



Executive Committee Agenda

Date: Wednesday, October 24, 2018
Time: 8:00 am
Location: Islands Trust - Victoria
200 - 1627 Fort Street, Victoria, BC

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	That the meeting be closed to the public subject to Sections 90(1)(c)(g) and (i) of the Community Charter in order to consider matters related to employee relations, litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.	
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	The next meeting of the Executive Committee will be held November 8th in Victoria.	
14.	ADJOURNMENT	

Revised: October 17, 2018

Agenda No.	From	Context Notes
7.1.1	DTAS	The Transboundary Agreement between Islands Trust and San Juan County (http://www.islandstrust.bc.ca/media/342760/orgagrjun122007oth.pdf) supports semi-annual meetings. In practice, in recent years there have been annual meetings in Canada. The last meeting was in December 2017. As it is impractical to organize a joint meeting in 2018 due to local government elections, the new Executive Committee might like to meet with San Juan County Council on San Juan Island in early December. This would provide a team building opportunity for the new Executive Committee and would advance implementation of the agreement and relationship with San Juan County.
8.1.1	CAO	The TC agenda for November includes an RFD to adopt dates and locations for the 2019 Trust Council meetings. It is then our administrative practice for EC to select its preferred meetings, Council Committees then follow as does LTCs. In support of this process attached under 8.1.1 is a draft or placeholder EC meeting schedule for the newly formed EC to adopt or amend as it sees fit. It is helpful to have it endorsed by the current EC so that LTC planning can begin to commence.
11.		In accordance with the Executive Committee policy (2.4.vi), correspondence items are for information only, unless raised for action by a member of the EC. In some instances, correspondence to others is included, if it relates to the Executive Committee's business. Regarding the e-mail from Victoria Postlethwaite the draft fishing plans sent with the e-mail are available from staff on request.
12.1		The EC work program is amended before each meeting with suggested priorities proposed by staff. By resolution, the Executive Committee can provide direction regarding new items or the order of priorities.



DRAFT

Executive Committee Minutes of Regular Meeting

Date: October 10, 2018
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

Members Present: Peter Luckham, Chair
George Grams, Vice Chair
Susan Morrison, Vice Chair
Laura Busheikin, Vice Chair

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director Local Planning Services
Clare Frater, Director, Trust Area Services
Lori Foster, Executive Coordinator

1. CALL TO ORDER

The meeting was called to order at 8:48 AM. Chair Luckham acknowledged the meeting was being held on Coast Salish First Nations territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

Item 11.8 Howe Sound Forum - R. Simmons .

2.2 Approval of Agenda

By General Consent the agenda was approved as amended.

2.2.1 Agenda Context Notes

No references.

3. ADOPTION OF MINUTES

3.1 By General Consent, the July 17th Executive Committee-Islands Trust Conservancy joint meeting minutes were adopted as presented.

3.2 August 29th special meeting

By General Consent, the August 29th special meeting minutes were adopted as presented.

3.3 September 5th regular meeting

By General Consent, the September 5 regular meeting minutes were adopted as presented.

3.4 September 18th regular meeting

For consideration, to amend the comment item 8.1.1 removing the first clause to read, "Hiring a contractor and calling the feedback a discussion paper ensued. Feedback due October 5."

By General Consent, the September 18th regular meeting minutes were adopted as amended.

3.5 October 1, 2018 special meeting

By General Consent, the October 1, 2018 special meeting minutes were adopted as presented.

4. FOLLOW UP ACTION LIST AND UPDATES

4.1 Follow Up Action List

Staff reviewed the status of items on the Follow up Action list.

Discussion regarding the Request for Decision reports and amendments ensued.

EC-2018-145

It was MOVED and SECONDED,

THAT the Executive Committee request Item 1. Policy 2.2.1 RFD Request for Decision Reports on the Executive Committee Follow Up Action List be removed.

CARRIED

4.2 Director/CAO Updates

Directors provided updates on their follow up action list items and current activities.

4.3 Local Trust Committee Chair Updates

Executive Committee members provided verbal updates on recent activities in their roles as local trust committee chairs

5. BYLAWS FOR APPROVAL CONSIDERATION

5.1 Salt Spring Island LTC Bylaw No. 507 (LUB) – RFD

Chair Luckham spoke to the rezoning bylaw for 74 dwelling units to include 34 affordable housing units and office use.

EC-2018-146

It was MOVED and SECONDED,

THAT the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 507, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2017”, in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

5.2 Salt Spring Island LTC Bylaw No. 513 (housing agreement) – RFD

Chair Luckham addressed the housing agreement requirement for bylaw No 507.

EC-2018-147

It was MOVED and SECONDED,

THAT the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 513, cited as “Salt Spring Island Housing Agreement Bylaw No. 513, 2017,” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

5.3 Salt Spring Island LTC Bylaws Now. 514 (fees amendment) – RFD

Chair Luckham reviewed the fees amendment bylaw for processing various applications and permits.

EC-2018-148

It was MOVED and SECONDED,

THAT the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 514 cited as "Salt Spring Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2018" in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

5.4 Galiano Island LTC Bylaw No. 267 (OCP) & 268 (LUB) – RFD

Vice Chair Busheikin addressed the rezoning application to allow the current use including a short term vacation rental.

EC-2018-149

It was MOVED and SECONDED,

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 267, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2018", in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

EC-2018-150

It was MOVED and SECONDED,

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 268, cited as "Galiano Island Land Use Bylaw, 1999, Amendment No. 1, 2018", in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

5.5 South Pender LTC Bylaw No. 115 (OCP) – RFD

Chair Luckham reviewed the bylaw to amend the Official Community Plan schedules to include a preferred multi-modal roadside path.

EC-2018-151

It was MOVED and SECONDED,

THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 115, cited as South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2018 in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

5.6 Lasqueti Island LTC Bylaw No.97 (fees bylaw) – RFD

Vice Chair Morrison reviewed the fees amendment bylaw to process Liquor and Cannabis Regulation Branch (LCRB) license applications.

EC-2018-152

It was MOVED and SECONDED,

THAT the Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 97, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018", under Section 27 of the *Islands Trust Act*.

CARRIED

5.7 Hornby Island LTC Bylaw No. 157 (fees amendment) – RFD

Vice Chair Busheikin reviewed the fees amendment bylaw for processing LCRB applications.

EC-2018-153

It was MOVED and SECONDED,

THAT the Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 97, cited as “Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2018” , under Section 27 of the Islands Trust Act.

CARRIED

5.8 Bowen Island Municipality Bylaw No. 432 – RFD

Director Marlor spoke to the rezoning of the community lands application.

EC-2018-154

It was MOVED and SECONDED,

THAT the Islands Trust Executive Committee approve Bylaw 432, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010 Amendment Bylaw No. 432, 2017” pursuant to Section 38 of the Islands Trust Act.

CARRIED

The meeting recessed for a break at 10:25 A.M. and reconvened at 10:40 A.M.

Chair Luckham reconvened the meeting where a discussion on covenant referrals being missed by the Islands Trust Conservancy followed.

EC-2018-155

It was MOVED and SECONDED,

THAT Executive Committee request staff review the policy surrounding referrals regarding amendments to covenants that would affect lands in the local trust committee jurisdiction.

CARRIED

6. TRUST COUNCIL MEETING PREPARATION

6.1 Post September Trust Council

6.1.1 September 2018 Decision Highlights

Circulate as presented.

6.1.2 Roundtable

Discussion on outcomes of decision items and general review of the last quarterly meeting.

It was noted that the garbage footprint at Trust Council be considered.

6.1.3 November Trust Council draft schedule

Items from the draft schedule were discussed:

- Paper agenda copy if requested,
- When committee appointments would be made,
- First Nations blessing,
- Welcome letter indicating biography deadline for positions,
- Training for Chairs and Vice Chairs on November 14th and further.

By General Consent, the Executive Committee request staff invite First Nation elder for blessing to the opening of November Trust Council.

By General Consent, the Executive Committee endorsed the format of the November Trust Council Schedule.

7. EXECUTIVE COMMITTEE PROJECTS

7.1 Trust Council Initiated

There were no items.

7.1.1 Executive

7.1.2 Trust Area Services

7.1.3 Local Planning Services

7.1.4 Administrative Services

7.2 Executive Committee Initiated

7.2.1 Executive

None

7.2.2 Trust Area Services

7.2.2.1 NEB Advocacy and Communications re Trans Mountain Expansion Project Reconsideration

Islands Trust has requested to be commenters on the reconsideration of the Trans Mountain expansion project. An initial letter has already been sent.

EC-2018-156

It was MOVED and SECONDED,

That the Executive Committee direct staff to provide the province with information that would support them in intervening in the National Energy Board process on priority issues for the Islands Trust and to draft a letter of comment for the Chair.

CARRIED

7.2.3 Local Planning Services

None

7.2.4 Administrative Services

None

8. NEW BUSINESS

8.1 Executive/Trust Council

8.1.1 Quorum discrepancy between TC Bylaw 101 and Policy 2.3.1 [Council Committee System Policy]

Presented for information as a new business item for the January meeting. Discussion on committee size ensued.

8.2 Trust Area Services

8.2.1 LTC Chairs Report on Local Advocacy Topics

Chairs spoke on current advocacy projects.

8.3 Local Planning Services

None

8.4 Administrative Services

None

By General Consent, items 9 and 10 were address before the meeting adjournment.

11. CORRESPONDENCE (for information unless raised for action)

11.1 Response re: TMX letter to Prime Minister

Received for information.

11.2 Invitation to Attend: MIDOSS Workshop on October 19th, 2018

Acting Islands Trust Conservancy Manager, Emmings to attend.

11.3 Invitation to Oceans Protection Plan South Coast Dialogue Forum, October 22, 2018

Chair Luckham and Director Frater to attend. Grant application for travel and salary to be covered.

11.4 Hazardous & Noxious substances on OPP

Discussion to send a response regarding the 2014 letter sent.

EC-2018-157

It was MOVED and SECONDED,

THAT the Executive Committee request staff to write a cover letter to reply to the Oceans Protection Plan and also attaching the letter of 2014.

CARRIED

11.5 Re: Islands Trust – Proposed Policy Statement Amendment Process - Chief Bill Williams

Received for information.

11.6 SIPS Roundtable Agenda

Director Frater will attend the October 11th meeting. To inform around secretariat role.

11.7 GAFA re Anchorages

Received for information.

11.8 R. Simmons re: Howe Sound Forum

Chair to respond to the Howe Sound Forum, forward to Trust Programs Committee and the Gambier LTC could support this.

12. WORK PROGRAM

12.1 Review and amendment of current work program

Received for information.

13. NEXT MEETING

The next Executive Committee meeting is October 24, 2018 at the Victoria office.

At 11:50 A.M. the meeting was closed to the public.

9. CLOSED MEETING

EC-2018-158

It was MOVED and SECONDED,

That the meeting be closed to the public subject to Sections 90(1)(c)(g) and (i) of the Community Charter in order to consider matters related to employee relations, litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.

CARRIED

Staff were asked to leave the in camera meeting at 12: 03 PM and Executive Committee continued with a restricted meeting and no staff present.

At 12:05 PM the meeting was reopened to the public.

10. RISE AND REPORT DECISIONS FROM CLOSED MEETING

None

14. ADJOURNMENT

By General Consent, the meeting was adjourned at 12:05 P.M.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator

Follow Up Action Report

Executive Committee

Chief Administrative Officer

No	Activity	Activity	Responsibility	Target Date	Status
1	12-Sep-2017	Discuss with the province and report to Trust Council at the December Trust Council meeting on a process to identify potential governance and/or operational change that could be adopted in order to improve the delivery and integration of all the types of services that are delivered to the Islands Trust Area.	Russ Hotsenpiller	05-Dec-2017	On Going
2	19-Jun-2018	Trust Council maintain the status quo (re council committees) and direct that specific improvements: trustee remunerations, maintaining working groups and electronic communications, be considered within the current structure to improve various service elements.	Russ Hotsenpiller	11-Sep-2018	On Going
3	05-Sep-2018	Trustee Orientation sessions amend session called "staying out of trouble" to "lessons learned."	Russ Hotsenpiller	10-Oct-2018	Done
4	01-Oct-2018	That the Executive Committee request staff to request that the Province include representation of the interests of the Islands Trust in their commenting to the National Energy Board regarding the Trans Mountain Pipeline Expansion Reconsideration Project.	Russ Hotsenpiller	10-Oct-2018	Done
5	15-Aug-2018	Present a briefing regarding the Trustee orientation process at the next Trust Council.	Russ Hotsenpiller	05-Sep-2018	Done
6	10-Oct-2018	By General Consent, the Executive Committee request staff invite First Nation elder for blessing to the opening of November Trust Council.	Russ Hotsenpiller	24-Oct-2018	On Going

Follow Up Action Report

7	10-Oct-2018	By General Consent, the Executive Committee endorsed the format of the November Trust Council Schedule.	Russ Hotsenpiller	24-Oct-2018	On Going
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Director, Local Planning Services

No	Activity	Activity	Responsibility	Target Date	Status
1	06-Jun-2018	Fee amendment - for First Nations site visits - request Staff to bring back to Executive Committee after Trust Council.	David Marlor	01-Mar-2019	On Going
2	10-Oct-2018	LTC bylaws - items 5.1 - 5.8 adopted as presented and LTC's notified.	David Marlor	24-Oct-2018	Done
3	10-Oct-2018	Quorum discrepancy between TC Bylaw 101 and Policy 2.3.1 Council Committee System Policy Presented for information as a new business item for the January meeting.	David Marlor	15-Jan-2019	On Going

Follow Up Action Report

Director, Trust Area Services

No	Activity	Activity	Responsibility	Target Date	Status
1	21-Jun-2017	With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Introduction, Part I, Part II and Schedule 1.	Clare Frater	31-Mar-2019	On Going
2	13-Sep-2016	Explore the potential for expanding its advocacy role to other levels of government for increased funding for affordable housing in the Islands Trust Area.	Clare Frater	31-Mar-2019	On Going
3	11-Apr-2018	That the Executive Committee request staff to prepare an explanatory leaflet articulating its position with regard to the application of special property tax requisitions within local trust areas.	Clare Frater Julia Mobbs	15-Jan-2019	On Going
4	15-Aug-2018	Prepare a Chair opinion editorial about anchorage issues for local and regional newspapers.	Clare Frater	30-Nov-2018	On Going
5	15-Aug-2018	Organize roundtable meeting about anchorages to bring together interested community groups, First Nations, industry, Transport Canada and stakeholders.	Clare Frater	14-Dec-2018	On Going
6	15-Aug-2018	Write a letter to BC ferries to remind sub contractors to adhere to Transport Canada regulations with respect to sewage dumping.	Clare Frater	28-Sep-2018	Done
7	18-Sep-2018	Provide feedback on Transport Canada Proactive Vessel Management discussion paper in the form of a position paper and that a consultant be hired if necessary.	Clare Frater	05-Oct-2018	Done
8	05-Sep-2018	Staff, with the assistance of an outside consultant if necessary, to prepare a Chair letter regarding of the <i>Strengthening Marine Environmental Protection and Response Potential Legislative Amendments Discussion Paper (August 2018)</i> .	Clare Frater	05-Oct-2018	Done

Follow Up Action Report

9	01-Oct-2018	That the Executive Committee request the Chair to write to the National Energy Board to comment on the Trans Mountain Expansion Project Reconsideration process.	Clare Frater	05-Oct-2018	Done
10	10-Oct-2018	THAT Executive Committee request staff review the policy surrounding referrals regarding amendments to covenants that would affect lands in the local trust committee jurisdiction.	Clare Frater	24-Oct-2018	On Going
11	10-Oct-2018	That the Executive Committee direct staff to provide the province with information that would support them in intervening in the National Energy Board process on priority issues for the Islands Trust and to draft a letter of comment for the Chair.	Clare Frater	24-Oct-2018	On Going
12	10-Oct-2018	THAT the Executive Committee request staff to write a cover letter to reply to the Oceans Protection Plan and also attaching the letter of 2014.	Clare Frater	24-Oct-2018	On Going
13	10-Oct-2018	R. Simmons re: Howe Sound Forum Chair to respond to the Howe Sound Forum, forward to Trust Programs Committee and the Gambier LTC could support this.	Clare Frater	24-Oct-2018	On Going

Executive Coordinator

No	Activity	Activity	Responsibility	Target Date	Status
1	10-Oct-2018	Adopt July 17th ITC - EC joint meeting, August 29th special meeting, September 5 regular meeting and October 1 regular meeting as presented. September 18 minutes amend and adopt.	Lori Foster	24-Oct-2018	Done

Follow Up Action Report

Legislative Services Manager

No	Activity	Activity	Responsibility	Target Date	Status
1	15-Feb-2017	Amend Policy 2.2.ii and Policy 7.4.2 (DONE) to require advance submission of speaker/delegation material intended for presentations at a Trust Council or Council Committee meeting so that all policies are consistent.	Carmen Thiel Lori Foster	24-Oct-2018	On Going

REQUEST FOR DECISION

ISLAND MUNICIPALITY BYLAW SUBMISSION

File No.: 08-3020-20-01 BIM_BL_468

DATE OF MEETING: October 24, 2018
TO: Islands Trust Executive Committee
FROM: Kim Stockdill, Island Planner
SUBJECT: Bowen Island Municipality – LUB Amendment Bylaw No. 468

RECOMMENDATION

1. **THAT the Executive Committee advise Bowen Island Municipality that Bylaw No. 468 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 468, 2018” is not contrary to or at variance with the Islands Trust Policy Statement.**

IMPLICATIONS OF RECOMMENDATION

Organizational - None

Financial - None

Policy - None

Implementation/Communications - Communication to Bowen Island Municipality regarding the Executive Committee decision by November 12, 2018.

Other - None

PURPOSE

Bowen Island Municipality Bylaw No. 468 (Attachment 1) is intended to amend the Bowen Island Land Use Bylaw to allow a medical clinic as a permitted use in the Village Commercial 1 (VC1) zone. The purpose of Bylaw 468 is to provide for the location of a Bowen Island Community Health Centre on Lot 3 of the surplus community lands.

BACKGROUND

Bowen Island Council resolved in April 2018 to enter into an agreement to lease a portion of surplus Community Lands (Lot 3) to the Bowen Island Health Centre Foundation upon confirmation that the Foundation was a registered charity. Confirmation of registration of charity was received, therefore Council gave direction to staff to initiate a text amendment in order to allow a ‘medical clinic’ as a permitted use in the VC1 zone.

The proposed Land Use Bylaw amendment would also include a minimum parking requirement of one space per 40 square metres of floor area for a medical clinic use in the VC1 zone. The parking requirement is consistent with other parking requirements for retail, restaurant, general service and office use within the VC1 zone.

The bylaw has received 1st Reading on September 24, 2018 and is out on referral for comment.

Issues Relating To First Nation Interest

From the staff reports received from the Bowen Island Municipality, staff have made no comment regarding any First Nations engagement with this land use bylaw amendment. The Islands Trust Policy Statement does not contain directive policies with regards to First Nations.

Public Comments

As of the date of this Request for Decision, no public comments have been received at the Islands Trust office.

Staff Comments

The purpose of the staff report is to advise if the proposed bylaws are or are not contrary to or at variance with the Islands Trust Policy Statement (ITPS). Bowen Island Municipality has considered the Islands Trust Policy Statement Directives Policies Checklist and has indicated how the Municipality has addressed relevant policies (see Attachment 2). Staff is of the opinion that other Islands Trust policy Statement policies are not applicable to this amendment bylaw.

Based on a review of the proposed Bylaw No. 468, the Bowen Island staff report, and the ITPS Checklist, Islands Trust staff concludes that the Bylaws No. 468 is not contrary to or at variance with the Islands Trust Policy Statement.

KEY ISSUES/CONCEPTS

- Referral of Land Use Bylaw No. 468 under s.15 of the Letters Patent
- Written response to Bowen Island Municipality required by November 12, 2018 (45 days after date of receipt of the referral on September 28, 2018).
- Comments from Executive Committee limited to whether or not Bylaw No. 468 is contrary to or at variance with the Islands Trust Policy Statement.
- Staff considers that Bylaw No. 468 is not contrary to or at variance with the ITPS.

RELEVANT POLICY

- Islands Trust Policy Statement Directive Policies
- Islands Trust Policy 1.3.i [Policy Statement Implementation Policy]
- Bowen Island Municipality Letters Patent

ALTERNATIVE

1. Determine that the bylaw(s) is/are contrary to the Islands Trust Policy Statement:

THAT the Executive Committee request that staff advise Bowen Island Municipality in writing that the Executive Committee considers that Bylaw No. 468 cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 468, 2018" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], triggering notification of the Minister.

Submitted By:	Kim Stockdill, Island Planner	October 16, 2018
Concurrence:	David Marlor, Director of Local Planning Services	October 16, 2018

ATTACHMENTS

1. Bylaw No. 468 – LUB Amendment Draft
2. BIM ITPS Directives Only Checklist

**BOWEN ISLAND MUNICIPALITY
BYLAW NO. 468, 2018**

A Bylaw to amend Land Use Bylaw No. 57, 2002

WHEREAS, "Bowen Island Land Use Bylaw No. 57, 2002" establishes zoning classifications and regulations for land within the municipality; and

WHEREAS Council wishes to amend the Bowen Island Land Use Bylaw No. 57, 2002" to provide for a further use within the Village Commercial 1 zone;

THEREFORE be it resolved that the Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 468, 2018".
2. "Bowen Island Municipality Land Use Bylaw No. 57, 2002" Section 4.7 – Village Commercial Zones (VC1, VC2) sub section 4.7.1 – Permitted Uses of Land, Buildings and Structures is amended by adding *Medical Clinic* as a Principal Use of land in the VC1 zone.
3. "Bowen Island Municipality Land Use Bylaw No. 57, 2002" PART 5 – PARKING REGULATIONS is amended by adding the following between "GENERAL SERVICE, RETAIL, OFFICE, RESTAURANT, PUB" AND "MARINA":

MEDICAL CLINIC

Village Zones

1 per 40 m² floor area

READ A FIRST TIME this ___ day of ___, 2018;

READ A SECOND TIME this ___ day of ___, 2018;

PUBLIC HEARING this ___ day of ___, 2018;

READ A THIRD TIME this ___ day of ___, 2018;

FINALLY ADOPTED this ___ day of ___, 2018.

Murray Skeels
Mayor

Sophie Idsinga
Deputy Corporate Officer



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No. 468, 2018

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation

N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

Islands Trust Council Quarterly Meeting
Location: Parkside Hotel and Spa, Humbolt Street, Victoria BC
November 6 -8, 2018

TUESDAY, NOVEMBER 6		WEDNESDAY, NOVEMBER 7		THURSDAY NOVEMBER 8	
	Parking at Victoria office designated behind 1627 Fort Street building - assigned spaces and full lot designated across from Morrison Street.	7:30	BREAKFAST Location: City Club Lounge 8 th Floor Tower B	7:30	BREAKFAST Location: City Club Lounge 8 th Floor Tower B
	Parking at Parkside Hotel, use parkade off 810 Humbolt Street.	8:30	Chair's Welcome Remarks and Introductions Location: The Urban Ball Room - Main Floor	8:30	Budgeting The Urban Ball Room - Main Floor
		9:00	The Big Picture: An Overview of the Islands Trust	9:00	Local Planning Services Session Meeting procedures review, policy statement brief
1:00	VICTORIA OFFICE OPEN HOUSE Location: Suite 200 1627 Fort Street (2 nd floor)	10:00	BREAK	10:00	BREAK
	Trustees pick up personalized computer and attend orientation session ½ hour drop in sessions (9 person capacity): 1:30 – 2:00 2:30 – 3:00 3:30 – 4:00	10:15	Notice of Elections & Intent For Executive Committee & Islands Trust Conservancy	10:15	Elections Executive Committee and Islands Trust Conservancy
		10:45	Governance and Getting Things Done TAS/LPS/ITC/Budget	11:00	Business Decision Items
				12:00	ADJOURNMENT
5:00	SONGHEES NATION WELCOME & BLESSING	12:00	LUNCH Location: City Club Lounge 8 th Floor Tower B	12:00	LUNCH Location: City Club Lounge 8 th Floor Tower B
	Location: Urban Ball Room – Main Floor Parkside Hotel & Spa, 810 Humbolt Street	1:15	Council Roundtable – What's Important		
5:30	SWEARING IN CEREMONY FOR TRUSTEES Location: Urban Ball Room – Main Floor	3:15	BREAK	1:00	Executive Committee Meeting Location: Executive Boardroom Mezzanine Tower A
6:00	Reception and Photos Location: Urban Ball Room – Main Floor Trust Council group photo and individual photos for website Refreshments and appetizers	3:30	Trustee Questions & Answers		
		4:00	Candidate Presentations and Questions from Trustees For Executive Committee and Islands Trust Conservancy		
		5:00	ADJOURNMENT		
7:00	DINNER Location: City Club Lounge 8 th Floor Tower B	6:30	DINNER Location: City Club Lounge 8 th Floor Tower B		

Trust Council Quarterly Meeting Schedule
January 15-16
Nanaimo, Coast Bastion Hotel, 11 Bastion Street

Tuesday, January 15	Wednesday, January 16
7:30 Breakfast	7:30 Breakfast
8:30 Executive Committee Meeting	8:30 Strategic Planning
9:00 Chair's Welcome	10:00 Break
9:10 Standards of Conduct / Conflict of Interest - session 1 Making Fair Decisions	10:15 Strategic Planning - continued
10:00 Break	
10:30 Trust Area Services - session	
11:30 Trust Fund Conservancy - session	
12:30 Lunch	12:00 Lunch
1:30 Standards of Conduct / Conflict of Interest - session 2	1:00 Business Decision Items and Town hall
2:30 Administrative Services	2:00 LTC Session
3:30 Break	3:00 Break
3:45 Local Planning Services - session	3:15
4:45 First Nations	
5:30 Adjournment for the day	5:00 Adjournment
	
5:45 Dinner	5:45 Dinner

DRAFT



Trust Council Minutes of Regular Meeting

Date: September 18, 2018
Location: Squamish Nation Address: Barnabas Dining Room
Meeting: Keats Camp Hall
Hoakqhus or Chaich-ph , Keats Island, BC

Executive Committee: Peter Luckham, Chair, Thetis
Laura Busheikin, Vice Chair, Denman
Susan Morrison, Vice Chair, Lasqueti

Local Trustees Alison Morse, Bowen Municipal Trustee
Sue Ellen Fast, Bowen Municipal Trustee
David Critchley, Denman
Melanie Mamoser, Gabriola
George Harris, Galiano
Sandy Pottle, Galiano
Dan Rogers, Gambier-Keats
Kate-Louise Stamford, Gambier
Alex Allen, Hornby
Tony Law, Hornby
Timothy Peterson, Lasqueti
Brian Crumblehulme, Mayne
Peter Grove, Salt Spring
Paul Brent, Saturna
Bruce McConchie, South Pender

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director Local Planning Services
Carmen Thiel, Legislative Services Manager
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Nigel Hughes, Computer Apps & Systems Technician
Lori Foster, Executive Coordinator

Regrets: George Grams, Vice Chair, Salt Spring
Heather O'Sullivan, Gabriola
Jeanine Dodds, Mayne
Dianne Barber, North Pender
Derek Masselink, North Pender
Lee Middleton, Saturna
Wendy Scholefield, South Pender
Ken Hunter, Thetis

1.1 SQUAMISH NATION ADDRESS

talalsámkin siyám, Chief Bill Williams travelled to Hoakqhus or Chaich-ph, Keats Island along with Trust Council where he welcomed members to Squamish First Nation territory. Chief Williams shared a traditional blessing through song and drumming then addressed Council with history and spoke to meaningful engagement.

1. CALL TO ORDER

The meeting was called to order at 2:36pm. Chair Luckham welcomed Trust Council members and went through regrets.

Local Trustees Stamford and Rogers welcomed Trust Council to Keats.

2. APPROVAL OF AGENDA

7.6 Lessons Learned Session as scheduled

Under **12. NEW BUSINESS** add the following:

12.1 Commercial freighter anchorages advocacy throughout the Southern Gulf Islands.

12.2 Trustee remuneration for committee participation.

12.3 Citizens Climate Lobby open letter signatory.

12.4 Increasing Trust Council time by ½ day for future meetings.

By General Consent, the agenda was approved amended.

3. GENERAL BUSINESS ARISING

3.1 Resolutions Without Meeting (RWM)

3.1.1 TC-RWM-2018-03 and TC-RWM-2018-004

Presented for information.

3.2 June 2018 Trust Council Meeting Draft Minutes

Delete from item 9 page 10 of 17 – 6th bullet “If work is not completed it should be removed from the plan”.

By General Consent, the June Trust Council minutes were adopted as amended.

3.3 Trust Council Follow up Action List (FUAL)

Staff reviewed the list and answered questions.

3.4 Trustee Round Table

Trustees provided verbal updates on recent meetings, bylaw amendments, and projects in their local trust areas.

Trustee Mamoser read Trustee O’Sullivan’s regrets as she was unable to attend this term last Trust Council meeting.

The meeting recessed at 3:46 p.m. and was reconvened at 4:00 p.m.

4. EXECUTIVE

4.1 Chief Administrative Officer's Report

CAO Hotsenpiller presented his report and spoke on the recent UBCM Whistler convention meetings.

4.2 Executive Committee Work Program Report

Chair and Council reviewed the Work Program Report with staff and discussed recent meetings attended including the Union of BC Municipalities held in Whistler. A conversation on Islands Trust top priorities followed.

By General Consent, the Executive Committee Work Program Report was received for information.

4.3 Continuous Learning Plan

By General Consent, the Continuous Learning Plan was received for information.

4.4 Strategic Plan Quarterly Report

By General Consent, the Strategic Plan Quarterly Report was received for information.

4.5 New Term Orientations – Briefing

Chief Administrative Officer (CAO) Hotsenpiller presented the briefing and spoke to the schedule and orientation plan for the new term of trustees.

Trustee suggestions for learning sessions included Roberts Rules of Order, chair training, and land use application toolkits.

4.6 Connected Coast Fiber Optics – Briefing

CAO Hotsenpiller updated Council on the Connected Coast project and its future connectivity services where individual communities would have to access funding and work with regional districts.

Council was emailed the link to the Connected Coast website.

4.7 Islands Trust Act Amendments – RFD

CAO Hotsenpiller reviewed the project progress and the next steps for Council moving forward with its specific amendment requests in writing to the minister.

Discussion continued on prioritizing the list items.

TC-2018-077

It was MOVED by Trustee Brent and SECONDED by Trustee Grove

THAT the Islands Trust write to the Minister requesting amendments to the *Islands Trust Act*, specifically:

1. Allowance for entry warrants by bylaw officers;
2. Development permit area enforcement via municipal ticketing;
3. Adoption of development approval information bylaws by LTCs;
4. Amending the Act to add "First Nations" to the list of those with whom we work "in co-operation.";
5. The ability to delegate to staff the granting of development permits;
6. Seeking clarification of foreshore zoning authority;
7. Broadening of Islands Trust entities under the *Local Government Act*, relative to s. 294, allowing for "incidental or conducive powers.";
8. Ability to provide an affordable housing agreement with a third party and to create a Housing Service.

CARRIED

TC-2018-078

It was MOVED by Trustee Rogers and SECONDED by Trustee Law

To amend the motion and add to the list one bullet missing from the report:

9. include reference to the ecosystem in section 8.2 of the *Islands Trust Act*.

CARRIED

TC-2018-079

It was MOVED by Trustee Fast and SECONDED by Trustee Mamoser

To amend the motion and add to the list:

10. and enact the ability to charge fees for telecommunication applications.

CARRIED

Discussion on the amendment requests raised questions on holding land and incurring debt, the holding of housing agreements, and "incidental and conducive powers."

TC-2018-080

It was MOVED by Trustee Critchley and SECONDED by Trustee Mamoser

To amend the request to the minister by adding to the list those items that gained 50% or more approval as follows:

- Add funding for provincial levy for Islands Trust Conservancy;
- Development Permit and Temporary Use Permit delegation to Staff;
- Expand Executive Committee by one person;
- Provision in *Islands Trust Act* to provide positive obligation for cooperation from other ministries and districts.

DEFEATED

Chair Luckham recessed the meeting for the day at 5:46 p.m.

Wednesday, September 19, 2018

Chair Luckham reconvened the meeting at 8:36 a.m. with the same roll call of September 18th with eighteen trustees present and eight absent. He acknowledged the meeting was being held on Coast Salish territory.

The order of business on the agenda resumed at item 4.7.

Trustee Critchley raised items on the list for discussion and consideration.

TC-2018-081

It was MOVED by Trustee Critchley and SECONDED by Trustee Crumblehulme

To amend the letter to the minister requesting amendments to the *Islands Trust Act* by adding to the list, Provision in *Islands Trust Act* to provide positive obligation for cooperation from other ministries and districts.

DEFEATED

TC-2018-082

It was MOVED by Trustee Critchley and SECONDED by Trustee Stamford

To amend the letter to the minister requesting amendments to the *Islands Trust Act* by adding to the list, expand the Executive Committee by one person.

DEFEATED

Trustees for: Rogers, Fast, Mamoser, Stamford, Busheikin, Crumblehulme, Peterson, Critchley
Trustees against: Pottle, Law, Morse, Grove, Luckham, Morrison, Brent,
Allen, Harris, McConchie

4.8 Victoria Office Renovation Project – Briefing

CAO Hotsenpiller provided an update on the office renovation project.

4.9 Chair and Executive Committee Correspondence Policy – RFD

Legislative Services Manager, Thiel presented highlights from the Request for Decision (RFD).

Discussion on delegation requests and timing ensued.

TC-2018-083

It was MOVED by Trustee Mamoser and SECONDED by Trustee Brent

To amend the draft policy 7.4.2 Chair & Executive Committee Correspondence, section 1.8 to include reference to section 1.7.

Trustee Morse, friendly amendment to the motion as follows:
in Section 1.8, delete reference to 1.6 and replace with 1.7

CARRIED

TC-2018-084

It was MOVED by Trustee Grove and SECONDED by Trustee Brent

That Islands Trust Council adopt “Policy 7.4.2 Chair & Executive Committee Correspondence” dated September 18, 2018 as further amended.

CARRIED

TC-2018-085

It was MOVED by Trustee Busheikin and SECONDED by Trustee Mamoser

Amend the motion by adding Executive Committee may consider requests for delegations after the deadline at the discretion of the Chair.

CARRIED

5. LOCAL PLANNING

5.1 Director of Local Planning Services Report

Director of Local Planning Services (DLPS) Marlor presented highlights from the report.

5.2 Local Planning Committee Work Program Report

Chair of the Local Planning Committee, Trustee Mamoser, reviewed the work program report.

TC-2018-086

It was MOVED by Trustee Mamoser and SECONDED by Trustee Peterson

That Trust Council receive the Local Planning Committee Work Program Report as presented.

CARRIED

5.3 LPS Review – Briefing

DLPS Marlor reviewed the briefing and presented a Power Point giving background and options regarding the review. This work would be carried forward to next term's council.

5.4 LTC Agenda Model – RFD

DLPS Marlor presented the report and request for decision which, if adopted would amend Islands Trust Council policy 4.1.2 Local Trust Committee Meeting Guidelines.

Discussion on local trust committee ownership of model structure and amendment of agendas at the LTC level ensured.

TC-2018-087

It was MOVED by Vice Chair Busheikin and SECONDED by Trustee Harris

That the draft policy be amended as follows:

Page 3, item 3.2.1 wording be changed to delete the material after the word agenda and that on page 4 the model agenda be amended to place town hall after the call to order.

CARRIED

TC-2018-088

It was MOVED by Trustee Harris and SECONDED by Trustee Crumblehulme

That Islands Trust Council adopt the amended "Policy 4.1.2 Local Trust Committee Meeting Guidelines" that includes a model local trust committee meeting agenda format.

CARRIED

5.5 Bylaw Enforcement Local Summaries – Briefing

DLPS Marlor presented the summary on behalf of Bylaw Enforcement Manger (BEM) Drew who would be arriving later.

There was discussion about the range of application fees for short term vacation rentals.

At 4:35 p.m. BEM Drew arrived and addressed Council where he reviewed the report and answered questions. He discussed proactive enforcement on a policy driven basis versus complaint driven enforcement on issues such as seawalls and foreshores.

Discussion ensued on LTC bylaws, trust wide issues and compliance.

The report was received for information.

6. ADMINISTRATIVE SERVICES

6.1 Director of Administrative Services Report

Director Mobbs spoke to highlights from the report and timelines for the next fiscal year. She addressed outgoing trustees returning iPads.

6.2 Financial Planning Committee (FPC) Work Program Report

Trustee Grove, FPC Chair spoke briefly on the report. There were no questions.

TC-2018-089

It was MOVED by Trustee Groves and SECONDED by Trustee Harris,
That the Islands Trust Council approves the top priorities of the Financial Planning Committee Work Program Report.

CARRIED

6.3 June 30, 2018 Quarterly Financial Report – RFD

Director Mobbs reviewed the report. There were no questions.

TC-2018-090

It was MOVED by Trustee Grove and SECONDED by Trustee Harris,
That the Islands Trust Council approve the June 30, 2018 Quarterly Financial Report as presented.

CARRIED

6.4 Statement of Financial Information (SOFI) Report – Briefing

Director Mobbs pointed out highlights of the report which will be forwarded to the ministry.

Received for information.

6.5 2019-20 Budget

6.5.1 2019/20 Draft Budget Assumptions and Principles – Briefing

Received for information.

6.5.2 2019/20 Draft Budget Cycle Timelines
Received for information.

- 6.6 Amendment to Policy 7.2.6 Municipal Tax Requisition Calculation - RFD**
Director Mobbs commented in support of the amendment presented by Trustee Morse regarding requisition of local tax dollars.

TC-2018-091

It was MOVED by Trustee Morse and SECONDED by Trustee Brent,

To amend Trust Council Policy 7.2.6 Municipal Tax Requisition Calculation so that Amortization Expense is only included in the Municipal Pool in years when amortization is included in the financial plan as an amount that taxes are to be requisitioned for.

CARRIED

Trustee Morse noted that Bowen Island Municipality (BIM) would agree to waive the notice and this would be a policy change that could be implemented now and has been received in writing.

By General Consent, it was agreed to address item 12. New Business upon return from a break.

The meeting recessed for a break at 10:24 a.m. and was reconvened at 10:45 a.m.

12. NEW BUSINESS

12.1 Trustee McConchie re Commercial freighter anchorages advocacy throughout the Southern Gulf Islands - RFD

Trustee McConchie presented on the request for decision and motion for consideration.

TC-2018-092

It was MOVED by Trustee McConchie and SECONDED by Trustee Mamoser

That the Islands Trust Council makes the following public statement:

Islands Trust Council calls upon the federal government to take all measures possible to reduce, and ultimately eliminate, the use of commercial freighter anchorage sites throughout the Southern Gulf Islands.

These anchorage sites were designated without consultation with local First Nations and coastal communities.

First Nations Rights and Title have not been adequately addressed when it comes to anchorages and large vessel traffic within their traditional territories as is required under the United Nations Declaration on the Rights of Indigenous Peoples, Article 32.

The acoustic disturbance of freighters excessively transiting the endangered Southern Resident Killer Whales' foraging areas is a significant factor in contributing to their continued demise.

The use of these anchorages has resulted in a significant increase in noise, light, and air pollution; damage to the local marine ecosystems; a threat to local economies and most worrisome, an increased risk of catastrophic bunker-fuel spills.

Discussion on advocacy strategy ensued.

TC-2018-093

It was MOVED by Trustee Fast and SECONDED by Trustee Mamoser

To amend the motion in the first paragraph and replace “Southern Gulf Islands” with “throughout the Trust Area including the Southern Gulf Islands.”

Discussion on the amendment regarding defining the Trust Area ensued.

DEFEATED

TC-2018-094

It was MOVED by Trustee Brent and SECONDED by Trustee Grove

That motion TC-2018-093 be tabled.

CARRIED

12.2 Trustee Remuneration - RFD

Vice Chair Busheikin spoke to the rationale behind the proposal to remunerate trustees for meeting attendance.

It was noted that council committee members are appointed by the Chair while Islands Trust Conservancy members are elected.

By General Consent, Trust Council acknowledged that remuneration for meeting attendance applies to both physical and non-physical attendance (electronic meetings).

TC-2018-095

It was MOVED by Trustee Busheikin and SECONDED by Trustee Brent

Effective April 1, 2019, trustees be remunerated for their participation in the Local Planning, Trust Programs and Financial Planning Committees at rate of \$100 per meeting attended for committee members, and \$150 per meeting attended for committee Chairs; and

That Trust Council *Policy 7.2.1 Trustee Remuneration* be amended to reflect this change in remuneration structure; and

That staff be directed to bring the draft amendments to *Policy 7.2.1 Trustee Remuneration* to the next Trust Council meeting for approval of the Policy wording.

CARRIED

12.3 Citizens Climate Lobby Open Letter Signatory

Trustee Grove introduced the open letter noting it has already been endorsed by Vancouver, Victoria and Toronto.

TC-2018-096

It was MOVED by Trustee Grove and SECONDED by Trustee Harris

That Trust Council sign onto the Citizens' Climate Lobby open letter requesting that the national price on carbon plan for a rising fee be extended to the year 2030.

CARRIED

Trustee Morse opposed

12.4 Increasing Trust Council Time By ½ Day For Future Meetings

Trustee Peterson spoke on the motion he would present for consideration.

TC-2018-097

It was MOVED by Trustee Peterson and SECONDED by Trustee Harris

That Trust Council recommend that the incoming Trust Council consider modifying the schedule of future Trust Council meetings, to allow for more time to deliberate Council business.

CARRIED

7. TRUST AREA SERVICES

7.1 Director of Trust Area Services Report

Director Frater reviewed her report highlighting recent advocacy work, letters sent and meetings attended. She noted the policy statement review and work has been deferred due to urgent and timely advocacy work.

7.2 Trust Programs Committee (TPC) Work Program Report

Trustee Crumblehulme, TPC Chair presented the report and spoke on recent activities of the committee.

TC-2018-099

It was MOVED by Trustee Crumblehulme and SECONDED by Trustee Harris,

That the Islands Trust Council approves the top priorities of the Trust Programs Committee Work Program Report.

CARRIED

7.3 Islands Trust Conservancy Quarterly Report – Briefing

Trustee Law, Chair of the Islands Trust Conservancy reviewed the briefing and spoke on the Opportunity Fund.

Received for information.

7.4 Islands Trust Fund Audited Financial Statement – Briefing

Received for information.

7.5 Service Integration Committee – Briefing

Received for information.

By General Consent, Council addressed the Lesson Learned Session as shown on the schedule but not itemized on the agenda item, as item 7.6 followed by item 11.

7.6 Lessons Learned Session

A roundtable discussion by trustees on lessons learned ensued.

11. SUMMARY / UPDATES

11.1 Trustee Updates

11.1.1 BC Ferries (Ferry Advisory Committee Chairs)

Trustee Fast reported on a meeting with Minister Trevena and future consideration for electric or hybrid ferry service.

11.1.2 First Nations

Trustee Stamford spoke noted a pole raising on Gambier.

11.1.3 Gulf Islands National Park Reserve Advisory Committee

Director Frater noted a council representative from the new term will be appointed to this committee

11.1.4 Salt Spring Island Watershed Protection Authority (SSIWPA)

No report.

11.1.5 Howe Sound Community Forum

Trustee Stamford noted that Ocean Watch is the action group of the forum.

11.1.6 Freighter Roundtable Update

Trustee McConchie noted an October roundtable is planned.

The meeting was recessed for lunch at 12:00 p.m. and reconvened at 1:00 p.m.

8. COLLABORATION / ENGAGEMENT

8.1 Trustee Stamford - Gambier Island

Trustee Stamford addressed Council with a Power Point featuring Gambier Island and its unique amenities.

8.2 Community Presentation - Howe Sound Biosphere Region Initiative Society

Ruth Simmons presented on behalf of the Howe Sound Biosphere Region Initiative Society and the conservation initiatives of the society.

8.3 Delegations & Town Hall

8.3.1 SeaChange Marine Conservation Group

Fiona Beaty, representing the SeaChange Marine Conservation Group and Willem van Reit of the David Suzuki Society used Power Point presentations to convey the work of the group which has used scientific data and mapping to present the environmental changes that have occurred in the Howe Sound region.

Ian Winn, Electoral Director, Sunshine Coast Regional District, West Howe Sound Area addressed Trust Council noting the benefit of working closely with Islands Trust and reflected on his first and last term as a

regional director with IT and vice versa. Tagline, communicate, collaborate and coordinate efforts from UBCM.

By General Consent, Council retabled Motion TC-2018-093.

Trustee McConchie presented the new motion.

TC-2018-100

It was MOVED by Trustee McConchie and SECONDED by Trustee Mamoser;
That the Islands Trust Council makes the following public statement:

“Islands Trust Council calls upon the federal government to take all measures possible to reduce, and ultimately eliminate, the use of the 33 commercial freighter anchorage sites throughout the Southern Gulf Islands collectively referred to by Transport Canada as the South Coast of British Columbia.

These anchorage sites were designated without consultation with local First Nations and coastal communities.

First Nations Rights and Title have not been adequately addressed when it comes to anchorages and large vessel traffic within their traditional territories as is required under the United Nations Declaration on the Rights of Indigenous Peoples, Article 32.

The acoustic disturbance of freighters excessively transiting the endangered Southern Resident Killer Whales’ foraging areas is a significant factor in contributing to their extinction.

The use of these anchorages has resulted in a significant increase in noise, light, and air pollution; damage to the local marine ecosystems; a threat to local economies and most worrisome, an increased risk of catastrophic bunker-fuel spills.”

And that it be communicated directly to the Prime Minister, Federal Minister of Transport, Federal Minister of Fisheries and Oceans, Federal Minister of Environment and Climate Change, Coast Guard, Premier of British Columbia, Provincial Minister of Environment and Provincial Minister of Transport

CARRIED

9. IMPLICATIONS OF THE WATER SUSTAINABILITY ACT LEARNING SESSION

Senior Fresh Water Specialist, William Shulba presented to Trust Council and answered questions regarding implications of the *Water Sustainability Act*. The power point presentation was circulated to trustees for information.

10. CORRESPONDENCE

None

11.2 Priorities Chart

By General Consent, the Priorities Chart was received as presented.

11.3 Proposed November 2018 Trust Council Agenda Program

For information.

11.4 Disposition of Delegations and Town Hall Requests

By General Consent, Trust Council request that staff acknowledge today's presenters with thank you letters.

13. CLOSED MEETING (Separate Agenda)

TC-2018-101

It was MOVED by Trustee Busheikin and SECONDED by Trustee Brent

That the Islands Trust Council meeting be closed to the public subject to Section 90(1) of the Community Charter in order to consider matters related to:

(c) labour relations or other employee relations,

(g) litigation affecting the Islands Trust; and

(i) receipt of advice that is subject to solicitor-client privilege;

and that CAO Russ Hotsenpiller and staff be invited to attend the closed session.

CARRIED

14. NEXT MEETING - November 6-8, Victoria

The next Trust Council meeting will be held in Victoria at the Parkside Hotel, 810 Humbolt Street.

15. ADJOURNMENT

By General Consent the meeting was adjourned at 5:30 p.m., September 19, 2018

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator

Follow Up Action Report

Trust Council

Chief Administrative Officer

No	Activity	Activity	Responsibility	Target Date	Status
1	06-Dec-2016	That Trust Council approve in principle a review of the Islands Trust Act.	Russ Hotsenpiller		On Going
2	14-Mar-2018	Staff to prepare a short list of legislative amendments for the June 2018 Trust Council meeting and that a working session be scheduled to develop a prioritized list of potential amendments. That a public engagement plan regarding legislative change be developed and presented to Trust Council.	Russ Hotsenpiller Andrew Templeton	06-Jun-2018	Done
3	19-Jun-2018	Trust Council endorse the list of <i>Islands Trust Act</i> potential amendments for further work by staff and prepare the list for the UBCM in September.	Russ Hotsenpiller	10-Sep-2018	Done
4	19-Jun-2018	That Trust Council amend the Continuous Learning plan by removing the Legal and Governance topic, "subdivision authority and bare land strata" and keeping the <i>Water Sustainability Act</i> .	Russ Hotsenpiller	31-Jul-2018	Done
5	19-Jun-2018	Trust Council maintain the status quo (re council committees) and direct that specific improvements: trustee remunerations, maintaining working groups and electronic communications, be considered within the current structure to improve various service elements.	Russ Hotsenpiller	31-Jul-2018	On Going

Follow Up Action Report

6	19-Sep-2018	Identification of preferred Islands Trust Act Amendments THAT the Islands Trust write to the Minister requesting amendments to the Islands Trust Act, specifically: 1. Allowance for entry warrants by bylaw officers; 2. Development permit area enforcement via municipal ticketing; 3. Adoption of development approval information bylaws by LTCs; 4. Amending the Act to add "First Nations" to the list of those with whom we work "in co-operation;" 5. The ability to delegate to staff the granting of development permits; 6. Seeking clarification of foreshore zoning authority; 7. Broadening of Islands Trust entities under the Local Government Act, relative to s. 294, allowing for "incidental or conducive power;" 8. Ability to provide an affordable housing agreement with a third party and to create a Housing Service. To amend the motion and add to the list one bullet missing from the report: 9. Include reference to the ecosystem in section 8.2 of the Islands Trust Act. To amend the motion and add to the list: 10. Enact the ability to charge fees for telecommunication applications.	Russ Hotsenpiller	15-Jan-2019	On Going
7	19-Sep-2018	That Trust Council recommend that the incoming Trust Council consider modifying the schedule of future Trust Council meetings, to allow for more time to deliberate Council business.	Russ Hotsenpiller	15-Jan-2019	On Going

Follow Up Action Report

Director, Administrative Services

No	Activity	Activity	Responsibility	Target Date	Status
1	14-Mar-2018	Financial Plan Bylaw No. 172 and Revenue Anticipation Bylaw No. 173 be forwarded to Minister of Municipal Affairs and Housing for approval.	Julia Mobbs Jas Chonk	28-Mar-2018	Done
2	19-Jun-2018	Trust Council approves the creation of a specific reserve fund for LTC projects and approves an initial transfer to this fund of \$100,000 from the General Revenue Surplus Fund.	Julia Mobbs	31-Aug-2018	Done
3	19-Sep-2018	June 30th 2018 Quarterly Financial Report . That the Islands Trust Council approve the June 30, 2018 Quarterly Financial Report as presented.	Julia Mobbs	15-Jan-2019	Done
4	19-Sep-2018	To amend Trust Council Policy 7.2.6 Municipal Tax Requisition Calculation so that Amortization Expense is only included in the Municipal Pool in years when amortization is included in the financial plan as an amount that taxes are to be requisitioned for.	Julia Mobbs	15-Jan-2019	Done
5	19-Sep-2018	Effective April 1, 2019, trustees be remunerated for their participation in the Local Planning, Trust Area and Financial Planning Committees at rate of \$100 per meeting attended for committee members, and \$150 per meeting attended for committee Chairs; and That Trust Council Policy 7.2.1 Trustee Remuneration be amended to reflect this change in remuneration structure; and That staff be directed to bring the draft amendments to Policy 7.2.1 Trustee Remuneration to the next Trust Council meeting for approval of the Policy wording.	Julia Mobbs	15-Jan-2019	On Going

Follow Up Action Report

Director, Local Planning Services

No	Activity	Activity	Responsibility	Target Date	Status
1	13-Mar-2018	That the Executive Committee provide recommendations to Trust Council on means to address compensation for First Nations site visits.	David Marlor	01-Mar-2019	On Going
2	13-Mar-2018	That Trust Council Policy 2.1.14 History, Heritage and Conservation Grants in-aid as amended by adding section 3.5 With the approval of affected local trust committees or island municipality, be adopted.	David Marlor Jas Chonk	20-Apr-2018	Done
3	19-Jun-2018	Islands Trust Council request staff to return with a review and update of the recommendations in the report, "Community Housing in the Islands Trust Area (2016)", and make recommendations for how Islands Trust can help address the needs identified by the 2018 Housing Needs Assessments.	David Marlor	03-Dec-2018	On Going
4	19-Sep-2018	That draft policy 4.1.2 Local Trust Committee Meeting Guidelines be amended as follows: in 3.2.1, all material after the word agenda"be deleted, and the comma be changed to a period and that in Appendix One, the Item Town Hall be moved below Call to Order. That Islands Trust Council adopt the amended Policy 4.1.2 Local Trust Committee Meeting Guidelines that includes a model local trust committee meeting agenda format.	David Marlor	15-Jan-2019	On Going
5	19-Sep-2018	That Trust Council receive the Local Planning Committee Work Program Report as presented.	David Marlor	15-Jan-2019	Done

Follow Up Action Report

Director, Trust Area Services

No	Activity	Activity	Responsibility	Target Date	Status
1	16-Sep-2015	Identify and act on opportunities re freighter anchorages.	Clare Frater	31-Mar-2019	On Going
2	14-Jun-2016	Issue NAPTEP certificate subject to survey, covenant and baseline report.	Clare Frater	14-Jun-2019	On Going
3	19-Jun-2018	Trust Council request staff to provide a report to Trust Council with information about the implications of the Islands Trust taking on a secretariat role for the Howe Sound Community Forum that considers the needs of existing and potential regional coordination processes in the Baynes Sound/Lambert Channel and Saanich Inlet regions and that the Trust Programs Committee is authorized to provide initial support if it deems it advisable out of its existing budget.	Clare Frater	31-Mar-2019	On Going
4	19-Jun-2018	That the Islands Trust Council extend the timeline for issuing the Natural Area Protection Tax Exemption Certificate for NAPTEP application GB-NAP-2016.1 (Link Island) for one year, until June 2019.	Clare Frater	30-Jun-2019	Done
5	19-Jun-2018	Trust Council request staff to update and improve climate change information on the Islands Trust website and that Local Trust Committees and Bowen Island be encouraged to disseminate this information in their communities.	Clare Frater	31-Aug-2018	On Going
6	19-Jun-2018	That Trust Council request that the Chair write to the provincial review process about BC Hydro net metering to comment that net metering is an important element of making solar energy viable in the Trust Area.	Clare Frater	31-Dec-2018	Done
7	19-Jun-2018	Trust Council request that the Executive Committee work with regional districts in the Trust Area to develop a strong, united voice in support of solar energy.	Clare Frater	31-Jan-2019	On Going

Follow Up Action Report

8	19-Sep-2018	That the Islands Trust Council makes the following public statement: Islands Trust Council calls upon the federal government to take all measures possible to reduce, and ultimately eliminate, the use of the 33 commercial freighter anchorage sites throughout the Southern Gulf Islands collectively referred to by Transport Canada as the South Coast of British Columbia. - These anchorage sites were designated without consultation with local First Nations and coastal communities. - First Nations Rights and Title have not been adequately addressed when it comes to anchorages and large vessel traffic within their traditional territories as is required under the United Nations Declaration on the Rights of Indigenous Peoples, Article 32. - The acoustic disturbance of freighters excessively transiting the endangered Southern Resident Killer Whales foraging areas is a significant factor in contributing to their extinction. - The use of these anchorages has resulted in a significant increase in noise, light, and air pollution; damage to the local marine ecosystems; a threat to local economies and most worrisome, an increased risk of catastrophic bunker-fuel spills. - And that it be communicated directly to the Prime Minister, Federal Minister of Transport, Federal Minister of Fisheries and Oceans, Federal Minister of Environment and Climate Change, Coast Guard, Premier of British Columbia, Provincial Minister of Environment and Provincial Minister of Transport.	Clare Frater	15-Jan-2019	Done
9	19-Sep-2018	That Trust Council sign onto the Citizens' Climate Lobby open letter requesting that the national price on carbon plan for a rising fee be extended to the year 2030.	Clare Frater	15-Jan-2019	Done
10	19-Sep-2018	That the Islands Trust Council approves the top priorities of the Trust Programs Committee Work Program Report.	Clare Frater	15-Jan-2019	Done
11	19-Sep-2018	Staff to draft thank you letters from the Chair to delegates and community presenters	Clare Frater	30-Sep-2018	Done

Follow Up Action Report

Executive Coordinator

No	Activity	Activity	Responsibility	Target Date	Status
1	19-Jun-2018	Islands Trust Council request Staff to forward the Housing Needs Assessment, Northern Region of Islands Trust, dated June 2018, as amended, to planning staff and relevant local trust committees as amended.	Lori Foster	31-Jul-2018	Done
2	19-Jun-2018	Islands Trust Council request Staff to forward the Southern Gulf Islands Housing Needs Assessment, dated February 2018, to planning staff and relevant local trust committees.	Lori Foster	31-Jul-2018	Done

Follow Up Action Report

Legislative Services Manager

No	Activity	Activity	Responsibility	Target Date	Status
1	14-Mar-2018	That the Islands Trust Council amend Policy 2.3.1 Council Committee System and Policy 2.4.3 Executive Committee Election, as indicated in attachments 1 and 2 to the report, to reflect legislative changes to trustees terms of office and the election date.	Carmen Thiel Jas Chonk	20-Apr-2018	Done
2	14-Mar-2018	Staff to conduct an RWM to adopt Trust Council Election Procedures Bylaw No. 124.	Carmen Thiel Jas Chonk	18-Apr-2018	Done
3	19-Jun-2018	That the Islands Trust Council agree to enter into service contracts with the following regional districts: Nanaimo Regional District, Comox Valley Regional District, Cowichan Valley Regional District, Powell River Regional District, Sunshine Coast Regional District, Capital Regional District for the purpose of sharing the costs of conducting elections. That the Islands Trust Council authorize the Chair and Legislative Services Manager to sign the service agreements on behalf of Council that will be substantially similar to the attached template, and which will allow for the use of mail ballots where authorized by the elections administration bylaws of the respective regional districts.	Carmen Thiel	20-Oct-2018	Done

Follow Up Action Report

4 19-Sep-2018	To amend the draft policy 7.4.2 Chair & Executive Committee Correspondence section 1.8 to include reference to section 1.7. with a friendly amendment as follows: in Section 1.8 delete reference to 1.6 and replace with 1.7. That Islands Trust Council adopt “Policy 7.4.2 Chair & Executive Committee Correspondence” dated September 18, 2018 as further amended, AND amend the motion by adding Executive Committee may consider requests for delegations after the deadline at the discretion of the Chair.	Carmen Thiel	15-Jan-2019	On Going
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November 7, 2018
Islands Trust Council
THE BIG PICTURE: AN OVERVIEW OF THE ISLANDS TRUST

Background: To provide the new 2018-2022 Islands Trust Council with an overview of the Islands Trust including governing legislation, key stakeholders who impact the Islands Trust, organizational structure, and other contextual information. These elements are the foundation of the upcoming term and key to a common understanding of service delivery.

Purpose:

1. To review guiding legislation of the Islands Trust and other relevant legislation.
2. To understand stakeholders and external forces that act upon the Islands Trust.
3. To introduce core policies and structures of the Islands Trust including Trust Council, Executive Committee, Local Trust Committees, and the professional organization.
4. To identify current First Nations engagement principles of the Islands Trust.

Resources: Russ Hotsenpiller, CAO

TIME	TOPIC	WHO
9:00 a.m – 10 a.m.	Introduction: External scan	CAO
	Authorities of the Islands Trust	
	Decision Makers: Trust Council Islands Trust Conservancy Executive Committee Local Trust Committees Council Committees	
	Staff services and organization	
	First Nations engagement principles	



November 7, 2018
Islands Trust Council
NOTICE OF ELECTIONS & NOTICE OF INTENT

Background: To provide the Notice of Elections & Intent for Executive Committee and Islands Trust Conservancy positions.

Purpose:

1. To review the date and time where trustees can indicate their interest to run for positions of chair or vice chair of Executive Committee and/or Islands Trust Conservancy positions.
2. To review the date and time where an Executive Committee and Islands Trust Conservancy Candidates Panel will be held.
3. To review how trustees can indicate their interest in serving on any of the three Trust Council standing committees: Financial Planning, Local Planning and Trust Programs.

Resources: Russ Hotsenpiller, CAO
Carmen Thiel, Legislative Services Manager (LSM)

TIME	TOPIC	WHO
10:15 am	Notice of Elections & Intent for Executive Committee & Islands Trust Conservancy	LSM



November 7, 2018
Islands Trust Council

GOVERNANCE AND GETTING THINGS DONE

Background: To provide an orientation session focused upon governance, role clarity and effective means of achieving Trust Council objectives and trustee interests. An overview of Trust Area Services, the Islands Trust Conservancy and Administration will be provided.

Purpose:

1. To review the Islands Trust governance model including the one employee concept
2. To receive an overview of Trust Area Services, the Islands Trust Conservancy, and Administration
3. To receive a list of 'quick tips' focused upon new trustees in terms of communications policy, Freedom of Information and conflict of interest.

Resources: Russ Hotsenpiller, CAO
Clare Frater,

TIME	TOPIC	WHO
10:45 a.m. – 12 p.m.	Governance models	CAO
	Role of the Trustee	
	Role clarity, professional excellence	
	Getting things done!	
	Trust Area Services (TAS) presentation	Clare Frater, Director
	Islands Trust Conservancy presentation	Kate Emmings, Acting Manager
	Administration presentation	Julia Mobbs, Director
	'Quick tips'	



November 7, 2018
Islands Trust Council
WHAT IS IMPORTANT: TRUST COUNCIL ROUNDTABLE

Background: Trust Council has directed that all trustees be provided an extended opportunity to speak to issues that are important to them early in the first Council meeting of the term.

Purpose:

1. To receive a brief overview of important issues and projects, including highlights from the 2014-2022 Strategic Plan.
2. To hear from trustees on important issues from a local and Trust wide perspective and to begin informally identifying areas of focus for the term.
3. To have specific discussions with Regional Office staff and LTCs

Resources: Russ Hotsenpiller, CAO
Clare Frater, Director of Trust Area Services

TIME	TOPIC	WHO
1:15	Review of key themes and work projects from 2014-2018: what is left to do?	CAO
	General review of strategic plan 2014-2018	
1:30 – 2:45	Roundtable 1. What is important to your Island? 2. How are you going to make a difference for your community and the Islands Trust?	Chair
2:45– 3:15	Trustees will have an opportunity to gather with Regional Office planning staff to discuss Local Trust Committee organization and upcoming meetings.	Regional Planning Managers



Wednesday November 7, 2018

Islands Trust Council

TRUSTEE QUESTION AND ANSWER SESSION

Background: Previous Trust Council's have identified a desire to have a free flowing exchange of information on topics generated by trustees. These questions could be administrative in nature and directed to staff that are present or be directed to trustees with regard to strategic planning, key priorities, practises of Trust Council or some other area of interest.

Purpose:

1. **For new trustees to ask questions of staff or other trustees on topics of interest**

Resources: Russ Hotsenpiller, CAO

TIME	TOPIC	WHO
3:30	Q and A	Chair



November 7, 2018
Islands Trust Council
EXECUTIVE COMMITTEE/ISLANDS TRUST CONSERVANCY
CANDIDATE PRESENTATIONS

Background: Candidates have the opportunity to make presentations to their fellow trustees and to respond to any questions they may have.

- Purpose:**
1. To provide those trustees who have expressed an interest in being nominated for Executive Committee and Islands Trust Conservancy positions an opportunity to address Trust Council.
 2. To provide Trust Council members with an opportunity to ask questions of those trustees who have expressed an interest in being nominated for Executive Committee and Islands Trust Conservancy positions.

Resources: Russ Hotsenpiller, CAO
 Carmen Thiel, Legislative Services Manager (LSM)

TIME	TOPIC	WHO
4:00 – 5:00 pm	1. <u>Candidate presentations for Executive Committee</u> *(1 - Chair, 3 - Vice Chair positions to be elected) • Presentations for Chair • Presentations for Vice-Chair • Trustee Questions of Candidates for Executive Committee - Candidates for Executive Committee: • • 2. <u>Candidate presentations for Islands Trust Conservancy</u> *(2 positions to be elected) • Presentations for Islands Trust Conservancy Membership • Trustee Questions of Candidates for Islands Trust Conservancy - Candidates for Islands Trust Conservancy: • • •	LSM
* 5 minutes is allocated to each candidate for initial presentations. If necessary, this session may be lengthened to accommodate all interested candidates		



November 8, 2018
Islands Trust Council
BUDGETING

Background:

To provide the new 2018-2022 Islands Trust Council with an overview of the Islands Trust budget and budget development process.

Purpose:

1. To provide Trust Council with an overview of the Islands Trust Budget Process.
2. To review the assumptions and principles upon which the Islands Trust budget is developed, and highlight known or potential changes in specific 2019/2020 revenue and expenditure items from previous years.
3. To provide an opportunity for questions, comments, and recommendations from Trustees before the first draft of the budget is presented to the new Financial Planning Committee for detailed review, prior to Trust Council receiving the draft in January 2019.

Resources: Julia Mobbs, Director, Administrative Services
Russ Hotsenpiller, CAO

TIME	TOPIC	WHO
8:30am – 9:30am	Introduction	Peter Luckham
	Budget Process and Timelines	Julia Mobbs
	Fiscal 2018/19 Budget	
	Budget Assumptions and Principles • Overview of standing items • Highlights of proposed changes from previous fiscal budgets	
	Questions and Comments	



November 8, 2018
Islands Trust Council
Local Planning Services Orientation

Background: This outline is presented in support of Trust Council orientation

Purpose:

1. To provide an overview of Local Planning Services

Resources: David Marlor, Director of Local Planning Services
Stefan Cermak, Regional Planning Manager
Robert Kojima, Regional Planning Manager
Ann Kjerulf, Regional Planning Manager
Miles Drew, Bylaw Enforcement Manager

TIME	TOPIC	WHO
9:00 am	Introduction to Local Planning Services	David Marlor
9:15 am	LTC Meeting Procedures	
9:25 am	Islands Trust Policy Statement and LTC Bylaws	
9:30 am	Further LPS Orientation	



November 8, 2018
Islands Trust Council
EXECUTIVE COMMITTEE AND
ISLANDS TRUST CONSERVANCY ELECTIONS

Purpose:

1. To elect the Chair and three Vice Chairs of the Islands Trust Executive Committee.
2. To elect two trustees to sit on the Islands Trust Conservancy.

Resources:

Russ Hotsenpiller, CAO
 Carmen Thiel, Legislative Services Manager (LSM)

TIME	TOPIC	WHO
10:15 am	1. Election for Chair a. Nominations b. Election of a trustee to assist in ballot counting c. Voting by secret ballot d. Announce result of vote	LSM
	2. Election for Vice-Chairs (3 positions) a. Nominations b. Election of a trustee to assist in ballot counting c. Voting by secret ballot d. Announce results of vote	
	3. Election for Islands Trust Conservancy (2 positions) a. Nominations b. Election of a trustee to assist in ballot counting c. Voting by secret ballot d. Announce results of vote	

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** November 8, 2017
From: CAO Hotsenpiller **Date Prepared:** October 18, 2018
SUBJECT: Selection of 2019 Trust Council Meeting locations

RECOMMENDATION: THAT the following dates and locations are recommended for the 2019 Trust Council meetings:

- March 12-14 Galiano Island
- June 18-20 Gabriola Island
- September 17-19 Bowen Island
- December 3-5 Victoria

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The last meeting of the calendar year is identified by policy as the meeting at which the following Trust Council schedule is confirmed. Staff have provided a recommendation for consideration of Trust Council for their consideration. Certainty on Trust Council scheduling will allow the Executive Committee, Council Committees and LTCs to create their schedules.

- 1 **PURPOSE:** To identify three local trust area locations for Trust Council meetings for 2019.
- 2 **BACKGROUND:** At the last meeting of the year, traditionally December, Trust Council identifies and directs the date and location of Trust Council meetings for the upcoming year.

Staff provide Trust Council a tentative or suggested list of times and locations which are then adopted by Trust Council or amended as it sees fit. Typical considerations for locations are ensuring an equal rotation between Local Trust Areas, the ability of the island to host Trust Council, transportation, weather and availability.

The following dates and locations are recommended for the 2019 Trust Council meetings:

- March 12-14 Galiano Island
- June 18-20 Gabriola Island
- September 17-19 Bowen Island
- December 3-5 Victoria

Following adoption of meetings by Trust Council, Executive Committee and Council Committees will then confirm their annual meeting schedule. This will in turn allow for confirmation and publication of Local Trust Committee meeting schedules.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Staff resources, particularly the Executive Coordinator are allocated towards organization of Trust Council meetings.

FINANCIAL: With reference to the study received by Trust Council in 2017 regarding comparison of hosting capabilities by Trust Area, the costs for the recommended locations, per meeting, are approximately \$19,800.00

POLICY: Section 2.1 of Meeting Procedures bylaw No. 101 states that: *the first regular meeting of Trust Council shall be held on the first Wednesday of November following a general local election. At the first regular meeting, the Council shall establish the schedule of the date, time and place of Regular Council meetings for the following calendar year, one of which shall be in each of the months of March, June, September and December.*

Further policy direction is provided by Policy 2.2.2 'Council meeting preparation.'

IMPLEMENTATION/COMMUNICATIONS: Public information of Trust Council meetings will be conducted as per policy.

FIRST NATIONS: There are no specific First Nations implications associated with the selection of time and location for Trust Council meetings.

OTHER:

4 RELEVANT POLICY(S):

5 ATTACHMENT(S):

- a. List of proposed Executive Committee dates for 2019
- b. Full Trust Council, EC and Committee schedule in calendar form

RESPONSE OPTIONS

Recommendation: **THAT** the following dates and locations are recommended for the 2019 Trust Council meetings:

- | | |
|-------------------|-----------------|
| • March 12-14 | Galiano Island |
| • June 18-20 | Gabriola Island |
| • September 17-19 | Bowen Island |
| • December 3-5 | Victoria |

Alternative: Trust Council may wish to change locations for one or more of their quarterly meetings.

Prepared By: R Hotsenpiller
CAO

Reviewed By/Date: October 18, 2018.



Islands Trust Executive Committee 2019 DRAFT Meeting Schedule

All meetings will be held in the Islands Trust Victoria office (#200, 1627 Fort Street) on Wednesdays, starting at 9:00 AM unless otherwise noted.

January 2

January 15, 8:30 AM (Tuesday) @ Trust Council Nanaimo

January 30

February 13

February 27

March 6, 10:00 AM (Ballenas-Winchelsea LTC Mtg)

March 12, 12:00 PM (Tuesday) @ Trust Council Galiano

March 27

April 17

May 8, 10:00 am (Northern Office)

June 5

June 18, 12:00 PM (Tuesday) @ Trust Council Galiano

July 3

July 10 (Ballenas-Winchelsea LTC Mtg)

July 16, 1:00 – 2:30 AM (Tuesday) Islands Trust Conservancy Liaison Mtg

July 24

August 14, 10:00 am (Salt Spring Island)

September 4

September 17, 12:00 pm (Gabriola – Trust Council)

October 2

October 16 (Ballenas-Winchelsea LTC Mtg)

October 30

November 27

December 3 12:00 PM (Tuesday @ Trust Council Victoria)

December 18

TRUST COUNCIL MEETINGS

January 15 – 16 Nanaimo (adopted)

March 12-14– Galiano

June 18-20 – Gabriola

September 18-20 – Bowen

December 3-5 - Victoria

COUNCIL COMMITTEE MEETINGS*

TPC – Jan 23, March 18, Apr. 15, May 13, Aug 19, Oct 21

LPC – Feb 7, May 23, Aug 22, Oct 10

FPC – Jan 21, Feb 20, May 22, Aug 28, Oct 23, Nov. 20

*TPC = Trust Programs Committee, LPC = Local Planning Committee, FPC = Financial Planning Committee

2019 DRAFT Islands Trust Master Meeting Schedule

January						
S	M	T	W	Th	F	S
		1 STAT	2 EC	3	4	5
6	7	8	9	10	11	12
13	14	15 EC	16	17	18	19
20	21 FPC	22	23 TPC	GA SS	25	26
27	28 MA	29 ITC	30 EC	NP GB		
February						
S	M	T	W	Th	F	S
					1	2
3	4 GL	5 DE	6	7 LPC	8 HO	9
10	11	12	13 EC	14 SS	15	16
17	18 STAT	SP TH	20 FPC	21 SA	22	23
24	MA LA	26	27 EC	NP GB		
March						
S	M	T	W	Th	F	S
					1	2
3	4 GL	5 DE	6 BW	GM SS	8	9
10	11	12 EC	13	14	15	16
17	18 TPC	19	20	21	22	23
24	25 MA	26	27 EC	NP SS	29	30
31						
April						
S	M	T	W	Th	F	S
	1 GL	2 ITC	3	4	5 HO	6
7	8 LA	9 SP	10	SA GB	12	13
14	15 TPC	16 TH	17 EC	18 SS	19 STAT	20
21	22 STAT	23	24	25 NP	26	27
28	29 MA	30 DE				
May						
S	M	T	W	Th	F	S
			1	2 GM	3	4
5	6 GL	7	8 EC	9	10	11
12	13 TPC	14	15	GB SS	17	18
19	20 STAT	21	22 FPC	23 LPC	24	25
26	MA LA	28 ITC	29	30 NP	31	
June						
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2	3 GL	4 DE	5 EC	SA GM	7	8
9	10	11	12	13 SS	14 HO	15
16	17	18 EC	19	20	21	22
23	24 MA	SP TH	26	NP GB	28	29
30						
July						
S	M	T	W	Th	F	S
	1 STAT	2	3 EC	4	5	6
7	8 GL	9 DE	10 BW	GB SS	12 HO	13
14	15	16 EC/ITC	17	18	19	20
21	22 LA	23	24 EC	NP GM	26	27
28	29	30 TH	31			
August						
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4	5 STAT	6	7	8	9	10
11	12	13	14 EC	15 SS	16	17
18	19 TPC	20	21	22 LPC	23	24
25	26	27	28 FPC	29	30	31
September						
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1	2 STAT	3	4 EC	5 NP	6	7
8	9 GL	10 SP	11	GB SA SS	13 HO	14
15	16	17 EC	18	19	20	21
22	23	24 ITC	25	26	27	28
29	MA LA					
October						
S	M	T	W	Th	F	S
		1 DE	2 EC	3 GM	4	5
6	7 GL	8 TH	9	10 LPC	11	12
13	14 STAT	15	16 BW	17 SS	18	19
20	21 TPC	22	23 FPC	24 GB	25	26
27	MA LA	29	30 EC	31 NP		
November						
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3	4 GL	5	6	7 GM	8 HO	9
10	11 STAT	SP DE	13	14 SS	15	16
17	18	19 TH	20 FPC	21 SA	22	23
24	25 MA	26 ITC	27 EC	NP GB	29	30
December						
S	M	T	W	Th	F	S
1	2	3 EC	4	5	6	7
8	9 GL	10	11	12 SS	13	14
15	16	17	18 EC	19	20	21
22	23	24	25 STAT	26 STAT	27	28
29	30	31				

LEGEND

	Trust Council Quarterly Meetings (includes 4 EC meetings)
	Executive Committee Meetings (14 meetings)
	UBCM – Vancouver
BW	Ballenas-Winchelsea
TPC	Trust Programs Committee
FPC	Financial Planning Committee
LPC	Local Planning Committee
ITC	Islands Trust Conservancy

LOCAL TRUST COMMITTEES

DE	Denman	North
GB	Gabriola	North
GL	Galiano	South
GM	Gambier	North
HO	Hornby	North
LA	Lasqueti	North
MA	Mayne	South
NP	North Pender	South
SS	Salt Spring	Central
SA	Saturna	South
SP	South Pender	South
TH	Thetis	North
	Potential Conflicts – depending on Chair assignments	



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** November 8, 2018
From: Executive Committee **Date Prepared:** October 24, 2018
SUBJECT: ISLANDS TRUST REPRESENTATION ON THE GULF ISLANDS NATIONAL PARK RESERVE
PARK ADVISORY BOARD (PAB)

RECOMMENDATION: That the Islands Trust Council recommend to Parks Canada that Trustee (*to be determined by Council*) and Trustee (*to be determined by Council*) be Trust Council's liaisons to the Gulf Islands National Park Reserve.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Recommending trustees as liaisons to the Gulf Islands National Park Reserve provides the Islands Trust Council with an opportunity for close cooperation with Parks Canada. Ideally, Council's representatives are from islands most affected by National Park policies.

1) PURPOSE: To inform Trust Council's recommendation for two trustees to act as Trust Council's liaisons to the Gulf Islands National Park Reserve.

2) BACKGROUND:

Previously, Trust Council recommended a representative and alternate representative for appointment to the Park Advisory Board for the Gulf Islands National Park Reserve. The Gulf Islands National Park Reserve's Advisory Board had seven members, including a Trust Council representative, a Capital Regional District Board representative, three public members, and two non-voting Parks Canada representatives. The Parks Advisory Board met at least four times per year for a half or full day, normally a weekday. The key purpose of the Parks Advisory Board was to assist in the development of the Park Management Plan and to advise the Superintendent on annual business planning and on matters of interest to the public/surrounding communities relating to planning, management and operations of the park reserve. The Chairperson and Vice Chair of the Advisory Board were elected annually from the membership and the terms of reference required that an Islands Trust member must be at a meeting to have a quorum.

Previously, Trust Council was represented by:

- 2005-2008: Tom Johnstone of Saturna Island and the late John Henshaw (alternate 2005-2007) and Gary Rowe of Mayne Island (alternate 2007-2008).
- 2008-2011: Wendy Scholefield of South Pender Island and Derek Masselink of North Pender Island (alternate).
- 2011-2014: Pam Janszen of Saturna Island and Brian Crumblehulme of Mayne Island (alternate).
- 2014-2017: Derek Masselink North Pender and Lee Middleton Saturna (alternate).

With the creation of the National Park Reserve, Parks Canada made a commitment to develop cooperative working relationships with those Coast Salish First Nations that wished to do so. At a result of this commitment Parks Canada is working with First Nations to develop a new governance model for the Park. While this process is ongoing, the Parks Advisory Board is not meeting and it is expected that a new advisory model will emerge.

- 3) IMPLICATIONS OF RECOMMENDATION:** The Islands Trust Council will have trustees tasked with liaison to the Gulf Islands National Park Reserve.

ORGANIZATIONAL: Few organizational demands are expected from the appointment. Trust Council's appointed representatives attend meetings as required and report to Trust Council on a regular basis.

FINANCIAL: None (Parks Canada pays an honorarium and expenses to attend meetings).

POLICY: No policy implications.

IMPLEMENTATION/COMMUNICATIONS: Staff will advise the Superintendent of Gulf Islands National Park Reserve of Council's recommended appointees. The park Superintendent will then contact the selected trustees to confirm their membership.

FIRST NATIONS: Having trustees dedicated for liaison with the Gulf Islands National Park Reserve provides an opportunity to build relationships and learn about co-management frameworks being developed in the Trust Area with the Coast Salish First Nations.

OTHER: None

- 4) RELEVANT POLICY(S):** First Nations Engagement Policy (6.1.1)

- 5) ATTACHMENT(S):** None

RESPONSE OPTIONS

Recommendation: That the Islands Trust Council recommend to Parks Canada that Trustee (*to be determined by Council*) and Trustee (*to be determined by Council*) be Trust Council's liaisons to the Gulf Islands National Park Reserve.

Alternative: None recommended.

Prepared By: Lisa Wilcox, A/Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services, October 17, 2018
Russ Hotsenpiller, CAO, October 17, 2018
Executive Committee, October 24, 2018

Islands Trust Council Goals	Executive Committee	Islands Trust Conservancy
1. Ecosystem Preservation and Protection 2. Ensure human activity and development are compatible with maintenance of Trust Area ecosystems 3. Sustain Island Character and Healthy Communities 4. Effective, Efficient and Collaborative Governance	1. Islands Trust Act Amendments 2. Anchorages Advocacy Strategies 3. Update Islands Trust Policy Statement	1. Strategic Planning/Administration 2. Covenant and Property Acquisitions 3. Property and Covenant Management 4. Communications 5. Fundraising and Conservancy Support

Financial Planning Committee	Local Planning Committee	Trust Programs Committee
1. Budget Assumptions and Principles & Draft Budget 2. Allocated Financial Statements 3. KPMG Audit Observations	1. Community Housing Needs 2. Protect Coastal Douglas-fir and Associated Ecosystems	1. Review the Islands Trust Policy Statement 2. Trust Secretariat 3. Sea Level Workshops



Northern Islands

Ballenas-Winchelsea, Denman, Gabriola,
Gambier, Hornby, Lasqueti, Thetis

Ballenas-Winchelsea Islands

1. Advocacy for the protection and appropriate use of Crown islets.
2. Nanoose First Nation Relationship Building.

Denman Island

1. Denman Island Farm Plan Implementation
2. Relationship building with Komoks First Nation
3. Facilitating Affordable, Attainable and Seniors Housing
4. Temporary Use Permits for Short-term Vacation Rentals

Gabriola Island

1. Mudge Island targeted review of OCP/LUB
2. Water taxi feasibility
3. Housing Options OCP/LUB Review Project - Phase 2

Gambier Island

1. Riparian Areas Regulation
2. Gambier OCP Comprehensive Review
3. Keats Island OCP/LUB Amendments
4. OCP Advocacy Policies - Implementation & Support

Southern Islands

Galiano, Mayne, North Pender,
South Pender, Saturna

Galiano Island

1. Affordable Housing Strategy
2. Dock Review

Mayne Island

1. Commercial Land Use Review
2. Review of Zoning for Contractors Yards
3. Riparian Area Regulation Implementation

North Pender Island

1. Land Use Planning for Waste Management
2. Housing
3. First Nations Interests

Saturna Island

1. First Nations Relationship Building
2. LUB Technical Review
3. Secondary Suite Review

South Pender Island

1. First Nations Reconciliation
3. Pedestrian and Cycle Routes



Northern Islands

Ballenas-Winchelsea, Denman, Gabriola,
Gambier, Hornby, Lasqueti, Thetis

Hornby Island

1. Land Use Bylaw Amendments
2. Groundwater Protection and Water Conservation Project
3. Vacation Home Rental Community Education and Bylaw Compliance Campaign
4. Addressing Housing Needs

Lasqueti Island

1. Review of Lasqueti subdivision regulations
2. OCP/LUB Review
3. Freshwater Project

Thetis Island

1. Riparian Areas Regulation Implementation
2. Ruxton Island Private Moorage Review
3. Relationship Building with Local First Nations

Salt Spring Island

Salt Spring Island

1. Watershed Management+SSIWPA
2. Ganges Village Area Planning - Harbourwalk
3. LUB Update -Industrial Zones
4. LUB Update - Rural Watershed Uses. Agricultural uses appear incompatible with watershed drinking water quality.
5. Affordable Rental Housing - Cottages



Islands Trust Executive Committee 2019 DRAFT Meeting Schedule

All meetings will be held in the Islands Trust Victoria office (#200, 1627 Fort Street) on Wednesdays, starting at 9:00 AM unless otherwise noted.

January 2

January 15, 8:30 AM (Tuesday) @ Trust Council Nanaimo

January 30

February 13

February 27

March 6, 10:00 AM (Ballenas-Winchelsea LTC Mtg)

March 12, 12:00 PM (Tuesday) @ Trust Council Galiano

March 27

April 17

May 8, 10:00 am (Northern Office)

June 5

June 18, 12:00 PM (Tuesday) @ Trust Council Galiano

July 3

July 10 (Ballenas-Winchelsea LTC Mtg)

July 16, 1:00 – 2:30 AM (Tuesday) Islands Trust Conservancy Liaison Mtg

July 24

August 14, 10:00 am (Salt Spring Island)

September 4

September 17, 12:00 pm (Gabriola – Trust Council)

October 2

October 16 (Ballenas-Winchelsea LTC Mtg)

October 30

November 27

December 3 12:00 PM (Tuesday @ Trust Council Victoria)

December 18

TRUST COUNCIL MEETINGS

January 15 – 16 Nanaimo (adopted)

March 12-14– Galiano

June 18-20 – Gabriola

September 18-20 – Bowen

December 3-5 - Victoria

COUNCIL COMMITTEE MEETINGS*

TPC – Jan 23, March 18, Apr. 15, May 13, Aug 19, Oct 21

LPC – Feb 7, May 23, Aug 22, Oct 10

FPC – Jan 21, Feb 20, May 22, Aug 28, Oct 23, Nov. 20

*TPC = Trust Programs Committee, LPC = Local Planning Committee, FPC = Financial Planning Committee

2019 DRAFT Islands Trust Master Meeting Schedule

January						
S	M	T	W	Th	F	S
		1 STAT	2 EC	3	4	5
6	7	8	9	10	11	12
13	14	15 EC	16	17	18	19
20	21 FPC	22	23 TPC	GA SS	25	26
27	28 MA	29 ITC	30 EC	NP GB		

February						
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3	4 GL	5 DE	6	7 LPC	8 HO	9
10	11	12	13 EC	14 SS	15	16
17	18 STAT	SP TH	20 FPC	21 SA	22	23
24	MA LA	26	27 EC	NP GB		

March						
S	M	T	W	Th	F	S
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3	4 GL	5 DE	6 BW	GM SS	8	9
10	11	12 EC	13	14	15	16
17	18 TPC	19	20	21	22	23
24	25 MA	26	27 EC	NP SS	29	30
31						

April						
S	M	T	W	Th	F	S
	1 GL	2 ITC	3	4	5 HO	6
7	8 LA	9 SP	10	SA GB	12	13
14	15 TPC	16 TH	17 EC	18 SS	19 STAT	20
21	22 STAT	23	24	25 NP	26	27
28	29 MA	30 DE				

May						
S	M	T	W	Th	F	S
			1	2 GM	3	4
5	6 GL	7	8 EC	9	10	11
12	13 TPC	14	15	GB SS	17	18
19	20 STAT	21	22 FPC	23 LPC	24	25
26	MA LA	28 ITC	29	30 NP	31	

June						
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2	3 GL	4 DE	5 EC	SA GM	7	8
9	10	11	12	13 SS	14 HO	15
16	17	18 EC	19	20	21	22
23	24 MA	SP TH	26	NP GB	28	29
30						

July						
S	M	T	W	Th	F	S
	1 STAT	2	3 EC	4	5	6
7	8 GL	9 DE	10 BW	GB SS	12 HO	13
14	15	16 EC/ITC	17	18	19	20
21	22 LA	23	24 EC	NP GM	26	27
28	29	30 TH	31			

August						
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4	5 STAT	6	7	8	9	10
11	12	13	14 EC	15 SS	16	17
18	19 TPC	20	21	22 LPC	23	24
25	26	27	28 FPC	29	30	31

September						
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1	2 STAT	3	4 EC	5 NP	6	7
8	9 GL	10 SP	11	GB SA SS	13 HO	14
15	16	17 EC	18	19	20	21
22	23	24 ITC	25	26	27	28
29	MA LA					

October						
S	M	T	W	Th	F	S
		1 DE	2 EC	3 GM	4	5
6	7 GL	8 TH	9	10 LPC	11	12
13	14 STAT	15	16 BW	17 SS	18	19
20	21 TPC	22	23 FPC	24 GB	25	26
27	LA MA	29	30 EC	31 NP		

November						
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3	4 GL	5	6	7 GM	8 HO	9
10	11 STAT	SP DE	13	14 SS	15	16
17	18	19 TH	20 FPC	21 SA	22	23
24	25 MA	26 ITC	27 EC	NP GB	29	30

December						
S	M	T	W	Th	F	S
1	2	3 EC	4	5	6	7
8	9 GL	10	11	12 SS	13	14
15	16	17	18 EC	19	20	21
22	23	24	25 STAT	26 STAT	27	28
29	30	31				

LEGEND

	Trust Council Quarterly Meetings (includes 4 EC meetings)
	Executive Committee Meetings (14 meetings)
	UBCM – Vancouver
BW	Ballenas-Winchelsea
TPC	Trust Programs Committee
FPC	Financial Planning Committee
LPC	Local Planning Committee
ITC	Islands Trust Conservancy

LOCAL TRUST COMMITTEES

DE	Denman	North
GB	Gabriola	North
GL	Galiano	South
GM	Gambier	North
HO	Hornby	North
LA	Lasqueti	North
MA	Mayne	South
NP	North Pender	South
SS	Salt Spring	Central
SA	Saturna	South
SP	South Pender	South
TH	Thetis	North
	Potential Conflicts – depending on Chair assignments	



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** October 24, 2017

From: Penny Hawley, Planning Team **Date Prepared:** October 18, 2018
Assistant
Marnie Eggen, Island Planner

SUBJECT: Request for Executive Committee Sponsorship of Development Application Fee

RECOMMENDATION: THAT the Executive Committee approve financial sponsorship of \$4,950.00 for rezoning application DE-RZ-2018.1 (Denman Housing Association) which would amend Denman Island Official Community Plan Bylaw No. 185, 2008 and the Denman Island Land Use Bylaw no. 186, 2008 to allow for an affordable housing development.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The attached application for Executive Committee sponsorship of development application fees complies with Islands Trust Policy 4.1.xiii.

1 PURPOSE:

The purpose of the Request for Decision (RFD) is to request the Executive Committee to consider the development application fee sponsorship application from the Denman Housing Association for the rezoning application DE-RZ-2018.1 (Denman Housing Association).

2 BACKGROUND:

Staff have reviewed the rezoning application and confirmed that an amendment to the Denman Official Community Plan and the Denman Land Use Bylaw is required, the fee for which is \$4950.00. See receipt of application and fee in Attachments. The Denman Housing Association has applied to rezone a parcel to create 20 units of affordable housing on Denman Island and request sponsorship of development application fees by the Executive Committee.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

None.

FINANCIAL:

Approval of the application for sponsorship would reduce the funds that would otherwise be received from the rezoning application fee. Trust Council has allocated funds to cover costs for applications that are approved for sponsorship.

POLICY:

The attached application for Executive Committee sponsorship of development application fees complies with Islands Trust Policy 4.1.xiii.

IMPLEMENTATION/COMMUNICATIONS:

Staff will inform the applicant of the outcome of their request of the Executive Committee and proceed with processing the rezoning application.

FIRST NATIONS:

None.

OTHER:

None.

4 RELEVANT POLICY(S):

Islands Trust Policy 4.1.xiii

5 ATTACHMENT(S):

1. Development Application Fee Sponsorship Application Form
2. Development Summary Statement from Applicant, dated September 29, 2018
3. Letter to Applicant, receipt of application and fee

RESPONSE OPTIONS**Recommendation:**

THAT the Executive Committee approve financial sponsorship of \$4,950.00 for rezoning application DE-RZ-2018.1 (Denman Housing Association) which would amend Denman Island Official Community Plan Bylaw No. 185, 2008 and the Denman Island Land Use Bylaw no. 186, 2008 to allow for an affordable housing development.

Alternative:

THAT the Executive Committee not approve financial sponsorship of \$4,950.00 for rezoning application DE-RZ-2018.1 (Denman Housing Association) which would amend Denman Island Official Community Plan Bylaw No. 185, 2008 and the Denman Island Land Use Bylaw no. 186, 2008 to allow for an affordable housing development.

**Prepared By: Penny Hawley, Planning Team Assistant
Marnie Eggen, Island Planner**

Reviewed By/Date: DLPS Marlor, October 18, 2018

Development Application Fee Sponsorship Application Form

Under Islands Trust Policy 4.1.xiii, Trust Council Executive Committee may sponsor development application fees. When applying for sponsorship, please submit this form, or the details in a letter, **with your development application**. Applicants are encouraged to file this form with or after their development application.

To be eligible for Executive Committee Sponsorship:

- ✓ The applicant is a non-profit agency or organization seeking to establish, expand or modify a facility for the benefit of the community at large and consistent with goals in the Official Community Plan (OCP).
- ✓ The applicant is an established or establishing institution supported by taxpayers that is seeking to establish, expand or modify a community facility. (Potential sponsorship of up to one half of the costs of the application)
- ✓ The applicant seeks to implement specific objectives of an OCP with broad community benefits.

The following are NOT eligible for Executive Committee Sponsorship:

- ✗ The applicant is a registered for-profit corporation under the Corporations Act.
- ✗ The applicant is a non-profit agency or organization seeking to establish, expand or modify a facility that would not benefit the community at large.
- ✗ An applicant claims that he or she cannot afford the cost of the application, and the application would not otherwise qualify for sponsorship or initiation.
- ✗ ALR and Subdivision referral application fees are not eligible.

SECTION 1: APPLICANT INFORMATION

(Please print or type all sections)

Organization Name: DENMAN HOUSING ASSOCIATION

Primary Contact: SIMON PALMER

Address: 3720 EAST ROAD, DENMAN ISLAND, B.C. V0R 1T0

Telephone: 250-335-2559 E-mail: DENMAN AFFORDABLE HOUSING @GMAIL.COM

Charitable Status Number (If applicable): 84680 0936 RR0001

Organization Mandate (Attach bylaws, constitution or cite organization website):
BYLAWS + CONSTITUTION ATTACHED
WEBSITE - DENMANHOUSING.COM

Board Members (Name, Position): S. PALMER - PRESIDENT, D. BINNINGTON - SECRETARY
R. SHEPHERD - TREASURER, P. MARMION + S. WHITE + K. RIEGER +
H. GHEUSTEEN - DIRECTORS

SECTION 2: DEVELOPMENT APPLICATION INFORMATION

Check development application where fee refund is requested:

- ☒ Official Community Plan
☒ Zoning Bylaw Amendment
☐ Development Permit

- ☐ Development Variance Permit
☐ Temporary Use Permit
☐ Other: _____

Development Application Submitted? ☒ Yes ☐ No

Application #: _____

Development Application Fees Paid (Amount): \$4,950-

Receipt #: _____

SECTION 3

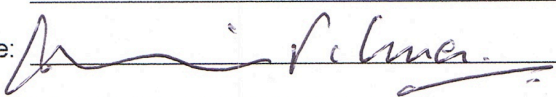
Objective of Development Application: TO CREATE 20 UNITS OF AFFORDABLE HOUSING

Describe how the Development Application furthers official community plan goals: POLICY 17 - LTC SHOULD ENCOURAGE WORK ON AFFORDABLE HOUSING, POLICY 18 - LTC TO HOLD DENSITIES FOR AFFORDABLE HOUSING, APPENDIX D - LTC CONSIDER TRANSFER OF DENSITIES FOR AFFORDABLE HOUSING

SECTION 4

I/we declare that all of the above statements and the information contained in the material submitted in support of the application are to the best of my/our knowledge true and correct.

Printed Name: SIMON PALMER

Signature: 

Date: SEPT 29, 2018

Contact Information (e-mail and/or phone): SIMON.PALMER3720@GMAIL.COM 250-335-2559

INFORMATION TO BE COMPLETED BY ISLANDS TRUST

Date of Executive Committee Consideration: _____

Decision: _____

Financial Details: _____

Fee Refunded: _____

Organization Charitable Status Number: _____

LTC Notified (Date): _____

Applicant Notified (Date): _____

Denman Housing Association

3720 East Road, Denman Island, B.C. V0R 1T0

DenmanAffordableHousing@gmail.com 250 335 2559

Registered Charity #84680 0936 RR0001

To: Denman Island Local Trust Committee

September 29 2018

Re: Applications to –

- Amend Zoning Bylaws
- Amend the Official Community Plan

Purpose: To create 20 units of Affordable Housing on a Dedicated Lot

Applicant: Simon Palmer, on behalf of Denman Housing Association

SUMMARY STATEMENT

1. Application Summary:

- a. Bylaw 186 Amendment to rezone that part of PID 009-704-523 being 28.62 ha, currently R2 on which 7 dwellings are permitted, to an R2(7) designation on which 3 dwellings only are permitted.
- b. Bylaw 186 Amendment to rezone that part of PID 006-657-290 being 27.14 ha, currently F(1) to an R2(8) designation on which 4 additional dwellings are permitted, for a total of 5.
- c. Bylaw 186 Amendment to rezone 8.094 ha, a sub-division for which application will be made to MoT, of the 27.14 ha in PID 006-657-290 to a special Affordable Housing designation R4 (see attached sub-division Plan)
- d. Amendment to the Official Community Plan Bylaw 185 permitting
 - the transfer of 4 densities removed from the R2 part of PID 009-704-523 to the remainder part of PID 006-657-290 being 27.14 ha less the 8.094 ha Affordable Housing sub-division i.e. 19.046 ha

- an increase of 20 densities, per OCP Policy 11, for Affordable Housing on the designated R4 lot per c. above

(Applications & Land Titles – see Attachment A)

2. Background:

- The Applicant organization, Denman Housing Association (DHA) was incorporated October 10 2012 with the express purpose of meeting the long-acknowledged island need for affordable housing. (Certificate of Incorporation - Attachment B)
- In November 2013 a DHA-commissioned Housing Needs Study concluded that 120 people on Denman Island, including 20 children, are living in sub-standard and/or unaffordable rental housing. (Housing Study - Attachment C)
- Island's Trust 'Housing Needs Assessment' of June 2018 states in summary, "Denman Island now requires up to 80 affordable housing units". (Attachment D)
- For over 5 years DHA looked to acquire suitable land in numerous ways, as a gift, as part of a commercial real estate arrangement, as a long-term lease and more.
- January 28 2018 DHA signed an Agreement of Intent with the owner of PID 006-657-290 to acquire 8.094 ha, transfer of title to which being contingent on completion of a. through d. of 1. Application Summary above.

3. Rationale for the Project – 'Denman Green'

- The need is proven
- The opportunity has been long in coming, it is now and arguably unique
- The location is ideal & meets OCP stipulations
- DHA has the competence & financial resources to realize this opportunity

4. Community Engagement

- A Community Information Meeting was held on September 22 2018. This was independently facilitated & a summary report will be made part of this Application
- The Applicant organization
 - hosted an Open House to discuss affordable housing on December 14 2013
 - made a presentation to DIRA on February 12 2018
 - has authored 11 Grapevine/Flagstone articles on affordable housing
 - has been the subject of a Comox Valley Record article in April 2018
 - was interviewed by CBC Radio on April 23 2018

5. 'Denman Green' Site

General:

- The 8.094 ha site is forested with predominantly third-growth firs which will be cleared only where necessary for construction, with the few older growth preserved. There is one old logging road running diagonally across the property which will be maintained as a walking path and be central to the Denman Green site.
- There do not appear to be any waterways or other sensitive areas on the proposed site. But a professional report will confirm this.
- Access will be via a new, professionally-designed gravel road off Denman Road at a location providing safe sightlines in both directions. 'Denman Green' will be an easy 10 minute walk to village amenities and the school, 5 minutes to recycling and the Saturday Market
- Surveyor's plan attached Attachment E
- Concept Site Plan attached Attachment F
- The size of the planned site ensures no negative impact on neighbours, both of which have been consulted. A request for continued access to that part of the old logging running through the Denman Green site will be accommodated

6. House Design and Energy Efficiency

- BC Housing has indicated that their financing of construction & associated costs is contingent on
 - off-island modular construction (with assembly & completion on site)
 - cost-effective duplex units where possible
 - meeting BC Housing Step 4 standards (see Attachment G)
- DHA is fortunate to have an LEED Fellow on its Board, also the volunteer services of a licensed Energy Adviser experienced in energy performance evaluations
- DHA is collaborating with ISLA, Hornby Island's affordable housing group, in developing optimum house designs. Architectural & build-cost savings are expected for both organizations.

7. Water

- DHA recognizes the importance of an adequate supply, that the supply must not impact neighbouring wells' flows and that conservation is necessary
- Therefore it is the intention of DHA to:

- contract for a hydro-geological assessment of the ‘Denman Green’ property
- drill for water in the optimum location(s)
- obtain professional certification that the pumping test shows a flow that meets Trust requirements for the 20 households served
- install a cistern of at least 20,000 litres or one day’s supply of water
- install rainwater collection & storage systems to meet all outside requirements
- install systems to serve all toilet flushing needs with rainwater
- outfit units with low-flow faucets, shower heads & toilets
- DHA will obtain a Water License from the Ministry of FLNRO
- DHA will obtain VIHA approval of all water system designs
- A Well Report, Flow Test Certification & Comprehensive Water Test will be provided as soon as possible after well drilling has been completed.
- OCP Bylaw 185 Water Management Objective 2 & 4 will be observed and Policy 1, 2 & 6 complied with as required

8. Septic

- H2O Environmental Ltd. will perform and certify permeability tests sufficient to meet the needs of the 20 unit ‘Denman Green’ development
- The ‘Denman Green’ property provides many options for optimum siting

9. Analysis

a. Trust Policies.

- Part V: Sustainable Communities states in part “.... People of differing age groups and income levels should continue to have the opportunity to reside in island communities.” And later “The health of a community is influenced by numerous factors such as economic security..... the availability of such necessities as..... affordable food and housing.”
- Prioritizing “Facilitating Affordable, Attainable and Seniors Housing” in the Denman Island Work Program for 2018 and beyond is a clear statement by the Denman Island Local Trust Committee of support in principle for affordable housing projects such as ‘Denman Green’ and therefore this Application

b. Official Community Plan Policies.

- The ‘Denman Green’ project, the subject of this Application, conforms to the principles outlined in the following policies – see Attachment H

10. Denman Housing Association's 'Denman Green' Business Plan
see Attachment I

11. Tenants – see Attachment J

12. Islands Trust & OCP Policies Relevant to the Application – see Attachment K

13. Development Application Fee Sponsorship

- An Application Form & attachments are attached – see Attachment N



Northern Office

700 North Road, Gabriola Island, BC V9R 1X3

Telephone **250 247-2063** Fax 250 247-7514

Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC **1.800.663.7867**

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

Attachment 3

October 12, 2018

File No. DE-RZ-2018.1

By email: DenmanAffordableHousing@gmail.com

Denman Housing Association
C/O Simon Palmer, President
3720 East Road
Denman Island, BC V0R 1T0

Dear Simon:

Re: Bylaw Amendment Application (Rezoning)

PID: 009-704-523 (Snyder)

South West ¼ of Section 13, Denman Island, Nanaimo District, Except Part in Plan VIP1627

PID: 006-657-290 (Terry)

South West ¼ of Section 17, Denman Island, Nanaimo District Except That Part in Plan 14174, VIP77481 and VIP87456

This letter acknowledges that we have received Bylaw Amendment Applications for the above-noted properties. Our receipt no. 3954 in the amount of \$4,950.00 paid by Denman Housing Association is enclosed for your records.

Marnie Eggen is the planner assigned to your application and she will keep you apprised as to its status. She may be reached through toll-free access via Service BC: in Vancouver at 604-660-2421 and elsewhere in BC at 1-800-663-7867 and request a transfer to 250-247-2210. Please quote the above-noted file number on any correspondence or inquiries you may have.

Please be advised that the Islands Trust Northern Office is currently experiencing a high volume of applications, which may delay the processing of your application.

Yours truly,

Penny Hawley
Planning Team Assistant
Enclosure

cc: Denman Island Local Trustees
Nancy Snyder & Marilyn Snyder
Daniel Terry



Islands Trust

RECEIPT

3954

THE SUM OF

Four thousand, Nine hundred & fifty ⁰⁰/₁₀₀ DOLLARS

\$ 4,950.-

ON ACCOUNT OF

Application Fee

40400-615

DE-R2-2018.1

G.L. CODE

TRUST AREA

RECEIVED FROM

Denman Housing Assoc.

ON October 11

20 18

ISSUING OFFICE

Northern

ISSUING OFFICER'S SIGNATURE

Penny Hawley

WHITE: CUSTOMER

PINK: ISLANDS TRUST FILE

CANARY: RETAIN IN BOOK FOR AUDIT

INTERIM PROTOCOL FOR THE USE OF SOUTHERN B.C. COMMERCIAL ANCHORAGES

Monthly Report #7– Summary of Activities for August 2018

The Interim Anchorages Protocol for southern British Columbia commercial anchorages is a voluntary change of procedure and applies to all cargo vessels who request to anchor at one of the 33 identified locations along the south coast of B.C. It came into effect on February 8, 2018 for an initial trial period of six (6) months, and was extended in August for a further period of 12 months while the national Anchorages Initiative project and a new anchorages framework is completed. The Vancouver Fraser Port Authority manages the assignment of anchorage locations along the south coast in order to balance use more equitably and ensure that no one location is overused. The protocol also introduced voluntary guidelines for noise and light emissions from ships between 1900 and 0700 hours

1. HIGHLIGHTS for August

As for previous months, Transport Canada's National Aerial Surveillance Program (NASP) had a busy month and completed 11 coastal flights and 8 northern ones, for a total of 1013 overflight ship inspections. No pollution was observed from the commercial ships at anchor.

A number of residents from coastal communities wrote to Transport Canada asking why some locations were used more often than others, and why vessels were returning to the same spot when other sites were empty. Each anchorage is rated for maximum size of ship that it can accommodate, meaning that larger ships can only anchor at the larger locations such as Cowichan Bay and Trincomali. And, the assignment system used by VFPA also considers the overall past use of the anchor grouping, not just the individual site.

In response to multiple request for further detail on the system used by the Vancouver Fraser Port Authority to assign vessels to south coast anchorages, Transport and VFPA worked together to develop a short outline of the process. Look for a new posting on the VFPA public website in the weeks ahead.

Last but not least, readers should be aware that although VFPA has a published 7-day limit on ships at anchor, vessels are *not* automatically redirected to south coast anchorages unless there is an immediate operational requirement. Ships are sometimes at anchor for one or two weeks beyond the 7-day limit.

2. USAGE DATA and SUMMARIES

Transport Canada staff have been reviewing data to determine what factors impact on the demand for coastal anchorages. With the increased size of bulk carriers, we noted that some grain ships need to make several to a terminal before they are fully loaded, and must wait at anchor between arrivals of product. And, since terminals work almost continuously, it is not possible to berth alongside the terminal while waiting for the next shipment.

During the third week of August we experienced a spike in demand all anchorages -- both in the ports and along the south coast. Unfortunately, there was no single direct cause, so the increase in demand could not have been forecast however, the congestion resulted in a flurry of inquiries to both Transport Canada and VFPA.

INTERIM PROTOCOL FOR THE USE OF SOUTHERN B.C. COMMERCIAL ANCHORAGES

Monthly Report #7– Summary of Activities for August 2018

As usual for our monthly reports, we include an attachment showing anchor-days for each coastal anchorage grouping during the month of August and total days at anchor since the beginning of the Protocol. The updated data source data set, which includes names of vessels with their arrival and sail times, and new detail on annual usage since 2013, is available for download for registered organizational representatives. If you are not a subscriber but would like to receive the information, please contact us at TC.PacificAnchorages-Ancragesdupacifique.TC@tc.gc.ca

3. CHANGES TO THE PROTOCOL

Our Working Group considered a number of ideas and suggestions about the Protocol and made the following changes:

- Communities have written to Transport Canada and the Pacific Pilotage Authority (PPA) to say that anchorages are too close to shore. The group noted that all anchorages are safe for the identified maximum size of ship, and that sometimes moving further away could increase the safety risk. However, in response to the comments, PPA will advise pilots to direct ships to the furthest point away from the community within the prescribed anchoring area.
- Based on a review by pilots, anchorages that are currently described as 225 m LOA (length overall) can safely accommodate ships up to 230 m. The change in rating will allow up to 15% more ships to be assigned to the current 225 m sites, thereby reducing the use of the longer Cowichan and Trincomali locations.
- VFPA will request agents of vessels that are being redirected from the Port to the south coast to make best efforts with timing and ordering of pilots so as to avoid arrivals in the Gulf Islands during nighttime silent hours.

A number of citizens also wrote to Transport Canada asking us to impose limits on the length of stay at individual south coast anchorages. When we analyzed the idea, we realized that making such a change would not decrease the number of days at anchor, but would increase the number of transits and the risk of damage to the environment. And, since pilots are needed for the area, it would also add costs for the shipper. So, we made no changes at this time, but have presented the suggestion to our national anchorages team lead for consideration in the development of a new framework.

4. NEXT STEPS

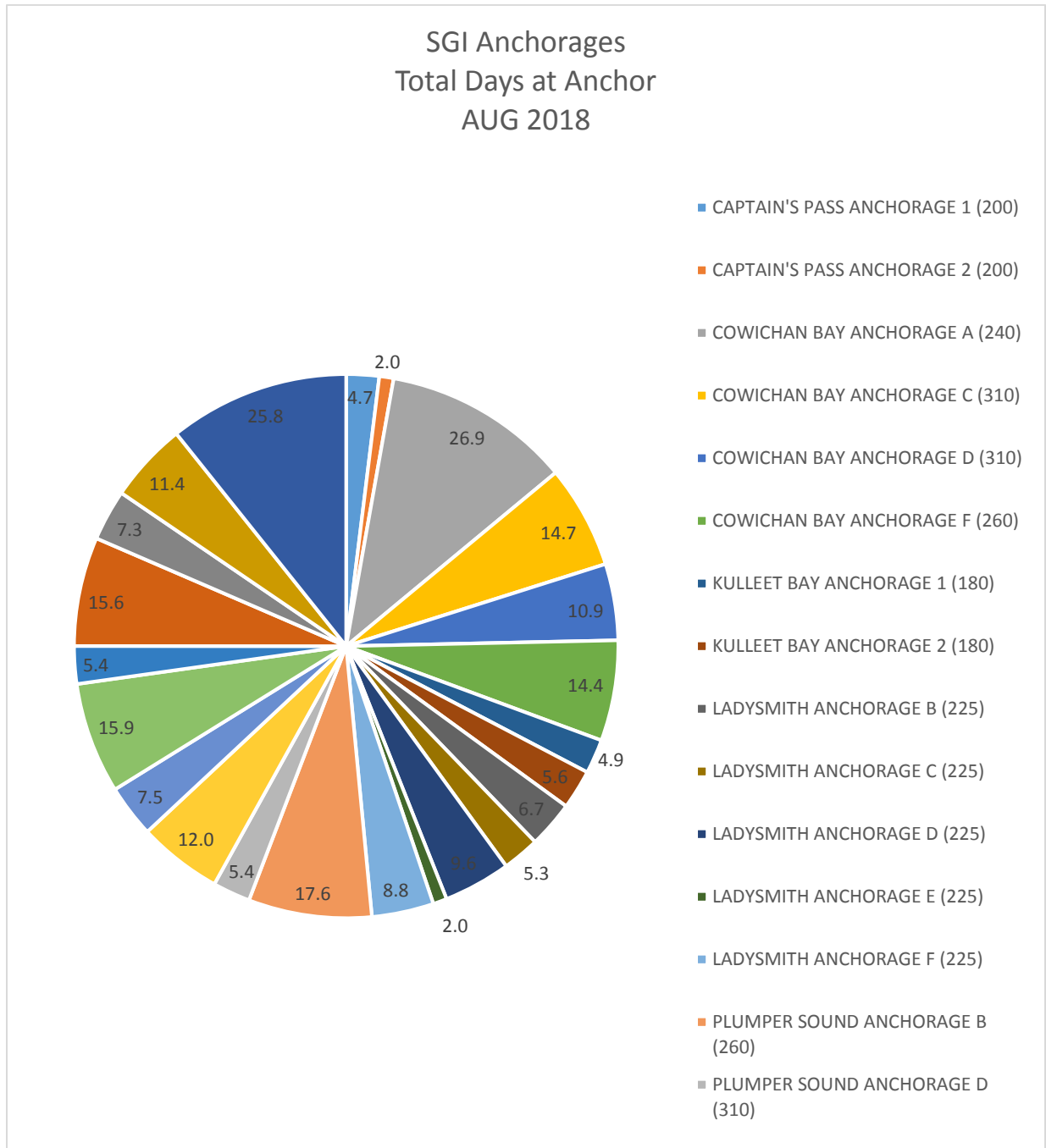
Anchorages will be a topic of discussion at the upcoming Oceans Protection Plan Dialogue Forum on October 22 in Vancouver, which will include a breakout session on anchorages. We look forward to seeing many of you there.

If you have additional comments or suggestions about anchorages, write to the Pacific Region team at TC.PacificAnchorages-Ancragesdupacifique.TC@tc.gc.ca , or join the conversation at the Oceans Protection Plan Let's Talk Website at <https://letstalktransportation.ca/OPP>

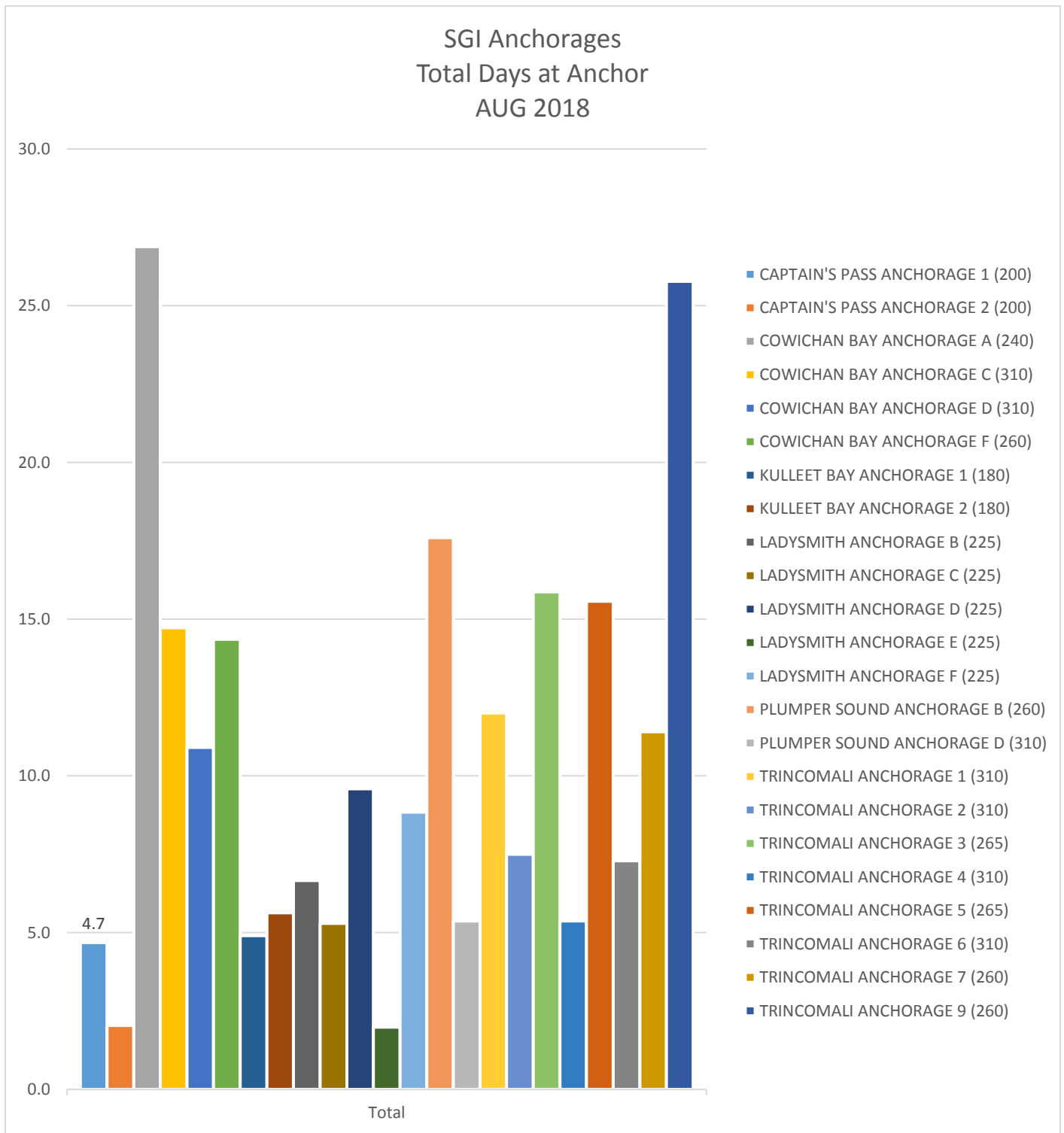
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DATA SUMMARY – Interim Anchorages Protocol Monthly Report #7

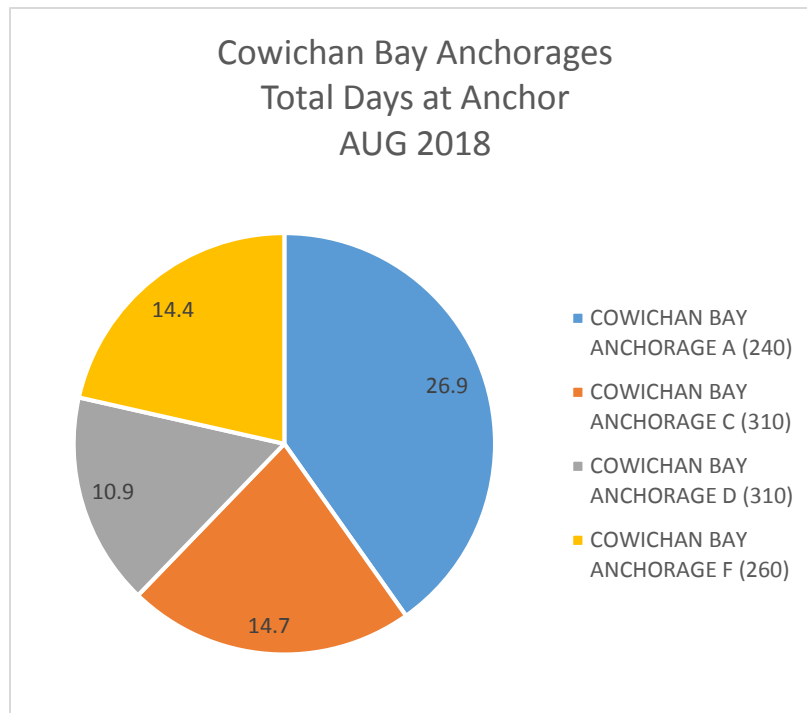
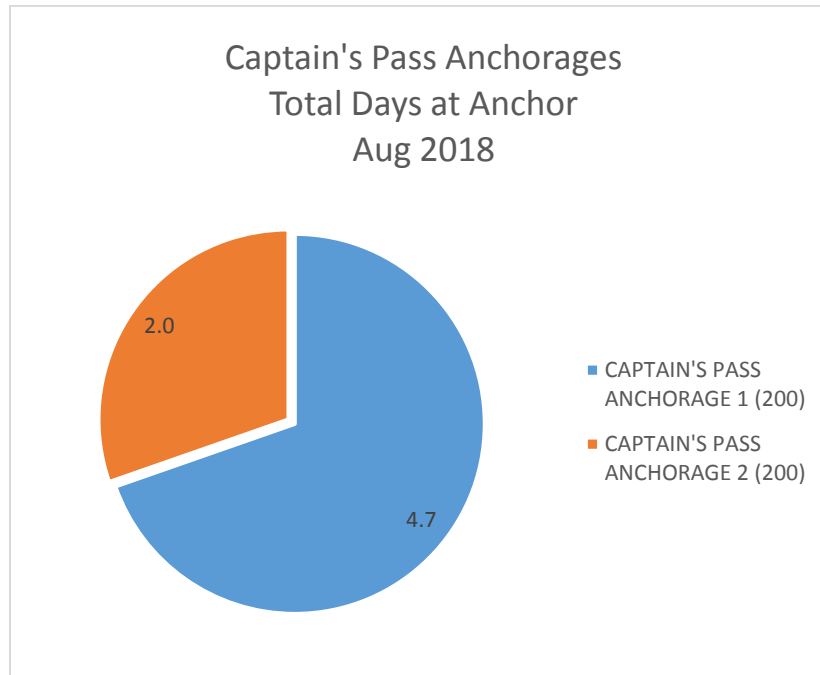


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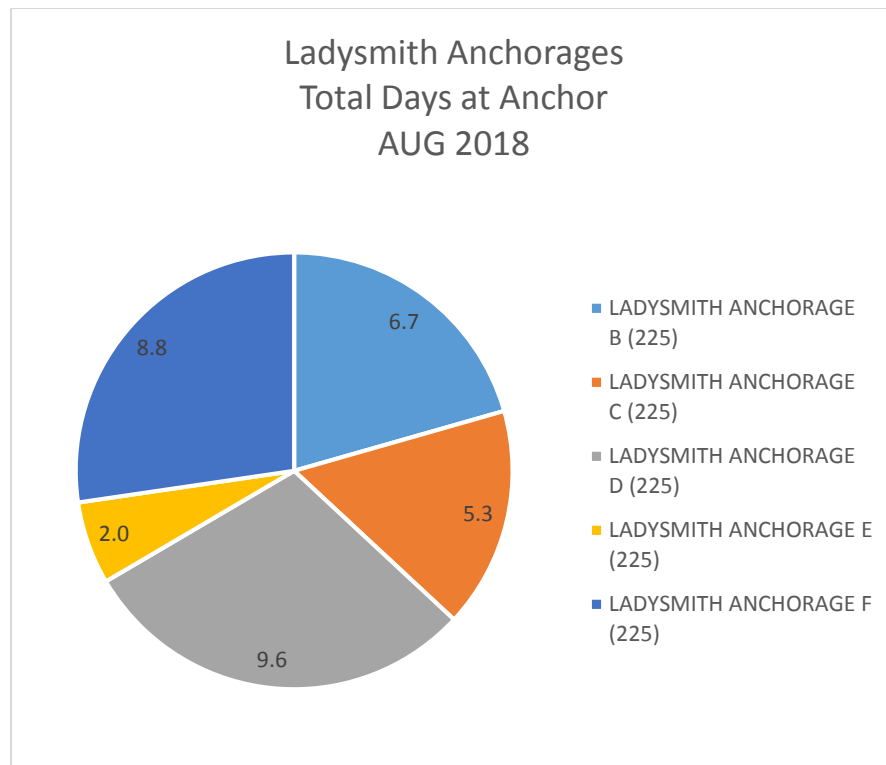
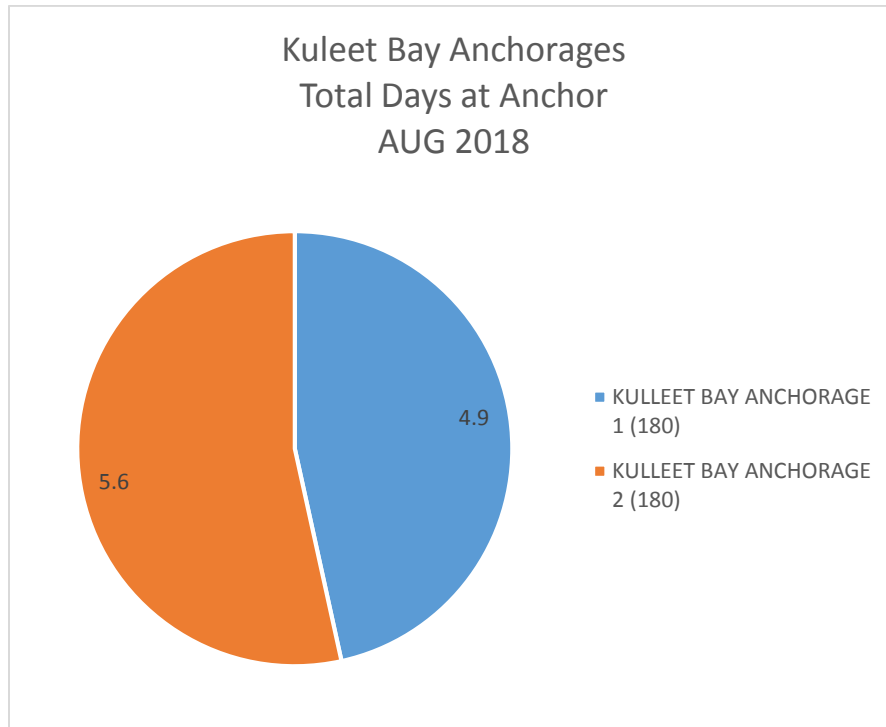


Note: any Southern Gulf Islands anchorages not included in the chart recorded no use during the month of August

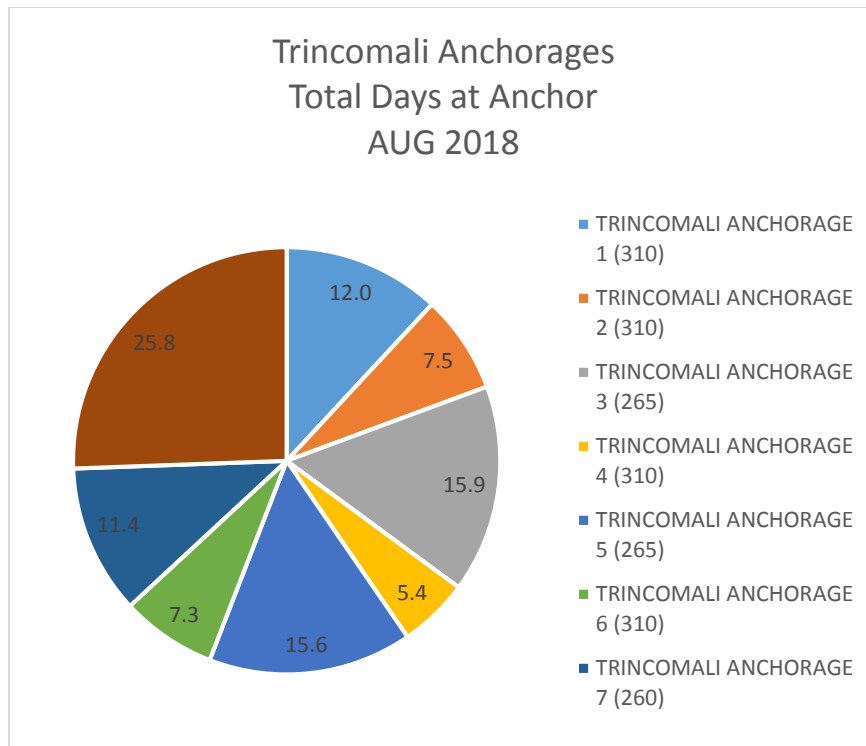
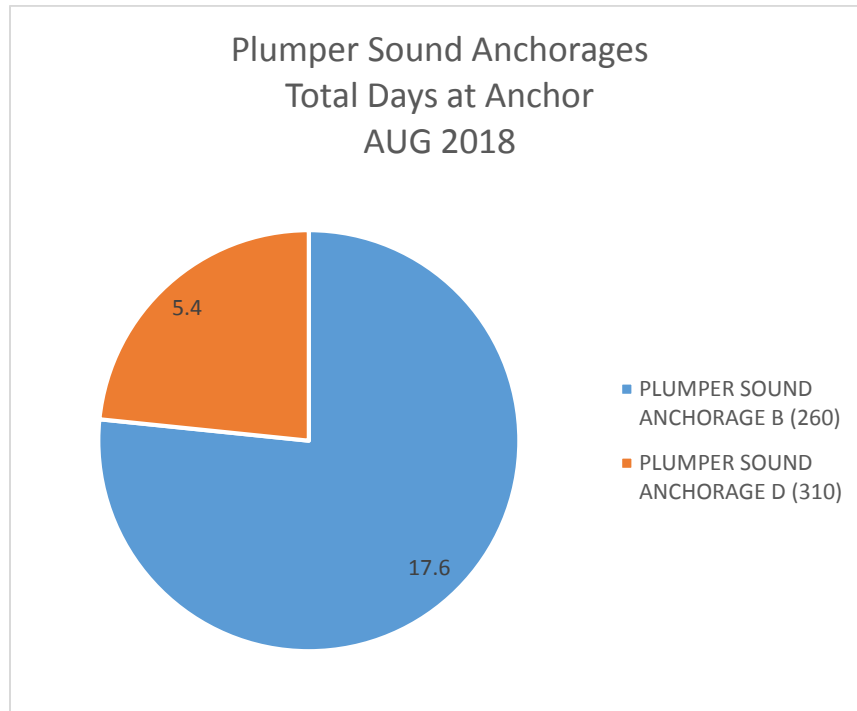
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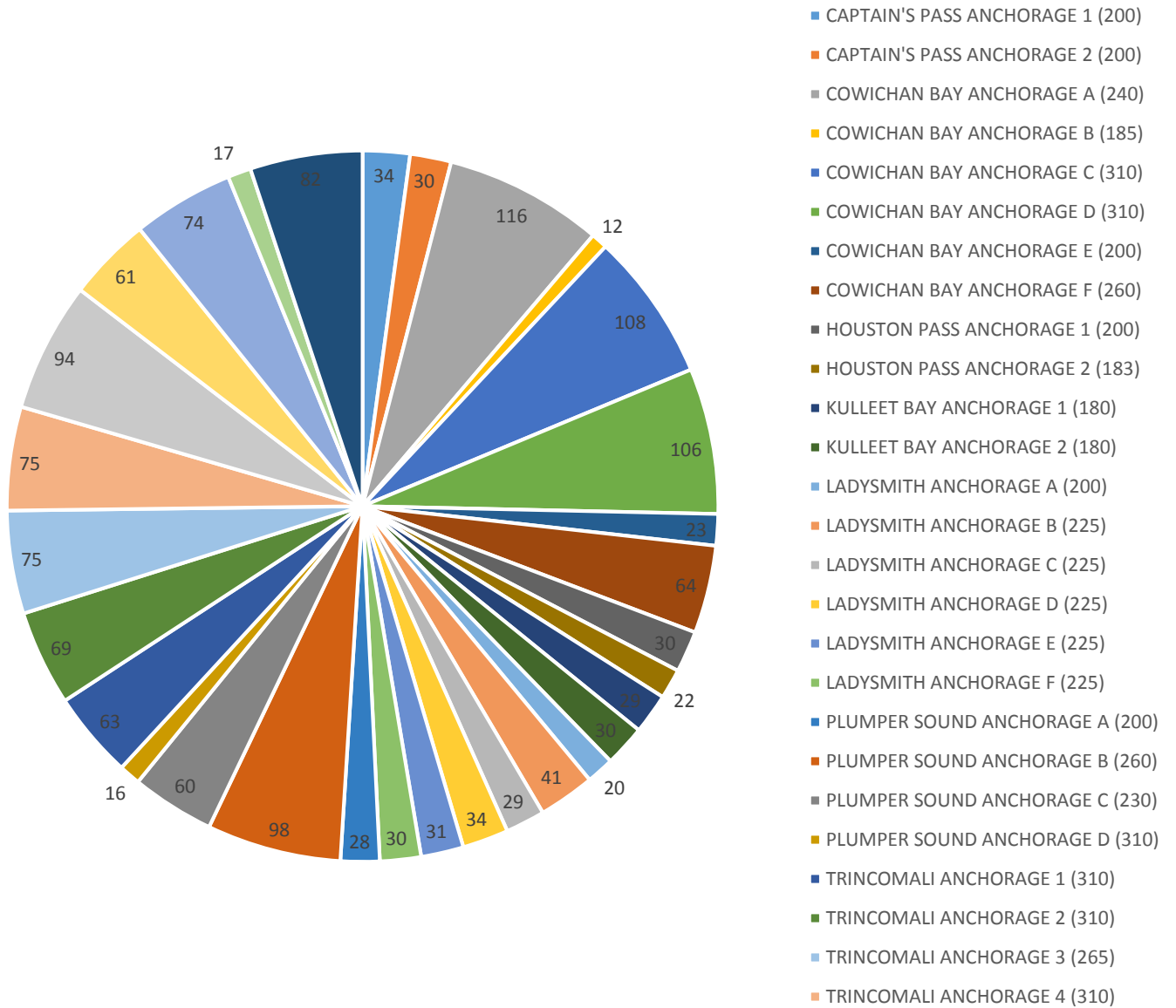


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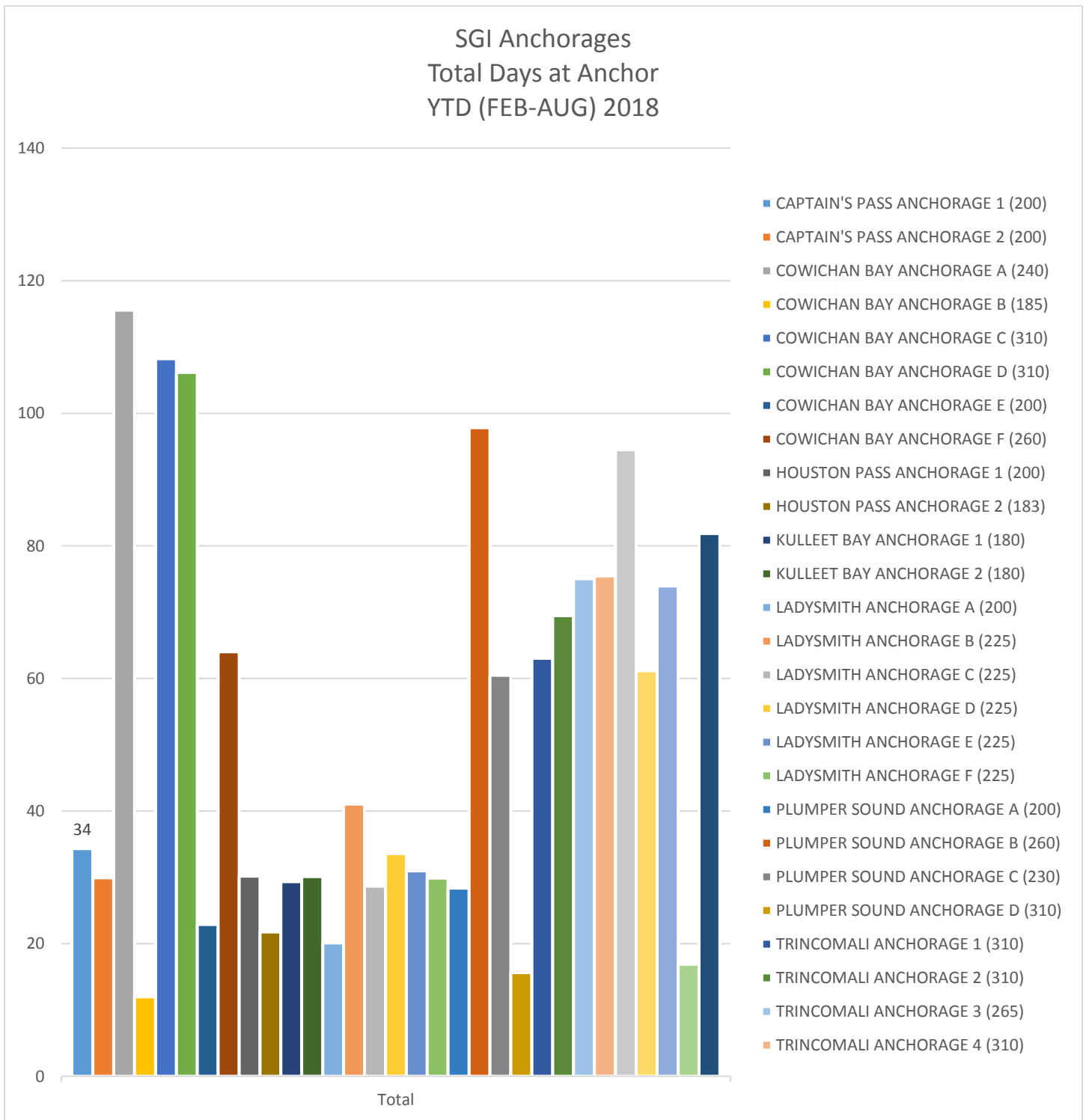


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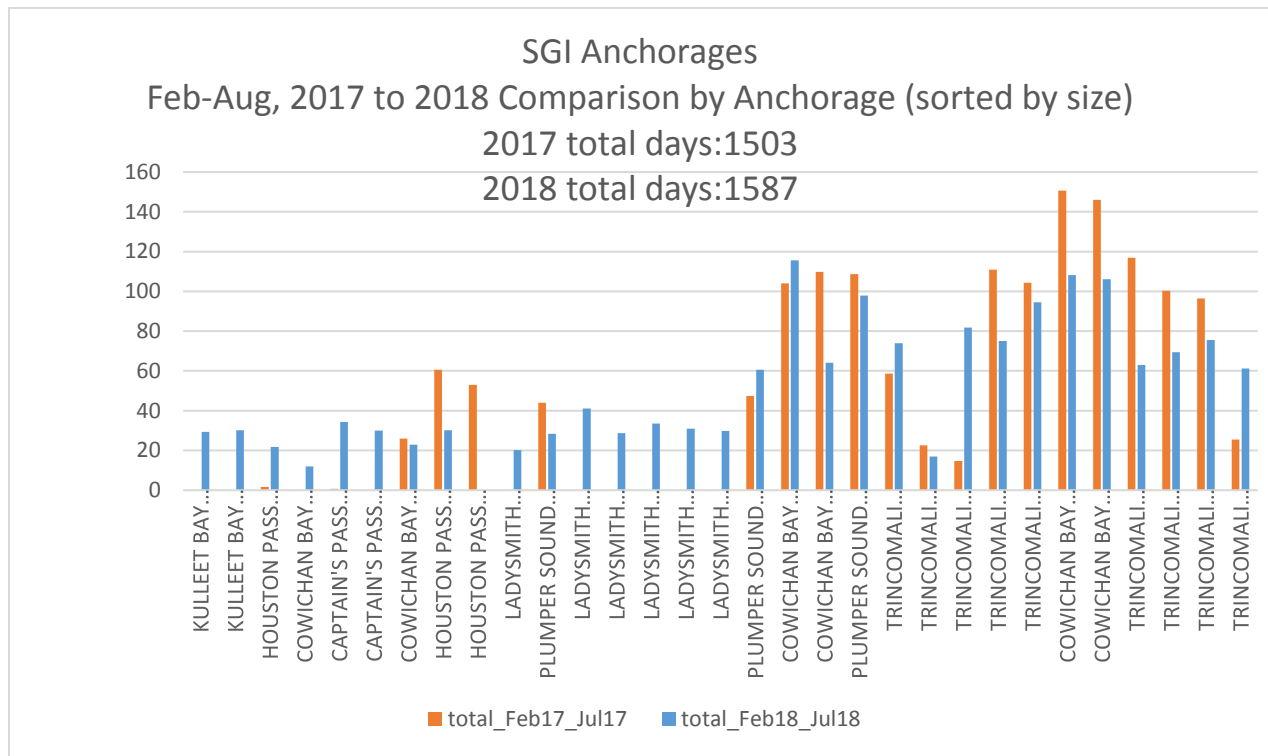
SGI Anchorages Total Days at Anchor YTD (FEB-AUG) 2018



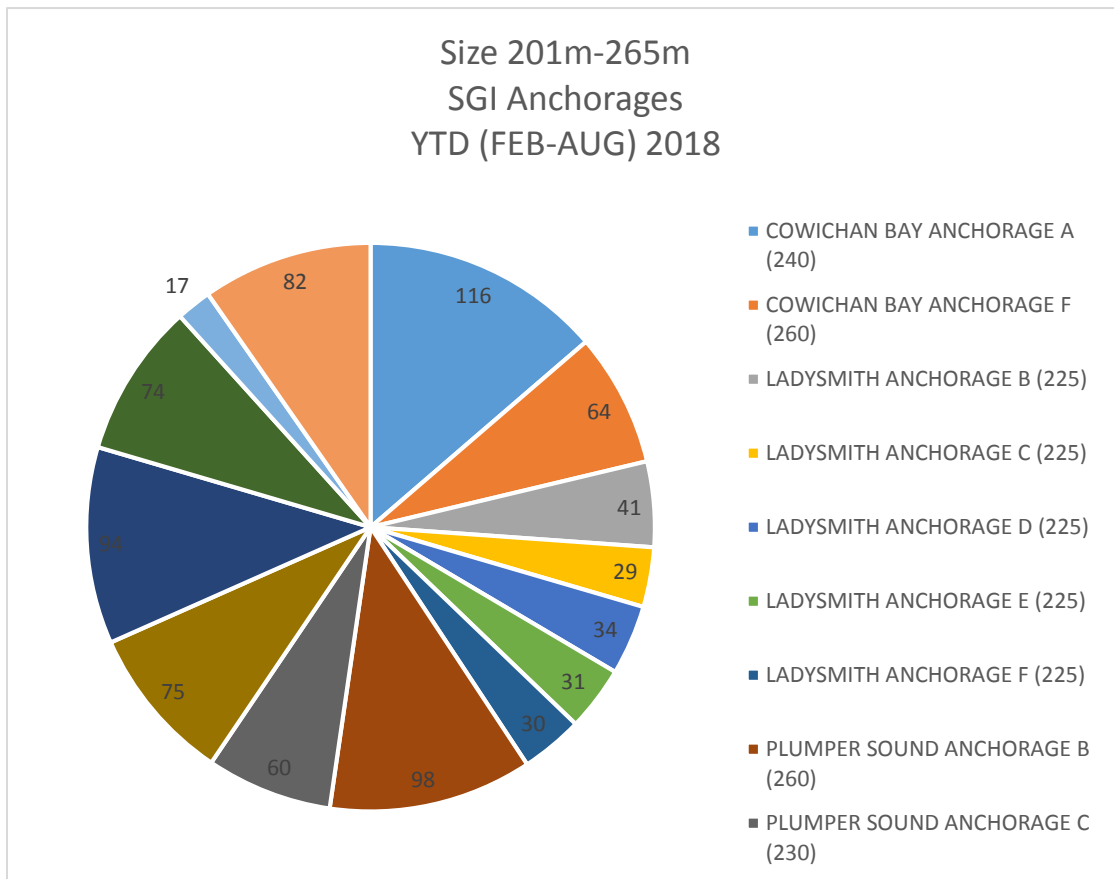
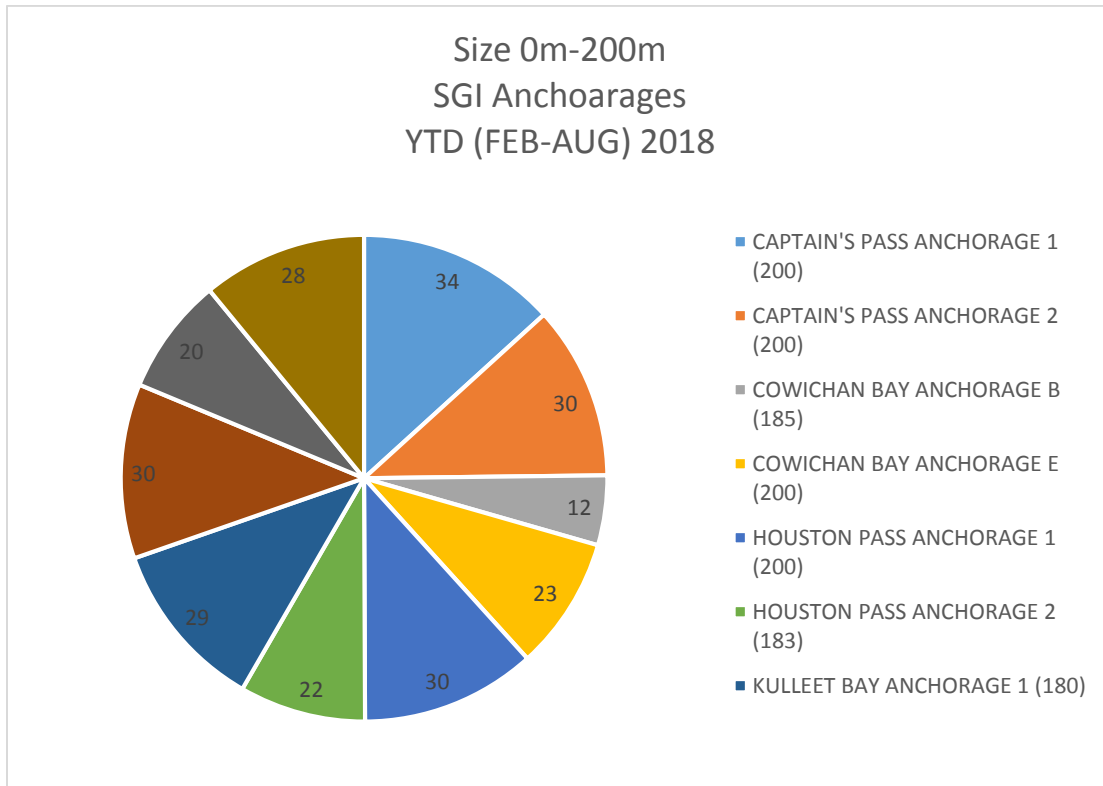
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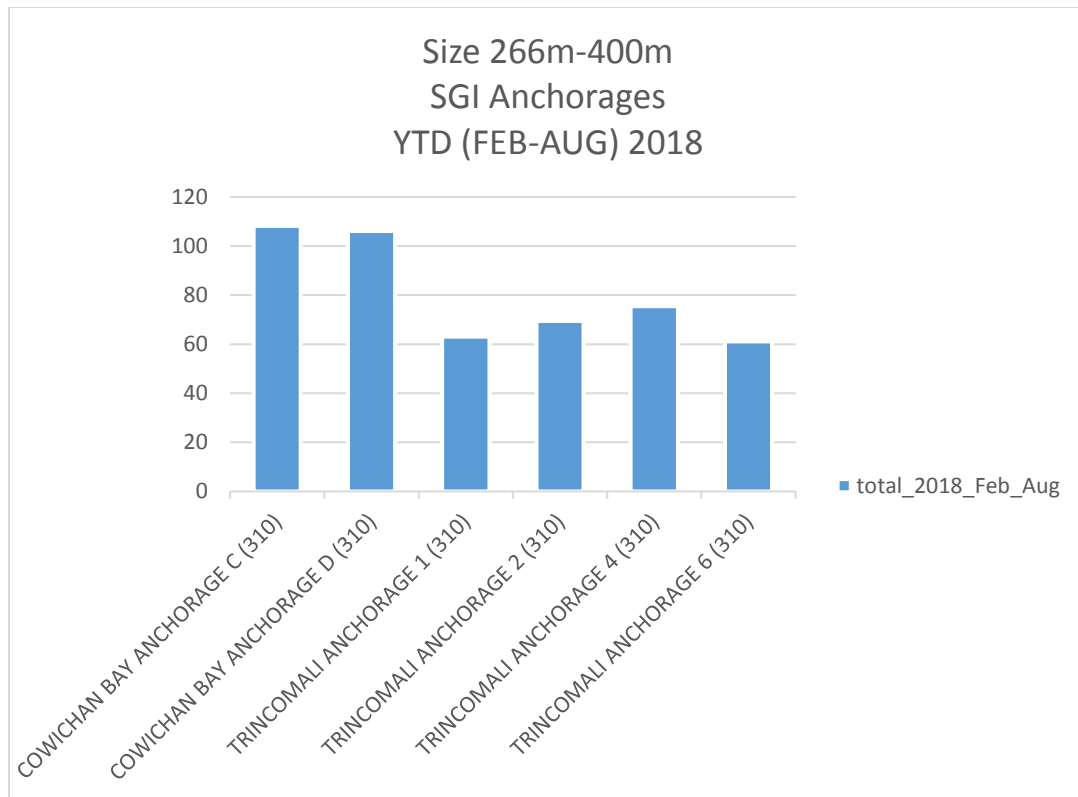
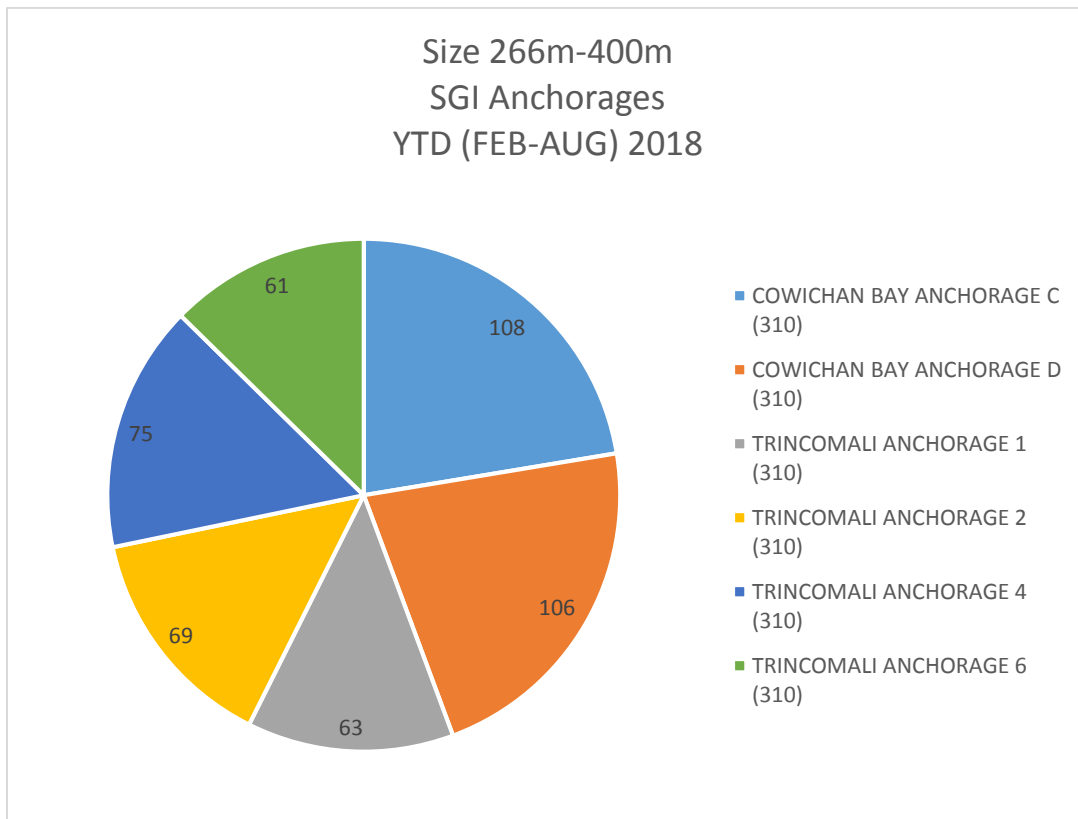
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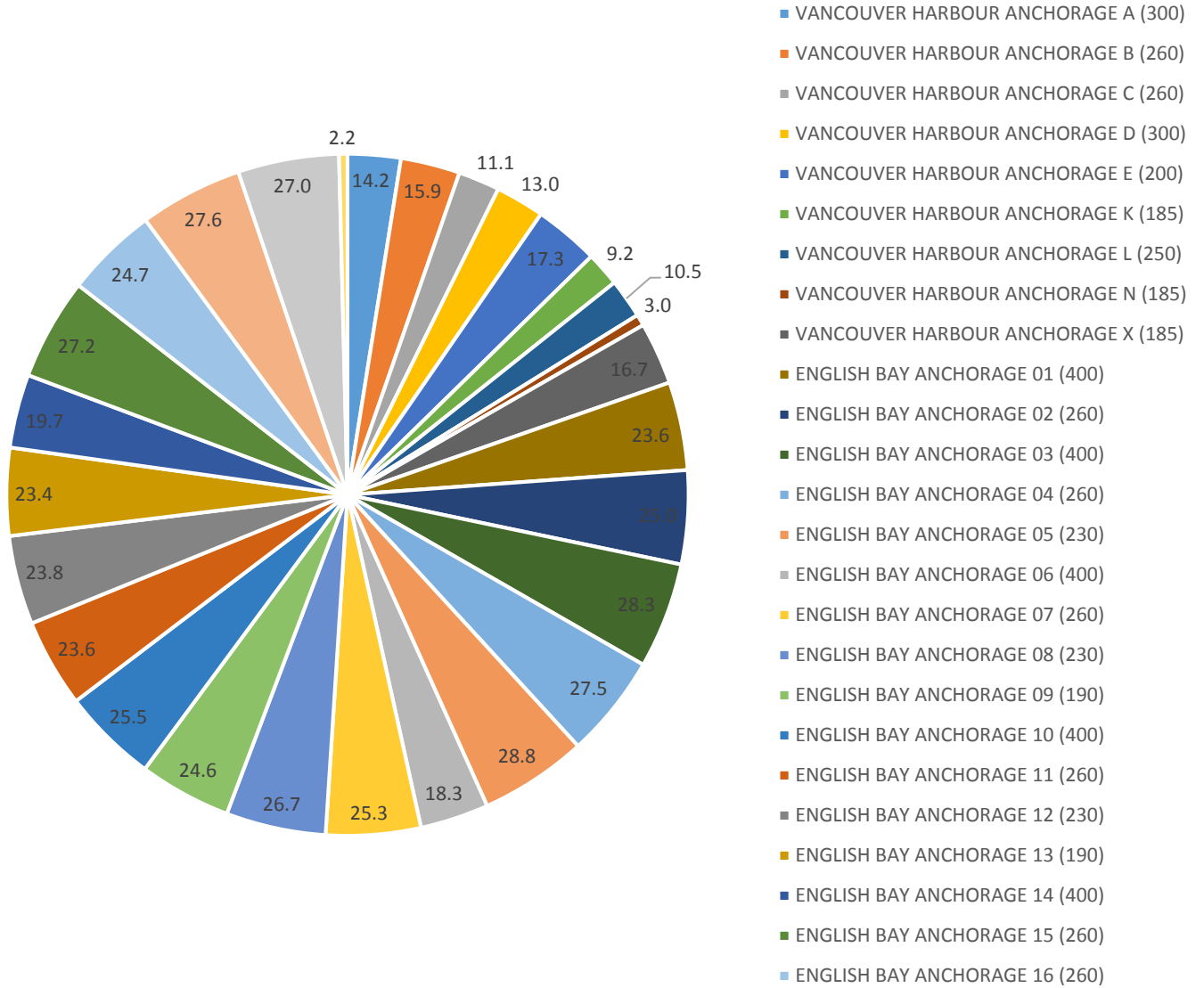


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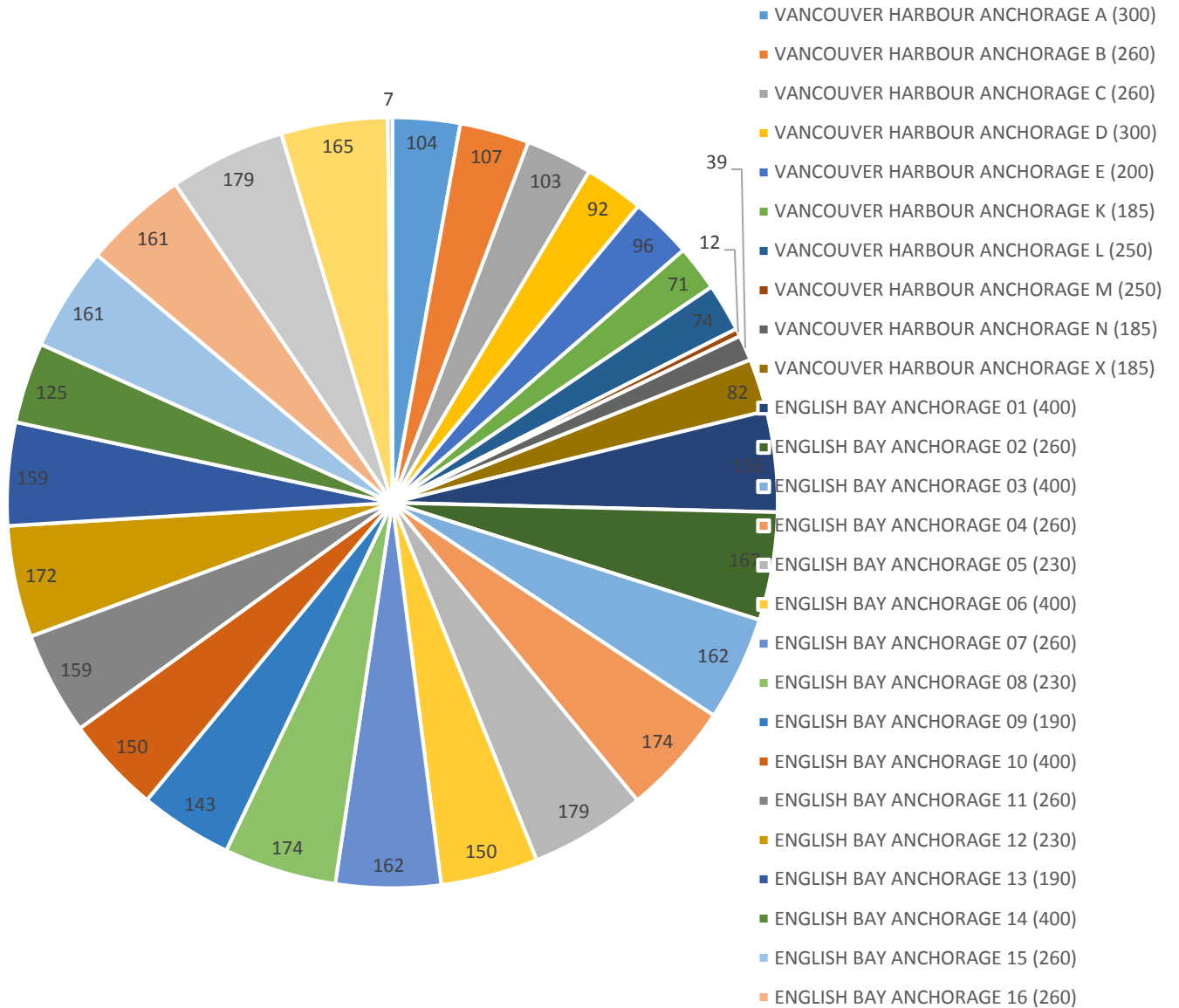
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Vancouver Anchorages Total Days at Anchor AUG 2018

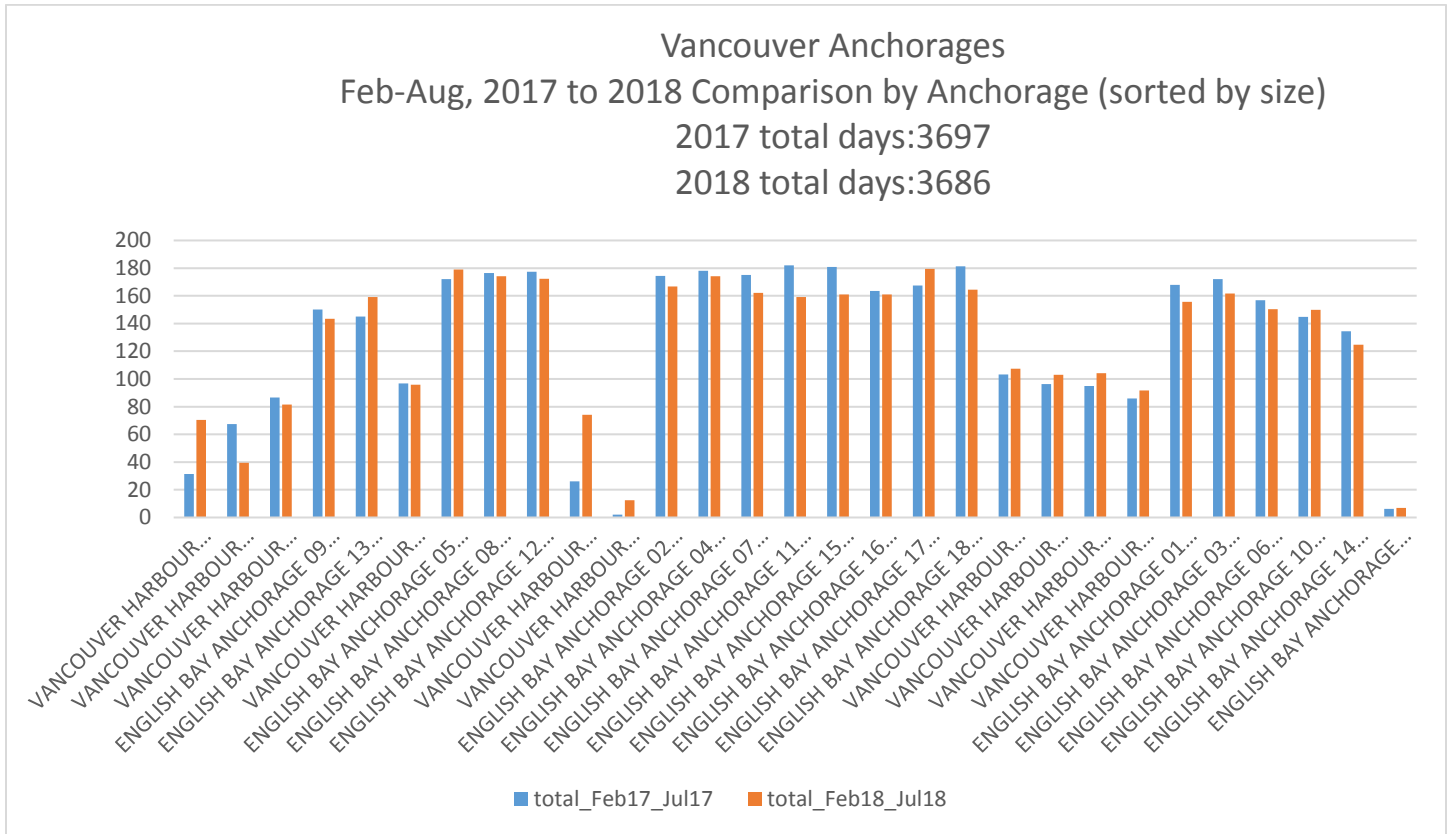


DATA SUMMARY – Interim Anchorages Protocol Monthly Report #7

Vancouver Anchorages Total Days at Anchor YTD (FEB-AUG) 2018

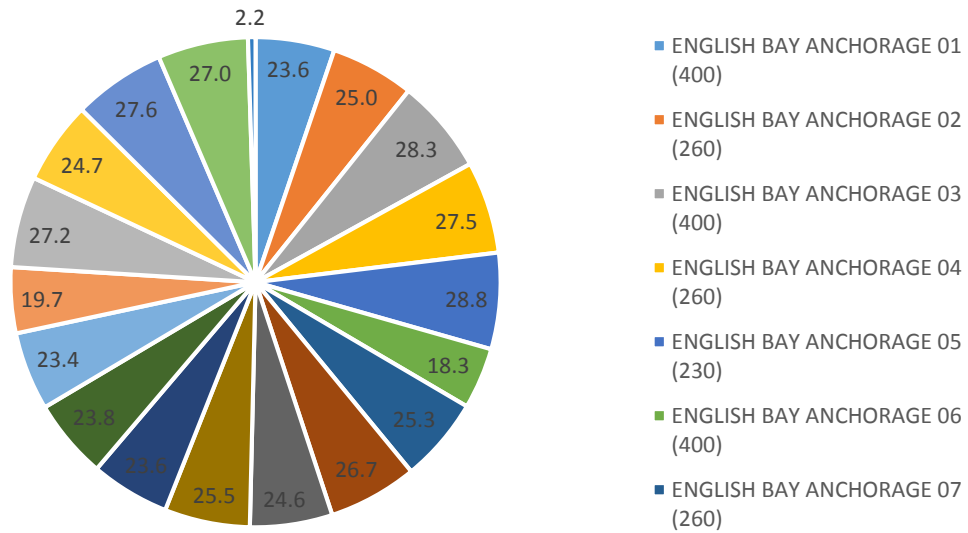


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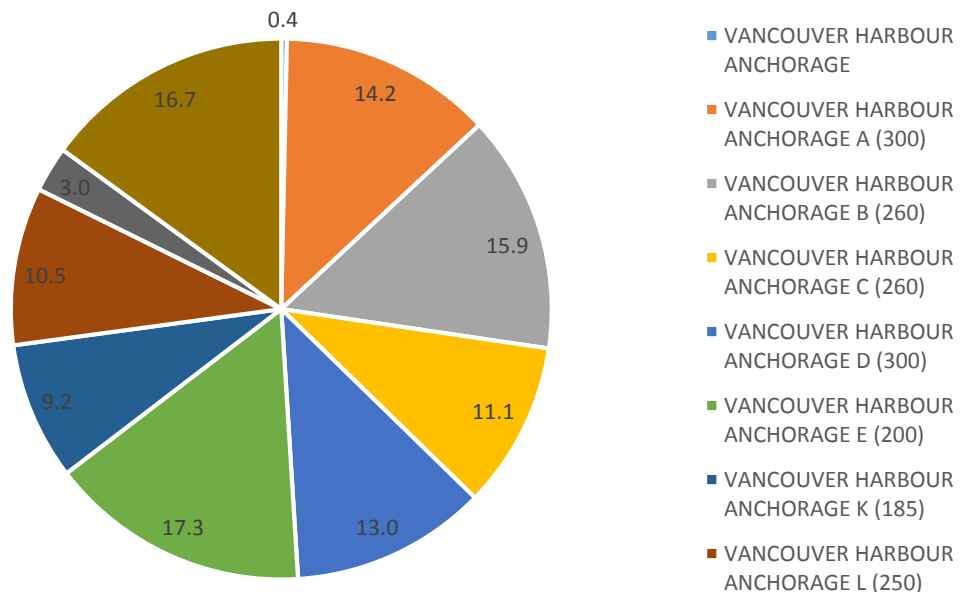


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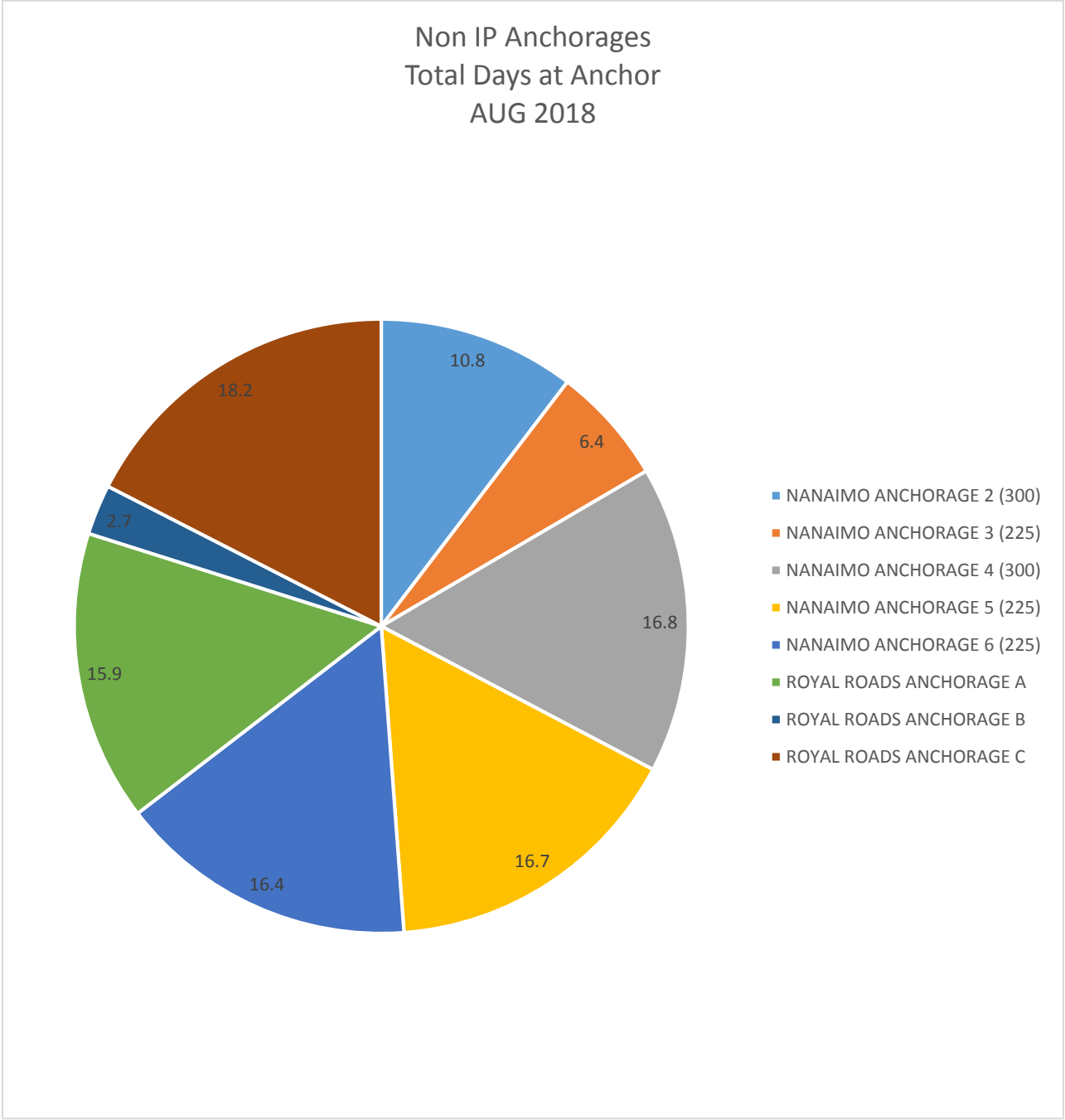
English Bay Anchorages
Total Days at Anchor
AUG 2018



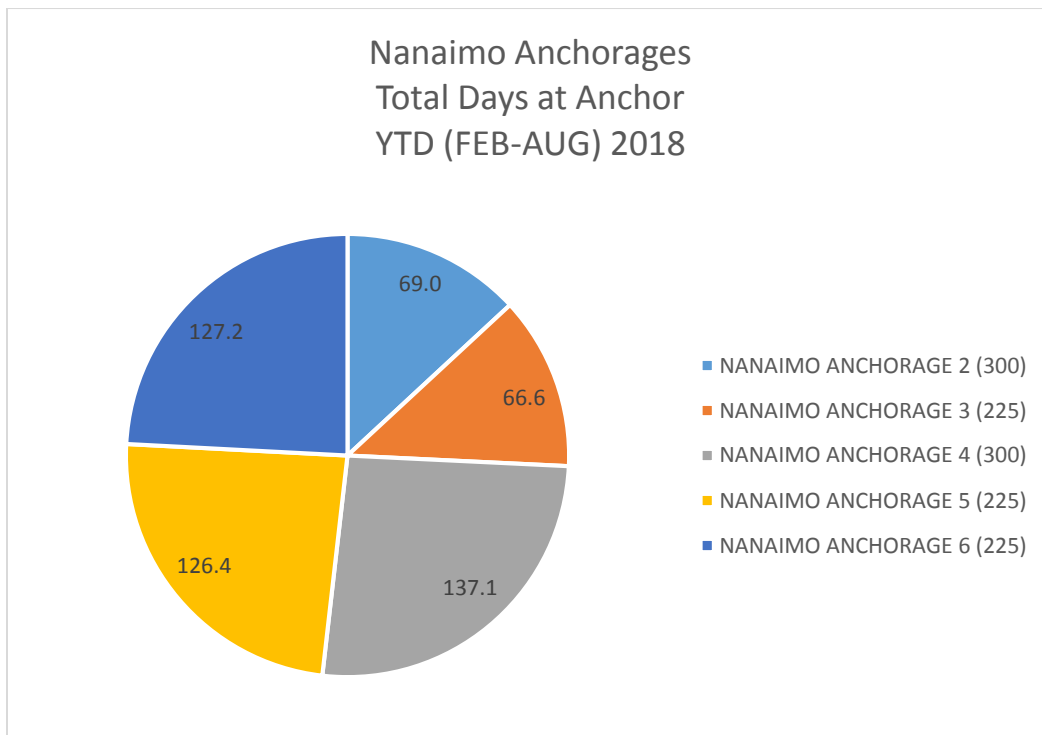
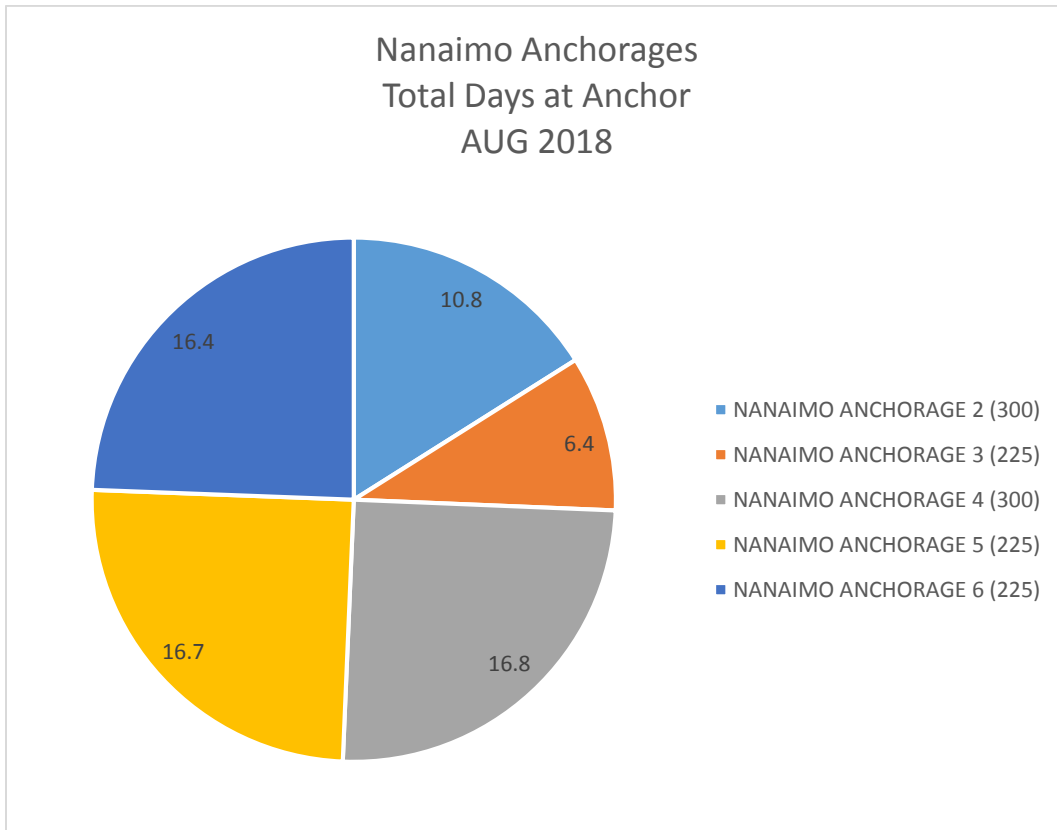
Vancouver Harbour Anchorages
Total Days at Anchor
AUG 2018



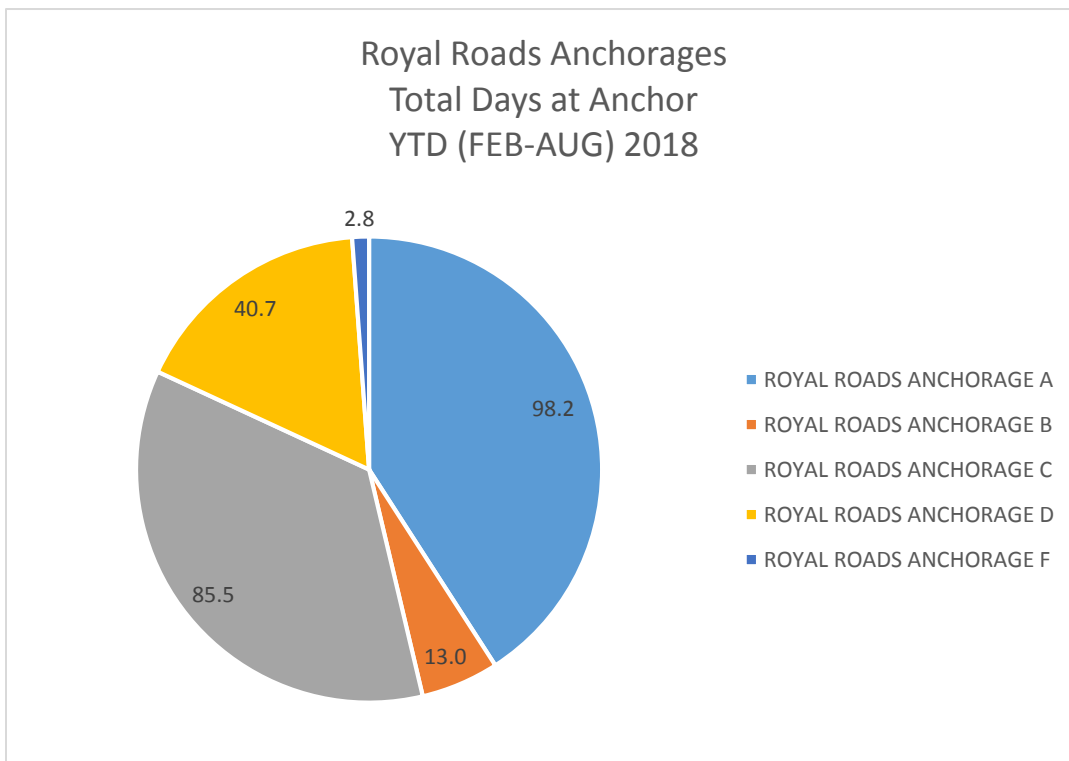
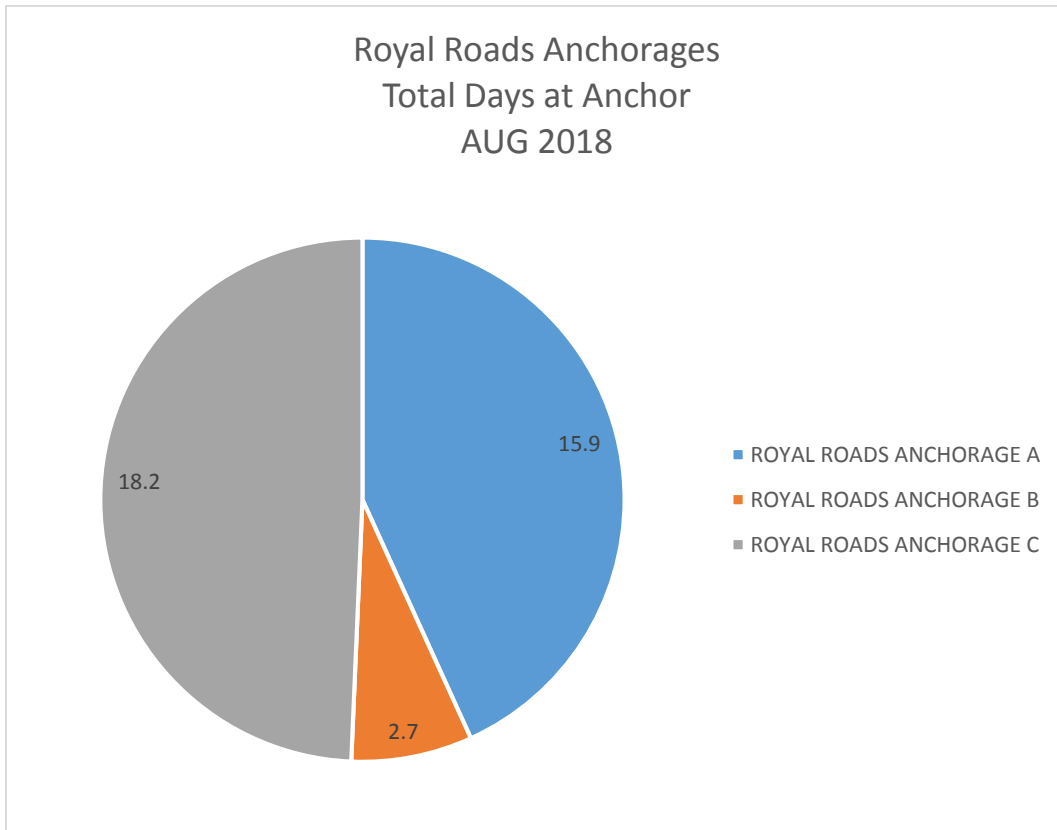
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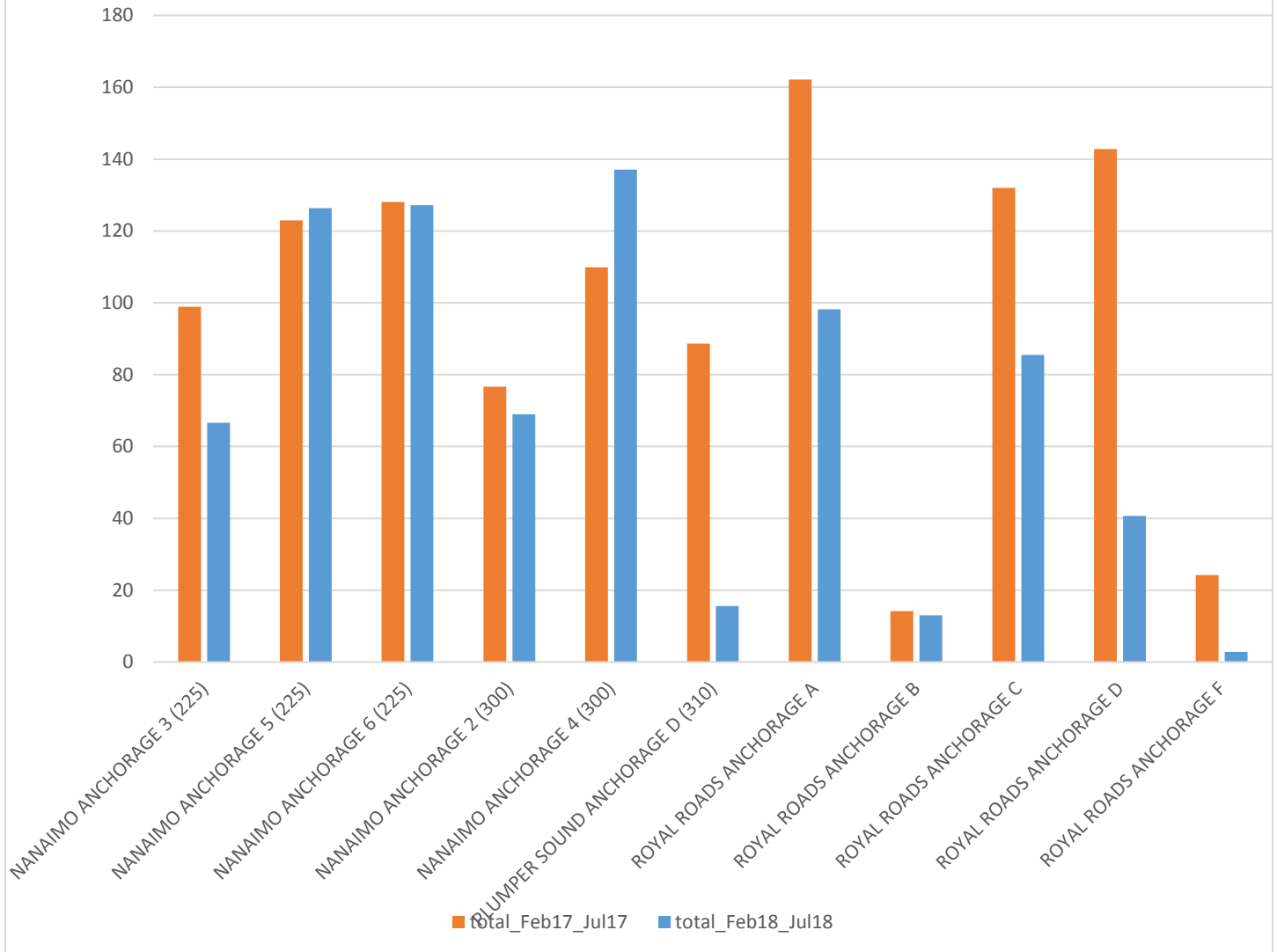


DATA SUMMARY – Interim Anchorages Protocol Monthly Report #7



DATA SUMMARY – Interim Anchorages Protocol Monthly Report #7

Non-IP Anchorages
Feb-Aug, 2017 to 2018 Comparison by Anchorage (sorted by size)
2017 total days:1100
2018 total days:782



Subject: FW: Invitation to tour an oil spill response exercise for the Southern Gulf Islands

From: Michael Lowry [<mailto:michael@wcmrc.com>]
Sent: Thursday, October 11, 2018 2:24 PM
To: Clare Frater
Subject: Invitation to tour an oil spill response exercise for the Southern Gulf Islands

Dear Ms. Frater,

Western Canada Marine Response (WCMRC) will be holding an oil spill response exercise for a spill scenario in the southern Gulf Islands. To maintain our Transport Canada certification WCMRC holds a number of exercises on a three-year cycle. Every three years, we hold a table-top exercise that simulates a spill of 10,000 tonnes of petroleum.

The exercise is operated through the Incident Command System (ICS), which is an international standard command and control system used to manage emergency incidents. WCMRC exercises include participation from the Canadian Coast Guard, Transport Canada, Department of Fisheries and Oceans, Environment and Climate Change Canada, BC Ministry of Environment, EMBC, local municipalities and First Nations.

We respectfully invite you to join us for a tour of the Incident Command Post. During the tour, a Liaison Officer will provide the group with an overview of the ICS structure and explain the different roles and responsibilities of Unified Command, Planning Unit, Environment Unit and the Joint Information Centre.

Date: November 8, 2018

Time: 1 pm to 2 pm

Location: Tsawout Gathering Strength Community Facility
7728 Tetayut Rd.
Saanichton, B.C.

Our mandate, under the Canada Shipping Act, is to maintain a state of preparedness in the event of an oil spill and to deliver safe and effective spill response services for BC's coastal waters. We are the only Transport Canada certified response organization for Canada's West Coast. We believe that by working together with the communities in which we operate we can achieve our shared goal of protecting the environment by preparing for the worst.

If you are interested in attending, please RSVP before October 26, 2018. You can contact Michael Lowry at 604.293.3380 or michael@wcmrc.com.

Michael Lowry | Manager, Communications

Email: michael@wcmrc.com
Direct: (604) 293-3380
Fax: (604) 294-6003



Western Canada Marine Response Corp • Head Office: 206-3500 Gilmore Way, Burnaby, B.C. V5G 0B8

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Please consider the environment before printing this email

--

This message has been scanned for viruses and dangerous content by [E.F.A. Project](#), and is believed to be clean.

Lori Foster

To: Clare Frater
Subject: RE: Herring Pre-Season Planning Update

From: Postlethwaite, Victoria <Victoria.Postlethwaite@dfo-mpo.gc.ca>
Sent: Thursday, October 11, 2018 10:54 AM
To: Tony Law <tlaw@islandstrust.bc.ca>; cgray@telus.net; grantandcarolscott@gmail.com; Conservancy Hornby Island <chihornby@gmail.com>; Dorrance` Woodward <dorrancewoodward@gmail.com>; lizjj@telus.net; Peter Luckham <pluckham@islandstrust.bc.ca>; David Critchley <dcritchley@islandstrust.bc.ca>; Clare Frater <cfrater@islandstrust.bc.ca>; Karen Hurley <khurley@islandstrust.bc.ca>
Cc: Spence, Brenda <Brenda.Spence@dfo-mpo.gc.ca>; Neuman, Amber <Amber.Neuman@dfo-mpo.gc.ca>; Goruk, Andrea <Andrea.Goruk@dfo-mpo.gc.ca>
Subject: Herring Pre-Season Planning Update

Good morning all,

I hope you are all doing well and enjoying this beautiful fall weather!

We are in the middle of pre-season planning for herring and I wanted to reach out to you with a few updates.

Yesterday, we received the draft 2018 Stock Assessment and 2019 Forecast from Science, which I have attached for your information. While still in draft form as we await approval from our Regional Director Science, the content and results won't change when the report is finalized.

We will be reviewing the findings of the stock assessment and forecast with our planning committees next week, including the Integrated Herring Harvest Planning Committee (IHHPC). At our meeting with you in the summer, we had discussed a representative from your groups potentially having a role in the IHHPC. We are unable to add members without first discussing with the IHHPC, so we have tabled a revisit of the Terms of Reference and membership for this upcoming meeting and will keep you informed of the discussions. We are of course happy to meet and discuss with you individually until a process for public representation on this committee can be established.

Additionally, if you are not already aware from the fishery notice, the draft Special Use and Food & Bait commercial fishing plans are out for consultation until October 25 (attached). We put these plans out with provisional quota prior to the release of the full IFMP due to the timing of our Science advice and the need for these plans to be finalized prior to fishery openings on November 7. These 2 commercial plans will be included as appendices in the full IFMP. We are aiming to have the full IFMP out for 30-day consultation at the end of November and as soon as that is available I will send to you.

Finally, I have attached our planning timeline that lays out our key meetings and decision and fishery dates over the next few months, for your reference. As always, if you have any questions about these documents or anything else, please reach out to me anytime.

Warm regards,
Victoria

Victoria Postlethwaite, MRM
Regional Herring Officer / Agent Régional du Hareng
Fisheries and Aquaculture Management / Gestion des pêches et de l'aquaculture
Fisheries and Oceans Canada / Pêches et Océans Canada

Victoria.Postlethwaite@dfo-mpo.gc.ca

Tel. / Tél.: 604-666-7851; Cell. / Tél cell.: 604-345-6850



Government
of Canada

Gouvernement
du Canada

Canada



File OF-Fac-Oil-T260-2013-03 59
5 October 2018

To: All Parties¹
All filers of applications to participate

**Trans Mountain Pipeline ULC
Application for the Trans Mountain Expansion Project (Project)
National Energy Board (Board) reconsideration of aspects of its Recommendation
Report (Report) as directed by Order in Council (OIC) P.C. 2018-1177
(Reconsideration)
MH-052-2018
Ruling No. 1 - List of Parties**

On 20 September 2018, through [OIC P.C. 2018-1177](#), the Governor in Council (GIC) referred aspects of the Board's [Report](#) for the Project back to the Board for reconsideration. The GIC's direction followed a 30 August 2018 [decision](#)² of the Federal Court of Appeal that quashed the GIC's approval of the Project.

On 26 September 2018, the Board [announced](#) that it would hold a public hearing in carrying out the Reconsideration. It also opened up an application to participate process at that time, which closed on 3 October 2018.

Intervenors in the OH-001-2014 Certificate hearing at the time that the Board issued its Report were guaranteed intervenor status in this Reconsideration hearing, if they chose to participate and register. Any other member of the public was able to apply to participate as an intervenor.

The Board has made its determinations about participation (or standing) in this Reconsideration hearing. Attached to this letter is the List of Parties, which identifies those persons and groups for which the Board has granted intervenor status.

.../2

¹ The Parties include Trans Mountain Pipeline ULC and all intervenors.

² *Tsleil-Waututh Nation v. Canada (Attorney General)*, 2018 FCA 153.

By the deadline, the Board received and reviewed 124 applications to participate as intervenors. The Board:

- **Granted** intervenor status to 76 applicants that were intervenors in the OH-001-2014 Certificate hearing.
- **Granted** intervenor status to 23 “new” applicants that sought intervenor status.
- **Did not grant** intervenor status to 25 applicants that sought it. These persons and groups – along with any other member of the public – may file a letter of comment³ by a deadline to be set in the upcoming Hearing Order.

The Board will release its written reasons for its participation decisions shortly.

For any questions, please contact a Process Advisor by phone at 1-800-899-1265 (toll-free) or by email at TMX.ProcessHelp@neb-one.gc.ca.

Yours truly,

Original signed by S. Wong for

Sheri Young
Secretary of the Board

Attachment

³ The Board notes that some applicants and other members of the public have already submitted substantive comments regarding the Board’s Reconsideration, which may or may not constitute their letters of comment. These will remain on the hearing record and will be considered by the Board in completing its Reconsideration Report. For persons or groups where this is the case, those letters do not need to be refiled.

National Energy
Board



Office national
de l'énergie

**Trans Mountain Pipeline ULC
Trans Mountain Expansion Project**

**National Energy Board reconsideration of aspects
of its Recommendation Report as directed by
Order in Council P.C. 2018-1177**

File OF-Fac-Oil-T260-2013-03 59

Hearing Order MH-052-2018

12 October 2018

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1 HEARING OVERVIEW

1.1 Introduction

On 20 September 2018, through [Order in Council \(OIC\) P.C. 2018-1177](#), the Governor in Council (GIC) referred aspects of the National Energy Board's (Board or NEB) [Recommendation Report](#) for the Trans Mountain Expansion Project (Project) back to the Board for reconsideration (Reconsideration). The GIC's direction follows a 30 August 2018 [decision](#)¹ of the Federal Court of Appeal that quashed the GIC's approval of the Project.

The Board will hold a public hearing for this Reconsideration. During the hearing, the Board will receive written evidence and other filings, which will be available in the Board's online [public registry](#). The hearing may also include oral portions. The Board will use various ways to gather and test evidence and will review and consider all of the evidence on the record in completing its Reconsideration Report. The Board will rely only on the evidence on the record. This includes relevant evidence previously submitted and any new relevant evidence filed.

The steps and deadlines in the hearing, as outlined in this Hearing Order, are important to make the hearing fair, transparent, and efficient, and they provide certainty to all those involved.

The Board's Reconsideration Report will be submitted to the GIC for a decision.

1.2 Time limit

The OIC requires that the Board complete the Reconsideration within 155 calendar days from the date of the OIC. Therefore, the Board must complete the Reconsideration hearing and submit its Reconsideration Report to the GIC no later than **22 February 2019**. This represents the maximum time to complete the review.

In accordance with subsection 11(4) of the *National Energy Board Act* (NEB Act), this hearing will be carried out as expeditiously as the circumstances and considerations of fairness permit, but, in any case, within the time limit imposed by the GIC. The deadlines in this Hearing Order are important to allow this hearing to be completed within that time limit.

1.3 What issues will the Board consider?

The issues that the Board will consider in this Reconsideration hearing are found in the List of Issues attached to this Hearing Order as **Appendix 1**. An Amended Factors and Scope of the Factors for the Environmental Assessment under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) is found as **Appendix 2**.

Both of these documents were finalized following a public [comment period](#) held between 26 September and 3 October 2018.

¹ *Tsileil-Waututh Nation v. Canada (Attorney General)*, 2018 FCA 153.

1.4 Where can I get help or more information about the hearing process?

The Board has many staff members that can answer questions throughout the hearing process. This includes dedicated Process Advisors to provide you with information and assistance on how to effectively participate. The Process Advisors' role is fully described on the Board's [website](#). See Section 5 of this Hearing Order for contact information.

The Board has set up a dedicated [Reconsideration webpage](#) where you can access valuable information about the Reconsideration hearing.

The Board has developed a [Hearing Process Handbook and related video](#) that provide an overview of its hearing processes, in general. You can request copies of Board publications [online](#) or by calling 1-800-899-1265 (toll-free).

The [National Energy Board Rules of Practice and Procedure, 1995](#) (Rules) provide detailed information about the Board's hearing processes. In the event of an inconsistency between the Rules and this Hearing Order, this Hearing Order should be followed.

2 PARTICIPATION IN THE HEARING

In addition to Trans Mountain's participation, the Board's Reconsideration hearing will involve:

- the **participation of intervenors**; and
- gathering **letters of comment from the public**.

Intervenors in the OH-001-2014 Certificate hearing at the time that the Board issued its Recommendation Report were guaranteed intervenor status in this Reconsideration hearing, if they chose to participate and register.

Any other member of the public was able to apply to participate as an intervenor through an [application process](#) held between 26 September and 3 October 2018. The confirmed intervenors in this hearing are named in the [List of Parties](#). The Board's reasons for its decisions in this regard are found [here](#).

The "**Parties**" consist of Trans Mountain and all intervenors (including Federal Departments and Agencies²).

² "Federal Departments and Agencies" include those federal departments and agencies that have registered as intervenors in this hearing, as well as those from which the Board has requested information under paragraph 20(a) of the CEAA 2012. Federal Departments and Agencies are denoted on the List of Parties with the prefix "AA".

2.1 Letters of comment

As noted above, any member of the public – including those that applied to participate as intervenors, but were not granted that status – may file a letter of comment with the Board by **20 November 2018**. Letters of comment will be placed on the online public registry, will form part of the hearing record, and the Board will read and consider them.

A letter of comment should be in one of Canada's official languages (English or French). It should describe your views pertaining to the Board's Reconsideration and include:

- your name, mailing address, and phone number;
- the name of your organization, if you represent one;
- comments on how you would be impacted positively or negatively by Project-related marine shipping, or any relevant information or expertise that you can offer to assist in the Board's Reconsideration (considering the List of Issues); and
- any information that explains or supports your comments.

There is no page limit to your letter, although clear, succinct and well-organized letters are encouraged. Generally, the Board does not find mass form letters to be helpful in its deliberations in any hearing.

2.2 Intervenors

In this Reconsideration hearing, an intervenor will have the opportunity and may choose to, among other things:

- file an opening statement;
- file written evidence;
- ask written questions about Trans Mountain's and other intervenors' evidence;
- file, and potentially respond to, notices of motion; and
- present written argument and, if deemed necessary by the Board, oral argument.

If you file evidence, or information in response to the Board's request under paragraph 20(a) of the CEEA 2012, you must, in writing, answer any written questions (i.e., information requests) asked about it by the Board or the other Parties.

Intervenors will be notified of, or receive, all documents that are filed or placed on the hearing record. This includes evidence, notices of motion, and all related materials.

Depending on how active you are as an intervenor, you may face a significant time commitment during the hearing. You have a number of responsibilities. You also have various privileges and participation opportunities afforded to you. Detailed information on intervenor deadlines and responsibilities is found in the table in Section 3.

2.3 Can I withdraw?

If you have been allowed to participate as an intervenor, you can withdraw from the hearing at any time by telling the Board in writing, although you are not required to formally withdraw if you no longer wish to participate. You may choose to still retain your participation status, take no action, and simply monitor the hearing's progress.

As an intervenor, unless you formally withdraw, you will continue to regularly receive regular email notifications and/or hard copies of documents.

3 HEARING EVENTS, STEPS, AND DEADLINES

Throughout the Reconsideration hearing, the Board may issue procedural directions that will fully describe certain identified events and steps so that all participants understand what is expected and how to fulfil their responsibilities. Cover letters to documents and information that the Board releases may also contain valuable information about hearing procedures.

Hearing events and steps (responsible person[s] in bold, guidance in italics) ³	Date or deadline (3:00 pm Pacific time [4:00 pm Mountain time])
Order in Council P.C. 2018-1177 received by the Board	20 September 2018
Board announces hearing time limit, establishes comment process for scope and process for the Reconsideration hearing, and initiates Application to Participate process	26 September 2018
All interested persons and groups file Applications to Participate and comments on scope and process for the Reconsideration hearing	3 October 2018
Board releases the List of Parties to the hearing	5 October 2018
Board: - releases Hearing Order MH-052-2018 with the List of Issues and the Amended Factors and Scope of the Factors for the Environmental Assessment pursuant to the CEAA 2012 - sends Filing Requirements to Trans Mountain - sends requests to Federal Departments and Agencies pursuant to paragraph 20(a) of the CEAA 2012	12 October 2018
Board releases procedural direction asking Indigenous ⁴ intervenors if they wish to provide oral traditional evidence	12 October 2018

³ All produced documents must be filed with the Board so they can be placed on the hearing record and considered.

⁴ The Board's use of the term "Indigenous" or "Indigenous peoples" in this hearing has the meaning assigned by the definition of "aboriginal peoples of Canada" in subsection 35(2) of the *Constitution Act, 1982*.

Hearing events and steps (responsible person[s] in bold, guidance in italics)³	Date or deadline (3:00 pm Pacific time [4:00 pm Mountain time])
Indigenous intervenors notify the Board of their intent to provide new or supplemental oral traditional evidence	23 October 2018
Trans Mountain files opening statement and direct evidence <i>Evidence must be relevant to one or more of the issues identified in Appendix 1.</i> <i>Evidence must be served on all intervenors</i>	31 October 2018
Federal Departments and Agencies file opening statements, direct evidence, and information requested by the Board under paragraph 20(a) of the CEEA 2012 <i>Evidence must be relevant to one or more of the issues identified in Appendix 1.</i> <i>Evidence must be served on all other Parties</i>	31 October 2018
Intervenors (other than Federal Departments and Agencies) file opening statement and direct evidence <i>Evidence must be relevant to one or more of the issues identified in Appendix 1.</i> <i>Evidence must be served on all other Parties</i>	20 November 2018
Members of the public file letters of comment <i>Letters of comment must be served on Trans Mountain</i>	20 November 2018
Trans Mountain files reply evidence <i>Reply evidence must be served on all intervenors</i>	26 November 2018
All Parties file information requests regarding other Parties' evidence <i>Information requests must be relevant to one or more of the issues identified in Appendix 1, and also to the evidence of the Party to which the questions are asked</i> <i>Information requests must be served on all other Parties</i>	3 December 2018
Oral hearing session: to collect, and allow questioning of, oral Indigenous traditional evidence	late-November or early-December 2018
All Parties respond to information requests asked of them <i>Responses to information requests must be served on all other Parties</i>	13 December 2018
Motion Day – As considered necessary, Parties file notices of motion on the adequacy of other Parties' responses to their own information requests ("motions to compel") <i>Motions to compel must be served on all other Parties</i>	17 December 2018
All Parties file affidavits adopting their written evidence	9 January 2019

Hearing events and steps (responsible person[s] in bold, guidance in italics)³	Date or deadline (3:00 pm Pacific time [4:00 pm Mountain time])
Trans Mountain and Federal Departments and Agencies file written argument-in-chief, including comments on draft conditions (which the Board will release for comment) <i>Comments on conditions must be included in written argument-in-chief; they cannot be raised for the first time during oral argument. No new evidence can be provided in written argument-in-chief</i> <i>Written argument-in-chief must be served on all intervenors</i>	9 January 2019
Intervenors (other than Federal Departments and Agencies) file written argument-in-chief, including comments on draft conditions and any reply argument to Trans Mountain and Federal Departments and Agencies. <i>Comments on conditions must be included in written argument-in-chief; they cannot be raised for the first time during oral argument. No new evidence can be provided in written argument-in-chief</i> <i>Written argument-in-chief must be served on all other Parties</i>	14 January 2019
Optional oral hearing session: to hear all Parties' oral summary argument and/or reply argument <i>Oral summary argument or summary argument on specific issues only may be held if needed and time permits</i> <i>Parties should include all pertinent argument in their written argument-in-chief, as this step may not be held</i> <i>Should oral summary argument take place, Trans Mountain can provide reply argument during this period; otherwise a date for filing written reply argument will be announced by the Board</i>	mid-January 2019
Hearing record closes	Immediately after finishing argument
Board releases its Reconsideration Report to the Governor in Council, and provides it to the Minister of Natural Resources	22 February 2019 or earlier (time limit end)

3.1 More information about written steps

3.1.1 What is evidence?

Evidence is what the Board will consider in the Reconsideration hearing. Evidence is comprised of the reports, statements, oral Indigenous traditional evidence, photographs, letters, and other material that hearing participants file during the hearing. Evidence is used to support one's position in relation to the List of Issues.

The entirety of the evidence filed in the OH-001-2014 Certificate hearing will be included as part of its record for this Reconsideration hearing, and will be considered by the Board to the extent it is relevant to the List of Issues for the Reconsideration hearing. **Parties are not required to re-file or re-test evidence that was filed during the OH-001-2014 Certificate hearing.**

3.1.2 What is an opening statement?

Opening statements are neither argument, nor evidence. A Party's written opening statement should contain a summary of their opening position on the Reconsideration, an executive summary or "road-map" to their evidence (which is due on the same day as the opening statement), and an explanation of how their evidence is new or different than what was filed, tested, and considered during the OH-001-2014 Certificate hearing.

The Board is providing the Parties with the opportunity to file a written opening statement. The Board considers that, in the unique circumstances of this Reconsideration hearing, opening statements will support efficiency, and will assist the Board and all participants in focusing on key matters of importance to them as the hearing proceeds.

Opening statements must be concise, and no longer than five pages in length.

3.2 More information about the oral hearing sessions

Board staff will be available in the hearing room prior to any oral hearing session(s) to explain the layout of the hearing room and answer any process questions.

3.2.1 Oral Indigenous traditional evidence

The Board understands that Indigenous peoples have an oral tradition for sharing knowledge from generation to generation. This information cannot always be shared adequately or appropriately in writing.

In late-November or early-December 2018, Indigenous intervenors may choose to provide traditional evidence orally. This would be in addition to their written evidence, if any. This oral traditional evidence may be questioned orally by other intervenors, Trans Mountain, or the Board. Indigenous intervenors may choose to provide responses to questions orally or in writing, or a combination of both.

Additional details about how the Board will gather oral traditional evidence from those Indigenous intervenors who wish to provide it will be provided in a Procedural Direction in the near future.

3.2.2 Oral argument

If deemed necessary by the Board and the time permits, the Board may hold an oral hearing session in **mid-January 2019** to hear oral summary argument and/or reply argument from all Parties.

If the Board decides to proceed with this oral hearing session, it will issue a procedural direction requiring all Parties to notify the Board of their intent to present oral summary argument and/or reply argument. Full details on oral argument (including procedures, time limits, dates, location[s]) will be provided at a later time, if required. The Parties should include all pertinent argument in their written argument-in-chief, as this step may not be held.

3.3 Oral hearing broadcasts and transcripts

The Board will live-stream the oral hearing sessions via its [website](#). Media files of each day's broadcast will also be available for download.

Daily written transcripts will be found on the online public registry by the following morning. Anyone can order paper copies of the transcripts directly from International Reporting Inc. This can be done in the hearing room, by emailing bprouse@irri.net, or by calling 613-748-6043. There may be a fee for this service.

4 PROCEDURES AND GUIDANCE

4.1 How do I prepare documents?

Every document you file with the Board must refer to **Hearing Order MH-052-2018** and **File OF-Fac-Oil-T260-2013-03 59**.

Address all documents to the proper recipient. For example, anything intended for the Board should be addressed to the Secretary of the Board (see Section 4.2.4 for contact information). Documents directed at others (e.g., responses to a specific Party's information requests) should be addressed to them using the List of Parties as a guide.

All documents must be in PDF format. Number document pages consecutively, including blank pages, so that the electronic page numbers match the page numbers showing in your document.

Do not provide references to websites. Instead, provide the actual information you want to refer to. **If using information sourced from a website, it must be filed in PDF format with an indication of the date the information was taken from the website.**

4.2 How do I file documents with the Board?

The Board **requires** you to file your documents online if you are able to do so. This can be done through the Participation Portal once logging into your [NEB Account](#) (if you have one already), or through the Board's [e-filing system](#) (**no** login necessary).

The Board does not accept filings by email. Documents received by email will not form part of the hearing record and will not be considered by the Board.

4.2.1 Participation Portal

If you have an NEB Account through which you applied to participate in this hearing, you may use the Participation Portal to file your future documents with the Board.

After logging into your NEB Account, in the list of hearings, choose this Reconsideration hearing (MH-052-2018) and follow the online steps to make your filing.

The Participation Portal will also email you a filing receipt where you can verify your attachments, as well as instructions about providing a hard copy to the Board.

4.2.2 E-filing

If you do not have an NEB Account, you may use the Board's e-filing system for filing documents. No login is required. While this system provides step-by-step instructions, you may refer to the [*Filer's Guide to Electronic Submission*](#) for more information.

When you complete a filing by e-filing, you will be emailed a filing receipt, which you must print and sign. You must send the Board that signed filing receipt – as well as one signed hard copy of the e-filed document(s) – by mail/courier, fax, or hand delivery (see Section 4.2.4 for contact information).

4.2.3 What if I do not have Internet access?

Electronic filings are efficient, and allow all Parties to view documents immediately once filed. For this reason, and as noted in Section 4.2, the Board requires the use of the online filing methods described in Sections 4.2.1 and 4.2.2, if the filer has Internet access.

If an intervenor cannot file documents online using the methods described in Sections 4.2.1 or 4.2.2, they **must** advise the Board in writing of the reasons for this. If the Board accepts your reasons, it will inform you in writing that you can file documents in person, by mail/courier, or by fax. An exception to this requirement is when a document cannot be scanned and made into an electronic copy (e.g., if it is physically too large to scan). In these cases, an electronic placeholder will be placed in the online public registry indicating that the document is available in the Board's library, but cannot be viewed online.

Physical documents that are received after a filing deadline, but are date-stamped by the post office or courier on or before the deadline, will be considered as filed on time. If filing hard copies, you must sign each document you file.

4.2.4 Who do I send or address documents to at the Board?

Use the following information when sending correspondence and documents to the Board.

Ms. Sheri Young
Secretary of the Board
National Energy Board
Suite 210, 517 Tenth Avenue SW
Calgary, AB T2R 0A8
Fax: 403-292-5503 (toll-free: 1-877-288-8803)

4.3 How do I serve documents on others?

Serving a document on someone means to provide them with a filing or with a notification that a filing was made.

Intervenors are required to serve their filings on Trans Mountain and its counsel, and on all other intervenors.

Members of the public that are filing letters of comment must serve their letters on Trans Mountain and its counsel only.

Trans Mountain is required to serve its filings on each intervenor.

4.3.1 Participation Portal users

The Participation Portal can send an email notification on your behalf to all those requiring service and who have provided a valid email address. To use this service, when prompted, click on “Yes, I want to use the Participation Portal’s Automated Service Notification option for all Participants who have provided an email address.” The Board will accept this as equivalent to the service of documents required under the Rules.

If you do not choose the automated service option, you must serve the required Parties yourself, using any of the methods allowed under section 8 of the Rules. For **intervenors**, this would also apply in the case of any Party that has not provided a valid email address. This will be indicated in the List of Parties and in one of the emails that the Participation Portal will send you when your filing is completed.

4.3.2 E-filing users

Unless otherwise specified in the List of Parties, the listed intervenors have indicated that they are able to access documents online. The easiest way to serve the required Parties is to forward them the filing receipt you receive by email when you make your filing (see Section 4.2.2). Since you will need to send an email to multiple intervenors, you may want to consider creating an email group/list so that you can send one email to several addresses, as opposed to separate emails to individual addresses. **As a courtesy, please place all email addresses in the blind copy (i.e., BCC) line of your emails.**

Where the List of Parties indicates that an intervenor requires a hard copy, you must provide them with one (e.g., by mail/courier or fax).

4.3.3 Those without Internet access

If you cannot serve documents electronically (e.g., by email, as described in Section 4.3.2), you must serve each of the required Parties with a hard copy (e.g., by mail/courier or fax).

4.4 How do I raise a question of procedure or substance that requires a Board decision?

If you want to ask the Board to do something, such as to extend a particular deadline, you must file a request. This is called a notice of motion. A notice of motion must include:

- a concise statement of the facts;
- the grounds for the request;
- the decision or relief requested;
- the impact of granting the request on other hearing participants; and
- any other information which supports the request.

Your notice of motion must be:

- in writing;
- signed by the person making the request, or by an authorized representative;
- served on, as applicable, Trans Mountain and all intervenors; and
- filed separately from any other correspondence.

If you are relying on case law or other authorities to support your position, you must include these authorities and highlight the specific passages you are relying on.

The Board may provide an opportunity for the Parties to comment on a notice of motion. This decision would be based on the nature of the request, and the circumstances surrounding it.

Given the expedited nature of this hearing, Parties must raise any question of procedure or substance with the Board **at the earliest opportunity possible**. Delay in filing a notice of motion may result in the Board declining to consider it.

The Board will not consider a question of procedure or substance unless it is clearly marked as a “notice of motion” and filed separately from any other materials that the Party is filing.

4.5 Will you keep my evidence confidential?

All evidence in this hearing will be available on the online public registry, unless you file a notice of motion to keep your evidence confidential under sections 16.1 or 16.2 of the NEB Act, and the Board grants your request for confidentiality. If you plan to file a document under these sections, please read Section 1.5 (Confidential Filing) of the Board’s [Filing Manual](#), which explains the steps you need to take to ensure that evidence does not appear publically.

If the Board grants your request for confidentiality, there are specific and important procedures to follow when filing that evidence. Please contact a Process Advisor to discuss these steps (see Section 5 of this Hearing Order for contact information).

5 WHO CAN I CONTACT FOR HELP?

You are encouraged to contact a Process Advisor with any questions you may have during the hearing process. A Process Advisor can be reached by calling 403-292-4800 or 1-800-899-1265 (toll-free), or by emailing TMX.ProcessHelp@neb-one.gc.ca. Any call-back numbers left will be followed-up on as soon as possible.

NATIONAL ENERGY BOARD

Original signed by

Sheri Young
Secretary of the Board

Appendix 1

List of Issues for the Reconsideration Hearing

The National Energy Board's (Board) Reconsideration hearing will consider any necessary changes or additions to its May 2016 [Recommendation Report](#) (Report), in light of the inclusion of Project-related marine shipping between the Westridge Marine Terminal and the 12-nautical-mile territorial sea limit in the "designated project" under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). This includes issues related to factors described in paragraphs 19(1)(a) through (h) and subsection 19(3) of the CEAA 2012, and to section 79 of the *Species at Risk Act* (SARA).

1. The environmental¹ effects of Project-related marine shipping, and the significance of these effects.

This includes adverse effects on species at risk, the environmental effects of malfunctions or accidents that may occur, and any cumulative environmental effects.

2. Measures that are technically and economically feasible, and that would mitigate any significant adverse environmental effects of Project-related marine shipping.

Given that the Board found four significant adverse effects related to Project-related marine shipping in its previous assessment² (i.e., greenhouse gas emissions, Southern resident killer whale, traditional Indigenous use associated with Southern resident killer whale, and the potential effects of a large or credible worst-case spill), the consideration of mitigation measures will include these four matters. This issue will also include consideration of whether the mitigation measures will change the Board's previous significance findings.

3. Alternative means of carrying out Project-related marine shipping that are technically and economically feasible, and the environmental effects of such alternative means.
4. Requirements of any follow-up program in respect of Project-related marine shipping.
5. Measures to avoid or lessen the adverse effects of Project-related marine shipping on SARA-listed wildlife species and their critical habitat, monitoring of the measures, and consideration of how to ensure the measures and monitoring are undertaken.

¹ All references to environmental effects in this List of Issues include health and socio-economic matters as described in section 5 of the CEAA 2012.

² See the Board's Report at pages 337, 350-351, 363, 378, and 397-398.

The Board's previous assessment identified the SARA-listed marine fish, marine mammal, and marine bird species that could be found in the area of, or affected by, Project-related marine shipping.³ Consideration will also be given to any species that have been newly listed or have seen a change to their designation since the issuance of the Board's Report and that could be affected by Project-related marine shipping.

6. The potential impacts of Project-related marine shipping on Indigenous⁴ interests.
7. Whether there should be any changes or additions to the Board's recommendations set out in its Report, or to the recommended terms or conditions, including Conditions 91, 131 to 134, 144, and 151.

Parties are expected to limit their evidence filings to **new or updated** evidence (including comments from the public, community knowledge, and Indigenous traditional knowledge) relevant to the above issues. Parties are not required to re-file or re-test evidence on the record of the OH-001-2014 Certificate hearing. It is recommended that Parties focus their evidence on aspects of the above issues that were not fully canvassed in the OH-001-2014 Certificate hearing. The Board's Filing Requirements for Trans Mountain, and its requests for specialist or expert information or knowledge in the possession of Federal Authorities pursuant to paragraph 20(a) of the CEAA 2012, reflect this.

³ See the Board's Report at pages 338, 341, and 352.

⁴ The Board's use of the term "Indigenous" or "Indigenous peoples" in this hearing has the meaning assigned by the definition of "aboriginal peoples of Canada" in subsection 35(2) of the *Constitution Act, 1982*.

Appendix 2

Amended Factors and Scope of the Factors for the Environmental Assessment pursuant to the *Canadian Environmental Assessment Act, 2012*

1.0 INTRODUCTION

On 16 December 2013, Trans Mountain Pipeline ULC (Trans Mountain) filed an application with the National Energy Board (Board or NEB) proposing to construct and operate the Trans Mountain Expansion Project (Project). As the Project would require more than 40 kilometres of new pipeline and would be regulated under the *National Energy Board Act* (NEB Act), it is a designated project under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) and requires a CEAA 2012 environmental assessment for which the NEB is the Responsible Authority. On 20 September 2018, through [OIC P.C. 2018-1177](#), the Governor in Council (GIC) referred aspects of the Board's [Report](#) for the Project back to the Board for reconsideration.

For the purposes of the environmental assessment under the CEAA 2012, the designated project includes the various components and physical activities as described by Trans Mountain in its 16 December 2013 application submitted to the NEB. On 12 October 2018, the Board determined that Project-related marine shipping between the Westridge Marine Terminal and the 12-nautical-mile territorial sea limit is also part of the “designated project” under the CEAA 2012.

As noted in the List of Issues (attached to Hearing Order [OH-001-2014](#)), the Board does not intend to consider the environmental and socio-economic effects associated with upstream activities, the development of oil sands, or the downstream use of the oil transported by the pipeline.

In accordance with paragraph 79(2)(b) of the CEAA 2012, the following provides a description of the factors to be taken into account in the environmental assessment under the CEAA 2012 and of the scope of those factors.

2.0 FACTORS AND SCOPE OF THE FACTORS

2.1 Factors to be considered

The CEAA 2012 environmental assessment for the designated project will take into account the factors described in paragraphs 19(1)(a) through (h) of the CEAA 2012:

- (a) the environmental effects¹ of the designated project, including the environmental effects of malfunctions or accidents that may occur in connection with the designated project and

¹ Section 5 of the CEAA 2012 further describes the environmental effects that are to be taken into account.

any cumulative environmental effects that are likely to result from the designated project in combination with other physical activities that have been or will be carried out;

- (b) the significance of the effects referred to in paragraph (a);
- (c) comments from the public or any interested party received in accordance with the CEAA 2012;
- (d) mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the designated project;
- (e) the requirements of the follow-up program in respect of the designated project;
- (f) the purpose of the designated project;
- (g) alternative means of carrying out the designated project that are technically and economically feasible and the environmental effects of any such alternative means; and
- (h) any change to the designated project that may be caused by the environment.

In addition, the environmental assessment will also consider community knowledge and Aboriginal traditional knowledge.

2.2 Scope of the factors to be considered

The environmental assessment will consider the potential effects of the designated project within spatial and temporal boundaries within which the designated project may potentially interact with and have an effect on components of the environment. These boundaries will vary with the issues and factors considered, and will include, but not be limited to:

- construction, operation and maintenance, foreseeable changes, and site reclamation, as well as any other undertakings proposed by the proponent or that are likely to be carried out in relation to the physical works proposed by the proponent, including mitigation and habitat replacement measures;
- seasonal or other natural variations of a population or ecological component;
- any sensitive life cycle phases of species (e.g., wildlife, vegetation) in relation to the timing of Project activities;
- the time required for an effect to become evident;
- the area within which a population or ecological component functions; and
- the area affected by the Project.

Any works and activities associated with additional modifications or associated with the decommissioning or abandonment phase of the Project would be subject to a future application under the NEB Act and assessed in detail at that time. Therefore, at this time, any works or activities associated with these phases of the Project will be examined in a broad context only. As indicated above, the environmental assessment will consider cumulative environmental effects that are likely to result from the designated project in combination with effects from other physical activities that have been or will be carried out.

Subsection 2(1) of the CEAA 2012 provides definitions potentially relevant to the scope of the factors, including:

“environment” which means the components of the Earth, including

- (a) land, water and air, including all layers of the atmosphere;
- (b) all organic and inorganic matter and living organisms; and
- (c) the interacting natural systems that include components referred to in paragraphs (a) and (b);

and

“mitigation measures” which means measures for the elimination, reduction or control of the adverse environmental effects of a designated project, and includes restitution for any damage to the environment caused by those effects through replacement, restoration, compensation or any other means.

INTERIM PROTOCOL FOR SOUTHERN B.C. COMMERCIAL ANCHORAGES - Six Month Report

The Interim Anchorages Protocol for southern British Columbia commercial anchorages is a voluntary change of procedure and applies to all cargo vessels who request to anchor at one of the 33 identified locations along the south coast of B.C. It came into effect on February 8, 2018 for an initial trial period of six (6) months, and was extended in August for a further period of 12 months while the national Anchorages Initiative project and a new anchorages framework is completed. The Vancouver Fraser Port Authority manages the assignment of anchorage locations along the south coast in order to balance use more equitably and ensure that no one location is overused. The protocol also introduced voluntary guidelines for noise and light emissions from ships between 1900 and 0700 hours.

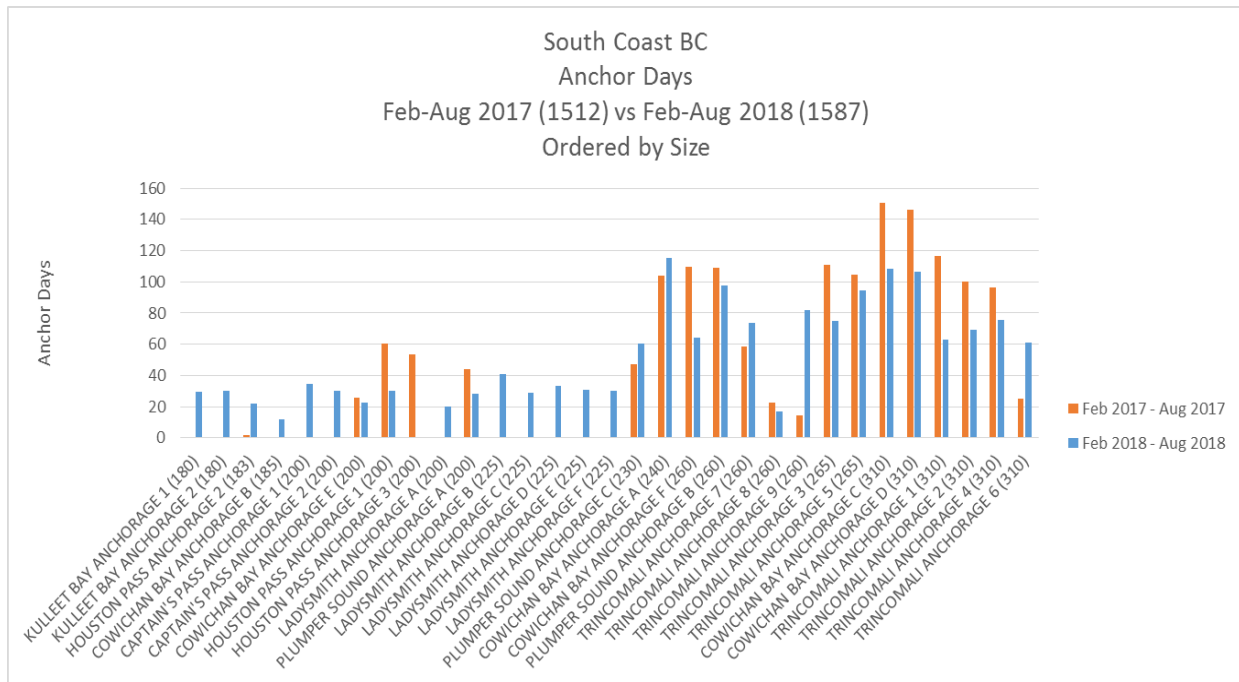
Looking Back and Looking Forward ***... the First Six Months***

This supplemental report about the Pacific Region Interim Anchorages Protocol summarizes the main issues that have been reported or observed during the first six months of the protocol, and also shares historical and transit data about the ships that anchor along the south coast of British Columbia. Together, this information provides an excellent starting point for the work now getting underway as part of the national Oceans Protection Plan Anchorages Initiative.

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So... how is the Interim Protocol working?

The main objective of the protocol was to more evenly balance the use of the 33 sites among the Gulf Islands in the short term while the national review was underway, so that no one coastal community would have all the freighters at anchor in their nearshore waters. As can be seen by the graph below, the protocol has been generally successful in achieving that objective.



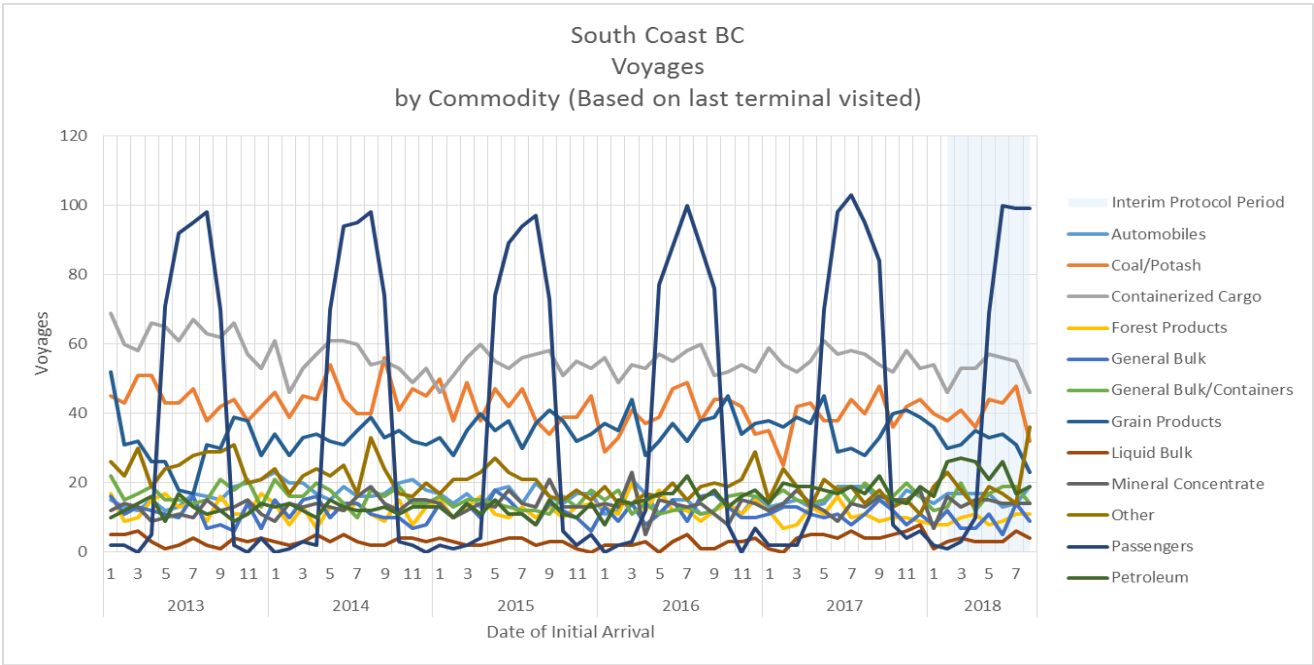
The bar graph shows the distribution of use among the anchorages for the period February to August 2017 (orange bars) compared to the same period in 2018 when the Interim Protocol was in effect (blue bars). The anchorages are shown by size, ranging from shortest to longest. The first thing we notice is that while there has been considerable balancing of use, some locations such as Cowichan Bay and Trincomali still have most of the activity. Larger vessels don't have as many options for anchoring, so we are looking at changing the allocation to make sure smaller vessels don't take up room in the larger anchorages when there are other options available.

While we haven't seen much of a bump in the sizes of bulk vessels over the last 5 years, we know that in general, newer vessels are being built larger. Larger ships with bigger cargo capacities means less overall traffic, but moving forward, we will need to consider where those larger anchorages are best located.

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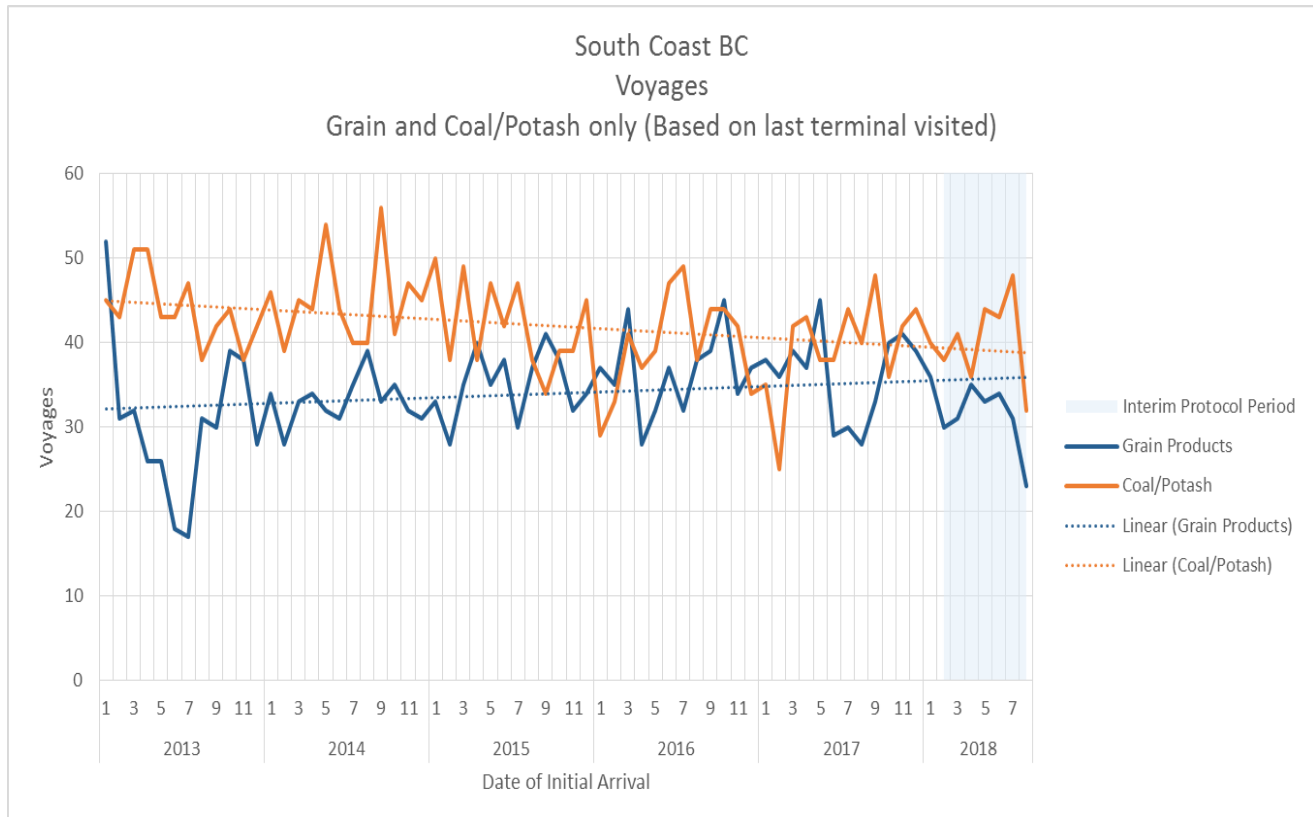
.... Now let's look at some additional information

The graph below shows the mix of commodities carried by ships coming in through the South Coast of British Columbia. When we look at the entire maritime system it is easy to see that the ports and terminals need to respond to many types of cargo (p.s. the big 'spikes' are cruise ships)



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Ships that account for the most time at anchor are grain and coal/potash, so we've pulled those figures out here for easier readability. Interestingly, it appears that the number of coal ships seems to be declining over time, whereas the number of grain ships seems to be increasing.



South Coast BC
Instances of Anchoring
By Commodity (Based on last terminal visited)

Instances of Anchoring

Interim Protocol Period

Automobiles

CoalPotash

ContainerizedCargo

ForestProducts

GeneralBulk

GeneralBulkContainers

GrainProducts

LiquidBulk

MineralConcentrate

Other

Passengers

Petroleum

2013 2014 2015 2016 2017 2018

South Coast BC
Total Anchor Days
By Commodity (Based on last terminal visited)

Y-axis: Total Anchor Days (0 to 900)

X-axis: Time (Years 2013 to 2018)

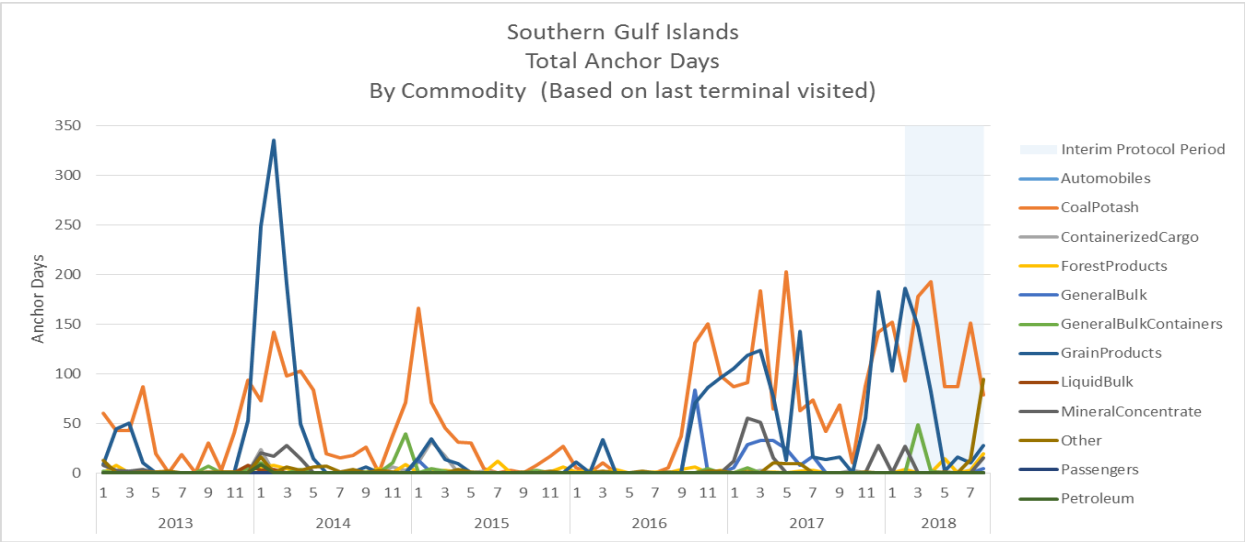
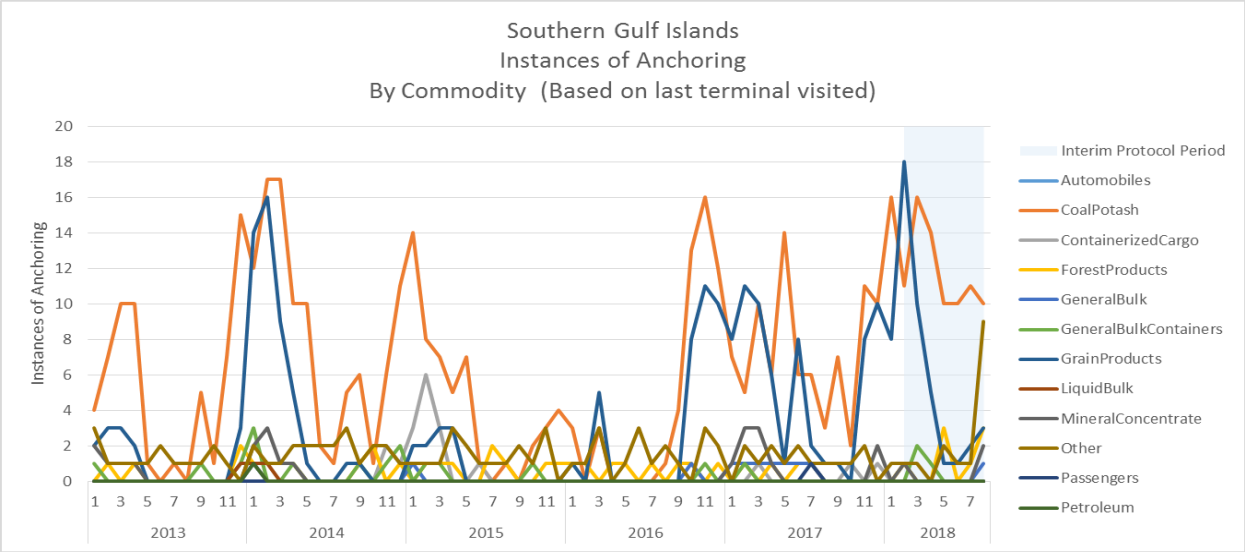
Legend:

- Interim Protocol Period (Shaded area)
- Automobiles
- Coal/Potash
- Containerized Cargo
- Forest Products
- General Bulk
- General Bulk Containers
- Grain Products
- Liquid Bulk
- Mineral Concentrate
- Other
- Pasengers
- Petroleum

The chart displays the total anchor days for various commodities at South Coast BC terminals from 2013 to 2018. The Y-axis represents the total anchor days, ranging from 0 to 900. The X-axis shows the time period in years, from 2013 to 2018. A shaded area indicates the Interim Protocol Period, which begins in late 2017 and continues through mid-2018. The data shows significant fluctuations in anchor days over the period, with a major peak in 2014 and another in late 2017/early 2018. The Interim Protocol Period shows a general decline in anchor days for most commodities, with a notable exception for 'Other' which shows a sharp increase in mid-2018.

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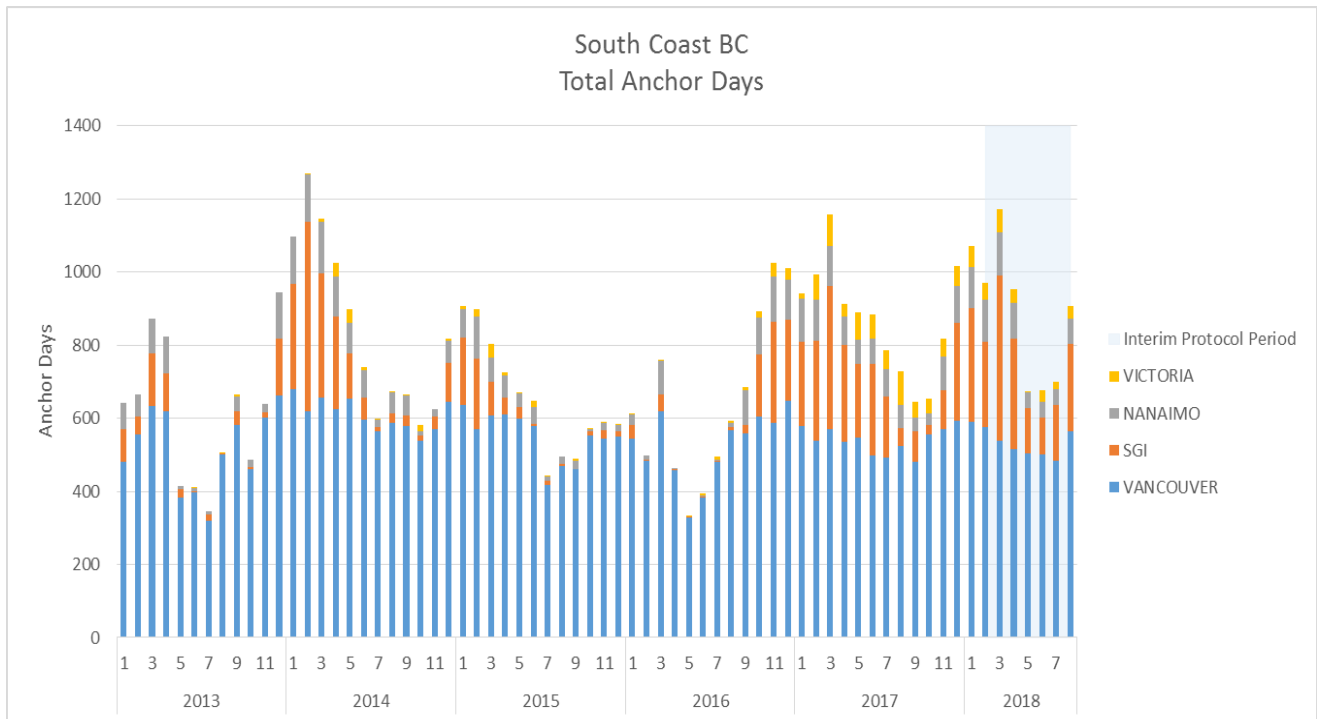
A focus on the Southern Gulf Island Anchorages again shows that coal and grain account for most of the anchor use. (Note the jump in the “Other” category for the last month is due to vessels that have not gone to terminal by the time the data was analyzed. Since the commodity classification was based on terminals visited, these vessels were classified as “Other”.)



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.... *What other information needs to be considered?*

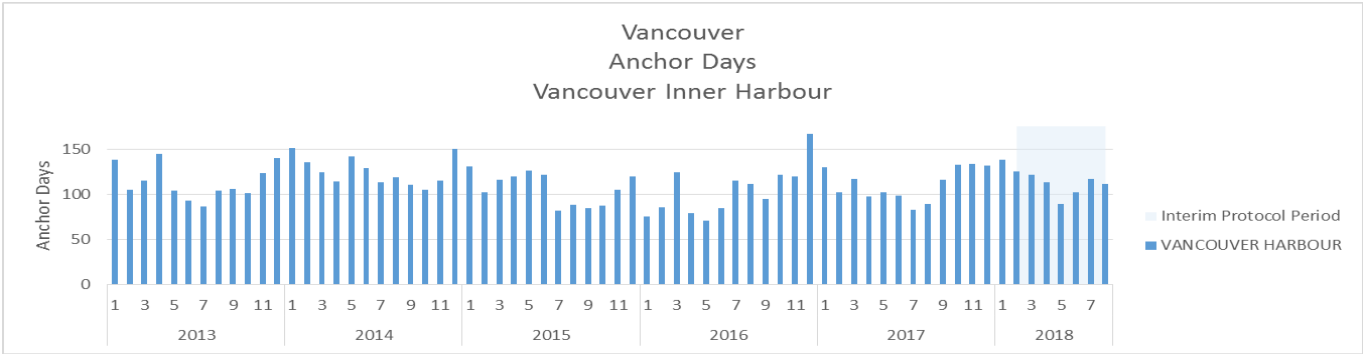
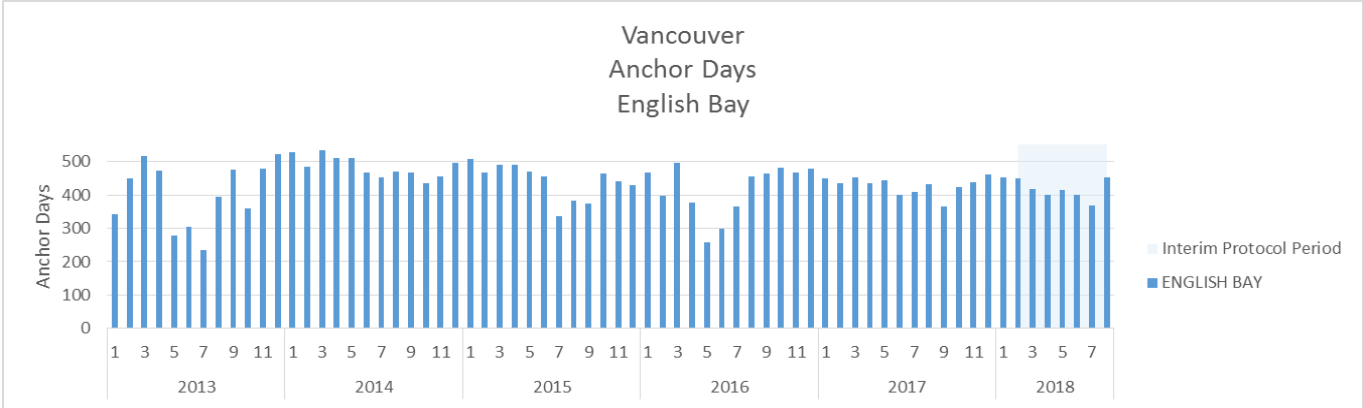
Let's have a look at the overall pattern of anchoring in the south coast of B.C. over the last few years. Here's the complete picture:



From the above, we can see a clear seasonal pattern as well as a steady demand for anchorages.

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And when we break it down a little further by location, we can see that the English Bay and Vancouver Inner Harbour locations have been working at or near capacity for the last five years:

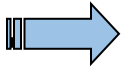


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.... what did we learn from the data?

In addition to the points that we've already mentioned in looking at the graphs, we also observed that:

- Limiting the length of stay at ports or among the Gulf Islands does not change the demand.
- In fact, limiting stay would increase transits and associated safety and environmental risks.
- Most terminals are very efficient at swapping vessels and there is very little time that berths sit empty.
- However, the average number of anchorage stops per voyage seems to be going up for coal and grain vessels.

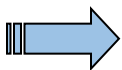


Going forward, Transport is working with industry to understand all of the influences in terminal operations and the supply chain so that forecasting can be improved. Specific modelling tools and techniques will be needed.

.... is there anything else?

Well yes, there is. When we introduced the Interim Protocol, it was about making a few small changes while the national initiative was getting started, but British Columbians responded with energy and we heard about other factors that now need to be considered in a comprehensive review.

.... we heard that the main concern of coastal residents is the impact of noise and lights from ships at anchor on their communities, their lives, and the ecosystem. The Interim Protocol includes voluntary guidelines asking ships to limit noise and light while at anchor, but as there are no standard regulations nor measurement techniques, it has been a challenge. Tolerance for noise varies considerably by individual, and level of noise is influenced by time of day, topography of the site, weather, and distance of a ship from shore. And to add complexity, ships are required to display a minimum configuration of lights to be in compliance with the *Collision Regulations*. Transport Canada has heard loud and clear from communities that they expect the new framework to include a rigorous regime with active enforcement.



Going forward, Transport Canada Transport is issuing a contract to review best practices in other countries, and is considering developing a standard measurement system for noise and light as part of the national Anchorages Initiative.

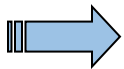
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.... **we heard** that communities would like anchorages moved away from shore, moved elsewhere in the Gulf Islands, or eliminated altogether. However, the demand for anchoring continues to be high, so our challenge in the national project will be how to meet the interests of all parties and

...Support the economic health of Canada with a modern, safe, optimized maritime transportation system

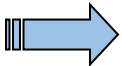
... Respect the legal right of ships to navigate in our waters, including anchoring where it is safe and secure to do so

...Address the concerns of coastal communities that are impacted by freighters at anchor



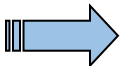
Going forward, the national project team is developing a new framework which will take into account additional factors in the selection of anchorages that were not considered in the past, AND will need to work together with *all* interests to problem solve how to best meet the ongoing high demand.

.... **we heard** that ships at anchor are changing or destroying the **marine environment**. There is no doubt that all marine traffic has an impact on the ecosystem, but we do not yet have the detailed evidence we need to assess the incremental impact of a ship at anchor, so



Going forward, the impact of ships at anchor will be included in the Oceans Protection Plan Cumulative Effects review, and the new Transport Canada anchorages framework will include environmental considerations as one factor in the selection or use of an anchorage.

.... **we heard** that British Columbians want proactive monitoring and oversight of ships at anchor, and many feel it's also time for us to change our policies and start charging a fee.



Going forward, this is a factor that will be considered as part of the national review project, which will be looking at best practices in other countries.

Have we missed anything?

If there are other considerations that need to be included in a national review, please send your comments to the Oceans Protection Plan *Let's Talk* website, <https://letstalktransportation.ca/OPP>, where we will shortly be launching an Anchorages Portal.



Executive Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Islands Trust Act Amendments	Investigate possibility of amendments to the Islands Trust Act to broaden the Islands Trusts ability to serve its communities and to strengthen its mandate to preserve and protect.	26-Oct-2016	Russ Hotsenpiller	
2	Anchorage Advocacy Strategies	Implement advocacy strategy relating to temporary freighter anchorages in the Trust Area, including an opinion editorial about anchorage issues for local and regional newspapers; letter to the Minister of Transport Canada conveying community group and Islands Trust concerns over communication and processes associated with the Interim Protocol and roundtable meeting about anchorages to bring together interested community groups, First Nations, industry, Transport Canada and stakeholders.	16-Nov-2018	Clare Frater	
3	Update Islands Trust Policy Statement	Undertake a First Nations and public engagement process to prepare for Policy Statement amendments.		Clare Frater	31-Mar-2019