

2.1.xii Procedure

ADMINISTRATION OF THE CROWN LAND ACQUISITION INITIATIVE

Trust Council: December 9, 2004

Amended: December 8, 2006

A. PURPOSE:

1. To define policies and procedures that will ensure a fair, effective and coordinated process for applications by the Trust Fund Board to the provincial Free Crown Grants Program in accordance with policies of Islands Trust Council.

B. REFERENCES:

1. *Islands Trust Act* (6)
2. Policy Manual:
 - 2.1. Protocol Agreement Process: Government (2.1.iv)
 - 2.2. Administrative Fairness Principles (7.1.i.)
 - 2.3. Communications Policy (6.10.ii)
 - 2.4. Memoranda of Agreement with Trust Council, Local Trust Committees, Island Municipalities and Trust Fund Board
3. 2005-2010 Regional Conservation Plan

C. DEFINITIONS:

1. **Crown Land** as defined in this policy must meet the following requirements to be considered:
 - (a) it must be vacant and unencumbered (for example, land should not be encumbered by *Land Act* leases and licenses, provincial reserves, Ministry of Transportation gravel reserves, owned by another Crown Corporation, subject to an active treaty settlement process, active mineral claims or woodlot licenses);
 - (b) it must not be reserved from disposition under the *Land Act* (see Order in Council 827 regarding islets); and
 - (c) Trust Council, the relevant Local Trust Committee or Island Municipality and the Trust Fund Board must be in favour of its protection through the Islands Trust Fund.

D. POLICY and PROCEDURES

GENERAL

1. The Islands Trust Fund will apply on behalf of the Islands Trust Council for Free Crown Grants of Crown land in the Trust Area.
2. Prior to making application for a Free Crown Grant, the Islands Trust Fund will ensure that the relevant Local Trust Committee or Island Municipality and the Islands Trust Council supports the application.
3. Prior to making application for a Free Crown Grant, the Islands Trust Fund will seek the support of the relevant Regional District.
4. Prior to making application, Islands Trust Fund staff will seek a meeting with the relevant local First Nation(s) to consult with them about any implications of the pending application, and to inform them of the process that will be followed and the opportunities they will have for formal involvement. Staff will also ask about any traditional names used for the area. The outcome of these meetings will be included in staff reports supporting the selection process.

SELECTION PROCESS

5. Staff will use the following process annually for determining a priority list of potential sites for application under the provincial Free Crown Grants Program:
 - (a) Using the criteria within the Trust Fund Board's Regional Conservation Plan, Islands Trust Fund staff will generate a priority list from all vacant Crown Lands within the Trust Area. This list will exclude any Crown Lands known to be encumbered or reserved.
 - (b) Islands Trust Fund staff will create a proposed short list of vacant Crown lands by considering the following additional criteria:
 - i) Community support and potential management partnership (High, Medium, Low).
 - ii) Adjacency to another property with conservation status.
 - iii) Urgency due to known threats to conservation.
 - iv) Complexity of conflicts on title.
 - v) Costs of acquisition, property management and risk management.
 - (c) Staff will submit this short list to relevant Local Trust Committees, Bowen Island Municipality, the relevant Regional District and relevant First Nations for comment and discussion and to identify any other candidate Crown lands for potential acquisition.
 - (d) Based on resource and staff availability, the Board will request the support of Trust Council for one Crown land application through the Free Crown Grants Program for each fiscal year. Applications for additional parcels could be made if Trust Council makes additional resources available to support the application process and the subsequent management of any land acquisitions.

AGREEMENTS WITH OTHER AGENCIES

6. Trust Council will enter into agreements with First Nations, the Trust Fund Board, the Local Trust Committee, Island Municipalities, Regional Districts, local conservancies and provincial and federal agencies where necessary to ensure the effective implementation of the Crown Land Acquisition Program.

FUNDING OF ACQUISITION AND MANAGEMENT COSTS

7. Trust Council will consider the costs of each Free Crown Grant application and subsequent property management costs within its annual budget process.

PROGRAM ASSESSMENT

8. Trust Council will monitor the effectiveness of this procedure and the effectiveness of using the Free Crown Grants Program to meet conservation goals.