) is to identify the main objectives and requirements for the Pacific Herring fishery in the Pacific Region, as well as the management measures that will be used to achieve these objectives. The document also serves to communicate the basic information on the fishery and its management to Fisheries and Oceans Canada (DFO, the Department) staff, legislated co-management boards and other stakeholders. The IFMP provides a common understanding of the basic “rules” for the sustainable management of the fisheries resource.</p> <p>Management Plan</p>	<p>Previous Chair letters sent during 2018/19:</p> <p>Regional Cooperation for a Moratorium on the Pacific Herring Fishery in the Salish Sea</p> <p>Moratorium on the Pacific Herring Fishery in the Salish Sea</p> <p>Draft 2017/2018 Pacific Herring Integrated Fisheries Management Plan</p>	Staff awaiting responses from First Nations before preparing Chair letter to the Minister per Council resolution

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<p><i>Protected Areas of British Columbia Amendment Act, 2019</i> (Bill 16 and Bill 32)</p>	<p>In force - Royal Assent given May 16, 2019</p>	<p>The Act amends the names of several Provincial Parks.</p> <p>The Act includes the renaming of John Dean Provincial Park on the Saanich Peninsula to LÁU,WELNEW/John Dean Park. The Indigenous name, pronounced Tlay-will-nook, means “place of refuge” in SENCOTEN, the language of the WSÁNEC peoples.</p> <p>WSÁNEC history says that people began to forget the teachings of their creator and a great flood came as a result. As water levels rose and people prayed to survive, a mountain emerged in the distance. People climbed to the top and found safety. They decided to name the mountain LÁU,WELNEW, place of refuge. The name change of this sacred mountain was requested by Grade 4 students from LÁU,WELNEW Tribal School who petitioned the BC Legislature for the name change.</p>		<p>No current action planned.</p>