

*As requested, further to Ronald Wright's application to speak as a delegation at the Trust Council Quarterly Meeting June 18-20, 2024, here is the draft presentation for the Trust Executive Committee's information on Wednesday June 5th.*

Chair Luckham and members of Trust Council:

I'm here to speak for Keep Salt Spring Sustainable (KSSS), a group of residents working to uphold our island's environmental well-being and rural character, as protected by the Islands Trust Object, the existing Trust Policy Statement (TPS), and Salt Spring's Official Community Plan (OCP).

We have concerns about the content and process of recent draft revisions to the Trust Policy Statement, above all the proposed new interpretation of the Trust Act's core wording on the Trust Area's "unique amenities and environment." In Council's statement of Sept.26th 2023, these are now claimed to be "broad-ranging and may include issues such as, but not limited to, housing, livelihoods, infrastructure and tourism."

Council's similar statement posted on January 18th declares: "The current Governance Committee, appointed in December, 2022, decided that it was a priority to review the mandate and report back to Trust Council on that review. Today's presentation summarized and clarified all previous legal opinions."

We are puzzled that the said opinions and "clarifications" do not mention the Trust Council *Position Paper No.1*, published and given Ministerial approval in 1986, which lays out at length, with many examples, how the wording of the Act's "Object" (or mandate) should be interpreted. In 2021, a new *Discussion Paper* reminded Trust Council of the 1986 paper's importance, noting it "provided explicit, detailed interpretations of the Islands Trust Object," and stating that the Object "is fundamentally about conservation-oriented, place-based protection... not traditional human-centric land-use planning."

Instead, the only legal opinions made public so far are two excerpts, both by the same lawyer Bill Buholzer --one apparently written in 2000 and another from 2020.

This lack of evidence and openness is deeply alarming, especially as the proposed new interpretation was reached behind closed doors at an in-camera meeting. No information has been released as to who was at that meeting, how they voted, or whether a proper vote was even held. Closed meetings are sometimes justified to hear sensitive legal advice, but they are not for discussing public policy in secret. That is at best an abuse of process, and at worst may be a breach of law.

Council Executive and the Governance Cte seem to be promoting a narrative that the *Islands Trust Act's* wording is vague. The *Oxford English Dictionary* defines "unique" as "one of a kind" or "unparalleled." The Gulf Islands are indeed unique in their outstanding natural beauty and fragile environment. "Housing, livelihoods, infrastructure and tourism" are not unique. They can be found anywhere.

We respectfully ask that you desist from, in effect, trying to rewrite the *Islands Trust Act* and undermine its powers.

With thanks for your attention,

Ronald Wright