Executive Committee
Agenda

Date: Wednesday, July 6, 2016
Time: 8:45 am
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

That the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 475, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 6, 2013,” under Section 24 of the Islands Trust Act.

8. NEW BUSINESS

8.1 Trust Area Services

That the Executive Committee direct the Chair to finalize and send a letter to Transport Canada before July 15, 2016 with comments on the pilot Area Response Planning Initiative and associated Area Risk Assessment Methodology.

8.2 Local Planning Services

That the Executive Committee request that the Director of Local Planning Services provide a written response to the proposed changes to the Contaminated Sites Regulation.

8.3 Administrative Services

8.4 Executive/Trust Council

9. CLOSED MEETING

That the meeting be closed to the public subject to Section 90(1) of the Community Charter:

A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
(c) labour relations or other employee relations;
(g) litigation or potential litigation affecting the municipality;
(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

and that staff be invited to attend the meeting.

10. RISE AND REPORT DECISIONS FROM CLOSED MEETING (if applicable)

11. CORRESPONDENCE (for information unless raised for action)

12. WORK PROGRAM

13. NEXT MEETING: July 27 at 10:00 a.m. on Gabriola Island

14. ADJOURNMENT

Executive Committee
Agenda – Context Notes
For meeting of July 6, 2016

Revised: June 22/16

Agenda No.	From	Context Notes
8.1.2	Lisa Gordon	Trustees Law and Fast have asked Executive Committee to reconsider the tagline it approved in January 2004. Staff recommends that this discussion take place at Trust Council as part of, or after, the visioning session in Sept. Staff will report EC's discussion / decision to Trustees Law and Fast.
8.2.3	David Marlor	This revised Staff Report template is included for information. Local Planning Services staff has been working on revising the Staff Report template to make it easier to use for planners and easier to read for trustees and the public. The basic principle is to ensure that the most relevant information is available at the beginning, with supporting or detailed analysis and background information included as attachments. The new staff report format has the recommendation first, followed by a summary, and then in order background information, analysis, next steps in the process, alternatives and attachments. For planning staff, the template includes "drop-down" menus for selection of dates, local trust committee names and author name. Local Planning Services will be piloting the new staff report over the summer, and will make modifications based on feedback from planners using the new template and from trustees who will be receiving the new staff report format.
8.4.1	Russ Hotsenpiller	This report on the review of the Protocol Agreement an update in anticipation of a final report to be provided for Trust Council in September.
8.4.2	Russ Hotsenpiller	In support of EC direction to arrange a meeting with the ALC Panel, staff is confirming potential agenda items for the meeting. In addition it is recommended that prior to the meeting that an overview of recent ALC applications within the Trust area will be provided to EC.
11		In accordance with the EC's 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.
12.1		The EC work program is amended before each meeting with suggested priorities proposed by staff. By resolution, the EC can provide direction regarding new items or the order of priorities.

Executive Committee
Minutes of Regular Meeting

Date:	June 1, 2016
Location:	Boardroom, Victoria Office
Members Present:	Peter Luckham, Chair Laura Busheikin, Vice Chair Susan Morrison, Vice Chair George Grams, Vice Chair
Staff Present:	Russ Hotsenpiller, Chief Administrative Officer Lisa Gordon, Director, Trust Area Services David Marlor, Director, Local Planning Services Mandy Giesbrecht, Executive Coordinator (Recorder)

1. CALL TO ORDER

The meeting was called to order at 8:45 a.m. Chair Luckham acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

2.2 Approval of Agenda

By General Consent, the agenda was approved as presented.

2.2.1 Agenda Context Notes

Provided for information.

3. ADOPTION OF MINUTES

3.1 May 18, 2016 Executive Committee Meeting

By General Consent, the Minutes of the May 18, 2016 Executive Committee Meeting were adopted as presented.

4. FOLLOW UP ACTION LIST AND UPDATES

4.1 Follow Up Action List

Staff provided updates on outstanding items in the Follow Up Action List.

4.2 Director/CAO Updates

Directors provided updates on their 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 Thetis Island LTC Bylaw No. 100

Vice Chair Morrison provided a briefing to the Executive Committee.

EC-2016-079

It was MOVED and SECONDED,

That the Executive Committee approves Thetis Island Local Trust Committee Bylaw No. 100, cited as Thetis Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 90, 2011, Amendment No. 1, 2016, under Section 24 of the Islands Trust Act and returns it to the Thetis Island Local Trust Committee for final adoption.

CARRIED

6. TRUST COUNCIL MEETING PREPARATION

6.1 Trust Area Services

6.1.1 Director of Trust Area Services Report

By General Consent, this item was referred to the June 2016 Trust Council meeting as presented.

6.1.2 Trust Programs Committee Work Program Report

By General Consent, this item was referred to the June 2016 Trust Council meeting as presented.

6.1.3 Trust Fund Board Report

By General Consent, this item was referred to the June 2016 Trust Council meeting as presented.

6.1.4 RFD: 2015-16 Annual Report

Executive Committee requested changes to the Annual Report as follows:

- Text on the map page adjusted to a more readable font;
- Verification of accuracy of dates used throughout the report; and
- Reference to Community Stewardship Awards removed from Chair's messaged and included in its own section.

By General Consent, this item was referred to the June 2016 Trust Council meeting, as amended.

6.1.5 RFD: NAPTEP Application – Link Island

By General Consent, this item was referred to the June 2016 Trust Council meeting as presented.

6.1.6 Trust Council Position on Moratorium for new Anchorages

By General Consent, this item was referred to the June 2016 Trust Council meeting as presented.

6.2 Local Planning Services

6.2.1 Director of Local Planning Services

By General Consent, this item was referred to the June 2016 Trust Council meeting as presented.

6.2.2 Local Planning Committee Work Program Report
By General Consent, this item was referred to the June 2016 Trust Council meeting as presented.

6.2.3 Bylaw Enforcement Report
By General Consent, this item was referred to the June 2016 Trust Council meeting.

6.2.4 RFD: Grants and Donations Policy May 2016
Executive Committee requested staff to remove the clean version of the policy from the attachments and include only the tracked changes version with policy-specific changes visible.

By General Consent, this item was referred to the June 2016 Trust Council meeting, as amended.

Director Shelest joined the meeting for item 6.3.

6.3 Administrative Services

6.3.1 Director of Administrative Services Report
By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.3.2 Financial Planning Committee Work Program Report
By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.3.3 Quarterly Financial Statement
By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.3.4 Audited Financial Statements
By General Consent, this item was referred to the June 2016 Trust Council meeting, as amended.

6.3.5 2015-16 Allocated Financial Statements
By General Consent, this item was referred to the June 2016 Trust Council meeting, as amended.

Director Shelest left the meeting.

6.4 Executive / Trust Council

6.4.1 June 2016 Trust Council Schedule & Agenda
Executive Committee requested changes to the Annual Report as follows:

- Add the word “panel” to the Marine Shipping Session; and
- Reverse the order of the Governance-Administration Session and the Executive items

By General Consent, this item was referred to the June 2016 Trust Council meeting, as amended.

6.4.2 Follow Up Action List

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.3 CAO's Quarterly Report

6.4.3.1 Transition Plan

Executive Committee requested minor revisions to the Transition Plan document including the addition of a hyperlink to the referenced Principles & Objectives and updating the dates listed in the project charter.

By General Consent, this item was referred to the June 2016 Trust Council meeting, as amended.

6.4.4 Executive Committee Work Program Report

Executive Committee requested staff to remove the detailed summary column of this report.

By General Consent, this item was referred to the June 2016 Trust Council meeting, as amended.

6.4.5 Continuous Learning Plan

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.6 Priorities Chart

Executive Committee requested staff to update the priorities associated to Thetis Island and increase the font size of the date at the top of the page.

By General Consent, this item was referred to the June 2016 Trust Council meeting, as amended.

6.4.7 Draft September 2016 Trust Council Program

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.8 Strategic Plan Updates

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.9 Session Outline: Governance Session

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.10 Session Outline: Trustee Roundtable

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.11 Session Outline: Marine Shipping Safety

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.12 Session Outline: Visioning
By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.13 Session Outline: Closed Meeting
By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.14 Draft Amendments to "Islands Trust Council Meeting Procedures Bylaw 2004" re Electronic Meetings
By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.15 Delegation Requests
Executive Committee noted that each delegation should be advised they will have 10 minutes for their presentation.

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

6.4.16 Community Presentations
Executive Committee requested staff to include background information for the Moving Around Pender group in the Trust Council package.

By General Consent, this item was referred to the June 2016 Trust Council meeting, as presented.

7. EXECUTIVE COMMITTEE PROJECTS

7.1 Trust Council Initiated

7.2 Executive Committee Initiated

8. NEW BUSINESS

8.1 Trust Area Services

8.1.1 LTC Chairs Report on Local Advocacy Topics
No updates were given.

8.2 Local Planning Services

8.3 Administrative Services

8.4 Executive/Trust Council

9. CLOSED MEETING

EC-2016-080
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

The meeting closed to the public at 10:44 a.m. and reopened at 11:00 a.m.
The meeting recessed at 11:02 a.m. and resumed at 11:10 a.m.

10. RISE AND REPORT DECISIONS FROM CLOSED MEETING

No decisions were reported out from the Closed meeting.

Two late items were added to the agenda under New Business:

- 8.4.1 CAO Hiring Committee (Chair Luckham)
- 8.4.2 Indigenous Training Opportunity (CAO Hotsenpiller)

Clare Frater, Policy Analyst, joined the meeting.

11. CORRESPONDENCE

11.1 Malahat LNG Public Info Meeting

Staff provided an update from their attendance at this session.

11.2 Peter Lamb re: Climate Change

11.3 Area Response Planning Session Follow Up

Staff and Chair Luckham provided an update on their attendance at this session.

EC-2016-081
It was MOVED and SECONDED,

That the Executive Committee request staff to draft a response letter in follow up to the Area Response Planning Session, providing feedback on the Area Risk Assessment Methodology for Ship-Source Oil Spills in Canada Waters, to be brought back to the July 6 Executive Committee meeting for review.

CARRIED

By General Consent, the Correspondence Items were received for information.

The order of business on the agenda was varied to return to Item 8.4.

8.4 Executive/Trust Council

8.4.1 CAO Hiring Committee

Vice Chair Morrison offered to chair this upcoming meeting in Chair Luckham's absence.

8.4.2 Indigenous Training Opportunity

CAO Hotsenpiller invited members of the Executive Committee attend this event on June 11, 2016 hosted by the University of Victoria.

The order of business on the agenda resumed at Item 12.

12. WORK PROGRAM

12.1 Review and Amendment of Current Work Program

By General Consent, the Executive Committee endorsed the Work Program dated April 21, 2016 as presented.

EC-2016-082

It was MOVED and SECONDED,

That items TA-11-01, LT-14-01 and EX-15-06 be removed from the Work Program.

CARRIED

13. NEXT MEETING: Tuesday, June 14, 2016 at 12 noon, North Pender Island.

14. ADJOURNMENT

EC-2016-083

It was MOVED and SECONDED,

To adjourn the meeting.

CARRIED

The meeting adjourned at 11:58 a.m.

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Peter Luckham, Chair

Certified Correct

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Mandy Giesbrecht, Executive Coordinator (Recorder)

Executive Committee
Minutes of Regular Meeting

Date:	June 14, 2016
Location:	Pender Islands Community Hall
Members Present:	Peter Luckham, Chair Laura Busheikin, Vice Chair Susan Morrison, Vice Chair George Grams, Vice Chair
Staff Present:	Russ Hotsenpiller, Chief Administrative Officer Lisa Gordon, Director, Trust Area Services David Marlor, Director, Local Planning Services Carmen Thiel, Legislative Services Manager Mandy Giesbrecht, Executive Coordinator (Recorder)

1. CALL TO ORDER

The meeting was called to order at 12:00 p.m. Chair Luckham acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

Three additional items were added to the agenda:

6.1 Trans Pacific Trade Agreement Resolution
6.2 Staff Authority to Waive Application Fees
6.3 Review of Request to Meet With Agricultural Land Commission

2.2 Approval of Agenda

By General Consent, the agenda was approved as amended.

3. FOLLOW UP ACTION LIST AND UPDATES

3.1 Follow Up Action List

Staff provided updates on outstanding items in the Follow Up Action List.

4. BYLAWS FOR APPROVAL CONSIDERATION

4.1 Bowen Island Municipality Bylaw No. 403

Director Marlor provided a briefing to the Executive Committee.

EC-2016-084
It was MOVED and SECONDED,

THAT the Islands Trust Executive Committee approve Bylaw 403, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 403, 2016”.

CARRIED

EC-2016-085
It was MOVED and SECONDED,
THAT the Islands Trust Executive Committee request Staff to advise Bowen Island Municipality of the decision before June 27, 2016.

CARRIED

5. TRUST COUNCIL MEETING PREPARATION

6. NEW BUSINESS

6.1 Addition of New Business Item to Trust Council Agenda

Vice Chair Morrison brought forward a request from Trustee Law to place a new business item on the Trust Council agenda in respect of the Trans Pacific Trade Agreement. Executive Committee considered the procedures bylaw provisions for adding late items to the agenda, noting this specific item has a deadline of June 30 to provide written submissions. The item was approved as a new item for the June Trust Council Agenda.

6.2 Staff Authority to Waive Application Fees

Vice Chair Grams discussed an affordable housing opportunity on Salt Spring Island which has support from stakeholders; noting that the LTC passed a resolution regarding waiver of fees for the applicant. Planning staff did not refer the item further because it did not meet the policy requirements for a fee waiver and Vice Chair Grams queried staff's authority to decline requests of this nature. The Executive Committee was requested to consider how this request could be expedited.

CAO Hotsenpiller advised that staff would have to review this specific case to determine whether or not the Executive Committee has the authority to waive policy provisions in this instance. Director Marlor will request Salt Spring Island planning staff to refer this matter to the Executive Committee for further consideration.

6.3 Review of Request to Meet With Agricultural Land Commission

Chair Luckham discussed the difference between delegation of authority and appearing as a delegation to discuss opportunities for collaboration, noting that this specific request was intended as the latter. This item will be referred to the next Executive Committee meeting for more detailed discussion regarding participants.

7. CORRESPONDENCE

7.1 MLA Sturdy re Sunshine Coast Fixed Link Study Meetings

Gambier LTC requested this meeting be held on Gambier Island and local trustees plan to attend the meeting on Vice Chair Morrison's behalf.

7.2 Minister Garneau re Concerns Over Anchorages in Southern Gulf Islands

The Executive Committee discussed the following:

- Working group membership consists entirely of industry groups, Islands Trust should push to be included at this table;
- Area response is very specific but Islands Trust needs to be part of higher level conversations to understand anchorage options throughout the Gulf islands; and
- Minister Garneau's letter warrants a thoughtful response.

EC-2016-086
It was MOVED and SECONDED,
That the Executive Committee direct staff to provide advice at the July 6 Executive Committee meeting about how to respond to the letter from Minister Garneau seeking representation for the Islands Trust at the Gulf Islands Anchorages working group.

CARRIED

8. NEXT MEETING: July 6, 2016, 8:45 a.m. at the Victoria office

9. ADJOURNMENT

EC-2016-087
It was MOVED and SECONDED,
To adjourn the meeting.

CARRIED

The meeting adjourned at 12:33 p.m.

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Peter Luckham, Chair

Certified Correct

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Mandy Giesbrecht, Executive Coordinator (Recorder)

Follow Up Action Report

Executive Committee

Clare Frater

Activity	Activity	Responsibility	Target Date	Status
01-Jun-2016	Draft response letter in follow up to the Area Response Planning Session, providing feedback on the Area Risk Assessment Methodology for Ship-Source Oil Spills in Canada Waters, to be brought back to the July 6 Executive Committee meeting for review.	Clare Frater	29-Jun-2016	On Going

David Marlor

Activity	Activity	Responsibility	Target Date	Status
27-Apr-2016	8.4.1 Review and report back how IT is responding to referrals about Species at Risk in IT areas	David Marlor Lisa Gordon Jennifer Eliason	29-Jun-2016	Done
25-Nov-2015	9.2.4 Bring recommendations re Policy 4.1.ix to future EC meeting	David Marlor	31-Aug-2016	On Going
06-Oct-2015	9.2.1 Develop draft flow chart illustrating Bylaw process decision-making for Chair toolkit	David Marlor Robert Kojima	31-Aug-2016	On Going
18-May-2016	Draft report on MOTI feedback re: road maintenance protocol agreement	David Marlor	01-Jun-2016	Done
18-May-2016	Research feasibility of creating a grants database for trustees information.	David Marlor	29-Jun-2016	Done

Lisa Gordon

Activity	Activity	Responsibility	Target Date	Status
27-Apr-2016	8.1.3 Plan, manage and implement the PR program. Deliver draft strategy	Lisa Gordon Pamela Hafey	20-Jul-2016	On Going

27-Apr-2016	8.4.1 Develop info session on species at risk for a future TC meeting	Lisa Gordon David Marlor	30-Sep-2016	On Going
22-Mar-2016	5.1.1 Produce Annual report with same outline and format as last year	Lisa Gordon	30-Jun-2016	On Going
09-Mar-2016	8.1.5 Media training follow-up - review EC notes, draft regular FAQs and tips	Lisa Gordon	30-Dec-2016	On Going
28-Oct-2015	8.1.2 Contact FN offices about appropriate gifts and populate database	Lisa Gordon	30-Dec-2016	On Going
06-Oct-2015	9.1.2 Seek advice from MCSCD and MARR staff re Aboriginal Aquaculture Assoc.	Lisa Gordon Peter Luckham	30-Dec-2016	On Going
14-Jun-2016	Executive Committee directs staff to provide advice at the July 6 Executive Committee meeting about how to respond to the letter from Minister Garneau seeking representation for the Islands Trust at the Gulf Islands Anchorages working group.	Lisa Gordon Clare Frater		On Going

Mandy Giesbrecht

Activity	Activity	Responsibility	Target Date	Status
27-Apr-2016	8.6 Follow up with ALC-VI panel on date for delegation presentation	Mandy Giesbrecht	05-Aug-2016	On Going

Peter Luckham

Activity	Activity	Responsibility	Target Date	Status
25-Nov-2015	Follow up on Chair letter sent to Aboriginal Aquaculture Assoc.	Peter Luckham	31-Mar-2016	On Going

Follow Up Action Report

Russ Hotsenpiller

Activity	Activity	Responsibility	Target Date	Status
27-Apr-2016	8.2.1 Prepare report with options to deal with the MOTI LOU	Russ Hotsenpiller David Marlor Clare Frater	20-Jul-2016	On Going
06-Apr-2016	8.4.2 Draft report on potential improvements to consultant evaluation procurement policy	Russ Hotsenpiller		On Going
06-Apr-2016	4.3 Draft letter to MOTI requesting meeting to discuss deterioration of IT highways and roads	Russ Hotsenpiller	31-May-2016	On Going
09-Mar-2016	6.4.7 Return to EC with advice on priorities chart	Russ Hotsenpiller		On Going
10-Feb-2016	IC - forward to Province as per I.C. direction	Russ Hotsenpiller	27-Jul-2016	On Going
05-Aug-2015	7.4.3 Add wording about safety to LTC Chair Toolkit to include dealing with confrontational members of public and recognizing escalating behaviour	Russ Hotsenpiller	27-Jul-2016	On Going
27-Apr-2016	5.2 In Camera resolutions (2)	Russ Hotsenpiller	31-May-2016	Done

Islands Trust

Bylaw Submission Briefing Note

Date: June 7, 2016

To: Executive Committee for the meeting of July 6, 2016

From: Jason Youmans, Planner 2, Local Planning Services

Re: Salt Spring Island Proposed Bylaw No. 475

The Salt Spring Island Local Trust Committee is pleased to submit Proposed Bylaw No. 475 for Executive Committee consideration. The purpose of this briefing note is to provide the Executive Committee with a summary of the bylaw and the adoption process to date.

Purpose

Proposed Bylaw No. 475 will amend Salt Spring Island Land Use Bylaw No. 355 to permit the expansion of a commercial marina in Fulford Harbour. Within the Shoreline 2(a) zone created through this bylaw amendment, a minimum of 87 linear metres of dock must be designated for the temporary wharfage of transient boats.

Background

Local Trust Committee consideration

- September 6, 2013 – LTC:
  - Directs staff to initiate early consultation with BC Ferry Corporation, Capital Regional District and First Nations related to potential OCP and LUB amendments.
  - Directs staff to draft OCP and LUB amendments
  - Refers the application to the Salt Spring Island Advisory Planning Commission

- December 12, 2013 – LTC:
  - Gives first reading to Bylaw 474 (OCP) and 475 (LUB)
  - Refers Bylaws 474 and 475 to Local Trust Committees of Mayne, Galiano, Thetis, and North Pender Islands; Capital Regional District Parks and Recreation Commission, Capital Regional District Transportation Commission and Capital Regional District Fulford Sewer System; Transport Canada; Ministry of Forests, Lands and Natural Resource Operations' Crown Lands Branch; Harbour Authority of Salt Spring Island; and Vancouver Island Health Authority

- April 10, 2014 – LTC:
  - Gives second reading to Bylaw 474 (OCP) and 475 (LUB)
  - Directs staff that bylaw adoption to be conditional upon proof of metered water connection for commercial uses
  - Encouraged the applicant to investigate membership in Clean Marine B.C. Program and installation of a sewage pump-out facility

  - Determined that Bylaws 474 (OCP) and 475 (LUB) are not contrary to or at variance with Islands Trust Policy Statement (Chair Malcolmson abstained)
  - Directed staff to schedule a public hearing for Bylaws 474 and 475

- June 23, 2014 – Public hearing preceded by informal Community Information Meeting

- June 24, 2014 – LTC:
  - Gives third reading to Bylaw 474 (OCP) and forwards it to Islands Trust Executive Committee and forwards it to the Ministry of Community, Sport and Cultural Development for ministerial approval
  - Directs staff that consideration of adoption of Bylaws 474 and 475 will be conditional upon registration of a restrictive covenant requiring installation of a marine pump-out facility, septic upgrades, and membership in the Clean Marine B.C. Program
  - Directs staff that consideration of adoption of Bylaws 474 and 475 will be conditional upon registration of a statutory right-of-way to the CRD to facilitate future pathway construction
  - Directs staff that consideration of third reading of Bylaw 475 will not be given until written confirmation is received from Harbour Authority of Salt Spring Island that proposed dock configuration does not represent a navigation hazard

- June 2, 2016 – LTC:
  - Gives third reading to Bylaw 475 (LUB) and forwards it to Islands Trust Executive Committee
  - Accepts a covenant requiring installation of a marine pump-out facility, septic upgrades, and membership in the Clean Marine B.C. Program and requires registration of said covenant prior to bylaw adoption

Planning Commission referrals

- September 20, 2013 – Advisory Planning Commission passed one resolution that the APC supports the recommendations contained in staff report dated September 6, 2013

Issues Relating To Provincial Interest:

The bylaw was referred to the following provincial agencies, which provided the responses below:

- BC Archaeological Branch: Subject lot contains known archaeological site DeRu-40 and any works within the site <u>require</u> a Heritage Alteration Permit. Extent of site has not been established, therefore works outside of mapped site may nonetheless disturb it, and thus applicant <u>should</u> hire an archaeologist to investigate

- Ministry of Transportation: **Interests unaffected**, provided there is no on street parking and all parking and circulation issues are dealt with on-site

- BC Ferry Corporation: **Interests unaffected**

Issues Relating To Community Interest:

The bylaw was referred to the following community agencies, which provided the responses below:

- CRD SSI Transportation Commission: As of April 26, 2016 - **Recommend approval** subject to 2 metre Statutory Right of Way in favour of the Capital Regional District adjacent to the subject property starting from the Southeast corner north to around the Fulford-Ganges Road Beaver Point intersection.

- Harbour Authority of Salt Spring Island (HASSI) – As of June 2, 2016, HASSI **is satisfied** that the dock configuration proposed under Development Permit SS-DP-2014.3 allays their initial navigation concerns. Nonetheless, HASSI will be watching to ensure that non rafting occurs along southern and eastern outside dock edges per DFO Small Craft Harbours permit.

- Fulford Landing Water Commission: **Approval subject to confirmation** 1) That separate domestic water connections are in place for private home and suite; and 2) that a metered water connection is in place.

- Vancouver Island Health Authority: **Approval subject to condition** that Authorized Person must assess sewage disposal system for necessary upgrades related to increased bathroom use as a result of marina expansion.

- CRD Building Inspection: **Interests unaffected**, but note there are code violations on the property.
- Adjacent LTCs (Galiano, Mayne, and North Pender LTCs – all **Interests unaffected**).
- CRD (Victoria): **Interests Unaffected.**

Issues Relating To First Nations Interests:

Referrals for Bylaw No. 475 as well as Official Community Plan Amendment Bylaw No. 474 were sent to the following First Nations a number of times between September 2013 and February 2014: Stz'uminus First Nation, Lyackson First Nation, Cowichan Tribes, Penelakut Tribe, Halalt First Nation, Tseycum Indian Band, Pauquachin First Nation, Tsartlip Indian Band, Tsawout First Nation, Tsawwassen First Nation, Hal-qumi-nm Treaty Group, Malahat First Nation, Lake Cowichan First Nation.

Staff followed up all initial Islands Trust referrals, including First Nations, with e-mails and some telephone calls. The Tseycum indicated that they generally have concerns with development proposals, but provided no specific concerns. Follow up phone calls and emails have not yielded further input. A record of First Nations consultation efforts has been kept and has been forwarded to the Minister with the proposed OCP amendment.

Issues Relating To Enforcement or Resourcing:

The applicant is required to meet a number of conditions before any marina expansion can begin operation, including installation of a marine pump-out facility. Staff should monitor (informally) to ensure covenant conditions are fulfilled prior to operations commencing. Bylaw 475 requires 87 metres of wharfage for transient vessel accommodation which may necessitate informal monitoring.

Recommendation:

THAT the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 475, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 6, 2013," under Section 24 of the Islands Trust Act.

cc. David Marlor, Director Local Planning Services

Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Salt Spring Island Local Trust Committee — Bylaw No.: SS-475

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 02-Jun-2016

☒ Bylaw Submission Checklist attached

☒ Policy Statement Checklist attached*
* not required for administrative bylaws

☒ Summary of Bylaw Intent Attached

Recieved by Islands Trust Secretary:

Signature: ______________________ Date: ______________
Secretary

Deadline for Executive Committee decision (one month after receipt by Secretary as determined pursuant to the Interpretation Act*): ______________

Date bylaw will appear on Executive Committee agenda: ______________

- *a month means "a period calculated from a day in one month to a day numberically corresponding to that day in the following month, less one day"*
- *In the calculation of time expressed as clear days, weeks, months or years, or as "at least" or "not less than" a number of days, weeks, months, or years, the first and last*

Distribution: Executive Committee ______________

Director, LPS ______________

Local Trust Committee ______________

Planner ______________

Planning Clerk ______________

Islands Trust

Referrals: Bylaw SS-475

Agency	Sent	Received
Tsawwassen First Nation 1926 Tsawwassen Drive: McCarthy, Tom	14-Feb-2014	
Tseycum First Nation 1210 Totem Lane: Lewis, Lawrence	14-Feb-2014	
Pauquachin First Nation 9010 West Saanich Road: Henry, Danny	14-Feb-2014	
Tsartlip First Nation PO Box 70: Harry, Karen	14-Feb-2014	
Hul'qumi'num Treaty Group 12611-B Trans Canada Highway: Anderson, Al	14-Feb-2014	
Malahat First Nation - Te'mexw Treaty Association 110 Thunder Road: Lewis, Lawrence	14-Feb-2014	
Halalt First Nation 7973 Chemainus Rd: Chief, & Council	14-Feb-2014	
Penelakut Tribe Chief and Council: James, Denise	14-Feb-2014	
Lake Cowichan First Nation 313B Deer Road: Chief, & Council	14-Feb-2014	
Lyackson First Nation 7973A Chemainus Road: Vacant, Contact	14-Feb-2014	
Stz'uminus First Nation 12611 A Trans Canada Hwy: Akey, Chenoa	14-Feb-2014	
Ministry of Natural Resource Operations - Archaeology Branch PO Box 9816: Glaum, Doug Comment: See referral response concerns	14-Feb-2014	11-Mar-2014
Tsawout First Nation PO Box 121, 7725 Tetayut Road: Underwood, Gwen	14-Feb-2014	
Cowichan Tribes	14-Feb-2014	

Referrals: Bylaw SS-475

Agency	Sent	Received
Chief and Council: and Council, Chief		
Island Health Health Protection and Environmental Services: Laughlin, Christopher Comment: Approval recommended subject to conditions	09-Jan-2014	13-Jun-2014
Galiano Island Local Trust Committee 200 - 1627 Fort Street: Nichols, Kris Comment: Interests unaffected.	09-Jan-2014	12-Feb-2014
North Pender Island Local Trust Committee Islands Trust: Starke, Justine Comment: Interests unaffected.	09-Jan-2014	12-Feb-2014
Mayne Island Local Trust Committee Islands Trust: Richardson, Gary Comment: interests unaffected	09-Jan-2014	26-Feb-2014
Thetis Island Local Trust Committee Northern Office: Brzozowski, Aleksandra	09-Jan-2014	
SSI Transportation Commission 145 Vesuvius Bay Road: Campbell, Karla	09-Jan-2014	
Ministry of Forests, Lands and Natural Resource Operations - Sunshine Coast Forest District South Island Forest District: Officer, Referrals	09-Jan-2014	
Salt Spring Harbour Authority 127 Fulford-Ganges Road: ,, , Comment: See email submission with concerns dated October 19, 2013 resubmitted February 19, 2014	09-Jan-2014	19-Feb-2014
SSI Parks & Recreation Commission 145 Vesuvius Bay Road: Campbell, Karla	09-Jan-2014	
Transport Canada Programs Property Services: Prud'homme, Robert	09-Jan-2014	
Ministry of Transportation and Infrastructure Saanich Area Office: O'Brien, Debbie Comment: approval recommended - see reasons	20-Sep-2013	17-Oct-2013
BC Ferry Services Inc. Properties and Planning: Fontaine, Jocelyne Comment: interests unaffected	20-Sep-2013	29-Oct-2013
Capital Regional District - Electoral Area Director	20-Sep-2013	17-Oct-2013

Islands Trust

Print Date: June 13, 2016

Referrals: Bylaw SS-475

Agency	Sent	Received
Building Inspection: Inspection, Building		
Comment: interests unaffected		

Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: SS-RZ-2013.6

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees 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 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**
✓	**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**
✓	**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.
✓	**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**
✓	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.
✓	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.
✓	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.
✓	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.

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**
✓	**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.
✓	**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.
✓	**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.
✓	**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**
✓	**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**
N/A	**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

Print Date: June 13, 2016

Bylaw: SS-475

Trust Area: Salt Spring Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: SS-475
Application No.: SS-RZ-2013.6
Trust Initiated: No

Proofread By:

Clerk: Yes
Planner: Yes
Technical Staff: Yes

First Reading Date: 12-Dec-2013
Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 12-Dec-2013

Resolutions:

Resolution Waiving Public Hearing: No
Resolution Authorizing Public Hearing: Yes
Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: Olivier, Claire
Date: 11-Jun-2014
File complete and ready for Public review: Yes

Public Hearings:

Location: Fulford Hall, Salt Spring Island
Proofread By: Olivier, Claire

Legal Paper: Gulf Island Driftwood
First Publish Date: 11-Jun-2014
Second Publish Date: 18-Jun-2014

Alternate Paper:
First Publish Date:
Second Publish Date:

Mailout Date: 10-Jun-2014
Delivery Notices: 10-Jun-2014
Date Public Hearing Held: 23-Jun-2014
Second Reading Date: 10-Apr-2014
Third Reading Date: 02-Jun-2016

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 475

****

A BYLAW TO AMEND "SALT SPRING ISLAND LAND USE BYLAW, 1999," BEING BYLAW NO. 355

****

The Salt Spring Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Salt Spring Island Local Trust Area under the *Islands Trust Act,* enacts as follows:

1. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "Salt Spring Island Land Use Bylaw, 1999", is amended as follows:

    1. By inserting in subsection 9.11.3 – Exceptions in Particular Locations - the following new Shoreline 2 Zone Variation (a) – S2(a) after Zone Variation S1(a):

        "Zone Variation – S2(a)

        The following special provision applies:
        (a) A minimum of 87 linear metres of *wharfage* will be designated as temporary *wharfage* for transient boats."

        And by making such consequential numbering alterations to effect this change.

    2. By changing the zoning classification of the water area to the south of District Lot 426, adjacent to Lot 1, Section 15, Ranges 1 and 2, South Salt Spring Island, Cowichan District, Plan 12248, from Shoreline 3 – S3 and Shoreline 6 – S6 to Shoreline Zone Variation 2(a) – S2(a), as shown on Plan No. 1, attached to and forming part of this bylaw, and by making such alterations to Schedule "A" to Bylaw No. 355 as are required to effect this change.

2. This Bylaw may be cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 6, 2013".

READ A FIRST TIME THIS	12th	DAY OF	December	, 2013
READ A SECOND TIME THIS	10TH	DAY OF	April	, 2014
PUBLIC HEARING HELD THIS	23rd	DAY OF	June	, 2014
READ A THIRD TIME THIS	2nd	DAY OF	June	, 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF , 20__

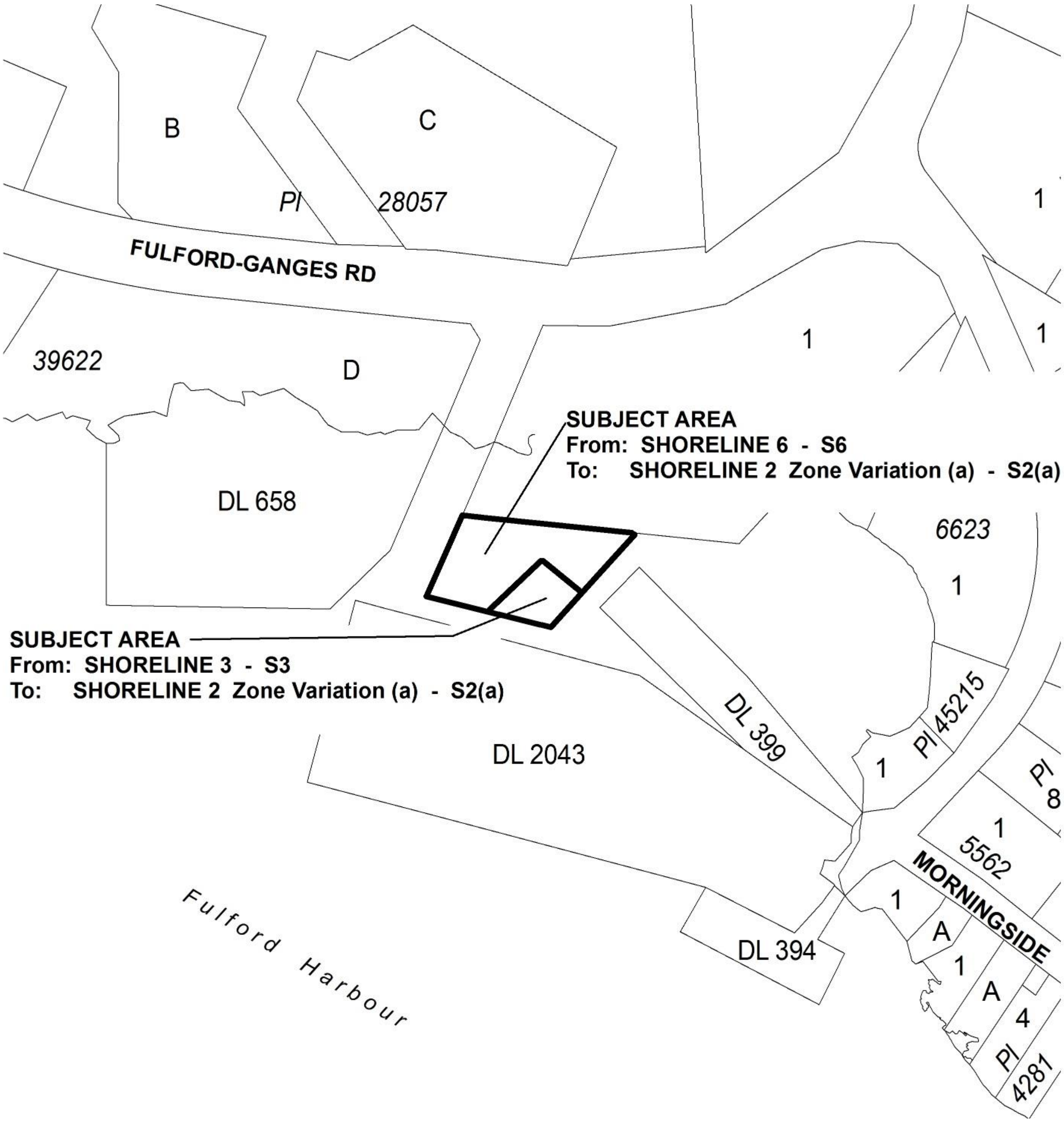
ADOPTED THIS DAY OF , 20__

____________________________ ____________________________

SECRETARY **CHAIRPERSON**

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 475

Plan No. 1



FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing
OCP + LUB amendment, water area for marina expansion

First Nation:
Malahat First Nation (Mill Bay)

File:
SS-RZ-2013.6

Contact Name and Position/Title:
Chief + Council

Phone: 250-743-3231 | **Fax:** 250-743-3251

Email:
admin@malahatnation.com

Date	Comment/Action	Initial
2 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	KG.
14 Feb. 14	Referral sent	PB
28 Feb. 14	Called, Lawrence Lewis not available, staff recommended email	TG
28 Feb 14	follow-up email sent	TG

FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing
OCP & LUB amendment, water area for marina expansion

First Nation:
Hul'quminum Treaty Group (Ladysmith)

File:
SS-RZ-2013.6

Contact Name and Position/Title:
Al Anderson, Executive Director

Phone: 250-245-4660

Fax: 250-245-4668

Email:
info@hulquminum.bc.ca; htg-rmorales@shaw.ca

Date	Comment/Action	Initial
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	KG
14 Feb. 14	Referral sent	PB
28 Feb. 14	left voicemail for Robert Moralls	TG

FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing
OCP & LUB amendment, water area for marina expansion

First Nation:
Tseycum Indian Band (North Saanich)

File:
SS-RZ-2013.6.

Contact Name and Position/Title:
Chief Councillor Vern Jacks

Phone: 250-656-0858 **Fax:** 250-656-0868

Email:
vernj@tseycum.ca

Date	Comment/Action	Initial
1 Oct. 13	Referral sent to Kristen	PB.
7 Nov. 13	Sent follow-up e-mail	KG.
8 Nov. 13	Chief Jacks called, had not seen original referral, re-sent	KG/PB.
9 Nov. 13	Chief Jacks called, left message	
11 Nov. 13	Returned his call, left message ~~he's in Ottawa~~	KG.
12 Nov. 13	Called again, he's in Ottawa	KG
15 Nov. 13	Called again, not back yet.	KG.
19 Nov. 13	E-mailed Chief Jacks	KG.
14 Feb. 14	referral sent to Kristen Bill and Vern Jacks	~~PB~~ PR

Kelly Gesner

From:	Kelly Gesner <landworksconsultants@shaw.ca>
Sent:	Tuesday, November 19, 2013 10:57 AM
To:	vernj@tseycum.ca
Cc:	Kelly Gesner; Pauline Brazier
Subject:	FW: First Nations Referral for Rezoning Application SS-RZ-2013.6
Attachments:	2013 09 06 Fulford Landing RZ-2013 6 Staff Report.pdf; Expansion area and DLs.pdf; Registered Plan(2).pdf; SS-RZ-2013.6 Application Referral Form 20Sep13.pdf

Chief Jacks, I have called a couple of times to try and reach you, but you're a busy man! You mentioned, before reviewing the attached material, that you thought you had some concerns with the proposal. We are keen to hear further from you and to see if and how your concerns can be addressed. Please let us know what those concerns are, so that we can inform the applicant.

Thank you!

Kelly Gesner, RPP, MCIP
Landworks Consultants Inc.
305 – 2940 Harriet Road
Victoria, BC V9A 1T3
Telephone: 250-893-6040
E-mail: landworksconsultants@shaw.ca
Website: www.landworksconsultants.ca

"It's not development that causes problems – only patterns of development." – Robert Yaro

From: Pauline Brazier [mailto:pbrazier@islandstrust.bc.ca]
Sent: Friday, November 8, 2013 12:07 PM
To: vernj@tseycum.ca
Cc: Kelly Gesner; Kelly Gesner (landworksconsultants@shaw.ca)
Subject: First Nations Referral for Rezoning Application SS-RZ-2013.6

Good morning Chief Councillor,

Kelly Gesner asked me to copy you on the referral package for this application that was originally emailed to Kristen Bill on October 1, 2013. The covering email noted the following information:

Please see attached referral form for rezoning application SS-RZ-2013.6, together with an accompanying staff report and 2 plans of the existing water lots. If you have any comments in response to this referral, please forward them via email to ssiinfo@islandstrust.bc.ca or by fax to 250-537-9116.

In the meantime, if you have any questions about the proposed rezoning, or require further information, please contact Planner Kelly Gesner at kgesner@islandstrust.bc.ca or at 250-893-6040.

Pauline Brazier, Planning Clerk/Deputy Secretary
Islands Trust, 1-500 Lower Ganges Road
Salt Spring Island, BC, V8K 2N8
Direct Line: (250) 538-5606 - Fax: (250) 537-9116

FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing OCP + LUB amendment, water area for marina expansion	
First Nation: Cowichan Tribes (Duncan)	
File: SS-RZ-2013.6	
Contact Name and Position/Title: Chief + Council	
Phone: 250-748-3196	**Fax:** 250-748-1233
Email: referral.coordinator@cowichantribes.com	

Date	Comment/Action	Initial
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	KG.
14 Feb 14	Referral sent	PB
28 Feb. 14	Left voicemail for Helen Reed	TG

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FIRST NATIONS CONSULTATION

Consultation Topic: ~~Fulford Landing~~ OCP + LUB amendment, water area for marina expansion		
First Nation: Halalt First Nation (Chemainus)		
File: SS-RZ-2013.6		
Contact Name and Position/Title: Chief + Council		
Phone: 250-246-4736	**Fax:** 250-246-2330	
Email: manager@halalt.org		
Date	**Comment/Action**	**Initial**
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	Klj.
14 Feb. 14	Referral sent	PB
28 Feb. ~~Z~~'14	called, no answer	TG

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FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing OCP & LUB amendment, water area for marina expansion	
First Nation: Lake Cowichan First Nation (Lake Cowichan)	
File: SS-RZ-2013.6	
Contact Name and Position/Title: Chief & Council	
Phone: 250-749-3301	**Fax:** 250-749-4286
Email: adminlkcow@shaw.ca	

Date	Comment/Action	Initial
10 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	KG.
14 Feb 14	Referral sent	PB
28 Feb. 14	left voicemail	TO

FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing
OCP + LUB amendment, water area for marina expansion

First Nation:
Lyackson First Nation (Chemainus)

File:
SS-RZ-2013.6

Contact Name and Position/Title:
Chief + Council

Phone: 1-888-592-5766 | **Fax:** 250-246-5049

Email:
admin@lyackson.bc.ca; kathleen.johnnie@lyackson.bc.ca

Date	Comment/Action	Initial
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	KG.
14 Feb 14	Referral sent	TG PB
28 Feb 14	Left voicemail for Kathleen Johnnie	TG

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FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing
OCP + LUB amendment, water area for marina expansion

First Nation:
Pauquachin First Nation (Sidney)

File:
SS-RZ-2013.6

Contact Name and Position/Title:
Bruce Underwood, Chief Councillor

Phone: 250-656-0191

Fax: 250-656-6134

Email:
pauquachinband@shawcable.com; danny@pauquachin.com

Date	Comment/Action	Initial
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	KG.
14 Feb. 14	Referral sent	PB
28 Feb. 14	Left voicemail for Danny Henry	TG

FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing
OCP + LUB amendment, water area for marina expansion

First Nation:
Penelakut Tribe (Chemainus)

File:
SS-RZ-2013.6

Contact Name and Position/Title:
Chief + Council

Phone: 250-246-2321
Fax: 250-246-2725

Email:
denisej@penelakut.ca

Date	Comment/Action	Initial
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	KG.
14 Feb. 14	Referral sent	AB
28 Feb. 14	called Denise, she will respond early next week	TG

FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing
OCP + LUB amendment, water area for marina expansion

First Nation:
Stz'uminus First Nation (Ladysmith)

File:
SS-RZ-2013.6

Contact Name and Position/Title:
Chief + Council

Phone:	**Fax:**
250-245-7155	250-245-3012

Email:
ray.gauthier@stzuminus.com; ronda.jordan@stzuminus.com

Date	Comment/Action	Initial
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	Kl.
14 Feb. 14	Referral sent	PB
20 Feb. 14	called Ray Gauthier, he will send response next week	TG

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FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing OCP + LUB amendment, water area for marina expansion		
First Nation: Tsartlip Indian Band (Brentwood Bay)		
File: SS-RZ-2013.6		
Contact Name and Position/Title: Wayne Morris, Chief Councillor		
Phone: 250-652-3988	**Fax:** 250-652-3788	
Email: general@tsartlip.com; admin@tsartlip.com		
Date	**Comment/Action**	**Initial**
1 Oct. 13	Referral sent	PB.
7 Nov. 13.	Reminder emailed	KG.
14 Feb. 14	Referral sent	PB
28 Feb. 14	left voicemail for Karen Harry	TG

FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing
OCP & LUB amendment, water area for marina expansion

First Nation:
Tsawout First Nation (Saanichton)

File:
SS-RZ-2013.6

Contact Name and Position/Title:
Harvey Underwood, Chief Councillor

Phone: 250-652-9101

Fax: 250-652-9114

Email:
shaysema@tsawout.ca; ehpelkey@tsawout.ca

Date	Comment/Action	Initial
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	Kl.
14 Feb. 14	Referral sent	PB
28 Feb. 14	called Gwen Underwood who requested that referral be resent. She would like more time to prepare response.	TG

K:\First Nations\First Nations Consultation Form.doc

FIRST NATIONS CONSULTATION

Consultation Topic: Fulford Landing OCP & LUB Amendment, water area for marina expansion		
First Nation: Tsawwassen First Nation (Tsawwassen)		
File: SS-RZ-2013.6		
Contact Name and Position/Title: Chief & Council		
Phone: 604-943-2112	**Fax:** 604-943-9226	
Email: receptiontfn@yahoo.ca; tdion@tsawwassenfirstnation.com		
Date	**Comment/Action**	**Initial**
1 Oct. 13	Referral sent	PB.
7 Nov. 13	Reminder emailed	KG.
14 Feb. 14	Referral sent	PB
28 Feb. 14	Left voicemail for Tom McCarthy	TG

Trust Council
Minutes of Quarterly Meeting

June 14 – 16, 2016
North Pender Island, BC

Present:

Executive Committee:	Peter Luckham, Chair (Thetis) Laura Busheikin, Vice Chair (Denman) George Grams, Vice Chair (Salt Spring) Susan Morrison, Vice Chair (Lasqueti)
Local Trustees:	Alex Allen, Hornby Dianne Barber, North Pender Paul Brent, Saturna David Critchley, Denman Brian Crumblehulme, Mayne Jeanine Dodds, Mayne Peter Grove, Salt Spring George Harris, Galiano (June 15-16) Ken Hunter, Thetis Tony Law, Hornby Melanie Mamoser, Gabriola (June 14-15) Derek Masselink, North Pender (June 15-16) Bruce McConchie, South Pender Lee Middleton, Saturna (June 14-15) Heather O'Sullivan, Gabriola Timothy Peterson, Lasqueti Sandy Pottle, Galiano Dan Rogers, Gambier Wendy Scholefield, South Pender Kate-Louise Stamford, Gambier
Municipal Trustees:	Sue Ellen Fast, Bowen Alison Morse, Bowen
Staff Present:	Russ Hotsenpiller, Chief Administrative Officer Lisa Gordon, Director Trust Area Services David Marlor, Director Local Planning Services Cindy Shelest, Director Administrative Services (June 14-15) Carmen Thiel, Legislative Services Manager Mandy Giesbrecht, Executive Coordinator (Recorder) Miles Drew, Bylaw Enforcement Officer (June 15) Clare Frater, Policy Analyst (June 15) Pamela Hafey, Communications Specialist (June 15) Nicole Ranger, Finance Coordinator (June 15)

Tuesday, June 14, 2016

1. CALL TO ORDER

The meeting was called to order at 1:30 p.m. 24 Trustees were present; Trustees Harris and Masselink were absent. Chair Luckham acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations people. Local area Trustees welcomed the group to the Pender Islands.

2. APPROVAL OF AGENDA

Chair Luckham called for new business items to be added to the agenda. Trustee Law requested to add item 9.3 Resolution to Oppose the Trans-Pacific Partnership Trade Agreement. Trustee Law noted that the Federal government deadline for written submissions on this issue is June 30.

By General Consent, the agenda of the June 14-16, 2016 Trust Council meeting was adopted, as amended.

3. GENERAL BUSINESS ARISING

3.1 Resolutions Without Meeting: TC-RWM-2016-001

Provided for information.

3.2 March 22-24, 2016 Trust Council Draft Minutes

The following amendments were requested to the minutes:

- Correct the spelling of Trustee Critchley's name on page 8;
- Include an additional bullet in the discussion of electronic meeting options on page 10 to read "electronic meetings should include benefit for public and increased accessibility to Trust Council"; and
- BC Ferries update on page 13 to be noted as being provided by Trustees rather than specifically by Trustee Morse.

TC-2016-037

MOVED by Trustee Rogers, SECONDED by Trustee Critchley,

That the Islands Trust Council approve the minutes of the March 22-24, 2016 Trust Council meeting held on Hornby Island, as amended.

CARRIED

3.3. Trust Council Follow Up Action List

Trustee Rogers sought clarification on the processes around First Nations related budget matters; Director Marlor advised this would be taken on by the Senior Intergovernmental Policy Advisor once the position has been filled.

Trustee Morse queried whether the Minister has approved the 2016/17 Financial Plan Bylaw; CAO Hotsenpiller advised that approval confirmation has not yet been received.

By General Consent, the Follow Up Action List was received for information.

3.4 Trustee Round Table

Trustees participated in a round table session to discuss common issues, concerns and successes.

3.5 Debriefing from June 13 Housing Forum

Trustees provided general commentary as follows:

- Excellent content but breakout sessions could use some more work;
- Appreciated the education around available resources through Canada Mortgage and Housing Corporation;
- Further research needs to occur in respect of housing agreements;
- Excellent networking opportunity;
- Before new homes are built, we should maximize density of current homes;
- Remove obstacles to affordable housing such as making STVRs available year-round;
- Consider opportunities for green housing and innovative ownership options;
- Important to understand specifics relevant to Islands Trust's circumstances;
- Important to find a way to measure the impacts of increased density; and
- Thanks to staff for organizing, this model is recommended as a guide for future collaborative events.

The meeting recessed at 2:52 p.m. and resumed at 3:10 p.m.

4. EXECUTIVE

4.1 Chief Administrative Officer's Quarterly Report

CAO Russ Hotsenpiller discussed the highlights of his report, including:

- A new, linear Trust Council agenda format;
- Plans for a web-based Trust Council package delivery format for future meetings;
- Update on the Victoria office space leases which have now been harmonized;
- Outreach activities since the March Trust Council meeting;
- Capital Regional District's initiatives to advance First Nations governance at the regional level; and
- Update on the Senior Intergovernmental Policy Advisor hiring process.

4.1.1 Transition Plan Update

CAO Hotsenpiller provided an un update on the Transition Plan document, noting:

- Urban Systems has been retained to update the data contained in the impact study with current budget numbers for use in the Plan;
- Attended Bowen Island to review process documents for a better understanding of past incorporation experience; and
- An overview on the anticipated financial implications of an affirmative incorporation vote on Salt Spring Island.

Trustees posed questions in relation to the following:

- How will any potential shortfall be managed?
- Is SSIWPA included in the numbers despite their special tax requisition?
- Why the new numbers are substantially lower than the previously proposed deficit?
- Will the communication strategy focus on benefits other than economic benefits?
- What issues exist which require legal review at this juncture?
- Will information be posted on the website to assist Trustees in answering incorporation questions from constituents?
- Transfer of bylaws does not seem to be addressed in the current documentation, will this be added?

CAO Hotsenpiller provided clarification as follows:

- It is unclear at this time what will be the recommended course of action to address any budgetary shortfall resulting from incorporation;
- General administration costs have been restructured in a manner more reflective of actual resource allocations, resulting in a reduction of the anticipated shortfall;
- A communication strategy is being developed to answer many of the questions arising from staff, Trustees and constituents and will be posted on the website once complete;
- Legal review will not be fulsome at this stage, simply need to understand what legal steps and costs would be associated to the transition phase; and
- Transfer of bylaws will be included in the final document.

4.2 Executive Committee Work Program

The top three priorities in the work program were:

1. Governance, Policy, Strategic Planning, Trust Council;
2. Communications, Advocacy, Policy Statements, Interagency and Public Relations; and
3. Organizational Improvements

TC-2016-038

MOVED by Trustee Morrison, SECONDED by Trustee Stamford,

That the Islands Trust Council approve the top priorities of the Executive Committee Work Program Report.

CARRIED

4.3 Continuous Learning Plan

Trust Council reviewed the Continuous Learning Plan and suggested the following additions:

- Heritage Conservation Act session;
- BC Ombudsperson session;
- Training webinar for using OneNote; and
- Making Meetings Work – best practice guidelines for electronic meeting participation.

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

4.4 Strategic Plan Update

CAO Hotsenpiller provided an overview of the report noting that staff are considering how to synthesize the plan to enhance its usability. CAO Hotsenpiller answered Trustee questions related to content.

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

4.5 RFD: Draft Amendments to "Islands Trust Council Meeting Procedures Bylaw 2004" re Electronic Meetings

Legislative Services Manager Carmen Thiel provided a summary of the report. Trustees discussed the following:

- Loss of quorum and duration of loss of quorum;
- Conditions under which Trustees may participate electronically;
- Limited opportunity for any cost savings;

- Limit of one meeting per year doesn't take into account unanticipated illness or mobility issues; and
- Whether Council has the ability to waive these policy requirements in certain circumstances?

TC-2016-039

MOVED by Trustee Brent, SECONDED by Trustee Fast,

That the Islands Trust Council direct staff to prepare a draft bylaw to amend Bylaw No. 101, "Islands Trust Council Meeting Procedures Bylaw, 2004" in order to incorporate requested amendments regarding electronic participation as presented with the following recommendations:

4.4(c) – no more than four Council members may participate electronically at a regular meeting;

4.4(d) - the person presiding at a regular Council meeting must be present at the physical location of the Council meeting;

4.4.(e) - a Council member may not participate electronically in more than one regular Council meeting in any one calendar year;

4.5 - a land line connection not be required for closed Council meetings; and

4.6(c) - 15 minutes be the time established after which a meeting will be adjourned if communication is lost to one or more electronic participants resulting in the loss of quorum.

There was debate on the motion.

Trustee Brent stated that the proposed amendments are a good start and suggested any issues arising from the changes could be dealt with in due course. Carmen Thiel, Legislative Services Manager, noted that the amended bylaw would come back to Trust Council for readings and any further concerns could be discussed at that time.

The question was then called on the motion.

CARRIED

4.6 Governance-Administration Session

CAO Hotsenpiller hosted a session on Governance Administration. A copy of the presentation is retained with the agenda package. Key points included:

- Role clarity;
- Good decision making;
- Spheres of influence;
- Best practices;
- Delegation of Authority;
- Accountability; and
- Standards of Conduct.

5. TRUST AREA SERVICES

5.1 Director of Trust Area Services Report

Director Gordon provided an update on the highlights of her report including:

- Policy updates and Committee participation;
- Conference and workshop attendance; and
- All Council meeting packages are now available on the Islands Trust website for reference.

5.2 Trust Programs Committee Work Program Report

The Committee's top three priorities outlined in the report were:

1. Review the Islands Trust Policy Statement;
2. Amend Crown Land Cooperation Agreements; and
3. Protect Quality and Quantity of Water Resources.

Director Gordon advised that a co-op student has now been hired to work on the State of the Islands indicator project and that meetings have and will continue to take place with the Ministry of Forests, Lands and Natural Resources regarding crown land cooperation agreements. Water projects are currently on hold while the first two priorities are addressed.

TC-2016-040
MOVED by Trustee Crumblehulme, SECONDED by Trustee O'Sullivan,
That the Islands Trust Council approve the top priorities of the Trust Programs Committee Work Program Report, as presented.

CARRIED

5.3 Trust Fund Board Quarterly Report

Trustee Law presented the report, which was provided for information, and gave an overview on the board member recruiting process.

5.4 RFD: NAPTEP Application – Link Island

Trustee Law and Director Gordon provided a general overview of the NAPTEP process and the details of this specific application noting this will be the largest NAPTEP property in the Islands Trust.

TC-2016-041
MOVED by Trustee Law, SECONDED by Trustee Morrison,
That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for a portion of the land described as "Section 25, Nanaimo District (Part of DeCourcy Group of Islands)," Parcel Identifier 009-772-138 subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

CARRIED

5.5 RFD: 2015-16 Annual Report

Director Gordon provided an overview on report format and content. It was noted that the report contains small spelling and formatting errors. Director Gordon requested Trustees to provide feedback by email. The report will be released in September.

TC-2016-042
MOVED by Trustee Busheikin, SECONDED by Trustee Stamford,
That the Islands Trust Council approve the 2015-2016 Draft Annual Report for submission to the Minister of Community, Sport and Cultural Development.

CARRIED

The meeting recessed for the day at 5:12 p.m.

Wednesday, June 15, 2016

The meeting resumed at 8:30 a.m. 26 Trustees were present.

6. LOCAL PLANNING SERVICES

6.1 Director of Local Planning Services Report

Director Marlor provided an update on the highlights of his report including:

- First Nations database;
- Senior Intergovernmental Policy Advisor hiring process;
- LPS Professional Development Day on May 19, 2016; and
- Interagency meetings.

6.2 Local Planning Committee Work Program Report

Trustee Brent presented the report adding that current focus will be on shoreline marine planning. Trustee Brent invited Trustees to provide feedback on areas of focus, noting that the Senior Intergovernmental Policy Advisor will join this process once hired. Director Marlor noted that outcomes from the June 13 Housing Forum will also become an area of focus.

TC-2016-043
MOVED by Trustee Brent, SECONDED by Trustee Peterson,
That the Islands Trust Council approve the top priorities of the Local Planning Committee Work Program Report.

CARRIED

6.3 Bylaw Enforcement Report

This item was deferred pending the arrival of Bylaw Enforcement Manager Miles Drew at the meeting.

6.4 RFD: Grants and Donations Policy

Director Marlor presented the report noting policy updates are necessary as a result of Islands Trust being granted certified donee status. Trustee Morse requested clarification on the wording used in the notification letter from Canada Revenue Agency.

TC-2016-044
MOVED by Trustee Morse, SECONDED by Trustee Crumblehulme,
That the Islands Trust Council approve the draft updated policy "6.5.iv Grants and Donations Administration" subject to clarification of wording regarding Canada Revenue Agency and the definition of donations.

CARRIED

7. ORGANIZATIONAL / FINANCE

7.1 Director of Administrative Services Report

Director Shelest provided an overview of the highlights of her report including:

- Carbon inventory and climate action report;
- Hiring processes;
- Audit process; and
- Excluded staff salaries review.

7.2 Financial Planning Committee Work Program Report

Trustee Grove introduced the work program report. The Committee's top three priorities outlined in the report were:

1. First draft of the 2017/18 budget;
2. Completion of the 2015/16 year-end audit; and
3. Review of Purchasing Procedure Policy 6.5.iii.

TC-2016-045
MOVED by Trustee Grove, SECONDED by Trustee Harris,
That the Islands Trust Council adopt the top priorities of the Financial Planning Committee Work Program Report.

CARRIED

7.3 2015-16 Fiscal Year Financial Analysis

Trustee Grove introduced the 2015-16 Fiscal Year Financial Analysis. Director Shelest provided background on variances noting the biggest contributor to variances is unspent salaries. Director Shelest also clarified the provincial funding model around grant revenues.

By General Consent, the 2015-16 Fiscal Year Financial Analysis was received for information.

7.4 RFD: Audited Financial Statements

Trustee Grove provided an overview on the audit process and thanked staff for their work in this area. Director Shelest presented the Audited Financial Statements.

TC-2016-046
MOVED by Trustee Grove, SECONDED by Trustee Morse,
That the Trust Council approve the audited financial statements of the Islands Trust including the Statement of Financial Position, the Statement of Operations, the Statement of Changes in Net Financial Assets and the Statement of Cash Flows, for the year ended March 31, 2016.

CARRIED

7.5 2015-16 Allocated Financial Statements

Trustee Grove provided an overview on the process and thanked staff for their work in this area. Director Shelest noted that Bowen Island does not appear on this report because their contributions are determined using a municipal calculation.

By General Consent, the 2015-16 Allocated Financial Statements were received for information.

The order of business on the agenda was varied to address sections 11.1.1, 11.1.2 and 11.1.3 ahead of item 8.

11. SUMMARY / UPDATES

11.1 Trustee Updates

11.1.1 BC Ferries

Trustees provided updates on BC Ferries issues as follows:

- Minister Stone cancelled the last meeting of the regional chairs committee and a new date has not yet been established;
- BC Ferries has reinstated the Sunday afternoon Langdale sailing after determining that its initial cancellation resulted in 100% of subsequent Sunday sailings running late;
- Weekend afternoon sailings will be reinstated to Gabriola Island during the summer peak season on a 2-year pilot basis;

- BC Ferry Corporation is considering a request from the Ferry Advisory Committee to implement a pilot project for discounted evening rates but no commitment has been made yet;
- Minimum load on the Experience Card can be difficult for fixed-income families and the Ferry Advisory Committee has requested BC Ferry Corporation to consider more flexibility here;
- Software updates seem to have created more flexibility in sales and fares; and
- Pilot project for walk-on reservations to Pender Island will be implemented this summer, fares can be reserved by phone but not online.

11.1.2 First Nations

Trustees provided First Nations updates as follows:

- Tuesday, June 21 is BC Aboriginal Day;
- Recent events promoting collaboration between First Nation bands continues to highlight First Nations' heavy opposition to LNG;
- Forum of Councils at UVIC was held in May, promoting cross cultural education experiences & better understanding of First Nations issues and interests;
- Gambier Trustees are developing a working group to include First Nations collaboration on OCPs with a focus on large crown land area;
- First Nations Chiefs will be consulting on a Saturna Island logging project, stakeholders are hoping many positives will flow from this meaningful engagement;
- Clam garden presentation recently held at Royal Roads University highlighted the importance of this issue to local First Nation bands and how to promote natural systems to nurture foreshores in a positive way.

11.1.3 Gulf Islands National Park Reserve Advisory Committee

Trustee Masselink advised the Committee will be meeting soon to discuss concerns around economic development operations and review the Committee's mandate and responsibilities under the negotiated Parks Agreement. The Committee hopes to meet on a regular basis to share responsibilities and outcomes to reengage the public in this park reserve. Interests include national marine protected areas and collaborating with the 21 First Nations groups that have overlapping claims in the land.

Trustee Middleton noted that many islands have suffered from the abandonment of oversight in recent years. He encouraged Trustee Masselink to embrace the opportunity to participate on the Parks Advisory Board adding that Trustee Masselink's responsibility is not to Trust Council, but to oversight of the committee and its mandate.

The order of business on the agenda resumed at item 8.

8. COLLABORATION / ENGAGEMENT

8.1 Invited Speakers

8.1.1 Session: Marine Shipping Safety Panel

Misty MacDuffee, Raincoast Conservation Foundation, made a presentation titled *Value of Salish Sea's Biodiversity and Concerns with Increasing Vessel Traffic*, which included information on the following:

- Diverse geography, habitats and species;
- Importance of habitats and processes in the Salish Sea;
- Aquatic habitat contribution to eco-system benefits and services;
- Pressure on Salish Sea habitats due to number of residents in the region;
- Proposed increases in Canadian Salish Sea shipping and associated implications;
- Impacts to Orca populations, which are not recovering despite being a protected species, due to acoustic disturbances and impacts to food supply; and
- Cumulative effects of proposed shipping expansions and the need to fully understand the implications.

Chris Wellstood, Director of Marine Operations & Security and Harbour Master, Port Metro Vancouver, made a presentation titled *Vancouver Fraser Port Authority Shipping Trends* which included information on:

- Canada Marine Act – Purpose and Mandate;
- Mission and vision of the Port Metro Vancouver organization;
- Trade through the Asia-Pacific gateway;
- Organizational business sectors;
- Deep sea shipping developments;
- Shipping trends 1996-2016;
- Island anchorage trends 2009-2015;
- Shipping projections 2016-2026; and
- Balance between thriving communities, healthy environment and economic prosperity.

Robert Dick, Regional Director General, Pacific Region, Transport Canada, spoke about regulations and operating within a marine environment, specifically noting:

- Transport Canada does not operate in isolation and can only operate effectively if procedures are agreed to internationally;
- Canada is signatory to more than 50 conventions on shipping-related matters;
- Regulations are enforced under the Canada Shipping Act, 2001;
- MARPOL (Marine Pollutions Regulation) sets limits on ships' emissions (pollutants and waste);
- Standards of training certification for crews and enforcement of those regulations;
- Oversight through Memoranda of Understanding to share risk information about any vessels of concerns;
- Vessel pilot qualifications; and
- Common law right of anchorages – anchorages can only be prohibited for safety reasons and by federal legislation.

Captain Edward Dahlgren, Director of Operations and Harbour Master, Nanaimo Port Authority, spoke about the port authority's current initiatives including:

- Plans to collaborate with other stakeholders and the public;
- Overview of Nanaimo Port Authority's role and mandate;
- Highlights of environmental efforts in the region including restoration to Nanaimo river and installation of the port walkway to manage public access to the water & reduce industrial pollution;
- Balancing shipping demands with ecological concerns;
- Finding innovative ways to support the interests of the Islands Trust;

- Changes that have been made to date to address some of the environmental concerns;
- Federal ports do not receive funding from anywhere but the ships using the ports and public permission is required for port licensing; and
- The port authority's commitment to building a better marine environment through communication, education and collaboration.

Robert Lewis-Manning, President, Chamber of Shipping of British Columbia, spoke on the following:

- Community concerns have been expressed around pollution, spill response, anchorages, cumulative environment, governance, process, consultation, growth, industrial development;
- The shipping industry consists of a mixture of international trade and North American trade;
- Engagement is a concern for communities and First Nations groups alike;
- The number of stakeholders and competing interests can be a barrier to finding effectives solutions;
- Changing governments, political philosophies and government mandates present additional challenges;
- The industry is currently slow which provides a good opportunity to fix what isn't working. The Federal government is in the data collection phase of their mandate and recommendations are expected to come forward in the fall;
- There is some expectation that Minister Leblanc intends to open the Oceans Act for amendments.

The meeting recessed 10:27 a.m. and resumed at 10:42 a.m.

Trustees addressed questions and comments to panel members on the following:

- Concerns that shipping issues are profit-driven.
- A 9-1-1 type callout system should be considered for rapid spill response.
- What processes could be taken to create a more comprehensive report on planning for vessel traffic in the area?
- Processes for assessing cumulative effects – do navigation rights outweigh the rights of residents?
- Need for local bases to address spills quickly due to rapid tide changes in the area.
- Closure of the Comox Coast Guard station is a concern for people in that area.
- Can the offloading of gypsum be relocated from Plumper Sound to a non-nuisance area?
- Are the SIGTTO (Society of International Gas Tanker and Terminal Operators) international standards included in Canada's legal framework?
- What is the ultimate authority for LNG ships if there is a spill in transit?
- What legal authority establishes new anchorages and can letters patent be amended to include sensitive areas?
- What work is being done to investigate the cumulative effects of regional growth?
- The Spill Mitigation Working Group seems to be industry focussed – would there be support for Islands Trust being a part of this table?
- Is there funding opportunity for island residents to become trained in spill response techniques?
- Would the port authority or chamber of shipping engage as leaders in driving for particularly sensitive sea area designation in the Islands Trust area?
- Who is ensuring balance between environmental and economic issues?

- Is there any potential for "slow steaming" to be considered as an alternative to anchorages?

Panel members provided the following responses:

- Canadian Coast Guard is the most frequently used method of spill reporting and generally the fastest responder;
- Comox Coast Guard Station was a housing station for radios only, its closure does not have any impact on response for the area;
- Gypsum is not classified as a marine pollutant but if there are identified safety concerns steps could be taken to address this;
- Port Authorities have adopted some of the SIGTO rules into their jurisdictional procedures for best practices;
- National Energy Board is making adherence to TERMPOL (Technical Review Process of Marine Systems and Transhipment) recommendations a requirement of licensing; Pacific Pilotage Authority has also made this a regulatory regime;
- Transport Canada has no authority to establish, create or designate anchorages. The Canada Shipping Act gives the right to anchorages anywhere under common law. Port Authorities have ability to establish anchorages and anchorage fees within their jurisdictions under the Canada Marine Act.
- Transport Canada is currently drafting a report that will address many of the questions being raised.
- Cumulative effects are being reviewed on many international levels to inform better decision making and understanding of impacts. Research shows the greatest noise impact on ocean life is ferries, not shipping. The bulk of Canada's goods are moved by ship and while shipping will grow with the economy, it does not necessarily mean more ships but bigger ships.
- The Spill Mitigation Working Group is not a decision making body, rather a place to ensure an opportunity for engagement and public feedback, open to discussion about how to collaborate with the Islands Trust.
- Chamber of Shipping has a mandate to address the topic of particularly sensitive sea area designation but cannot comment further at this time.
- Funding options are being reviewed in relation to spill response training for residents; no funding currently exists but there is potential.
- What occurs at sea cannot be regulated until a vessel is within a port authority jurisdiction.

The meeting recessed at 12:13 p.m. and resumed at 1:30 p.m.

8.2 Community Presentations

8.2.1 Moving Around Pender Alternative Transportation Society

The Moving Around Pender (MAP) Society made a presentation to Trust Council highlighting the four goals of their mandate:

1. To increase pedestrian, cycling and motoring safety on the Penders;
2. To decrease greenhouse gas emissions as mandated by the CRD and the Pender Islands' Official Community Plans;
3. To provide alternate transportation options to allow seniors and others who can't, or are apprehensive about driving, to stay on the island;
4. To provide a healthy alternative means of transportation for all residents and visitors.

The MAP Society also discussed funding sources, their current activities on the islands and requested Trust Council's endorsement of their transportation plan.

8.3 Delegations & Town Hall

8.3.1 Gulf Islands Alliance

Jan Slakov from Gulf Islands Alliance spoke on the Trans Pacific Partnership Trade Agreement and the potential negative implications of this piece of federal legislation. Ms. Slakov circulated a publication from MP Elizabeth May, a copy of which is retained with the agenda package.

8.3.2 Gabriolans Against Freighter Anchorages Society

Mary Colyer from Gabriolans Against Freighter Anchorages Society spoke on the Tetra Tech EBA Environmental Overview Assessment of Proposed Gabriola Island Anchorages. A copy of GAFA's written submission is retained with the agenda package.

8.3.3 Town Hall Participant – Ms. Elizabeth White, Salt Spring Island Agriculture Alliance

Ms. White expressed concerns regarding the loss of ALR land on the islands and that Trust Council may be seeking delegation of authority from the Agricultural Land Commission. Ms. White queried why the Islands Trust policy statement is silent on meeting agricultural objects and requested Trust Council to consider a motion to bring relationships with ALC and ALR forward as a future new business item.

Town Hall Participant – Ms. Anne Macey, Salt Spring Island Natural Growers

Ms. Macey stated that agricultural issues should be a new business item since these can be an economic driver and result in tourism growth. Ms. Macey expressed a desire to see agriculture move higher up in the Islands Trust's priority list in order to ensure lands are protected.

Town Hall Participant – Mr. Michael Sketch, North Pender Island

Mr. Sketch addressed Trust Council on the issue of Agricultural Land Commission, Local Trust Committees, and concerns regarding Island Trust's role in land use decisions and jurisdictions. A copy of Mr. Sketch's written submission is retained with the agenda package.

The order of business on the agenda was varied to address items 9.2 and 9.3 ahead of item 9.1.

9. NEW BUSINESS

9.2 RFD: Trust Council Position on Moratorium for New Anchorages

Trustee O'Sullivan introduced this item noting specifically:

- Transport Canada has the ability to recommend anchorage areas;
- Ports can establish anchorages under the jurisdiction delegated to them by Transport Canada;
- The moratorium is proposed for new anchorages only;
- A better engagement process and strategic plan are key considerations; and
- This area needs to be established as "no-go".

Trustee O'Sullivan requested Trust Council to consider two motions in respect of this issue.

TC-2016-047
MOVED by Trustee O'Sullivan, SECONDED by Trustee Mamoser,
That the Islands Trust Council request the Chair to write to the Minister of Transport to express the Islands Trust Council's opposition to the proposal to establish five new freighter anchorages off the northeast coast of Gabriola Island and ask for a moratorium on any new freighter anchorages within the waters surrounding the Sothern Gulf Islands and Howe Sound until Transport Canada has:

a) assessed the cumulative risk and impacts associated with projected vessel traffic increases in the Salish Sea,
b) developed a 20-year mitigation plan that includes measures to minimize anchorage use, and
c) implemented a process for comprehensive environmental, social and economic impact assessment prior to the establishment of any new anchorages.

Debate ensued. Friendly amendments were accepted by the Mover and Seconder as follows:

- Remove the word "five" from the first paragraph;
- Replace "Southern Gulf Islands and Howe Sound" in the first paragraph to read "Islands Trust Area"

TC-2016-048
MOVED by Trustee Law, SECONDED by Trustee Scholefield,
To amend the motion by replacing "Minister of Transport" with "Prime Minister of Canada".

CARRIED
Trustee Dodds opposed

TC-2016-049
MOVED by Trustee Middleton, SECONDED by Trustee Masselink,
To amend the motion by adding bullet point D to read "engaged in a community consultation with a defined decision making pathway for analysis and potential approval of anchorages."

DEFEATED
Trustees Luckham, Grams, Allen, Brent, Crumblehulme, Mamoser, Masselink, Middleton, Peterson, Scholefield, Morse In Favour

TC-2016-050
MOVED by Trustee Fast, SECONDED by Trustee Dodds,
To amend the motion by removing bullet points A, B, and C entirely.

DEFEATED
Trustees Dodds and Fast In Favour

The vote was called on the amended motion.

CARRIED

TC-2016-051
MOVED by Trustee O'Sullivan, SECONDED by Trustee Mamoser,
That the Islands Trust Council request the Chair to write the Minister of Transport encouraging Transport Canada to engage in full community consultation and a detailed public analysis of the potential implications of extending the jurisdiction of the Nanaimo Port Authority, with a particular focus on compatibility with the Object of the Islands Trust to preserve and protect the waters of the Salish Sea.

CARRIED

9.3 Opposition to Trans-Pacific Partnership Trade Agreement

TC-2016-052

MOVED by Trustee Law, SECONDED by Trustee Morrison,

That the Islands Trust Council request the Chair to write to the Prime Minister of Canada (with copies to Trust Area Members of Parliament) requesting that Canada not proceed with participation in the Trans-Pacific Partnership Trade Agreement without certainty that the agreement will have no impact upon local government authority with respect to regulation, procurement, service provision and environmental protection.

Trustee Law noted the importance of specificity in respect of the impacts of this legislation on local governments.

TC-2016-053

MOVED by Trustee Grove, SECONDED by Trustee McConchie,

To amend the motion to exclude everything following "Trans-Pacific Partnership Trade Agreement".

The vote was called on the proposed amendment.

DEFEATED

Trustee Brent expressed concern that last minute business placed on the Trust Council agenda precludes staff from conducting the necessary background research to assist Trustees in communicating the rationale to constituents. Trustee Brent requested his opposition to the motion be noted in the minutes.

TC-2016-054

MOVED by Trustee Grams, SECONDED by Trustee Grove,

To amend the last line of the motion to read "…will have no impact upon existing local government authority and potential liability with respect to regulation, procurement, service provision and environmental protection."

DEFEATED

Trustees Grove, Grams and Middleton In Favour

The vote was called on the original motion.

CARRIED

The meeting was recessed at 3:23 p.m. and resumed at 3:44 p.m.

The order of business on the agenda was varied to address item 6.3 which had previously been deferred pending the arrival of Bylaw Enforcement Manager Miles Drew.

6.3 Bylaw Enforcement Report – Information

Miles Drew, Manager of Bylaw Enforcement, presented the report noting the following:

- Bylaw Enforcement Services are currently closing and opening equal amounts of files;
- Salt Spring Island currently has the greatest number of files;
- Staff are working on a short term vacation rental project and an unlawful dwelling project on Galiano Island; and
- Bylaw enforcement notification bylaws are working very well generally.

The order of business on the agenda was varied to address item 10 ahead of item 9.1.

10. CLOSED SESSION (Separate Agenda Package)
TC-2016-055
MOVED by Trustee Busheikin, SECONDED by Trustee Morrison,
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 staff be invited to attend the closed session.

CARRIED

The meeting was closed to the public at 3:51 p.m. and reopened at 4:01 p.m. The order of business on the agenda resumed at item 9.1.

9.1 Session: Visioning
CAO Hotsenpiller hosted a preliminary session to establish scope and objectives for engaging in a structured visioning session at a future meeting. Director Gordon provided background on the strategic plan initiatives surrounding organizational visioning.

General discussion ensued and Trustee comments were as follows:
- It is important to deliver on the strategic plan objectives;
- While the islands are a collective federation, they embrace their diversity and have individual community needs;
- It is important to paint a future picture before engaging the public;
- We must identify ways to attract families back to the islands;
- We need to develop resources that educate and promote living on the islands;
- The islands are all different but also have areas of mutual concern and benefit, we need to identify these along with strategies to promote them; and
- Increased provincial funding should form part of future visioning discussions.

TC-2016-056
MOVED by Trustee Fast, SECONDED by Trustee Crumblehulme,
That the Islands Trust Council direct staff to organize a facilitated visioning session of at least half a day at September trust council meeting.

CARRIED

The meeting recessed for the day at 5:24 p.m.

Thursday, June 16, 2016
The meeting resumed at 8:30 a.m. 24 Trustees were present; Trustees Middleton and Mamoser were absent.

10. CLOSED SESSION (reconvened)
TC-2016-057
MOVED by Trustee Busheikin, SECONDED by Trustee Morrison,
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 be invited to attend the closed session.

CARRIED

The meeting was closed to the public at 8:30 a.m. and reopened at 9:26 a.m. No items were reported out from the closed meeting.

11. SUMMARY / UPDATES

11.1 Trustee Updates (continued from previous day)

11.1.4 Watershed Protection Report for SSI-LTC

It was requested this item be renamed SSIWPA on future agendas.

Trustee Grams provided the following updates:

- Members of the steering committee have changed resulting in a loss to the administrative environment but the addition of two FLNRO staff at the table;
- The Committee's mandate is to review water supply to find efficiencies and change usage habits where possible;
- Committee is researching increased capacity options through means such as supply cairns;
- Committee focus has evolved from the health of lake water to balancing the issues surrounding water supply across the island.

Chair Luckham congratulated Trustee Grams for bringing a strong leadership focus to this group.

11.1.5 Howe Sound Community Forum

Trustee Rogers provided the following updates:

- Forum held April 29 at Camp Fircon had the highest attendance to date;
- New MP Pamela Goldsmith-Jones is very engaged with current issues in the region;
- Discussions regarding more consistent approaches to environmentally respectful planning processes are ongoing; and
- Work continues to promote collaboration in the region to elevate the Islands Trust's profile in the region.

11.1.6 Update from Office Relocation Select Committee

Trustee McConchie advised that the Committee has reached consensus to develop a Request for Decision for the September Trust Council meeting to include recommendations regarding locations of key staff positions. Committee minutes continue to be posted on the website.

11.2 Priorities Chart

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

11.3 Proposed September 2016 Trust Council Agenda Program

The following updates were requested to the agenda format:

- BC Ferries Update should reference Ferry Advisory Chairs instead of Trustee Morse specifically; and
- Town Hall should be changed to Public Comments

11.4 Disposition of Delegations and Town Hall Requests

By General Consent, the Chair is requested to send letters of thanks to delegations.

12. **CORRESPONDENCE**

13. **NEXT MEETING:** September 13-15, 2016 on Mayne Island

14. **ADJOURNMENT**

By General Consent, the meeting adjourned at 10:03 a.m.

____

Peter Luckham, Chair

Certified Correct

____

Mandy Giesbrecht, Executive Coordinator (Recorder)

BRIEFING

To: Executive Committee **For the Meeting of:** July 6, 2016

From: Russ Hotsenpiller **File No.:**

SUBJECT: **ORGANIZATION OF VISIONING SESSION FOR SEPTEMBER TRUST COUNCIL**

DESCRIPTION OF ISSUE: To discuss the format, timing, cost and process associated with the delivery of a visioning session for Trust Council in September 2016.

BACKGROUND: At June Trust Council, following a presentation by staff on a proposed visioning session, the following motion passed:

THAT Islands Trust Council direct staff to organize a facilitated visioning session of at least half a day at the September Trust Council meeting.

The discussion at the June meeting focused on a number of elements that could be the focus of a visioning session. In particular, there was a sentiment expressed to conduct visioning at a high, aspirational level rather than at an organizational level. Key questions centered upon how the Islands Trust communities will look in 20 years, leadership and governance, how we can be an example to others and how to reimagine Island communities given surrounding development pressure and resource competition. Trust Council also expressed that they wanted to engage in long range visioning prior to engaging with the public through the review of the Policy Statement, that is currently in the Strategic Plan and scheduled for late 2016. Further elements of the vision were as follows:

Seek a balance and clarify between the environment and human economy	*To establish a basis for leadership, be a beacon of hope*
To determine what changes could be made inside the Trust Mandate and what further powers could be obtained	*Compassionate, caring community based communication*
Excellence in governance	*Acknowledgement of the taxpayer limit*
Re-imagination of the Islands Trust	*Consider for future generations and who will live in the Gulf Islands.*

Staff is proceeding to organize the session for September and outreach has been made to a number of facilitators versed in working with legislative bodies and with rural communities. It would be appropriate for Executive Committee to provide direction on specifics of session development they see fit.

In support of this direction the following is proposed:

1. That the session be facilitated by a professional facilitator based upon the following:

    a. Outside facilitation provides an objective frame of reference for Trustees;
    b. Ignorance is bliss…detailed knowledge of the Trust may hamper visioning;
    c. An outside facilitation allows staff the ability to participate;
    d. Staff are not perceived as controlling the process and outcome;

2. That a budget of $3 to 4000 is developed to include session costs and facilitation;
3. That a graphic recorder is employed;
4. That the session be conducted on Tuesday, September 13, that the day start earlier at 8:30 instead of 1:30 and that the session runs from 10 pm to 4:00, in total an approximate 5 hour session.

ATTACHMENT(S): N/A

AVAILABLE OPTIONS:

Executive Committee could reduce the time of the session; change the target date or direct staff to conduct the session.

FOLLOW-UP:

Staff will proceed with identifying an appropriate consultant and obtaining a detailed session outline/process.

Prepared By: Russ Hotsenpiller

Reviewed By: Chief Administrative Officer

Date: **June 30, 2016**

Trust Council Quarterly Meeting Schedule
September 13-15, 2016
Mayne Island

Tuesday, September 13	
7:30	Breakfast
8:30	EC Meeting
9:00	Call to Order & Approval of Agenda RWMs Adoption of Minutes FUAL Trustee Round Table
10:00	Visioning Session
10:45	Break
11:00	Visioning Session (continued)
Noon	Lunch
1:00 p.m.	Visioning Session (continued)
3:00	Break
3:15	Visioning Session (continued)
4:15	Executive CAO's Report EC Work Program Continuous Learning Plan Strategic Plan Update
5:30	Adjourn for the day

Wednesday, September 14	
7:30	Breakfast
8:30	New Business
10:00	San Juan County Council - presentation
10:30	Break
10:45	San Juan County Council - dialogue
11:30	Correspondence
Noon	Lunch / Tour
1:15	Community Presentations
1:45	Delegations & Public Participation
2:15	Housing Session
3:30	Break
3:45	Trust Area Services Director's Report TPC Work Program Trust Fund Board Report
4:15	Administrative Services Director's Report FPC Work Program
4:45	Land Planning Services Director's Report LPC Work Program Bylaw Enforcement Briefing
5:30	Adjourn for the day

Thursday, September 15	
7:30	Breakfast
8:30	Closed meeting
9:15	Summary / Updates Trustee Updates Priorities Chart December TC Draft Schedule
10:15	Correspondence
11:00	Adjournment (approx).

Islands Trust

* Denotes resolution/decision items

E-mail chain with Trustees Law, Fast and staff re Islands Trust tagline
~~~~~~

Hi all - Tony's suggestion below sounds good to me too. I have been following this discussion. Happy to have this clarification issue on next Council agenda, especially before we begin to ask the public for their visions and ideas and suggestions for Policy Statement Update.
Sue Ellen
~~~~~~

On Jun 23, 2016, at 11:50 AM, Tony Law <tlaw@islandstrust.bc.ca> wrote:
Hi Lisa:

Thanks for your response to this.

Perhaps Sue Ellen's and my messages could be brought to the attention of EC to let them know how this issue came up.

I can certainly see the value of discussing the tagline as part of the visioning exercise if EC supports that approach.

Otherwise, I would still be prepared to bring forward an appropriate motion - I am by no means tied to the first one I drafted. And I would support making changes to a new - or no - tagline on stationery as reprints become necessary to minimize cost. However, I assume the one on the website could be changed without much time and expense involved.

I will be happy to see this addressed. I know Sue Ellen and I are by no means the only ones who see the tag-line as misrepresenting the Islands Trust!
Tony Law
Hornby Island Local Trustee
Chair, Trust Fund Board
tlaw@islandstrust.bc.ca
(250-335-1155)

From: Lisa Gordon
Sent: Thursday, June 23, 2016 10:54 AM
To: Tony Law; Sue Ellen Fast; Peter Luckham
Cc: Russ Hotsenpiller; Pamela Hafey; Clare Frater
Subject: RE: Islands Trust tagline

Hi Tony & Sue Ellen,

Thanks for your leadership on this question.

With Russ's support, I would like to propose to EC that they explicitly include the tagline question in the visioning discussion at Trust Council. While the IT Act and policy statement provide some foundation for communications branding and a tagline, Council's vision also seems relevant. Perhaps a newly endorsed tagline (or eliminating it altogether if there is no consensus) could be one of the tangible outcomes of the session.

It might be reassuring for you to know that we are replacing the faded sign outside the Victoria office and the only elements will be the logo and the words Islands Trust – no tagline. We can probably avoid ordering other replacement signs or other significant communications products with the tagline between now and Sept. unless EC directs differently.

Tony, given this reframing of your proposal, do you still see the need for a stand-alone new business item / RFD on this, or shall I take EC's temperature on July 6th and report back to you? If we do an RFD, it must consider cost and time to alter our branded items: e.g. website, stationary, business cards, other signs and communications products. The lowest impact would be to change those only when making new orders and not altering or disposing of existing stock.

From: Tony Law
Sent: Wednesday, June 22, 2016 1:55 PM
To: Lisa Gordon; Sue Ellen Fast; Peter Luckham
Cc: Russ Hotsenpiller; Pamela Hafey; Clare Frater
Subject: Re: Islands Trust tagline

Hi Sue Ellen, Lisa and Peter:

I appreciate Sue Ellen bringing up questions about our tag line because it has always troubled me. All I can recall is that the tag line was decided by the Executive Committee. I cannot recall any Council discussion.

This tag line , which is the first thing anyone visiting our website reads, is a significant vehicle for messaging what the Islands Trust is all about.

However, the words and the ordering of the words ***("Preserving island communities, culture and environment")*** do not reflect what the Islands Trust is all about as stated in our object and Policy Statement that actually guide our activities.

- The tag line only refers to "preserving"which the Policy Statement defines as "maintaining in a given condition"
- First listed is "communities" - does that mean our priority is preserving communities in their given condition with no consideration of change and evolution?
- Second listed is "culture" - something that is not even spoken of in our Object, Policy Statement or Strategic Plan!
- Environment is in last place.
- The focus on "island communities", etc excludes reference to the marine portions of the Trust Area that are becoming increasingly important to our work in response to the interests of our constituents.

It seems to me, that the tag line should either reflect the object (which governs what we do) by stating something like:
- "Preserving and protecting the unique amenities and environment of the Trust Area"

or reflect the Policy Statement (which governs how we implement the object) by stating something like:
- "Preserving and protecting ecosystems. stewarding resources and sustaining communities"

So.... I would like to request adding the following as a "new business" item at the September

Trust Council meeting:

Islands Trust "Tag Line"
First draft of a possible motion:
"That the Executive Committee, in consultation with other Council committees and the Trust Fund Board, prepare recommendations for Trust Council to change the "tag line" used on the Islands Trust web site and letterhead so that it better reflects the Islands Trust object and/or Policy Statement."

I would welcome an opportunity to work with staff on preparing an RFD.

Thank you.

Tony Law
Hornby Island Local Trustee
Chair, Trust Fund Board
tlaw@islandstrust.bc.ca
(250-335-1155)

From: Lisa Gordon
Sent: Tuesday, June 21, 2016 5:08 PM
To: Sue Ellen Fast
Cc: Russ Hotsenpiller; Pamela Hafey; Tony Law; Clare Frater
Subject: Islands Trust tagline

That's a very good question, Sue Ellen.

Our tagline dates back to a year before I got here, when Linda Adams was almost CAO, but not quite.

From Executive Committee minutes of January 27, 2004
Islands Trust Tagline
The Executive Committee was presented options for updated 'tag lines' for use on Islands Trust Letterhead. Following discussion and further suggestions, it was agreed to use "Preserving island communities, culture and environment".

~~~~~~
From: Sue Ellen Fast
Sent: Tuesday, June 21, 2016 3:38 PM
To: Lisa Gordon
Subject: Fwd: "Unique Amenities"

Hi Lisa - Can you fill me in on how and when "*Preserving Island communities, culture and environment*" became the motto or brand used on Islands Trust website and stationery?

In preparation for our community consultation and visioning, I am wondering why "Preserving communities" is used, why the environment comes last, and whether I am missing something about communities in policy statement.

I asked Tony, see below, but he didn't know. Can you help or point me to someone to ask?
~~~~~~

Sue Ellen

~~~~~~
From: Sue Ellen Fast <sfast@islandstrust.bc.ca>
Subject: Re: "Unique Amenities"
Date: June 1, 2016 at 9:47:47 PM PDT
To: Tony Law <tlaw@islandstrust.bc.ca>

Hi Tony, after reading your helpful paper again, I wonder if you can you tell me how the motto "*Preserving Island communities, culture and environment"* came about?

I started out using the motto as tag line at end of my signature, but it didn't align well for me - why is "Preserving communities" used, and why is communities listed first?

Searching the policy statement for "communit", I only find reference to:
• sustainable communities
• community character
• healthy communities, and
• communities … predominantly rural in character … contrast markedly with surrounding urban areas

For one thing I think Preserving communities" might be misleading some Bowen citizens who think the Islands Trust aims to freeze the community in time, and that it means no development and no change. And so they do not support the trust. Personally I tell people that a sustainable healthy community can not stay preserved in amber - it needs to change and adapt and be resilient. To me the motto also suggests that preserving ecosystems is less important than community and culture, which also seems unaligned with the policy statement.

Hoping you don't mind my asking you. If you can help me understand the motto's origins better that would be great.

Sue Ellen Fast
Bowen Island Municipal Councillor and Islands Trustee
ph: 604 947-0483
sefast@bimbc.ca, www.bimbc.ca
sfast@islandstrust.bc.ca, www.islandstrust.bc.ca
"… to preserve and protect the trust area and its unique amenities and environment …"

~~~~~~
On May 17, 2016, at 9:28 AM, Tony Law <tlaw@islandstrust.bc.ca> wrote:

Hi Sue Ellen (and TPC members):

Following this concept being raised at yesterday's TPC meeting, attached is a paper on "discussion paper that I prepared on "unique amenities" ago following informal discussion among some trustees and staff at a TC meeting a few years ago.

Tony Law
Hornby Island Local Trustee
Chair, Trust Fund Board

tlaw@islandstrust.bc.ca
(250-335-1155)

<Unique Amenities - Tony Law.pdf>

BRIEFING

To: Executive Committee **For the Meeting of:** July 6, 2016

From: Clare Frater, Policy Advisor **Date prepared:** June 30, 2016

SUBJECT: STATE OF THE ISLANDS PUBLIC POLLING

DESCRIPTION OF ISSUE:

The State of the Islands project purpose in the project charter TPC approved is to provide *"a snapshot of Islands Trust area indicators (ecological and socio-economic) to assist Trust Council to clarify its vision for sustainability in the Islands Trust Area and measure its progress in achieving that vision."* There is a lack of data available for some indicator themes that could be resolved through a statistically valid poll of islanders. Staff plan to undertake a poll of islanders this summer using the budget approved for the State of the Islands/Visioning/Policy Statement project. Staff will deliver the results of the poll with the State of the Islands project to Trust Council's September 2016 meeting and Trust Council may use the results to support its visioning session.

BACKGROUND:

In February 2016, the Trust Programs Committee approved a project charter for the State of the Islands project that excluded purchasing data or conducting original research (which would include polling) from the project scope. This decision was based on the assumption that the project budget would not support purchasing new data. Since then, staff has been able to hire a co-op student with the required skills, freeing up funds that would have gone to more costly contractors. There is sufficient funding in the $35,000 State of the Islands budget to undertake polling.

In May, Trust Programs Committee discussed the types of indicators that could be used for the State of the Islands project. TPC discussed the potential for the project to tell stories about the amenities that people value on the islands, the carrying capacities of the islands, the ecological footprints of island residents, and the need to benchmark against other communities where possible. By consensus, the Trust Programs Committee selected X# of preferred indicators but left the final selection in the hands of staff.

At this time, staff is working on developing infographics, trend charts and stories relating to: population growth/median age, housing (rental and ownership), ferry fares, income inequality, residency of property owners, subdivision rates, % of high biodiversity areas protected, GHG emissions, shellfish harvesting closures, freshwater quantity, and heritage buildings. Staff also plans to collect interesting facts from each island that may enhance the appeal of communication materials about the project.

After learning more about the data available for the State of the Islands project, staff now believes that the project would benefit from additional information about the behaviour, values and concerns of islanders. A guiding principle would be to collect information that can be benchmarked against survey results from other amenity-based communities, such as Whistler, Tofino and/or Banff.

Staff will work with Administrative Services to procure the services of a reputable polling firm. Staff will work then with the contractor to develop the questions, the methods for polling/surveying and the timeframe. Staff have yet to determine whether it is possible to also poll/survey off-island landowners, but will do so if practical within the project budget and timeframe.

Staff propose that the questions should not seek opinions about service levels or value for money but rather on perception of quality of life, connection to community, value of local features/amenities, food/water security, ecological footprint, and other issues of importance – now and in the future. The poll will also ask how islanders like to receive information from their local governments.

Staff has considered the implications of polling while municipal incorporation is being explored within the Trust area. The recent postponement of any potential incorporation vote, most likely till 2017, provides a buffer of time such that polling data should not be unduly affected. It would be of benefit, however, to proceed as soon as possible to achieve the best polling data.

Staff may recommend a follow-up poll in the 2017/18 fiscal year following the visioning and engagement work relating to the Islands Trust Policy Statement amendment.

AVAILABLE OPTIONS:

1) Receive for information.
2) Direct staff not to proceed with polling at this time.
3) Provide direction to staff on polling questions and any sensitivities to polling islanders in summer 2016.
4) Advise staff that the topic is best handled through a special meeting of the Trust Programs Committee (next scheduled meeting is August 22)

FOLLOW-UP:

Unless directed otherwise, staff will immediately begin a procurement process to secure a polling contractor with the goal of having survey results in early August for inclusion in the State of the Islands report to Trust Programs Committee.

Prepared By:	Clare Frater, Policy Advisor	June 29, 2016
Reviewed By/Date:	Lisa Gordon, Director, Trust Area Services	June 30, 2016

Islands Trust

BRIEFING

To: Executive Committee **For the Meeting of:** July 6, 2016

From: Clare Frater, Policy Advisor **Date prepared:** June 27, 2016

SUBJECT: REPRESENTATION ON THE SOUTHERN GULF ISLANDS ANCHORAGE WORKING GROUP

DESCRIPTION OF ISSUE: On June 14, 2016, the Executive Committee reviewed a letter from the Minister of Transport about anchorages that described the membership and work of the Southern Gulf Islands Anchorages Working Group. The Executive Committee requested staff advice about how to respond to the letter seeking representation for the Islands Trust at the Gulf Islands Anchorages working group. At this time, staff does not recommend advocacy related to participation on the Working Group.

BACKGROUND:
On December 18, 2015, the Islands Trust Chair wrote to the federal Minister of Transport to express concerns about anchorages in the Salish Sea. The Minister responded on June 9, 2016. In his response the Minister explained that in 2015, Transport Canada convened the Southern Gulf Islands Anchorages Working Group comprised of the Pacific Pilotage Authority, the British Columbia Coast Pilots, the Chamber of Shipping of British Columbia, the Port of Vancouver, the Shipping Federation of Canada, the Nanaimo Port Authority and Transport Canada. He outlined the activities of the Working Group which resulted in a reduction in the number of Southern Gulf Island anchorages from 36 to 29, moving and/or adjusting anchorage sites, developing conditions of use for some anchorages, and examination of the feasibility of five new anchorages adjacent to Gabriola Island.

Staff understands that the ad hoc Working Group is no longer meeting while the Pacific Pilotage Authority leads examination of the proposed Gabriola anchorage sites. On July 15, 2015, the Executive Committee accepted an invitation from the Pacific Pilotage Authority to assist with consultation regarding proposed and existing anchorages. Islands Trust staff organized a Trust-wide meeting on anchorages on November 4, 2015 and will assist, if required, with a public meeting on Gabriola Island, should the Pacific Pilotage Authority recommence examination of the proposed Gabriola anchorages after receipt of the Department of Fisheries and Oceans' Fisheries Act Section 35 review.

Staff has spoken with Kevin Obermeyer of the Pacific Pilotage Authority to convey the Islands Trust Council's opposition to the proposal to establish new freighter anchorages off the northeast coast of Gabriola Island and request for a moratorium on any new freighter anchorages within the waters surrounding the Islands Trust Area until Transport Canada has taken three actions related to minimizing anchorage use. Staff also conveyed the Islands Trust Executive Committee's interest in attending or participating in future meetings of the Southern Gulf Islands Anchorages Working Group. He has agreed to advise staff of any future meetings of that group.

AVAILABLE OPTIONS:

1) Receive for information
2) Direct the Chair to write to Pacific Pilotage Authority expressing interest in having Islands Trust staff representation at future meetings of the Southern Gulf Islands Anchorages Working Group as an observer.
3) Direct the Chair to write to Pacific Pilotage Authority expressing interest in having Islands Trust political representation at future meetings of the Southern Gulf Islands Anchorages Working Group as an observer.

FOLLOW-UP:

Staff will continue to liaise with the Pacific Pilotage Authority about anchorage issues.

Staff will follow-up as directed.

Prepared By:	Clare Frater, Policy Advisor	June 27, 2016
Reviewed By/Date:	Lisa Gordon, Director, Trust Area Services	June 28, 2016

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** July 6, 2016

From: Clare Frater, Policy Advisor **Date:** June 29, 2016

SUBJECT: CHAIR LETTER RE TRANSPORT CANADA AREA RESPONSE PLANNING INITIATIVE

RECOMMENDATION:

That the Executive Committee direct the Chair to finalize and send a letter to Transport Canada before July 15, 2016 with comments on the pilot Area Response Planning Initiative and associated Area Risk Assessment Methodology.

ISSUE SCREENING:

1. Origin of issue: Executive Committee June 1, 2016
2. Executive Committee decision is: discretionary
3. Issue is most closely related to Executive Committee Terms of Reference (6.1)
4. Related to Islands Trust Policy Statement: 3.1.9, 5.1.2
5. Related to 2014-2018 Strategic Plan: T.2.6.2 and T. 2.6.3

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:
The half day of staff time required to implement the recommendation is consistent with the current time allocation for marine advocacy.

POLICY: No implications for existing policy.

FINANCIAL: None.

IMPLEMENTATION/COMMUNICATIONS: Finalizing the letter will take about two hours of the Policy Advisor's time and there will be a further two hours of administrative time to format, send, post to website, and distribute to subscribers. The Chair's time would be required to edit and approve the letter.

BACKGROUND
On June 1, 2016, the Islands Trust Executive Committee received an update from staff and Chair Luckham about their attendance at Transport Canada's Area Response Planning Pilot Project Engagement sessions. The Executive Committee responded with a request that staff return on July 6th with a draft letter from the Chair providing feedback on the Area Risk Assessment Methodology for Ship-Source Oil Spills in Canada Waters.

REPORT/DOCUMENT:

1) Draft Chair letter to Transport Canada
2) PowerPoint presentation slides from the Transport Canada engagement session on the Area Response Planning Pilot Project risk assessment methodology.

3) A brief overview of the overall pilot project is available at:
   https://www.tc.gc.ca/eng/marinesafety/oep-ers-arp-4473.html

KEY ISSUE(S)/CONCEPT(S):
Advocacy to protect the marine environment in the Islands Trust Area; safe shipment of materials hazardous to the environment.

RELEVANT POLICY:

- Islands Trust Policy Statement policy 3.1.9:
  Trust Council encourages actions and programs of other government agencies which place priority on the side of protection for Trust Area ecosystems when judgment must be exercised; protect the diversity of native species and habitats in the Trust Area, and prevent pollution of the air, land and fresh and marine waters of the Trust Area.
- Advocacy Policy 6.10.iii
  Islands Trust Council's 2011-2014 Strategic Plan section 2.3 includes under the strategy *Advocate for protection of the Salish Sea and Howe Sound from oil spills, derelict vessels and industrial activities* -activity 2.3.1: *Chair correspondence regarding oil spill prevention and response*

DESIRED OUTCOME: Reduced risk of oil spills and enhanced oil spill response

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RESPONSE OPTIONS

Recommended:

That the Executive Committee direct the Chair to finalize and send a letter to Transport Canada before July 15, 2016 with comments on the pilot Area Response Planning Initiative and associated Area Risk Assessment Methodology.

Alternatives:

- Do not take any action.
- Amend the recommended resolution to direct that specific messages be included in a letter from the Chair.

Prepared By: Clare Frater, Policy Advisor, June 29, 2016

Reviewed By/Date: Lisa Gordon, TAS Director, June 29, 2016

Islands Trust

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DRAFT July X, 2016 File No.: 410-20

Comment [CF1]: Next, as we develop the area response plans, we are looking for your collaboration both in terms of providing data that might be of use for spill response planning (ex. socio-economic information, local resources or sensitivities, etc.) and in areas of the planning process that you or your organization can contribute (mitigation planning, waste management etc.). Additionally we are looking for suggestions on how to structure ongoing planning with you and your organizations as part of this pilot and potentially in the future. Please provide any feedback, information or questions regarding the Area Response Planning process going forward to Tim McCann, CCG Project Manager, at timothy.mccann@dfo-mpo.gc.ca or 604.270.3273

Via Email: TC.ARPI-IPIL.TC@tc.gc.ca

Transport Canada - Marine Safety and Security
Navigation Safety and Environmental Programs, 10th Floor
330 Sparks Street
Ottawa, ON K1A 0N5 – AMSEW

To Whom It May Concern:

Re: Feedback on Area Response Planning Initiative

Thank you for inviting feedback into the Area Response Planning Initiative. The Islands Trust Council is pleased that this project is underway and that Transport Canada selected the southern portion of British Columbia as one of four Area Response Planning pilot areas in Canada.

We understand that the Area Response Planning Initiative seeks to identify where to strengthen the current preparedness and response regime for ship-source oil spills and ensure that it is responsive to changing demands and practices. We further understand that the Area Risk Assessment methodology will consider region-specific risks and sensitivities such as geography, environmental sensitivities and traffic volumes. We appreciate there will be a task force in our region that will build our unique risks and sensitivities into our Area Response Plan.

As a special-purpose local government, the Islands Trust Council does not have expertise related to shipping or marine-shipping risk assessments, but has been concerned with oil spill and oil tanker issues in the Salish Sea since 1979. As Chair of the Islands Trust Council, I attended the May 25, 2016 Area Response Planning Initiative workshop in Nanaimo and an Islands Trust staff person attended the May 26, 2016 workshop in Victoria.

We are pleased that the risk assessment methodology blends probability with consequences. A single large oil spill in this region will have tremendously negative consequences to environmental, social, cultural and economic values at risk in this special region of Canada.

After reviewing the Methodology Guidance Document (not the appendices) and attending the workshops, I have the following suggestions**:**

- Transport Canada should make more clear how preparedness measures and response capability will be measured as a model input.
- The model should include a response gap analysis of when a response is not possible or practical. Nuka Research and Planning Group explained in a 2015 report that during the winter, response is not possible between 56% and 78% of the time at sites along the Trans Mountain tanker route.
- The model should run spill scenarios for much longer than 30 days. A spill of diluted bitumen that results in sunken oil could have impacts that last for months or years.
- Transport Canada should devise a method for incorporating local and traditional knowledge into the model.
- Stakeholders should be involved in the selection of spill scenarios.

- The results of the risk assessment should be made available to marine special planning processes of Parks Canada, the Department of Fisheries and Oceans and non-profit agencies.
- The model should be produce results that would enable community stakeholders have constructive dialogue about the Places of Refuge in their areas.
- The model should include information on near-misses or accidents that did not result in a spill. For example, our communities feel strongly that incidents such as the groundings and near-groundings of bulk carriers, Hebei Lion, Pacific Ace and Cape Vanguard in the Plumper Sound anchorage in 2009-2011 offer lessons that should be analysed to prevent future accidents.
- Transport Canada should develop a model that assesses the cumulative impact of the chronic, ongoing oiling from recreational and fishing vessels during fuelling and malfunctions, and from the frequent spills in this area associated with sinking derelict/abandoned vessels. It appears that the Area Response Planning Initiative is focused on the risk of spills from large non-fishing vessels with Automatic Identification Systems (AIS) and transfers from oil handling facilities. We are concerned that the impacts of on-going chronic oiling from these smaller vessels are having an regular, negative effect on species throughout the Salish Sea ecosystem but remain unstudied, unquantified, and unaddressed.
- Transport Canada should make the computer models, developed with taxpayer funding, available for queries by academics and stakeholders, possibly by housing the models with a non-profit agency. For example, stakeholders would be better able to engage with regulatory and environmental assessment processes if they could use the model independently to assess how risk changes depending on traffic volumes and risk-reduction measures.
- In your biological data set for the Salish Sea, your researchers should include lands protected by the Islands Trust Fund (Trust Fund Board), if not already included, as these are provincial Crown lands. The Islands Trust Fund protects 1447 metres of shoreline in Salish Sea via owned nature reserves and protects 2,729 metres of shoreline via the Natural Area Protection Tax Exemption Program (established through provincial regulation). Please contact me for further information on Trust Fund Board protected areas
- We recommend including all species at risk in the region (both terrestrial and marine) in the biological data set.

It remains unclear to us how the outputs of the modelling process will be used to inform policy and legislative enhancements. Is this project accountable for recommending actions and decisions that will reduce risks and improve response standards? For example, will the model be able to provide insight into whether there is sufficient rescue tug and salvage capability in the Salish Sea to prevent the most likely accidents? In the Salish Sea, vessels are often close to shore, making a focus on prevention all the more critical because there is so little time available before swift tidal currents bring the oil onto shorelines.

To give you context for our concerns, I encourage you to read the Islands Trust Council's letter of comment to the National Energy Board about the proposed Trans Mountain Pipeline Expansion Project and our first submission to the Tanker Safety Expert Panel.

I encourage Transport Canada to reach out to our communities in the Salish Sea by providing plain-language information on this initiative through community newspapers. On request, we would be pleased to provide you with a list of local publications. I also encourage Transport Canada to host further workshops on Vancouver Island and to host a meeting near Howe Sound.

The Islands Trust Council is a federation of local government bodies representing 25,000 people living within the Islands Trust Area and another 10,000 non-resident property-owners. The Islands Trust is responsible for preserving and protecting the unique environment and amenities of the Islands Trust Area through planning and regulating land use, development management, education, cooperation with other agencies, and land conservation. The area covers the islands and waters between the British

Columbia mainland and southern Vancouver Island. It includes 13 major islands and more than 450 smaller islands covering 5200 square kilometres.

Thank you for considering this feedback.

Sincerely,

FINAL TO BE SIGNED

Peter Luckham
Chair, Islands Trust Council
pluckham@islandstrust.bc.ca

cc: Tim McCann, Project Manager, Canadian Coast Guard
Islands Trust Area MPs
Islands Trust Area First Nations
San Juan County Council
Bowen Island Municipal Council
Islands Trust Council
Islands Trust website

Area Risk Assessment Draft Methodology Overview

Southern BC

Agenda

What are we going to cover?

1. Introduction
2. Probability of Spill
3. Scenario Selection
4. Risk Assessment
5. Conclusion

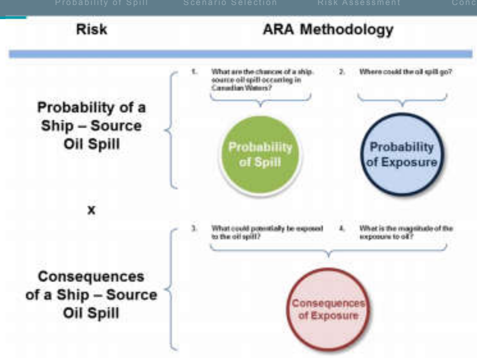
The Dillon Team

- Development and implementation of marine risk assessment methodologies, and risk assessments.
- Presentation and validation of risk assessment methodologies.
- Direct spill preparedness and response experience in three (3) of the four (4) pilot areas - Bay of Fundy, Port Hawkesbury and Gulf of St. Lawrence.
- Experience in utilizing international best practices that are directly applicable to the Canadian marine operating environment.

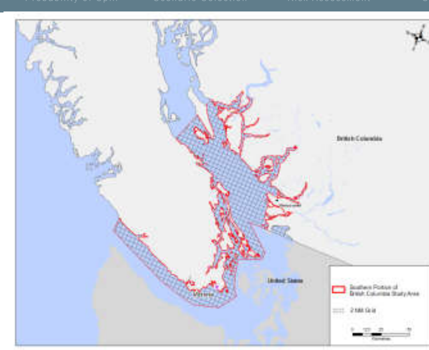
Area Risk Assessment (ARA) Objectives

- Propose a framework to assess the existing spill prevention, preparedness and response activities to reduce the risk from ship-source oil spills.
- Determine the most vulnerable locations within the four pilot areas to a ship-source & Oil Handling Facility (OHF) oil spills, taking into consideration:
  1. Existing spill preparedness and response activities;
  2. Marine safety measures;
  3. Local geography;
  4. Environmental sensitivities; and
  5. Ship traffic volumes.

ARA Methodology – Three Elements

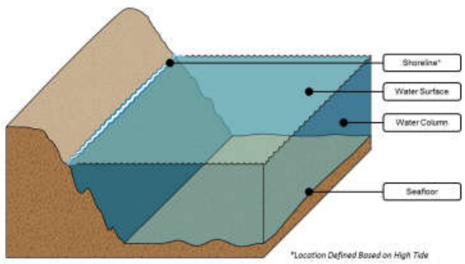


ARA Methodology – Definition of Study Area



ARA Methodology – Definition of Study Area

- In order to examine the risks of ship-source spills, each Study Area is subdivided into a series of Grid Cells.
- Each Grid Cell consists of four layers called a Grid Layer.
- The Grid Layers allow the ARA Methodology to have sufficient spatial resolution to assess the risks of an oil spill.

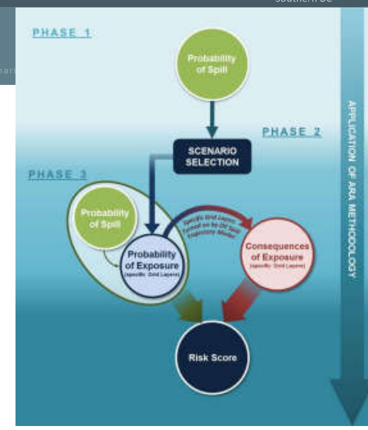


ARA Methodology

Phase 1 – Probability of Spill

Phase 2 – Scenario Selection

Phase 3 – Risk Assessment



Key Considerations

Validation

- The Area Risk Assessment methodology provides a reasonable representation of the risks within Canadian waters to ship-source oil spills within the four pilot areas.
- It is expected that as each Phase of the proposed risk assessment is completed, the results are validated by local experts.

Data Availability

- The proposed ARA Methodology is still in the developmental phase, and as new information and perspectives from the public are collected, further enhancements to the methodology will be made.

Key Considerations

- Designed for Canadian Waters south of the 60th Parallel.
- Includes oil spills that occur in US territorial waters within 12 nautical miles of the Canadian border.
- Undergo and independant peer review.

Phase 1 – Probability of Spill

Phase 1 – Probability of Spill determines:

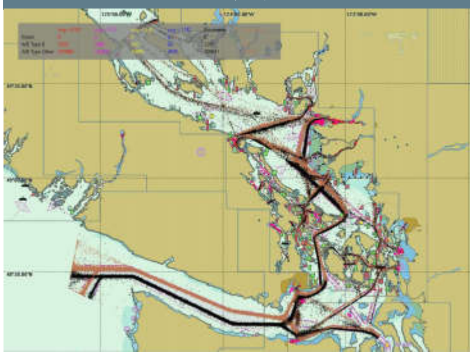
- Probability and location of an accident that involve one or more ships
- Type of ship(s) involved in the accident
- Probability and volume of oil being spilled from the accident
- Type of oil being spilled

Phase 1 – Probability of Spill

A computer model called SAMSON is utilized to estimate the probability, size and location of oil spills using:

- Ship Traffic Database (Automated Identification System – AIS)
- Local Conditions (wind and currents, hydrographic charts)
- Preventive Marine Safety Measures in place (e.g. pilotage, traffic separation, tugs)
- Type and volume of oil being transported

Ship Traffic and Local Conditions



- Traffic in area is approximately:
  - 50% tugs
  - 20% ferries
  - 18.5% commercial ships
  - 10% cruise ships
  - 1.5% oil tankers
- Local weather data obtained from EC/NOAA weather buoys
- Local current data obtained from a hydrodynamic model

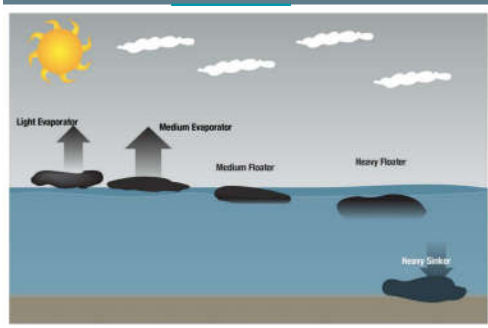
AIS Demonstration
AIS in Anchorage

Preventative Marine Safety Measures

The SAMSON model takes into account the following Preventative Marine Safety Measures:

- Admission Policy
- AIS and ECDIS
- Aids to Navigation
- Anchorage Areas
- Marine Safety Information
- Waterway Management
- Safety Distances
- Pilotage
- Traffic Separation Schemes
- Vessel Traffic Management Solutions
- Tugs (Tethered and Escort)

Type and Volume of Oil



- Volume and type of Oil is based on the range of vessel types present in the Pilot Area.

Accidents predicted by SAMSON

Accident Type	Definition
Collision	The impact of two vessels that are both moving.
Allisions	The impact of one moving vessel into another vessel that is stationary (berthed or at anchor).
Wreck / Stranding	A wreck is a powered grounding of a vessel while a stranding is the vessel losing engine power and grounding from the force of the wind and current.
Hull Failure / Machinery Failure	Due to an equipment and/or mechanical failure inside the vessel, the vessel's hull is penetrated.
Foundering	The sinking of a vessel.
Fire/Explosion	A fire or explosion on the vessel, which does not necessarily lead to an oil spill.

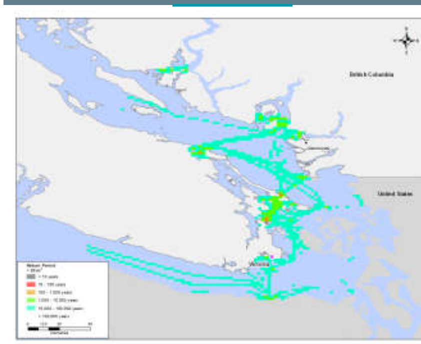
Phase 1 – Probability of Spill

SPILL CLASS	SPILL SIZE FROM (m^3)	TO (m^3)	VESSEL TYPE
1	0.01	30	Fishing, Recreation
2	30	150	Small Commercial
3	150	1,000	Medium Commercial
4	1,000	5,000	General Purpose Med. Range Tanker
5	5,000	15,000	Long Range 1 Tanker Panamax
6	15,000	30,000	Aframax
7	30,000	100,000	New Panamax Suezmax
8	>100,000		VLCC ULCC

SAMSON calculates **Probability of Spill** in each Grid Cell using this colour-coded scale

Return Period
<10 years
10 – 100 years
>100 – 1000 years
>1000 – 10,000 years
>10,000 – 100,000 years

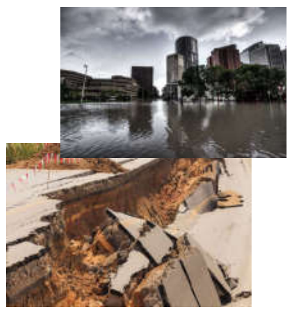
Phase 1 – Probability of Spill



- SAMSON generates a Probability of Spill heat map for each Spill Class
- Here is an example Probability of Spill map for Southern BC

Phase 2 – Scenario Selection

- The probability of an oil spill is also commonly referred to as a "Return Period".
- Return Period is commonly used to present probabilities of events such as floods and earthquakes, and for risk analysis purposes – designing structures to withstand events with certain Return Periods.



Phase 2 – Scenario Selection

Phase 2 – Scenario Selection:

- Prioritizes the locations with the highest probability of an oil spill for further study in Phase 3
- Utilizes the Probability of Spill results generated by SAMSON in Phase 1.

Phase 2 – Scenario Selection

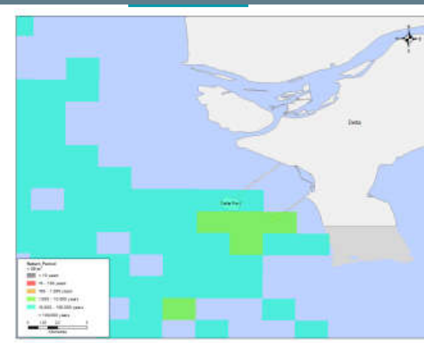
Two types of scenarios are selected:

- Level 1 Scenarios
  - Spills with a Return Period of 1 in 1,000 years (or a 0.1% chance in any given year of the scenario occurring at a specific grid cell)
- Level 2 Scenarios
  - Spills with a Return Period of 1 in 5,000 years (or a 0.02% chance in any given year of the scenario occurring at a specific grid cell)

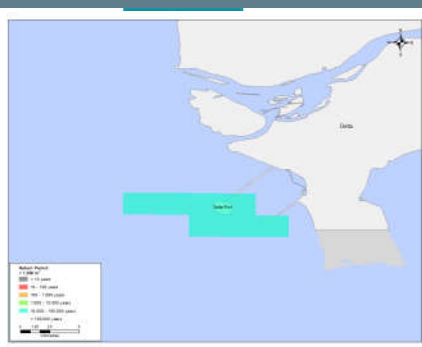
For the ARA Methodology, a standardized Return Period allows for a consistent means of selecting spill scenarios in a Study Area.

To put this into context….

Phase 2 – Scenario Selection



Phase 2 – Scenario Selection



Phase 3 – Risk Assessment

- Phase 1 of the ARA Methodology determines "Probability of Spill".
- Phase 2 selects the oil spill scenarios that includes the:
  - Location of oil spill
  - Type of oil that is released
  - Volume of oil that is released
- The risk assessment of each scenario that is identified in Phase 2 is then completed in Phase 3.

Phase 3 – Risk Assessment

The risk assessment is a three step process:

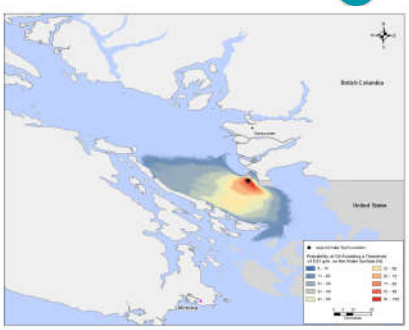
- Step One:
  - Trajectory analysis is conducted using a computer model to determine where the oil spill will go.
- Step Two:
  - Consequence score is calculated based on environmental sensitivities in contact with oil (based on the trajectory analysis).
- Step Three:
  - Results of Steps 1 and 2 are combined with the Probability of Spill to generate the Risk Scores within each grid cell.

Step 1 – Trajectory Analysis

- All spill scenarios are first modeled using RPS ASA's SIMAP (Spill Impact Model Application Package) oil spill modeling system.
- SIMAP quantifies the following, in all 3 dimensions within a Grid Cell and over time, for each individual model run/scenario:
  - Oil mass, volume and thickness on the water surface
  - Oil mass, volume and thickness on shorelines
  - Oil concentrations in the water column
  - Oil concentrations in the sediments

Step 1 – Trajectory Analysis

- Inputs to SIMAP include local wind conditions, currents, ice conditions, and other water parameters (such as temperature), and spill response measures.
- Outputs from SIMAP for each scenario show the probability of oil being present in:
  - Water Surface
  - Water Column
  - Seafloor
  - Shoreline
- This map represents an example of the SIMAP results showing the probability of the presence of oil on the water surface.



Step 2 – Consequence of Exposure

Three types of sensitivity information is used in the ARA Methodology:

1. Biological
   - Protected Areas and Important Habitat – Protected Areas through legislation and regulations, and important for certain species
   - Species at Risk – Mammals, birds, reptiles, fish, invertebrates and marine plants
2. Physical
   - 11 different types of shorelines ranging from bedrock cliffs to marsh
   - 3 different seafloor types based on geological features and sediment type
3. Socio-Economic
   - Human use of resources for social and economic benefit
   - 7 different socio-economic factors – commercial fishing, tourism, parks, First Nations communities and cultural sites, water use facilities, freight movement, population density

Consequence of Exposure - Biological

The sensitivity of "Protected Areas and Important Habitat" being exposed to oil is based on a hierarchy ranking from highest to lowest as follows:

- Designated under international, national or provincial laws and/or regulations
  - Gulf Islands National Park Reserve of Canada
- Areas that have status through regulations or laws but are not considered protected
  - Important Bird Areas, RAMSAR Wetlands (Fraser River Delta)
- Habitats identified as being important to certain species or groups of species
  - Seal and Sea Lion haulout areas and Ecological or Biological Significant Areas (EBSA)

Consequence of Exposure - Biological

The sensitivity of "Species at Risk" being exposed to oil is based on a hierarchy ranking from highest to lowest as follows:

- Endangered Species – facing imminent local or global extinction.
  - Killer Whale
- Threatened Species – potential to become Endangered.
  - Humpback Whale
- Species of Concern – potential to become Threatened.
  - Gray Whale

Consequence of Exposure - Physical

Two ways that the shoreline and seafloor can be exposed to oil:

1. The oil washes onto the shoreline.
2. The oil sinks or mixes with sediment in the water and accumulates along the seafloor.

The sensitivity of the shoreline being exposed to oil is based on:

- Type of shoreline

The sensitivity of the seafloor being exposed to oil is based on:

- Type of seafloor

Consequence of Exposure – Socio-Economic

The ARA Methodology considers 7 different socio-economic factors:

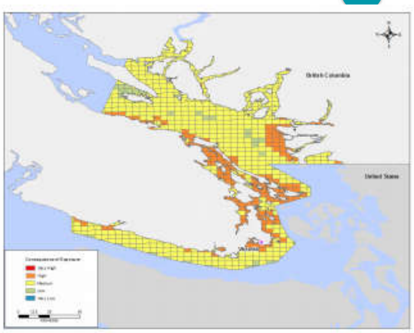
- Commercial fishing, tourism, parks, First Nations communities and cultural sites, water use facilities, freight movement, population density

The sensitivity of the socio-economic factors being exposed to oil is based on:

- Proximity to the oil spill – meaning that there does not need to be direct contact with oil for an impact to occur
  - The degree of impact goes up as the oil gets closer
- The amount of socio-economic activity being exposed to the oil

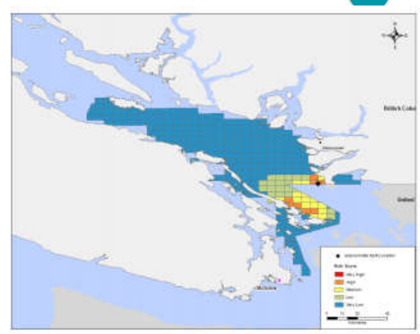
Step 2 – Consequence of Exposure

- The three consequence elements are combined to calculate the *Consequence of Exposure* within each grid cell.
- Here is a map of that shows an example of the Consequence of Exposure scores within each grid cell.



Step 3 – Calculation of the Risk Scores

- Risk Score is calculated per Grid Cell.
- Here is a Risk Score map for a hypothetical scenario.



Summary

Phase 1 – Probability of Spill

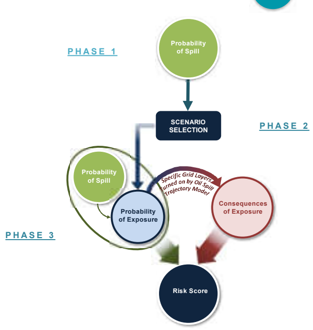
- Probability and location of an accident that involves one or more ships or at an OHF

Phase 2 – Scenario Selection

- Determines highest risk locations for a ship-source oil spill

Phase 3 – Risk Assessment

- Step 1 – Trajectory Analysis
- Step 2 – Consequence of Exposure
- Step 3 – Determine the Risk Scores



Questions?

ARPI-IPIL@tc.gc.ca

Islands Trust

REQUEST FOR DECISION

To: Executive Committee

For the Meeting of:: **July 6, 2016**

From: David Marlor

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SUBJECT: **CHANGES TO THE CONTAMINATED SITES REGULATION**

RECOMMENDATION:

That the Executive Committee request that the Director of Local Planning Services provide a written response to the proposed changes to the Contaminated Sites Regulation.

ISSUE SCREENING:

1. Origin of issue: June 1, 2016 consultation notice from BC Ministry of the Environment
2. Executive Committee decision is: **discretionary**
3. Issue is most closely related to Executive Committee Terms of Reference (6.1): **Yes**
4. Related to Islands Trust Policy Statement: **4.4.6; 4.6.3**
5. Related to 2014-2018 Strategic Plan: **No.**

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:
Writing a response will take approximately half a day of the Director of Local Planning Services time, with an hour of support from the Trust Area Services Policy Advisor

FINANCIAL:
None

POLICY:
None

IMPLEMENTATION/COMMUNICATIONS:
The Director of Local Planning Services will send a letter to the BC Ministry of Environment by July 31, 2016. The letter will not be posted to the website or copied to any other agency/body.

OTHER:
None

BACKGROUND

The BC Ministry of Environment is asking for feedback on proposed changes to the contaminated sites regulations. All local trust committees opted out of requiring site profiles in 1997. The new regulation will require local trust committees to opt in, but the changes will not prevent local trust committee land approval processes. Staff has some technical concerns regarding the new regime; therefore staff recommends that the Director of Local Planning Services respond by the July 31, 2016 deadline.

The BC Ministry of Environment plans to update some aspects of the contaminated sites legal regime, including mechanisms for identifying contaminated sites.

The current system has been in place since 1997. Under the current Contaminated Sites Regulations, local governments were given the option of opting out of the requirement to obtain site profiles for contaminated sites before approving land use decisions. As the regulation was new, there were many concerns around potential liability and the cost to local governments of undertaking the administration of site profiles. As a result, and based on legal advice, all local trust committees opted out (by resolution).

Under the proposed regulation, local governments will no longer be allowed to opt out of requiring site profiles for contaminated sites. Table 1 from the proposal paper outlines the current and proposed regime. Of note is that local government applications will be retained as triggers for a site profile (such as zoning, development and development variance permits) but subdivision, soil removal and demolition will be removed as a trigger. Building permit will be added as a trigger. The idea is to capture a contaminated site and require remediation only when the land is developed.

Another change is that under the new regime, local government approval processes (such as rezoning or development permitting) will not be frozen. Currently, for local governments who have not opted out, a local government cannot process a development application until a legal instrument or release letter is issued. As the local trust committees have opted out of the process, this currently has no effect on local trust committees. The new regime would require all local trust committees to collect site profiles for identified contaminated sites; however, it would not prohibit the local trust committee from processing and ultimately approving development applications.

Under the new regime, a determination that a site is not contaminated or a certificate of compliance must be obtained prior to final building inspection or issuance of an occupancy permit. The staff letter to the Province would raise concern that on islands that do not have building inspection, such as Denman and Hornby, or in situations where building inspection or final occupancy is not required, there appears to be no means to require compliance.

REPORT/DOCUMENT:

- Intentions Paper Series: Review of British Columbia's Site Remediation Legal Regime.

KEY ISSUE(S)/CONCEPT(S):

Provide a response to the BC Ministry of Environment on proposed changes to the Contaminated Sites Regulation

RELEVANT POLICY:

- BC Government – Contaminated Sites Regulation
- Islands Trust Policy Statement policy 3.1.9:

Trust Council encourages actions and programs of other government agencies which place priority on the side of protection for Trust Area ecosystems when judgment must be exercised; protect the diversity of native species and habitats in the Trust Area, and prevent pollution of the air, land and fresh and marine waters of the Trust Area.

DESIRED OUTCOME:
Response from the Director of Local Planning Services by July 31, 2016.

RESPONSE OPTIONS

Recommended:

That the Executive Committee request the Director of Local Planning Services to provide a written response to the proposed changes to the Contaminated Sites Regulation.

Alternative:

1. Provide a written response from the Executive Committee Chair highlighting concerns identified by the Executive Committee.
2. Request staff to obtain a legal opinion on the effects of the proposed changes.
3. Not provide a response.

		Date:
Prepared By:	David Marlor, Director of Local Planning Services	**June 29, 2016**
Reviewed By:	Clare Frater, Senior Policy Analyst	

INTENTIONS PAPER SERIES

REVIEW OF
BRITISH COLUMBIA'S
SITE REMEDIATION
LEGAL REGIME

B.C. MINISTRY
OF ENVIRONMENT
LAND REMEDIATION SECTION

IDENTIFICATION OF CONTAMINATED SITES

BRITISH COLUMBIA

Ministry of
Environment

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Review of British Columbia's Site Remediation Legal Regime

INTENTIONS PAPER
IDENTIFICATION OF CONTAMINATED SITES

Table of Contents

1 Introduction

The B.C. Ministry of Environment (the ministry) plans to update some aspects of British Columbia's contaminated sites legal regime, including the mechanism for identifying contaminated sites (presently called the site profile process).

The ministry issued a discussion paper on this topic in October 2014 and has carefully reviewed the resulting comments from stakeholders, as well as practices in several other jurisdictions. Information gathered through this process was used to guide the ministry in proposing a revised process for the identification of contaminated sites in B.C. The resulting intentions paper presented herein describes what the ministry considers an effective, workable process for identifying contaminated sites in B.C.

Stakeholders are requested to comment on this intentions paper (see Section 8, Invitation to Comment). All comments will be considered as we finalize a process for identifying contaminated sites that meets ministry priorities and objectives and also considers stakeholder comments.

2 Background

2.1 What is the existing mechanism for identifying contaminated sites?

The existing site profile process has been in effect since 1997 and is founded on a series of legal provisions set out in the *Environmental Management Act* (the Act) (formerly the Waste Management Act) and Contaminated Sites Regulation (the Regulation). These provisions are intended to bring contaminated sites to the attention of the ministry when a parcel of land is at a stage conducive to site investigation and remediation, such as when a site is being decommissioned or before reuse or redevelopment. Fact sheets and guidance documents describing the current site profile process are available from the ministry's website.

2.2 Why was the site profile process established?

The site profile provisions set out in the Act and Regulation were established largely due to local government concerns regarding liability protection and the redevelopment of contaminated lands. Local governments wanted a legally defined, uniform process to screen for contaminated sites and to ensure that remediation occurred before land use changed.

2.3 How does the site profile process presently work?

The provisions of the Act and Regulation apply to sites used for those industrial and commercial purposes and activities listed in Schedule 2 of the Regulation. The provisions specify the purposes or activities that may trigger the requirement to submit a site profile to the ministry. Site profiles are submitted to the ministry as follows:

- directly (for site decommissioning or foreclosure proceedings)
- via the Oil and Gas Commission (for applications for Certificate of Restoration)
- via the relevant local government (for applications for subdivision, development, development variance, zoning, demolition and soil removal).

The Regulation lists several exemptions to the site profile submission requirements, and it allows individual local governments to opt out of site profile administration.

The ministry, the Oil and Gas Commission (the Commission) and local government have separate but integrated duties to ensure that (1) site profiles are submitted and satisfactorily completed, and (2) the applications listed in the last two bullets above are not approved until the requirement for site investigation has been met.

Where a site profile is required, an approving authority (the Commission or local government) must not approve any of the applications listed (in the last two bullets above) unless and until the application is released under one of the seven circumstances described in various other statutes (*Islands Trust Act, Land Title Act, Local Government Act, Vancouver Charter* and *Oil and Gas Activities Act)*. These provisions are intended to ensure that appropriate site investigation and, if necessary, remediation occur before a site is redeveloped.

2.4 Why are we revising the site profile process?

The ministry is revising the site profile process because several weaknesses and gaps have become apparent.

The existing process was intended to ensure that a parcel of land is investigated and remediated before reuse or redevelopment of the land, but in practice it is overly conservative, capturing too many sites. For example, the existing triggers commonly bring a parcel into the site profile process when proponents undertake activities that will not change the land use. This has resulted in the ministry having to add additional release mechanisms to the Act. In practice, the site profile process is confusing and requires significant ministry resources to administer. These and other concerns were described in the previous discussion paper.

Although the proposed site identification process will not identify all contaminated sites in the province, there are many other ways in which the ministry finds out about contaminated sites. These include Notification of Independent Remediation (NIR), Notification of Likely or Actual Offsite Migration (NOM), complaints, spill reports, emergency response, and service applications. Thus, it is not necessary or desirable to create a site identification process so stringent that it captures 100 percent of the contaminated sites in the province. In fact, creating such a stringent process would likely over-capture these sites and cause an unnecessary administrative burden for all parties and increase the cost of redeveloping sites in BC.

3 Ministry Priorities and Objectives

When industrial or commercial land is going to be reused or redeveloped, and when that reuse or redevelopment will change the land use, it is important to have an effective mechanism for identifying contaminated sites. The ministry has identified the following priorities and objectives with respect to identifying contaminated sites.

Priorities

- Create a process for identifying contaminated sites that is consistent across the province.
- Provide stakeholders with an automatic, predictable process.
- Write clear requirements directly into the legislation, eliminating statutory decision making by the Director and the need for oversight by ministry staff.

Objectives

- Streamline the site identification process by identifying contaminated sites at an appropriate time in the redevelopment process.
- Ensure that potentially contaminated sites are adequately investigated and, if necessary, remediated, before reuse or redevelopment.

The ministry intends to retain the current immunity provisions in the Act relating to municipalities and related officials.

4 Review of Other Jurisdictions

Legislation in several jurisdictions was reviewed to determine how contaminated sites are identified and regulated in relation to the redevelopment and reuse of land.

Alberta, Canada

Local government is responsible for ensuring that sites are suitable for use (with respect to environmental conditions) as part of the approval process for land-use planning. The local government may or may not require a remediation certificate (similar to a Certificate of Compliance) when redeveloping a contaminated site.

Ontario, Canada

Ontario's contaminated sites legislation focuses on remediation of industrial and commercial land prior to a change to a more sensitive use, for example from industrial to residential use. When a change in land use occurs, all industrial and commercial properties must undergo a Phase 1 Environmental Site Assessment (ESA). If it is determined that an activity listed in Table 2 of the *Environmental Protection Act* occurred, the site owner must also complete a Phase 2 ESA. If contamination is found, remediation must be completed and a Record of Site Condition (RSC) must be filed on the Environmental Brownfield Site Registry. A building permit cannot be issued until an RSC has been filed on the Registry. A wide range of people (e.g., lenders or municipalities) have the authority to require an RSC for any purpose. Feedback provided suggests this leads to much uncertainty about whether an RSC will be required for a certain activity and drives site investigation and remediation at inappropriate times (e.g., no change in land use).

Quebec, Canada

Quebec's contaminated sites legislation focuses on remediation of industrial and commercial land (as listed in the Land Protection and Rehabilitation Regulation, Schedules III and IV—Categories of industrial and commercial activities) prior to a change in use, regardless of whether the new use is more sensitive. Relevant requirements include:

- Within six months of decommissioning an industrial or commercial activity or when changing land use from industrial or commercial use to another use, an owner must complete a site investigation and submit a rehabilitation plan to the ministry for approval.
- The site must then be remediated and a Notice of Decontamination obtained from the ministry **prior to** applying for local government approvals for redevelopment. If contamination has been left in place, local government permitting requirements must be met before redeveloping the site. Land use restrictions may be registered on land title.

Oregon, United States

There is no defined process for identifying contaminated sites in the State of Oregon. Identification of contaminated sites is often market-driven (e.g., site investigation may be required by a lending institution prior to approving a loan for redevelopment of a site).

There is no connection to the local government permitting process. However, some local governments may require documentation from the Department of Environmental Quality confirming that remediation has occurred before they will issue permits for redevelopment.

United Kingdom

In the United Kingdom, the national "suitable for use" policy for contaminated land is intended to ensure that all sites are investigated and unacceptable risks mitigated prior to redevelopment. However, the national Environmental Agency is limited to an advisory role, whereas the Local Planning Authority (i.e., local government) is responsible for the following:

- determining the appropriateness of a developer' site investigation, risk assessment and proposal for remediation
- controlling the development, taking into account all material considerations including contamination
- ensuring that planning conditions (requirements) are complied with

In addition, the national Building Regulations include provisions relating to land affected by contamination and require that people and buildings be safeguarded against contamination at a site. Building control approval (final building inspection) is required for all new developments, and the building control provider (building inspector) is responsible for determining that the Building Regulations have been complied with.

Queensland, Australia

The State of Queensland has two land registries. The Environmental Management Register (EMR) is similar to the B.C. Site Registry and provides information about historic and current land uses of a site, whether the site is known to be contaminated and whether any measures are required to manage site contamination. Landowners and local government must register any site where a "notifiable activity" has occurred or is occurring (as listed in Schedule 3 of the *Environmental Protection Act*). The EMR is a public database that can be searched by landowners, developers and prospective purchasers.

The Contaminated Land Register is for sites that are confirmed to be contaminated and where the land must be remediated to prevent serious environmental harm (similar to B.C.'s so-designated high risk sites).

Lands listed on the EMR must be investigated and remediated prior to a change in land use. If a proposed development involves "rezoning" to a sensitive use (e.g. Residential), or to commercial use where the development includes underground facilities (e.g., for a parkade), then a compliance permit is required from government. A compliance permit appears to be similar in purpose to a Certificate of Compliance.

This state-run process occurs in conjunction with the local government permitting process. Additional requirements for risk management may be imposed by local government in relation to a development permit or other approval.

5 Proposed Changes to the Process for Identifying Contaminated Sites

Note about the terms "site profile" and "site identification"

Under the proposed process, the site profile form will no longer exist in its current state. Instead, a modified short form will be used to identify sites with industrial and commercial purposes or activities (as listed in the Regulation) that are to be decommissioned or redeveloped or that are going through insolvency proceedings. In this intentions paper, we refer to the process for identifying contaminated sites as the "site identification process" and to the form as the "site identification form."

The ministry proposes to change the process for identifying contaminated sites so that it is easier for proponents to follow and will be more efficient for the ministry, the Oil and Gas Commission and local government to administer. The changes proposed in the following sections are intended to meet ministry priorities and objectives and take into account comments the ministry received from stakeholders regarding the discussion paper.

The intent of the new site identification process is to identify sites upon decommissioning, when they will be redeveloped for a new use or when they are going through insolvency proceedings.

Attributes of the proposed site identification process

Clarity. The process will be more automatic and therefore more predictable. For example, when the site identification process has been triggered, if a site has had a Schedule 2 activity:

- Currently, the *Director* must decide whether a preliminary site investigation (PSI) or detailed site investigation (DSI) is required based on a site profile submission. The Regulation does not specifically state when remediation is required.
- Under the proposed process, the *Regulation* will state when a PSI is required (followed by a DSI if contamination is identified) and whether remediation is required. No Director's decision is needed.

Under the proposed process, there will be no need for a Director's decision requiring site investigation or remediation at any stage. This is because the triggering requirements will be clearly stated in the Regulation and will apply province wide. As a result, proponents will know in advance what is expected and will be able to integrate site investigation and remediation requirements into their planning for the site.

Simplicity. The new process will be simpler and easier to understand. Proponents and stakeholders will no longer have to look in multiple acts, regulations and guidance documents to understand the process for identifying contaminated sites. They will no longer have to wait up to 30 days for a Director's decision regarding requirements for site investigation; instead, requirements for site investigation and site remediation will be specified in the Regulation.

The proposed process will benefit proponents by offering predictable outcomes and should reduce the time and effort spent obtaining permits from local government. This streamlined process should require less ministry oversight and allow ministry resources to focus on high risk sites and overall compliance verification.

Flexibility. The process will no longer put a hold on local government approvals (for example, development permits). Proponents will be free to continue with their development plans while concurrently completing the site investigation and remediation requirements.

The main differences between the existing site profile process and the proposed process are summarized in Table 1. Details are provided in the remainder of this intentions paper.

*Note: Table 1 is a summary only. It must be read in conjunction with the full text of this intentions paper for a complete understanding of the concepts presented.

Table 1. Comparison of the existing site profile process and the proposed site identification process

Aspect of process	Present site profile process	Proposed site identification process
Forms and schedules	Site Profile form (Schedule 1) includes questions about site use (Sections IV through IX of the form).	Schedule 1 (to be termed "Site Identification Form") will no longer include questions about site use.
Triggers for submission of a site identification form (initiates site investigation and remediation requirements)	Site decommissioning or insolvency proceedings	Site decommissioning and foreclosure will remain triggers. The definition of decommissioning a site may change for clarity. New trigger: application for protection under *Companies' Creditors Arrangement Act.*

Aspect of process	Present site profile process	Proposed site identification process
Triggers for submission **(continued)**	*Local government applications* • Zoning, subdivision, development or development variance, soil removal or demolition.	*Local government applications* • Retained as triggers: zoning, development, or development variance permit • Removed from the list of triggers: subdivision, soil removal, demolition • New trigger: building permit
	Application for a Certificate of Restoration (Petroleum and Natural Gas Act) is a trigger.	Application for a Certificate of Restoration (Petroleum and Natural Gas Act) is no longer a trigger, but sites will be identified during site decommissioning.
Exemptions from the requirement to submit a site identification form and subsequently complete a site investigation	Section 4 of the Regulation exempts some proponents from having to submit a site profile. Municipalities can opt out	Section 4 of the Regulation will be revised to omit obsolete exemptions and add or revise exemptions as needed to make the exemptions complement the other proposed changes. Municipalities cannot opt out.
Process for decommissioning or foreclosure	If Schedule 2 activities have occurred and at least one question in Sections IV through IX is marked "yes" on a site profile form, the Director decides whether to require a site investigation. If a site investigation is required, site investigation reports and a Site Risk Classification Report must be submitted within 1 year.	If Schedule 2 activities have occurred, a site investigation will automatically be required by the Regulation. Submission of site investigation reports and a Site Risk Classification Report will be required within 1 year. Provision for extension of the 1-year timeframe at the discretion of the Director. Note: Refer to Section 5.2.1 for details regarding sites regulated

Aspect of process	Present site profile process	Proposed site identification process
		under the Oil and Gas Activities Act.
Process for local government approvals	If Schedule 2 activities have occurred and at least one question in Sections IV through IX on a site profile form is marked "yes," the Director decides whether to require a site investigation.	If Schedule 2 activities have occurred, a site investigation will automatically be required by the Regulation. If contamination is present, remediation will automatically be required. Annual progress reporting will be required.
	If a site investigation is required, local government approvals are “frozen” until a legal instrument or a release letter is obtained.	Local government approvals will not be frozen. A Determination that the site is not contaminated or a Certificate of Compliance must be obtained prior to the final building inspection or issuance of an occupancy permit.
	Immunity is provided for local government—“protected person” under the Act.	Immunity for local government will be retained.
Compliance and enforcement	For a release, the Director imposes requirements for annual progress reporting and closure reporting.	The Regulation will require annual progress reporting.
	Reporting requirements are tracked by ministry staff via the Site Registry.	Reporting requirements will be tracked by ministry staff via the Site Registry.
	Remediation must be completed within 5 years.	The proponent can take as long as desired to remediate the site, but remediation must be complete (and a legal instrument obtained) prior to the final building inspection or issuance of an occupancy permit.

5.1 Forms and schedules

The ministry intends to revise and simplify the site identification form (presently Schedule 1 of the Regulation – the site profile form) and the Industrial and Commercial Uses and Purposes list (presently Schedule 2 of the Regulation).

5.1.1 Site identification form (Schedule 1)

The site identification form (presently the site profile form, Schedule 1) will be amended so that it does two things:

1. **Identifies the site.** It will retain Sections I and II of the present form, possibly with minor changes.

2. **States whether the site has had a Schedule 2 use.** It will retain Section III of the present form.

All the questions about historical site use will be removed (currently Sections IV through XI).

The revised form will be used to notify the ministry (specifically, the Site Registrar) that a Schedule 2 activity has occurred on a property and that the site identification process has been initiated. This will enable the Site Registrar to enter the information on the Site Registry and to note the reporting requirements required by the Regulation.

Under the proposed process, when the ministry receives a site identification form, the proponent will be sent a notice (which may include a fact sheet) outlining their obligations and requirements under the Regulation. Where applicable, the local government will be provided with a copy of the site identification form and be notified of the proponent's obligations under the legislation.

Site history searches

Section III of the site identification form will continue to request information about Schedule 2 activities. However, to improve the accuracy of information provided in this section, a proponent will be required to complete specific information searches to determine the historical use of the site. The site identification form will include a check box and declaration to sign confirming that the required searches have been completed. The resulting information must be maintained by the site owner and can be requested by the Director. If new information about historical site use subsequently becomes available, the proponent must notify the ministry so that the Site Registry can be updated.

The ministry intends that it will be possible and reasonable for information searches to be completed by the proponent without help from a consultant. The required record searches may include all of the following:

- the Site Registry
- historic and current land titles
- local government records relating to business licences, zoning, soil deposit records and other relevant site activities
- city street directories, where available
- information provided by current and former owners
- environmental and geotechnical reports and/or government issued discharge authorizations relevant to the site, where available
- spill records

The existing offence provisions in the Act, Section 120(17)(a), relating to submission of site profiles, will be retained and updated to reference the new site identification form.

5.1.2 Industrial and commercial purposes and activities (Schedule 2)

Schedule 2 will be updated to ensure that the listed activities are relevant and adequately capture contaminated sites in B.C.

Activities and uses currently listed in the question sections of the site profile form will be incorporated into Schedule 2 where applicable. This approach will eliminate the problem of proponents not knowing whether a question presently in Sections IV–IX of the site profile form should be marked "yes" or "no."

5.2 Activities triggering submission of a site identification form (initiating requirements for site investigation and site remediation)

The ministry aims to identify contaminated sites when a parcel of land is at a stage conducive to site investigation and to ensure that contaminated sites are remediated during the redevelopment process. With this in mind, the ministry intends to amend the triggers for submission of a site identification form (which initiates the requirements for site investigation and remediation) as follows.

5.2.1 Site decommissioning and foreclosure

Site decommissioning and foreclosure will remain as key triggers for the site identification process. We will redefine the term "decommission a site" to ensure clarity of meaning and ensure that all sites being decommissioned are captured.

Sites where industrial or commercial purposes and activities listed in Schedule 2 of the Regulation have occurred that are being decommissioned or foreclosed will trigger a requirement to complete a site identification form for submission directly to the ministry's Site Registrar, or to the Oil and Gas Commission (the Commission) (for sites regulated under the *Oil and Gas Activities Act)*. Site decommissioning and foreclosure will automatically trigger a requirement in the Regulation to complete a site investigation and to

- submit site investigation reports and a Site Risk Classification Report to the Director within one year of site decommissioning, or
- for sites regulated under the *Oil and Gas Activities Act*, submit site investigation reports and a Site Classification Form to the Commission within one year of site decommissioning.

The ministry presently achieves this through requirements imposed by the Director; the difference is that under the new process, the requirements will be automatic under the Regulation.

A provision will be included to allow extension of the one-year deadline for report submission at the discretion of the Director or the Commission.

5.2.2 Application for protection under the *Companies' Creditors Arrangement Act*

Companies that make an application to the Court for protection under the *Companies' Creditors Arrangement Act* (CCAA) will trigger a requirement to complete a site identification form for all properties located within the province of British Columbia and where industrial or commercial purposes and activities listed in Schedule 2 of the Regulation have occurred. The form(s) would be submitted directly to the ministry's Site Registrar. Application for protection under CCAA would automatically trigger a requirement in the Regulation to submit any and all existing site investigation reports and a Site Risk Classification Report to the Director within 30 days of filing the application.

5.2.3 Local government applications (zoning, subdivision, development or development variance, soil removal or demolition)

The following is proposed:

- Applications for any of the following will remain triggers: zoning, development or development variance.
- Applications for demolition, soil removal and subdivision will no longer be triggers. This is because these activities are often not related to site redevelopment. Under the current site profile process, for these types of applications, proponents are able to obtain a release that defers site investigation requirements until a later stage in the development process. Accordingly, the ministry considers it reasonable to remove these

triggers in order to meet our goal of only identifying sites being redeveloped for a new use.

- Application for a building permit will be added as a trigger. This is because a building permit is the most common local government approval required to redevelop a site. Adding building permits as a trigger further justifies the removal of the triggers mentioned above and will ensure greater consistency in identifying contaminated sites throughout the province.

5.2.4 Selling property that has had a Schedule 2 activity

The requirements for disclosure when selling a property that has had a Schedule 2 activity will remain unchanged. That is, a vendor will still need to provide a site identification form to a prospective purchaser if the property has had a Schedule 2 activity. The form will be for the prospective purchaser’s information only. It will not be forwarded to the ministry and will not trigger a requirement for a site investigation.

5.2.5 Oil and gas sector

An application for a Certificate of Restoration under the Petroleum and Natural Gas Act will no longer be a trigger because these certificates are not related to the redevelopment of a site. This change will require consequential amendments to the *Oil and Gas Activities Act*.

Sites in the oil and gas sector will continue to be identified upon site decommissioning (as described above in Section 5.2.1.).

5.3 Exemptions

Presently, many exemptions exist regarding the requirement to submit a site profile form (see the Regulation, Section 4). The exemptions are meant to ensure that only those sites undergoing decommissioning or foreclosure, or being redeveloped for a new use, are captured by this process. To ensure that the exemptions continue to meet their intended purpose, we propose the following changes:

- Remove the opt-out provision. Municipalities will no longer be able to opt out of the site identification process (section 4(4) of the Regulation). This will ensure consistency of process in all jurisdictions across the province.

- Remove the exemption from the duty to submit a site profile if one has already been filed on the Site Registry and accurately reflects current knowledge about the site (section 4(1)(a) of the Regulation). Submission of a site identification form would be required every time a triggering action occurs. This is because different requirements are intended to be incorporated into the Regulation for site investigation and remediation depending on the action occurring (for example: following site decommissioning or subsequent redevelopment of a parcel).

- Remove obsolete exemptions (for example, section 4(2) of the Regulation, which applies to sites remediated prior to April 1, 1997).
- Add new exemptions to ensure that site investigation and/or remediation are only required upon site decommissioning or foreclosure, or during redevelopment of a site. (Examples of possible exemptions: minor changes to zoning language where the land use stays the same or where a development permit is for the purpose of upgrading an existing facility currently used for an activity or purpose listed in Schedule 2.)

What if there is no Schedule 2 activity?

Under the existing site profile process, a person is exempt from the duty to submit a site profile if no Schedule 2 activities ever occurred on a property. However, a municipality can ask a proponent to fill out the form for their records only. These provisions will be retained in the Regulation.

5.4 Process for local government approvals

5.4.1 Site profile "freeze and release" provisions: Focus on the end point

The ministry intends to discontinue the present practice of freezing local government authorizations following a site profile submission. Instead, the ministry proposes to focus on the end point and require that the parcel be satisfactorily investigated and remediated before the final building inspection or occupancy occurs.

Under the proposed process, proponents would be allowed to proceed with site redevelopment but will be obligated to follow new requirements for site investigation and remediation. To confirm that proponents have satisfactorily investigated or remediated a site, they will need to obtain either a Determination or a CoC.

This approach is aligned with the ministry's priorities and objectives (see Section 3 of this intentions paper), and it will ensure that contaminated sites are investigated and successfully remediated prior to reuse.

The proposed changes will require consequential amendments to several local government statutes, including the *Islands Trust Act, Land Title Act, Local Government Act* and *Vancouver Charter*.

5.4.2 Requirements when a property being redeveloped has had a Schedule 2 activity (where no exemptions apply)

Unless otherwise exempted, when a proponent applies for specific local government approvals (zoning, development, development variance or building) and a Schedule 2 activity has been present on the site, this will trigger the requirement to complete a site identification form and submit it to the Site Registrar. The proponent will also be obligated to provide a copy of the form to the applicable local government.

Automatic requirements

Under the proposed process, submission of a site identification form to the Site Registrar will automatically trigger the following requirements, which are anticipated to be incorporated into the Regulation:

- The parcel(s) must be investigated until contamination is delineated in all media (soil, sediment, water, soil vapour) both on the parcel(s) and migrating from the parcel(s);
- Contamination must be remediated (this may include risk management and risk management controls) prior to the final building inspection or issuance of an occupancy permit;
- Annual progress reporting must be submitted for the duration of the project; and
- Remediation must be confirmed by obtaining a legal instrument (Determination or CoC) prior to final building inspection or occupancy, as determined by the local government permitting process.

The proposed changes will minimize local government responsibilities and shift them from the permit application stage (planning) to the final building inspection/occupancy stage (building officials). The existing immunity protection for local government officials provided under the Act will be retained. Local government officials are considered “protected persons” under the Act. Under those immunity provisions, local government officials are not liable for damages arising from reliance on a Determination, Approval in Principle or Certificate of Compliance.

6 Compliance and Enforcement

When the ministry receives a site identification form, staff will notify the proponent of their obligations, i.e., requirements triggered in the Regulation regarding site investigation, remediation and reporting. Where applicable, the ministry will also provide local government with a copy of the proponent’s obligations under the legislation. Providing this information to local government will allow local governments to track properties that require ministry instruments prior to final building inspection or occupancy. Information from the site identification form, requirements for site investigation, remediation and reporting and compliance history will be entered on the provincial Site Registry and tracked.

Responsibility for enforcing requirements related to the site identification process will rest with the ministry (or the Commission, in the case of applicable upstream oil and gas sites), and not with local government. Non-compliance with these requirements will be an offence under the Act.

7 Education and Training

The ministry recognizes that there will be a need for ministry support in order for those affected to understand and properly apply any changes made to the requirements. To this end, the ministry intends to provide extensive public education and training opportunities, including the following:

- webinars
- interactive training sessions for local governments and other stakeholders
- an updated ministry website with fact sheets and guidance documents for reference

8 Invitation to Comment

Comments on the proposed process for the identification of contaminated sites can be provided to the Ministry of Environment by email attachment or by mail to the address listed below.

All comments received through this process will be reviewed and carefully considered by the ministry prior to proposing future legislative and regulatory amendments relating to the identification of contaminated sites, which are anticipated to occur in 2017 or later.

Before submitting a response, interested parties are invited to participate in an information webinar scheduled to be held on June 15, 2016. If you are interested in receiving information about or participating in the webinar please contact Margaret Shaw at the email or address below for further details.

The ministry has prepared consultation questions and included them in this intentions paper. We encourage those interested to submit comments on the proposed process using the prepared consultation questions or by separate submission if desired.

All submissions will be treated confidentially by ministry staff and contractors when preparing consultation reports. Please note, however, that comments you provide and information that identifies you as the source of those comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

If you have any questions or comments regarding this intentions paper, or comments on the ministry's schedule for the consultation process, please contact Margaret Shaw, who has been contracted to manage consultation comments, at:

Email: **margaret_shaw@shaw.ca**

Mail: **Margaret Shaw, Writer/Editor/Consultant**
703 Macintosh Street, Coquitlam, BC V3J 4Y4

Comments to the ministry should be made on or before July 31, 2016. Thank you kindly for your time and comments.

9 Consultation Questions

The B.C. Ministry of Environment relies on critical input from our stakeholders to assist us in making informed decisions related to changes in policy. To this end, we welcome your input and suggestions in streamlining and improving the site identification process and the ideas proposed in this intentions paper. In framing this request we respectfully ask that you take the time to reply to the following questions about this intentions paper, and we appreciate your time and effort in doing so.

1. Section 5.1.1 – What is your opinion of the proposed list of historical searches that must be performed prior to completing a Site Identification form? What amendments, if any, do you believe are needed?

2. Table 1 and Section 5.2 – What comments or concerns do you have regarding the changes to the trigger activities (for example, removal of demolition and addition of building permit)?

3. Section 5.3 – Please provide examples of activities other than those listed in Section 5.3 that you believe should be exempted from the proposed process.

4. Table 1, Section 5.4.1 and Section 5.4.2 – What comments or concerns do you have regarding the selected endpoint for remediation for sites being redeveloped (i.e., what do you think of the endpoint being prior to final building inspection)?

5. What additional comments or suggestions do you have regarding our proposed changes to the process for identifying potentially contaminated sites in B.C.?

Background and Area of Interest

Please mark an “x” in the appropriate boxes.

Your primary interest in site remediation relates to:

- ☐ **Work in the land development or redevelopment sector**
- ☐ **Work providing professional services to private companies or government**

  Please describe (e.g., engineering, qualified professional):
- ☐ **Work for a government regulatory agency**

  Please describe (e.g., federal, provincial, municipal):
- ☐ **Work for a public sector organization**

  Please describe (e.g., health authority, education institution, Crown corporation)
- ☐ **First Nation:** Please describe:
- ☐ **Involvement with or work for an environmental or community interest group**

  Please describe:
- ☐ **Other interest:** Please describe:

If you wish, you may also provide contact information below. Contact information will be compiled separately from responses and will be used to update respondents on the ministry’s review of British Columbia’s site remediation legal regime.

Contact Information

If you wish to receive further information concerning the ministry’s review of British Columbia’s site remediation legal regime, please include an email address.

Note that all information will be treated as confidential by government staff and contractors. However, information that identifies you as the source of submission comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

Contact Name:

Business or Organization Name (if appropriate):

Email:

Mailing address:

Telephone:

Thank you very much for your comments and feedback. Please remember to return this response form to the ministry on or before July 31, 2016.

Islands Trust

BRIEFING

To: Executive Committee

For the Meeting of: July 6, 2016

From: David Marlor, Director of Local Planning Services

File No.:

SUBJECT: **SPECIES AT RISK**

DESCRIPTION OF ISSUE:
The Executive Committee has asked Staff to report back on how Staff is responding to Species at Risk referrals.

BACKGROUND:
The Federal and Provincial agencies are referring proposed changes to Species at Risk to the Islands Trust for comment. Referrals come from:

1. Parks Canada, Species at Risk Program, Coastal British Columbia Field Unit
2. Canadian Wildlife Service, Species at Risk Recovery, Pacific and Yukon Region
3. Fisheries and Oceans Canada
4. Ministry of Forests, Lands and Natural Resource Operations, Resource Management Objectives Branch, West Coast Region

We expect over the next couple of years to receive up to 80 referrals for comment. Normally we are given 60 days to respond to the referrals.

The Trust Fund Board will respond to the referrals as property owners. Local Planning Services will ensure that the affected local trust committees will be given the opportunity to consider and respond to the referrals. For referrals that are of a technical nature, Staff will respond and provide a copy of the response to the relevant local trust committee for information.

Referral Process:

- All referrals from the above agencies will be directed to information@islandstrust.bc.ca.
- The front desk will forward the referral to the Director of Local Planning Services and to the Manager of the Trust Fund Board.
- Trust Fund Board staff will review and provide a response in relation to how the proposal affects their land holdings.
- The Director of Local Planning Services will forward the referral to a designated planner (currently Marnie Eggen) who will review the referral and determine which local trust committees are affected.
- The designated planner will draft a report to those local trust committees with recommendations.
- The report will be on the next available local trust committee meeting agenda for the local trust committee to consider and by resolution respond to the referral.

Staff Reports:
When drafting a Staff Report, planners check the Species at Risk mapping layers on our Trust Area Property Information System (TAPIS) when dealing with planning applications or local trust

committee planning projects. TAPIS includes a mapping layer of Species at Risk Occurrences from the BC Conservation Data Centre, as well as Critical Habitat mapping from Environment and Climate Change Canada (currently for five species, more to be added as available).

Importance of Species at Risk

On March 1, 2016, Local Planning Services staff attended a professional development day devoted to discussing Species at Risk. At that meeting, presenters included Danielle Prevost and Jenna Bedore from the Canadian Wildlife Service, Katrina Stipec from the Conservation Data Centre and Kate Emmings from the Trust Fund Board. Information shared included access to mapping on Species at Risk in the Trust Area, how the *Species at Risk Act* is administered on Federal and non-Federal lands, the associated consultation processes and how the Federal, provincial and local governments are working together.

Species at Risk are protected under the Federal *Species at Risk Act*. Under this Act, the Federal Government can issue emergency orders blocking development that may damage habitat necessary for Species at Risk. The Federal government has recently done just that in Quebec blocking a subdivision development south of Montreal to protect the habitat of the endangered western chorus frog, despite the fact that the municipality and developer had already agreed to protect 83 percent of the development for that purpose

At the Local Planning Services professional development day Local Planning Services staff was advised that these orders are considered a “last resort”; not many of them are issued and the Federal agencies work cooperatively with provincial and local governments to effectively protect critical habitat.

Protecting Species at Risk is important work towards biodiversity conservation and sustaining ecological integrity, which is at the core the purpose of the Islands Trust. Responding to referrals such as these is just a part of how Islands Trust and local trust committees help further biodiversity conservation and the Islands Trust mandate.

ATTACHMENT(S):
None

AVAILABLE OPTIONS:
Receive for information

FOLLOW-UP:
None

Prepared By: David Marlor, Director of Local Planning Services

Reviewed By: Chief Administration Officer

Date: **June 24, 2016**

Islands Trust

STAFF REPORT

File No.: Click here to enter text.

DATE OF MEETING: Click here to enter a date.

TO: Choose an item.

FROM: Choose an item.

SUBJECT: [Report subject (i.e. OCP amendment, rezoning, project name, etc.)]

Applicant: Applicant Name

Location: Address (PID or legal description if no address exists)

RECOMMENDATION

1. That the Choose an item. Local Trust Committee …
2. That the Choose an item. Local Trust Committee …
3. That the Choose an item. Local Trust Committee …

REPORT SUMMARY

[Briefly describe the purpose of the report (e.g. to rezone from R1 (Residential) to C1 (Commercial)].

[Include a maximum half page location map, if applicable.]

[Briefly summarize the key discussion points (ideally no more than three) supporting the recommendation.]

BACKGROUND

[Explain why the activity (application, bylaw, project, etc.) is proceeding, if known (e.g. result of bylaw enforcement action). If the report is for an application, describe the applicant's proposal/rationale if known.]

[Provide a brief outline of previous file-related activity and LTC resolutions (if applicable).]

[Reference the attached Application, Supporting Materials and Notice (if applicable).]

ANALYSIS

Policy/Regulatory:

[Highlight the most significant/relevant policies, regulations and guidelines.]

[Explain how the application responds to each of these key statements.]

[Reference applicable Attachments (e.g. site context, Islands Trust Policy Statement directive policies checklist, OCP policies, and DP Guidelines.]

[Reference any attached technical reports.]

Issues and Opportunities:

[Identify any potential issues arising from the application (e.g. environmental impacts, traffic, water, legal issues, financial implications, intergovernmental implications, etc.)].

[Identify information gaps.]

[For the issues raised, identify opportunities for mitigation, adaptation or avoidance (e.g. consultation, technical studies, legal agreements, etc.)]

Consultation:

[Describe the recommended consultation approach including methods of consultation, the number of meetings (if applicable), communications methods, resources and timelines, stakeholders and referral bodies.]

[Comment on whether a CIM is typically recommended. If one is, comment on timing and format.]

[Include the feedback received as a result of the notification period, agency comments, and also include other relevant correspondence that has been received]
[For applications involving an OCP amendment, to address s. 475, use some wording such as the following in a preliminary report: As the project would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The LTC should consider if it wishes to undertake additional consultation than identified above and direct staff accordingly.]

[Reference attachments which include correspondence and referral responses received, if applicable.]

Rationale for Recommendation:

[State the recommendation and reasons for the recommendation, in layman's terms.]

[Refer to the formal recommendation, included on Page 1 of the report.]

NEXT STEPS

[Identify next steps in the process, if applicable.]

ALTERNATIVES

[Identify any practical alternatives to the stated recommendation (if any exist) along with appropriate resolution wording and implications for each alternative presented. For example…]

1. **Request further information**

   The LTC may request further information be provided prior to rendering a decision. In selecting this alternative, the LTC should describe what specific information is needed and the rationale for this request.

   Resolution:

   That the Choose an item. Local Trust Committee request that the applicant submit to the Islands Trust an Assessment Report, completed by a Professional Engineer, which identifies the potential impacts of the proposed development on local pedestrian and vehicular transportation routes and patterns.

2. **Deny the application**

   The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial.

   Resolution:

   That the Choose an item. Local Trust Committee deny application 16-GI-RZ.111.

3. **Hold the application in abeyance**

   The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

Submitted By:	Choose an item.	Click here to enter a date.
Concurrence:	Choose an item.	Click here to enter a date.

ATTACHMENTS

[reorder/add/delete/modify attachments as needed]

1. Site Context
2. Maps, Plans, Drawings, Photographs
3. Islands Trust Policy Statement Directive Policies
4. Policy Checklist
5. DPA Checklist
6. Application and Supporting Materials/Technical Reports
7. Notice
8. Correspondence
9. Referral Responses
10. Development Permit
11. Bylaw
12. Survey Results
13. PowerPoint Slides
14. Project Charter
15. Report, Plan, Strategy

BRIEFING

To: Executive Committee

For the Meeting of: July 6, 2016

From: David Marlor

File No.:042020 – FLNRO/MOTI

SUBJECT: **MEETINGS WITH MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE AND MINISTRY OF FOREST, LANDS AND NATURAL RESOURCE OPERATIONS**

DESCRIPTION OF ISSUE:
The purpose of this briefing is to update the Executive Committee on recent meetings between Islands Trust local Planning Services Staff and staff at the Ministry of Forest, Lands and Natural Resource Operations (FLNRO) and the Ministry of Transportation and Infrastructure (MOTI).

The purpose of the meetings are for staff to meet annually and discuss any areas of concern in our working relationship. We use the meetings to highlight any concerns we have with processes and find ways to make the processes work better and more streamlined. At these meetings we do not discuss issues such as the state of roads on the islands on investment in capital projects; we do ensure we are able to advise trustees on whom to contact should those issues arise and need attention.

One area that may need further attention is the process around approving existing dock renewals. The current practice is for FLNRO to simply renew the docks without regard to local zoning (the renewal is not referred to the local government). This practice leaves enforcement of unlawful docks with the Islands Trust Bylaw Enforcement Officer, because it is a violation of the zoning, not the FLNRO permission. This issue included in the upcoming updates to the Crown Land protocol agreements and letters of understanding.

BACKGROUND:

<u>Forest, Lands and Natural Resource Operations Meeting</u>

On May 3, 2016 the three Regional Planning Managers and the Director of Local Planning Services met with the following staff from the Ministry of Forests, Lands and Natural Resource Operations (FLNRO):

- Rudi Mayser, Manager of Authorizations
- Lesley Fettes, Section Head, Aquaculture
- Cameron Bezanson, Senior Land Officer
- Mark Harvey, Land Officer

Crown lands application process

FrontCounter BC is responsible for intaking for applications and establishing the process for that intake. FrontCounter BC initiates a referral process (i.e. emails sent to agencies) once it has deemed the application to be complete.

After the referrals process has been initiated, the assigned land officer becomes responsible for the application.

Consideration of tenure depends largely on the highest and best use principal (i.e. does the proposal benefit only a single individual or does it have potential widespread economic or employment benefits).

Tenure may be issued subject to conditions, including compliance with local bylaws (so for example, an aquaculture license may be issued with the condition that the licensee successfully rezone the lands). Provincial staff will not wait for local government bylaw compliance or rezoning prior to issuing tenure.

LPS Management staff suggested that FLNRO could institute a conditional approval process such as the subdivision Preliminary Layout Approval (PLA) which sets out an approval with conditions that need to be met prior to receiving final approval or, in this case, the actual tenure (lease or license). Provincial staff was not interested in pursuing this concept; they feel obliged to issues tenures and referred to local government as not having the power to fetter the Crown's discretion. The Crown has a general target for issuing decisions to applicants within 140 days.

Private Moorage/Docks

Since 2013, FLNRO has issued "Specific Permissions" (unlike a tenure such as a lease or license) for private (non-commercial) moorage. Specific permissions have no fee, no term and may be transferred. Applicants are asked to provide evidence of compliance with local bylaws prior to being granted permission. FLNRO retains the option to terminate the permission. Further information is available at this link.

Seawalls/Structures below the natural boundary

Structures below the natural boundary require a more formal tenure than a dock and, typically, a license of occupation. FLNRO staff noted general challenges with seawalls not having proper permissions/tenures.

Compliance

The public or another agency may notify FLNRO of compliance issues; FLNRO will then proceed with a compliance process with a tenant. FLNRO compliance/enforcement is prioritized based on safety/liability/risk.

Tenure renewals

FLNRO staff noted that there are over 6,000 tenures in the region with hundreds of tenures expiring annually. Replacement tenures are expedited and not generally referred out to local governments or agencies, with the exception of referrals to First Nations. Agencies, including local trust committees, can request to have certain files flagged with a "notification of interest". In situations where a file has been flagged, land officers may send referrals to local governments or agencies for replacement tenures of significant public interest.

Designated Use Areas

Designated Use Areas (DUAs) are established as reserves under the Land Act (s. 17) to exclude uses or allow only specific uses or uses that are compatible with specific uses. DUAs are typically put in place during treaty processes, and are temporary. FLNRO refers all DUAs to local governments. The authority to make decisions on DUAs is delegated to the Director level.

Ministry of Transportation and Infrastructure Meeting

On May 17, 2016 the three Regional Planning Managers and the Director of Local Planning Services met with the following staff from the Ministry of Transportation and Infrastructure (MOTI):

- Jeffrey Moore, Provincial Approving Officer, Lower Mainland District
- Michael Braun, Provincial Approving Officer, Lower Mainland District
- Amy Barker, Area Development and Operations Technician, Lower Mainland District
- Ryan Evanoff, Senior Development Approvals Technician, Vancouver Island District

- Andy Newall, Area Manager, Roads – Vancouver Island District

Road Maintenance
MOTI usually issues road maintenance contracts for 10 year terms. Maintenance contractors are responsible for assessing road maintenance requirements and preparing maintenance plans for Ministry approval. Trustees may deal directly with and convey public concerns to the contractors for their respective areas. As part of their contract with MOTI, maintenance contractors are required to have annual stakeholder meetings. Trustees/staff are welcome to attend these meetings (e.g. Main Road has an annual meeting in Sidney).

Agreements
The Letter of Agreement between the Islands Trust and MOTI has been in place since 1992, with amendments in 1994 and 1996. Generally, the agreements are working well. The road standards currently in those agreements were negotiated so that the minimum permitted by MOTI would be the maximum permitted in the islands. Minimum road standards have increased in the 24 years since the agreement was signed, so if the agreement is opened for amendments, it is likely that the maximum road standards permitted in the Islands Trust Area would be increased to reflect today's minimum standards.

It is possible for local planning services staff to enter into "local area agreements" with MOTI about processes outlined in the Letter of Agreement. These agreements (which would be by letter between the Director of Local Planning Services and the MOTI district area director) could deal with things like how public consultation is undertaken for a particular type of issue, or clarify definitions or other processes.

Capital Improvements
There are limited funds available for capital improvements. There is a "local minor betterments" fund (approx. $200 K/region), which can be used to upgrade roads for safety. Capital upgrades are prioritised based on the safety improvements that the upgrade provides.

An example of a successful upgrade is on the Sunshine Coast, where the Sunshine Coast Regional District worked with MOTI to implement wider shoulders. This provided improved safety for the road user; a secondary effect was the provision of safe cycling and walking "lane" on the shoulder.

Subdivision File Closure
When MOTI subdivision files are completed, the Lower Mainland District office advises referral agencies. Ryan Evanoff, from the Vancouver Island District Office, has committed to asking staff in the Vancouver Island region to email agencies when subdivisions have been completed.

Preliminary Layout Approvals (PLAs) normally expire after one year of issuance; however MOTI staff does not close files. As a result, there continues to be a few outstanding multi-year subdivision files (e.g. DL696 on Keats Island).

Road Closures
MOTI has no set process for closing roads. The road closure application fee is $1,500 paid up-front with no guarantee of approval. Applicant also needs to pay land value if road closure is approved. MOTI has a policy to not close accesses to water road rights-of-way. The only exception to this policy is where the closure will be replaced with another access to water road right-of-way.

MOTI refers all applications to First Nations.

Roadside Trails
MOTI will only grant permits to construct paths in road-rights-of-way to regional districts or agencies with significant financial backing (due to risk/liability for maintenance). Maintenance

contractors will not maintain sidewalks or trails within the MOTI right-of-way; however, they are responsible for maintaining road shoulders.

ATTACHMENT(S):
None

AVAILABLE OPTIONS:
Receive for information.
Circulate to local trustees and Bowen Island Municipality trustees for information

FOLLOW-UP:
The Regional Planning Directors and Director of Local Planning Services will meet again with staff from FLNRO and MOTI in spring 2017. The relevant Regional Planning Manager may be requested by any local trust committee to meet with FLNRO or MOTI District staff or the MOTI maintenance contractor in regard to any localized issues on specific islands.

Prepared By: David Marlor

Reviewed By: Chief Administration Officer

Date: **Click here to enter a date.**

Islands Trust

BRIEFING

To: Executive Committee **For the Meeting of:** July 6, 2016

From: Russ Hotsenpiller **File No.:**

SUBJECT: PROTOCOL AGREEMENT BETWEEN MINISTRY OF COMMUNITY SPORT AND CULTURAL DEVELOPMENT (MCSCD) AND ISLANDS TRUST COUNCIL REGARDING MUNICIPAL INCORPORATION

DESCRIPTION OF ISSUE: To provide an update to Executive Committee on the current review of the Protocol Agreement.

BACKGROUND:
Review and updating of the Protocol Agreement between the Islands Trust and MCSCD is the third priority item on the Executive Committee work program and is Strategic Plan item 7.2.4. The Protocol Agreement addresses specific topics that arise in the event of a municipal incorporation within the Islands Trust area. Some of the topics included in the agreement are:

- The restructure process and the role of trustees in it
- The content of Letters Patent for a new Island Municipality and the role of the Islands Trust in reviewing Letters Patent
- Election method for Municipal Trustees
- Consultation regarding boundaries of a new Island Municipality
- Referral and approval of bylaws, including the process to be followed if both the Executive Committee and Trust Council refuse approval of an Island Municipality bylaw (also partially addressed in the *Islands Trust Act*)
- Communications between Trust Council and an Island Municipality, including the need to create an agreement and refer specific matters.
- Transitional relationships, including a contract for planning services and financial arrangements.

More generally, the agreement centers upon three concepts: some basic process policy, financial clarity for participants involved in incorporation, and the relationship between municipal entities, the Ministry and the Islands Trust.

The review was initiated in 2015 to address any required updates prior to the possible Salt Spring Islands Incorporation process. The Ministry agreed to a review of the document to determine relevance and address any editing and modernizing needs. The original document was signed in 1996 and used successfully to manage the incorporation of Bowen Island. Over the intervening years there have been a number of changes to the *Local Government Act*, the Community Charter and to work practices at the Ministry that have rendered portions of the current Agreement either moot or out of date. The key question of the review process then is to determine whether the protections afforded the Islands Trust and the Ministry by the Agreement are current and operational.

Staff have conducted meetings with Ministry staff since late 2015 and have reviewed the Agreement on a section by section basis to identify areas of the Protocol Agreement that would require amendment if it was to effectively manage any municipal incorporation in the future.

RESULTS OF ANALYSIS

Without question, some elements of the Protocol Agreement no longer apply as strictly written. Nevertheless, the Agreement as a whole, remains relevant. The vast majority of any proposed changes are administrative in nature: name changes, title changes, and editing. Where sections of the Policy Agreement are obsolete, recent changes in legislation, particularly with regard to the *Islands Trust Act* itself and the *Local Government Act*, provide assurance that the original intent of the document is being upheld.

The Ministry has indicated that it believes the current agreement, though dated, is relevant and in combination with more current provincial legislation and practice, provides assurance and security for all parties. They are reluctant to open the agreement to amendment prior to any incorporation voting process on Salt Spring.

Staff are in the process of conducting a final review of the Protocol Agreement and will provide a detailed follow-up report to Executive Committee with the intention that the matter be forwarded to Trust Council in September.

ATTACHMENT(S): 1996 Protocol Agreement between the Islands Trust and the Ministry of Municipal Affairs establishing a framework for incorporation of Municipalities.

AVAILABLE OPTIONS:

1. Receive for information.

FOLLOW-UP:

A further report detailing some of the specific policies and their relation to legislation will be provided to Executive Committee.

Prepared By: Russ Hotsenpiller

Reviewed By: Chief Administration Officer

Date: **June 30, 2016**

AGREEMENT BETWEEN THE TRUST COUNCIL AND THE MINISTRY OF MUNICIPAL AFFAIRS ESTABLISHING A FRAMEWORK FOR INCORPORATION OF MUNICIPALITIES WITHIN THE TRUST AREA

Prepared by:

Ministry of Municipal Affairs
Province of British Columbia

February 20, 1996

WHEREAS the Ministry of Municipal Affairs (the Ministry) and the Islands Trust Council (the Trust) wish to establish a framework for the incorporation of Island Municipalities within the Trust Area;

AND WHEREAS the Ministry and the Trust acknowledge that the residents of an island are entitled to make a decision on incorporation on the basis of objective information and with a clear understanding of the implications of municipal status in relation to the mandate of the Trust;

AND WHEREAS the Ministry recognizes that the incorporation of an Island Municipality requires further definition, within the context of the provisions of the *Islands Trust Act* and the mandate of the Trust;

NOW THEREFORE the Ministry and the Trust agree to the following:

PART 1 - OBLIGATIONS OF THE MINISTRY

Restructure Process

1 The ministry is responsible for overseeing the process of creating a broadly representative Restructure Study Committee (the Committee).

2. The local trustees must be invited to participate in the creation of the Committee, and will (with the regional district electoral area director) be ex-officio members of the Committee.

3. The role of the Committee will be to:

oversee the preparation of the restructure study; prepare terms of reference for the study, carry out a proposal call and select a consultant to undertake the study; manage the study process in a neutral and objective way; mange the restructure study grant, which will be awarded to the regional district, or perhaps the Trust, if the former is not practical; act as the liaison with the ministry regarding the offer of restructure assistance and other conditions of incorporation; make recommendations to the Minister about holding an incorporation vote; and advise on the development of draft Letters Patent.

4. The Trust and the Committee will be provided with an opportunity to review draft Letters Patent:

   a) before the incorporation vote ; and b) after a successful incorporation vote and prior to submission to Cabinet.

5. Trust Council and the local trust committee will be invited to the inaugural meeting of the council of the Island municipality.

Political Representation

1. The Letters Patent for an Island municipality will, unless otherwise agreed to by a Committee and the Trust Executive Committee, provide for the trustees and the Island municipality to be elected by the "double-direct" method, with details to be described in the Letters Patent of the Island municipality.

2. The ministry will consult with the Trust on the boundaries of an Island municipality and the boundaries of the local trust committee before developing and finalizing Letters Patent for the Island municipality.

Policy Relationship Between the Trust Council and an Island Municipality

1 . The Letters Patent for the Island municipality will require that where the municipality intends to submit a bylaw to the minister for approval pursuant to section 34(4) of the *Islands Trust Act:*
   - the Island municipality must advise the Trust and the Ministry of its intention to submit the bylaw;
   - the Island municipality must first meet with the Trust, facilitated by ministry staff, to determine if the issue of the Trust Council not approving the bylaw can be resolved without formal appeal to the minister;
   - the Minister may require that the issue of Trust Council not approving the bylaw be resolved using any or all of the dispute resolution mechanisms contained in sections 942.21, 942.23 or 942.24 of the *Growth Strategies Statutes Amendment Act,-* and
   - the Minister will, prior to determining an appeal, ensure that the Trust has an opportunity to present its position.

2. The Letters Patent for the Island municipality, in accordance with section 34 of the *Islands Trust Act,* will require the Island municipality to refer all Official Community Plan bylaws to the Trust Executive Committee for review and approval, and establish the timing of referrals.

3. In recognition of the fact that the *Islands Trust Act* does not explicitly tie a municipality to the Trust object, the Letters Patent for the Island municipality will require that the municipality, in all of its actions, have regard for the Trust Policy Statement and the Trust object; and the ministry will consider legislative change which will require an Island municipality to have regard for the Trust Policy Statement and the Trust object.

4. The Letters Patent for the Island municipality will require that the municipality refer all regulatory bylaws, proposed to be adopted pursuant to Part 29 of the *Municipal Act,* to the Trust Executive Committee for review before adoption, for the purpose of ensuring no conflict with the Trust Policy Statement.

5. The Letters Patent for the Island municipality will require that bylaws of the municipality be registered by the ministry for a period of three years.

6. The ministry will use the process of registration of municipal bylaws as means for monitoring concerns with respect to consistency between Official Community Plan and regulatory bylaws.

Relationship Between the Trust, the Province and the Island Municipality

1 The Letters Patent for the Island municipality will require that the Island municipality enter into discussions to establish a protocol agreement with the Trust respecting inter-jurisdictional communications.

2. The ministry and the Trust will review all extant protocol agreements between the Trust and provincial agencies and reach an agreement on which agreements, or parts thereof, which ought to be applicable to the new municipality; and on the basis of that review, the Letters Patent for the Island municipality will specify which agreements or parts of agreements that will be binding on the new municipality.

3. The Letters Patent for the Island municipality will require the Island municipality to refer all proposed protocol agreements with provincial agencies to the Trust for review before adoption.

4. Where the Trust refers a proposed protocol agreement with a provincial agency to the Island municipality for review, the Letters Patent for the Island municipality will require the municipality to review the proposed agreement and provide comments to the Trust within 30 days.

5. Letters Patent for the Island municipality will require the municipality to submit all proposed protocol agreements with provincial agencies to the Minister for approval, as is required for Trust Agreements.

Transition

1 . The Letters Patent for the Island municipality will specify that all bylaws of the local trust committee will continue to have effect (section 31(2) of *Municipal* Act).

2. The Letters Patent for the Island municipality will transfer all assets and liabilities of a local trust committee to the new municipality.

Administrative and Financial issues

1 . Letters Patent for the Island municipality will require that the municipality contribute to the costs of the operations of Trust Council, the Executive Committee and the Trust Fund Board in accordance with the *Islands* Trust Act.

2. Letters Patent for the Island municipality will require that the municipality enter into a contract with the Trust whereby the municipality will receive and pay for local planning services provided by the Trust for a period of three years, unless otherwise agreed by the Trust and the Island municipality.

3. The Letters Patent for the Island municipality will provide that the municipality may receive and pay for an additional year of local planning services from the Trust where the Trust and the municipality agree.

4. The Ministry will consider provisions in Letters Patent, and future amendment to the *Islands* Trust Act, to require the municipality to participate in local planning for other islands in the Trust Area unless the municipality chooses to "opt-out."

PART TWO: OBLIGATIONS OF TRUST COUNCIL

Restructure Process

1 . Local trustees on the island may participate in the creation of the Committee as set out in Part 1 of this agreement.

2. The Trust must review draft Letters Patent for an island municipality:

a) before the incorporation vote; and
b) after a successful incorporation vote and prior to submission to Cabinet.

Policy Relationship Between Trust Council and the Island Municipality

1. The Trust must refer all proposed amendments to the Trust Policy Statement to the Island municipality for review before adoption.

Relationship Between the Trust, the Province and the Island Municipality

1. The Trust must refer all proposed protocol agreements with provincial agencies to the Island municipality for review before adoption.

2. When an Island municipality refers a proposed protocol agreement with a provincial agency to the Trust for review, the Trust must review that agreement within 30 days.

Administrative and Financial Issues

1. The Trust will enter into a contract with the Island municipality whereby the Trust will provide the municipality with local planning services for a period of three years with the costs being paid for by the municipality.

2. The Trust will provide the Island municipality with an additional year of local planning services on a full cost recovery basis where the municipality and the Trust agree.

3. The Trust will review all bylaws submitted to it by a municipality pursuant to section 34 of the *Islands Trust Act* in the context of the Trust Policy Statement.

PART THREE: OBLIGATIONS OF THE ISLAND MUNICIPALITY

Restructure Process

1. The municipal council must invite Trust Council and the local trustees on the island to the inaugural meeting of the municipal council.

Political Representation

1. The Island municipality must appoint trustees to Trust Council in accordance with the elector's wishes as expressed through the "double direct" method.

Policy Relationship Between Trust Council and the Island Municipality

1. Where the Island municipality intends to submit a bylaw to the minister for approval under the provisions of section 34(4) of the *Islands* Trust Act, the Island municipality must advise the Trust of its intention to do so, and to first meet with the Trust, facilitated by the ministry, to determine if the issue of Trust Council refusing to approve the bylaw can be resolved without formal appeal to the minister.

2. The Island municipality, in accordance with section 34 of the *Islands* Trust Act, must refer all Official Community Plan bylaws to the Trust Executive Committee for review and approval.

3. The Island municipality must have regard for the Trust Policy Statement and the Trust object in respect to all actions of the municipality.

4. The Island municipality will refer all regulatory bylaws, proposed to be adopted pursuant to Part 29 of the *Municipal Act,* to the Trust Executive Committee for review before adoption.

5. All bylaws of the Island municipality will be forwarded to the ministry for registration for a period of three years.

Relationship Between the Trust, the Province and the Island Municipality

1. The Island municipality and the Trust will enter into a protocol agreement respecting inter-jurisdictional communications.

2. The Island municipality will abide by those protocol agreements between the Trust and the Province which the Letters Patent indicate are binding on the new municipality.

3. The Island municipality will refer all proposed protocol agreements with provincial agencies to the Trust for review before adoption.

4. The Island municipality must submit all proposed protocol agreements with provincial agencies to the minister for approval.

Transition

1 All bylaws of the local trust committee will continue to have effect as bylaws of the municipality (section 31(2) of *Municipal Act).*

2. All assets and liabilities of the local trust committee will be transferred to the Island municipality.

Administrative and Financial Issues

1. The Island municipality must contribute to the costs of Trust Council, the Executive Committee and Trust Fund Board in accordance with the provisions of the *Islands Trust Act.*

2. The Island municipality must enter into a contract with the Trust whereby the municipality will receive and pay for local planning services provided by Trust staff for a period of three years.

3. The annual cost payable by the Island municipality to the Trust under section (2) above shall be not less than the amount that would have been contributed from the Island if the Island municipality had not been incorporated and the local trust committee still existed, unless otherwise agreed.

4. The Island Municipality may receive an additional year of local planning services from the Trust staff on the same basis as outlined above where the municipality and the Trust agree.

Islands Trust

200 - 1627 Fort Street, Victoria BC V8R 1H8
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Toll Free via Enquiry BC in Vancouver 604.660-2421. Elsewhere in BC **1.800.663.7867**
Email information@islandstrust.bc.ca
Web www.islandstrust.bc.ca

February 9, 2016 File No.: 0420-30

Via e-mail: ALCBurnaby@Victoria1.gov.bc.ca

Frank Leonard, Chair
Agricultural Land Commission
133-4940 Canada Way
Burnaby BC V5G 4K6

Dear Frank Leonard:

Re: Delegation to the Vancouver Island Panel

Thank you for meeting with Islands Trust Executive Committee on October 6, 2015. On behalf of the Islands Trust Council, I am writing to request a delegation to the Vancouver Island Panel of the Agricultural Land Commission. The purpose of the delegation is to explore areas of mutual concern.

We appreciated the opportunity to share with you our interests in land in the Agricultural Land Reserve, and the opportunity to learn more regarding the Agricultural Land Commission's role in preserving these lands. Thank you for hearing us regarding the Islands Trust's interest in being more closely involved in decisions on non-farm uses and other potential engagement opportunities for influencing the use of land in the Agricultural Land Reserve.

Since our meeting we have reviewed our previous interest in being delegated some responsibility for land use decisions. We have referred this topic to the Salt Spring Island Local Trust Committee as they have the most pressing interest in looking at this more closely.

The second suggestion from the meeting was that the Executive Committee requests a delegation to the Vancouver Island Panel. I look forward to hearing from you or the panel chair regarding this request.

Thank you again for your interest in the Islands Trust and in agricultural issues in the Islands Trust Area.

Yours sincerely,

P. Luckham

Peter Luckham
Chair, Islands Trust Council
pluckham@islandstrust.bc.ca

cc: Islands Trust Council
Bowen Island Municipal Council
David Marlor, Director of Local Planning Services
Islands Trust website

BRIEFING

To: Executive Committee **For the Meeting of:** July 6, 2016

From: Russ Hotsenpiller **File No.:**

SUBJECT: LABWISE SOCIAL INNOVATION LABS

DESCRIPTION OF ISSUE: Consideration of the Islands Trust applying or participating in a LabWiSE Training Program, a social innovation process, in order to further Islands Trust priorities and projects.

BACKGROUND:

Trustees Masselink has brought to the attention of staff and the Chair the possibility of the Islands Trust participating in a LabWISE Training program sponsored by the McConnell Foundation. Social innovation labs are processes that combine a variety of elements such as systems analysis, design, strategic thinking across a broad spectrum of complex interdisciplinary issues such as energy, the carbon economy, affordability, health and food security and sustainability. The current application process suggested by Trustee Masselink would be a new lab, likely focused upon participating with Parks Canada in addressing some historically intractable issues within the Salish Sea area.

In terms of analyzing the usefulness of this project for the Islands Trust, the LabWISE Training Program could provide a useful framework for exploring marine conservation (or other issues) if we had time to plan ahead, organize and establish desired outcomes. For instance, Trust Council has requested staff to deliver an analysis on the full range of marine conservation regimes & legislation at its December 2016 meeting, certainly a tall order that could benefit from the structure a social lab exercise could provide.

The application deadline for the program is July 5, 2016 giving the Islands Trust little time to respond. At this point there is no funding commitment being requested, nor an ongoing commitment. The process would identify 3 regional 'stewards' to work over the next 18 months on a complex multi-jurisdictional issue such as noted above.

Having discussed the matter with Trustee Masselink, it appears that he will apply for the program through his work outside the Islands Trust, but that Trust Council and Executive Committee should consider a later involvement should time and circumstance allow. Staff could monitor the development of this project and report back to EC as needed. Meanwhile in his application, Trustee Masselink will indicate that the Islands Trust could be a partner in this process in the future.

ATTACHMENT(S):
LabWISE Training Information and Application Guide, The J.W. McConnell Family Foundation

AVAILABLE OPTIONS: N/A

FOLLOW-UP:
Staff will monitor the development of the LabWISE project and will report back to Executive Committee as it progresses.

Prepared By: Russ Hotsenpiller

Reviewed By: Chief Administration Officer

Date: **June 30, 2016**

The J.W. McConnell Family Foundation, in association with the Waterloo Institute for Social Innovation and Resilience (WISIR) presents:

LabWISE Training: A program to equip you and your organization to lead WISIR Social Innovation Labs

Information and Application Guide

Application Deadline: Tuesday July 5, 2016 at 11:59 PM EDT
To apply: Complete the program application here by the above deadline.
Questions: Submit questions about the program or the application here.

"This Guide to a Social Innovation Lab is offered as a resource to peers, colleagues, practitioners, leaders from all sectors, and concerned citizens – all who have and/or will participate in change-making processes. One hope for this work is that these ideas on social innovation and these recommendations for new practice will result in a greater sense of agency for those who work on what often seem like impossible aspirations for a different, better world. Probably our greatest hope is that these ideas help to transform the impossible into the possible".

- *Manifesto, WISIR Guide to Social Innovation Labs*

Background and Intent

In fields as diverse as energy and a low carbon economy; urban infrastructure and finance; health and food security; education and employment – societies are contending with issues that are complex, deeply embedded, systemic in nature, and interrelated. Successfully transforming such challenges into states of greater sustainability, social inclusion and resilience calls upon us to learn, work and co-create in new ways.

Social innovation labs – combining elements of design, systems thinking, strategic foresight and gestalt psychology; and integrating the perspectives of multiple disciplines and stakeholders – constitute a promising set of methodologies for the critical work of understanding and 'recoding' maladaptive systems and institutions. They are grounded in research about particular challenges, and operate iteratively in continuous cycles of learning, co-imagining, prototyping and evaluating. Challenges that require an in-depth diagnostic of a system, cross-sector collaboration, co-created solutions, and rapid prototyping to test and refine innovations, make good candidates for social innovation labs.

The private sector, civil society organizations, governments and educational institutions each have pivotal, complementary roles to play in creating the capacities and conditions for transformative change in our society – on their own, or more frequently in concert with other sectors. Governments worldwide are beginning to use lab processes to accelerate policy and program innovation, particularly where it is necessary to convene multiple departments. Alberta's CoLab is a leading government lab in Canada. MaRS Solutions Lab (MSL) is another leading Canadian lab, serving the public, private and community sectors. Well-known global examples include Mindlab in Denmark and the Sustainable Food Lab, based in Vermont[1].

The Waterloo Institute for Social Innovation and Resilience (WISIR), working with MaRS Solutions Lab and with the support of the Rockefeller Foundation and the J.W. McConnell Family Foundation, has developed and tested an approach to this work called the WISIR Social Innovation Lab, or SI Lab.

SI Labs require *stewards* that can provide a long-term commitment to convening and leading lab processes for a community or network of stakeholders. Stewards can be based in post secondary institutions, government departments, community organizations, or on 'neutral territory' outside institutional boundaries. Regardless of where they are based, they should be well positioned to enlist stakeholders and prepared to guide partners and stakeholders through the lab process. Stewards fulfill research, convening, championing and facilitating roles for a lab. These roles are generally distributed across multiple individuals or teams.

The LabWISE Training Program will provide training and coaching to lab stewards focused on addressing a particular challenge, using the *WISIR* Social Innovation Lab process. We are looking for organizations interested in working with us to apply this methodology in a diverse range of institutions and contexts. Our goal is to develop a group of leading practitioners by advancing their personal and institutional capacity to use lab processes to address complex challenges; share these processes with others; and form the nucleus of a community of practice.

This training program will be delivered by the experienced leadership team responsible for the research and creation of the Social Innovation Lab Guide – Dr. Frances Westley, Chair in Social

[1] The Foundation has supported lab development and the application of lab processes to several issues:

- Waterloo Institute of Social Innovation and Resilience, University of Waterloo; (Ontario Tender Fruit Industry, in cooperation with MaRS Solutions Lab)
- MaRS Solutions Lab (Winnipeg Boldness; WellAhead; Cities for People; University of New Brunswick)
- Natural Step Canada (Energy Futures Lab; Greater Toronto Area Housing Action Lab)
- CityStudio (Vancouver)
- Reos Partners (Possible Canadas)

Innovation and Director of WISIR, and Cheryl Rose, former Associate Director of WISIR and a Senior Fellow at the McConnell Foundation. In addition, experienced SI Lab researchers and facilitators will engage in coaching roles throughout this training program, including special supports from Joeri van den Steenhoven, Director of the MaRS Solutions Lab – a public and social innovation lab in Toronto.

The LabWISE Training Program

Overview

The primary objective of the LabWISE Training Program is to equip prospective lab stewards to be able to convene and facilitate a rigorous and effective lab process to address an identified complex social challenge in their organization or community. Capacity building and coaching activities will take several forms over an extended period of time (14 to 18 months) to support lab stewards from system diagnostics through co-design, prototyping and assessment.

This program will <u>not</u> run a SI Lab for you, but will give lab stewards the tools and supports to successfully run a lab themselves. The LabWISE Training Program is **designed to run concurrently with a community lab process, so that the knowledge and training can be applied in real-time, accompanied by coaching support for lab stewards**. The program will include three main phases, each consisting of a formal training component and a coaching component to support the application of the concepts/training received in a real-time lab process.

The J.W. McConnell Family Foundation will fund the three training and coaching phases listed below and is prepared to subsidize the participation costs (travel and accommodations) for up to three lab stewards from each application to attend these training sessions and receive the related coaching support. Applicants are expected to demonstrate that they have assembled some or all of the resources necessary to run a lab concurrently with the program.

1. **Full Lab Process Overview and Preparation for Research and Engagement Phase:**
    - **Training: Overview lab methodology session (October 19 - 22, 2016)**
        - 3.5 day session for lab stewards (lead organizers and facilitators) to build an in-depth understanding of the end-to-end WISIR SI Lab methodology. Participants will learn the concepts and system perspectives that frame the process as well as the details for applied practice. Includes specific orientation to the first phase, the research phase.
    - **Coaching:**
        - Coaching provided by lab research experts to support lab stewards to apply the concepts for lab research and preparation phase. Research, including identification of full lab participant lists, will take place over approximately five months (November 2016 - March 2017)

2. **Debrief Research Phase and Preparation for Lab Workshops Phase:**
    - **Training: two-day lab planning and facilitation session (late March 2017)**
        - Return for two-day training to debrief on research phase and prepare for facilitating a series of social innovation lab workshops
    - **Coaching:**
        - Coaching provided by lab facilitation experts to support lab stewards to facilitate series of three workshops over five-month period (April - August 2017)

3. **Debrief Workshops Phase and Preparation for Lab Implementation Phase:**
    - **Training: 2-day lab implementation planning session (late August 2017)**
        - Return for two-day training to debrief on workshop phase and prepare for social innovation lab implementation
    - **Coaching:**
        - Coaching provided by lab facilitation experts to support lab stewards to facilitate first stage implementation of strategy/outputs from lab workshops over four-month period (September - December 2017)

After these three phases and once the lab is taking steps to implement a social innovation strategy, a two-day lab process debrief session will take place to capture learning (mid-December 2017 or January 2018). By this time, we expect to be able to discuss shared interest in sustaining an ongoing community of practice.

Assessment Criteria
The J.W. McConnell Family Foundation (and potential partners) will support organizations / communities that have a demonstrated commitment and readiness to address a complex social and/or environmental challenge using an SI Lab, by training and coaching stewards to run the process.

Applicants to the LabWISE Training Program will be assessed on the following criteria:

1. **A Complex Challenge that is a Good Fit for a SI Lab**
    - The success of this particular social innovation lab process is predicated on its application to a complex challenge. By definition a complex challenge is one that is not fully understood and one where there is no definite agreement on how it might be addressed. This complexity exists for reasons such as: incomplete or contradictory knowledge, the number of people and opinions involved, the large economic burden, the deep cultural history or bias, and the interconnectedness of these various elements. Therefore a community's ability to effectively launch an impactful lab process is dependent on commitment to work together on a complex social and/or environmental challenge that requires a lab process. Some examples of complex challenges that would be a good fit for this lab process would be: employment for high-risk youth; higher education accessibility for

indigenous learners; food sustainability in remote, rural communities; appropriate community supports for the mentally ill; racism's connection to poverty, etc.

2. **Community Commitment**
    - Due to the effort and resources required to run a social innovation lab process, communities will be assessed on their ability to demonstrate their commitment and readiness to fully work through the process.
    - Indicators to demonstrate **commitment and readiness** may include:
        i. Evidence that speaks to timeliness or urgency, in terms of need for the challenge to be addressed
        ii. Examples of the community's efforts to address this challenge in the past, and any progress made
        iii. Names of partner and stakeholder organizations (across multiple sectors) committed to working through the lab process with the stewarding organization
        iv. Resources (people, space, financial) ready to be allocated to running a SI Lab process
3. **Stewardship Strength**
    - In addition to community commitment to address a complex challenge, a key success factor for a lab process is the strength and ability of lab stewards to lead community partners through the full lab process. This includes leadership capacity, facilitation skills / resources, and ability to convene the parties involved.
    - Indicators to demonstrate **stewardship strength** may include:
        i. Names of individuals committed to leading and convening the lab process and who will fully participate in the lab program training and coaching
        ii. Names of individuals willing and able to facilitate the lab process and who will fully participate in the lab program training and coaching; please note that, if needed, there will be a few individuals with facilitation experience available to join stewardship teams. To be connected with a potential facilitator please submit your request here
        iii. Resources (people, financial) ready to be allocated to stewardship

BRIEFING

To: Executive Committee **For the Meeting of:** July 6, 2016

From: Russ Hotsenpiller **File No.:**

SUBJECT: **SAFETY TRAINING – DEALING WITH CONFRONTATIONAL MEMBERS OF THE PUBLIC**

DESCRIPTION OF ISSUE:

EC has provided direction to staff to "add wording bout safety to LTC Chair Toolkit to include dealing with confrontational member of the public and recognizing escalating behaviour (EC , August 2015). To advance the capability of the organization to adapt to confrontational public meetings it is recommended that a workshop be organized for Committee Chairs of the Islands Trust on conducting safe meetings and managing aggressive behavior.

BACKGROUND:

Trustees who are Committee chairs often are faced with difficult and challenging discussions and meetings with members of the public, both on a one on one basis as well as during LTC and Committee meetings. In order to develop better techniques to deal with these situations, EC directed staff to look at options to reduce any perceived or real risk associated with public interactions.

Staff have discussed the matter with Beth Laur, representing Personal Protection Systems Inc. a training company specializing in workplace safety, public process and violence prevention. They have extensive experience working with local government and provincial government clients on matters of workplace safety. They would be willing to provide some customization to the specific circumstances facing Islands Trusts LTCs and public meeting processes.

Attached is a course offering, "Managing Aggressive Clients" that would address many of the issues raised by EC on this topic. It is proposed that a 3 hour workshop be conducted for Committee Chairs, members of EC and relevant staff. Cost is approximately $850.00 for the 3 hour session and group size is negotiable.

AVAILABLE OPTIONS:

1. EC could recommend that a workshop be organized on managing difficult public conflicts and workplace safety and that it be conducted by a professional contractor;
2. EC could request that staff provide some reference material to EC and staff that address the issue of workplace safety and the conducting of public meetings/challenging individuals; or
3. Some other direction of EC.

ATTACHMENT(S):

1. **Managing Aggressive Clients"**
   http://www.personalprotectionsystems.ca/workplace/vpmoavb-level1.html

FOLLOW-UP:

Prepared By: Russ Hotsenpiller

Reviewed By: Chief Administration Officer

Date: **June 29, 2016**

Managing Aggressive Clients

This three hour seminar will provide employees with verbal and non-verbal personal safety skills and strategies needed to recognize, reduce, manage and protect themselves from aggressive and confrontational/violent behaviour in the workplace. Topics covered include:

- **Proxemics (space) as it relates to personal safety**
- **Personal zones and how they can be manipulated to de-escalate aggressive behaviour**
- **Why the “Reactionary Gap” is so important to employee safety**
- **How to approach or remove yourself from an aggressive person in the safest manner possible**
- **Why “cornering” techniques should be avoided when interacting with clients and what an employee can do to avoid them**
- **The use of “Team Tactics” to enhance personal safety**
- **"Choice" communication skills that an employee should use when attempting to de-escalate aggressive behaviour**
- **How volume, tone, pitch, and rate of speech can work to your favor or to your detriment**
- **The power of Neuro-Linguistic Psychology (NLP) and how it can be used to keep an employee safe**
- **A five step process known as “Verbal Judo” that can be used to assess and re-direct aggressive behaviour into a positive outcome**
- **Pre-assaultive body cues that will provide employees with a gauge to assess if a person is about to assault them**

- **How to change from a threatened to a challenged/confident mindset when dealing with a problematic client.**

Personal Protection Systems Inc (PPS) is British Columbia's leader when it comes to providing safety awareness, violence prevention and educational training specific to Managing Aggresive Clients In the workplace. PPS has provided workplace violence prevention training to Federal, Provincial and Municipal government, as well as to private industry, since 1993.

While others in our industry seek out police endorsements, or advertise that they have or do work with law enforcement, "WE ARE" current or past law enforcement professionals, and bring this experience and pedigree to all our programs. There is a difference !!!

No matter what the job, this program will help your organization to minimize risk, and provide employees with realistic skills to safely manage non-verbal, verbal, and even physical aggression. A safe workplace environment promotes employee wellness, reduces fear and anxiety and helps to build employee confidence, which in turn has a positive impact on improving client services.

Whether you are looking for violence prevention training to meet the requirements of the **Provincial Occupational Health and Safety Regulations**, or training to reduce the anxiety and stress of employees due to foreseeable violence issues, our program "Managing Aggressive Clients" can meet and exceed your needs.

About Personal Protection Systems Inc.

Personal Protection Systems Inc., established in 1993 in Victoria B.C. Canada, is a family run company dedicated to providing pro-active Internet and Social Media safety, digital literacy and workplace violence prevention training to schools, businesses, corporations, law enforcement and government. We are very passionate about what we do, and we pride ourselves on the fact that we are direct, open and honest when delivering our programs. **Our instructional foundation and expertise is based upon 29 years of "real world" law enforcement investigative experience and perspective, combined with current "evidence based" academically peer reviewed research.** This is why we promote, “Come Train With The Experienced Not Just The Learned."

cupw • sttp

377, rue Bank Street,
Ottawa, Ontario K2P 1Y3
tel./tél. 613 236 7238 fax/téléc. 613 563 7861

June 6, 2016

Peter Luckham
Chair
Regional District of Islands Trust
200 1627 Fort St
Victoria, BC V8R 1H8

Peter Luckham,

Re: Federal government reviewing our public postal service - Have your say!

I am writing to let you know that the federal government is conducting a review of Canada Post. It says that everything but postal privatization is on the table. This means daily mail delivery, restoring home delivery, postage rates, the moratorium on post office closures and more.

The review will have two phases. The government has appointed an independent task force to collect input from Canadians, do research, gather facts and identify options for the future of our postal service by September 2016. Following this, a parliamentary committee will consult with Canadians on the options identified by the task force and make recommendations to the government by year's end. The government expects to announce its decisions about Canada Post in the spring of 2017. For more information, go to CUPW.ca/canadapostreview and Canada.ca/canadapostreview

While CUPW welcomes the opportunity to look at the future of our public postal service, we have a number of concerns about the review. The review's first phase – the part that determines the options that will be examined – is being held over the summer. As well, there has been very little information and advertising about the review, except in social media. We are concerned people will not learn about the review until it's too late.

CUPW would like to ensure that the views of municipalities are considered. Therefore, we would like you, if at all possible, to provide input to the Canada Post Review. We have attached a resolution for your consideration, information on providing input and some fact sheets on key issues.

Thank you very much for considering our request. There's a lot at stake and we appreciate anything you can do to help. We would also like to take this opportunity to express our gratitude to the many municipalities that supported our campaign to stop the cuts that Canada Post announced in December 2013, including the end of home mail delivery. We had a major victory when Canada Post announced a temporary hold on its plan to eliminate door-to-door delivery. CUPW is confident that we can build on this success and convince the Canada Post Review to recommend against further cuts in favour of new services that generate revenues and allow us to build a universal, affordable and green public postal system for future generations.

In solidarity,

Mike Palecek

Mike Palecek
National President

c.c. National Executive Committee, Regional Executive Committees, National Union Representatives, Regional Union Representatives, Specialists, Campaign Co-ordinators, Negotiators, CUPW locals

CONTACT INFORMATION FOR CANADA POST REVIEW

Step 1: Providing input to the task force now

The task force is collecting input from Canadians through a 'question of the week'. It is also providing a number of ways for people to make general comments (June 23rd deadline for municipalities and organizations, end of July deadline for public):

- Online: Canada.ca/canadapostreview
- Email: TPSGC.ExamendeSPC-CPCReview.PWGSC@tpsgc-pwgsc.gc.ca
- Twitter: Tweet and use #CPReview2016 hashtag
- Facebook: Like, share and comment at Facebook.com/Canada-Post-Review-521437564704406
- Instagram: Share photos and include the #CPReview2016 hashtag
- Fax: 1-844-836-8138
- Mail:
  Canada Post Review
  CP 2200
  Matane, QC G4W 0K8

Please share your input with us at Feedback@cupw-sttp.org or mail to Mike Palecek, President, Canadian Union of Postal Workers, 377 Bank Street, Ottawa, Ontario, K2P 1Y3

What to say?
Tell the task force what you want from your public postal service and what you don't want. Make suggestions on how postal services could be expanded. You can get information on new services and other issues in the weeks to come at CUPW.ca/canadapostreview

Step 2: Providing input to the parliamentary committee in the fall

The government says that details about the parliamentary committee's consultations will be made public as they become available.

Public review on future of Canada Post

Whereas Canada Post announced drastic cutbacks to our public postal service in December 2013, including plans to end home mail delivery in our country.

Whereas there was a huge public outcry in response to the cutbacks and stiff opposition from most federal parties, including the Liberal Party, which promised to halt the delivery cuts and conduct a review of Canada Post, if elected.

Whereas the delivery cuts were halted and our Liberal government is currently conducting a Canada Post Review, starting with an independent task force that will collect input from Canadians, do research, gather facts and draft a discussion paper in September of 2016, identifying viable options for postal service in this country.

Whereas a parliamentary committee will consult with Canadians in the fall of 2016 on the options that have been identified in the task force's discussion paper and then make recommendations to the government on the future of Canada Post.

Whereas it will be crucial for the task force and parliamentary committee to hear our views on key issues, including the importance of maintaining the moratorium on post office closures, improving the Canadian Postal Service Charter, restoring home mail delivery, keeping daily delivery, adding postal banking, greening Canada Post, and developing services to assist people with disabilities and help older Canadians to remain in their homes for as long as possible.

Therefore be it resolved that (name of municipality) provide input to the Canada Post Review task force and make a submission when the parliamentary committee consults with Canadians this fall.

A bank for everyone

Support Postal Banking

Postal banking is the provision of financial and banking services through a post office. It is not a new or radical idea. Postal banks already exist in many parts of the world where they are used to:

- increase financial inclusion
- promote economic development
- and generate revenue to preserve public postal service and jobs

In fact, our post office used to have a national savings bank – up until 1969 – and there is no reason we shouldn't have one today.

Why do we need postal banking?

1 Banks are failing to meet the needs of a growing number of Canadians. Thousands of towns and villages across our country do not have a bank. But many of them have a post office that could provide access to financial and banking services.

2 Nearly two million Canadians in urban and rural areas desperately need an alternative to predatory payday lenders. A postal bank could be that alternative.

3 Canadian banks have raked in enormous profits while cutting service, closing branches and charging some of the highest banking and ATM fees in the world. We deserve better.

4 Post administrations around the world, including Canada Post, have seen traditional mail volumes decline in recent years. Many post offices have added or expanded financial services in order to lessen their dependence on declining mail volumes and revenues. Postal banking could help Canada Post make money and increase its ability to provide public postal service and create decent jobs in communities throughout Canada.

Postal banking is lucrative!

New Zealand: Kiwibank generated 81% of New Zealand Post's after tax profits.

Switzerland: PostFinance produced 48% of Swiss Post's operating profits.

Italy: BancoPosta profits allowed the Italian post office to make 57 million Euros in profits ($86.1 million CAD) in spite of losses incurred by its postal business.

France: La Banque Postale's operating profits of 842 million Euros ($1271.6 million CAD) made a significant contribution to Le Group La Poste's operating profits of 719 million Euros ($1085.8 million CAD).

Sources: New Zealand Post, Swiss Post, Poste Italiane and Le Group La Poste, 2014

Postal banking has social & economic benefits

France: Banque Postale has an obligation to provide products and services to as many people as possible. It provides a Livret A or passbook savings account, at no charge, to anyone who requests it. It also provides banking services to the financially vulnerable and financing for social housing, voluntary organizations and microentrepreneurs lacking bank credit.

Brazil: Since its creation in 2002, Banco Postal at Brazil's post office has opened over 6,200 postal bank branches and provided bank accounts to about ten million people. These efforts are largely designed to meet the needs of poor and marginalized populations living in rural and underdeveloped areas.

Italy: BancoPosta offers current accounts, payment services and postal savings products on behalf of Cassa depositi e prestiti (CDP). The CDP, which is 80% owned by the Italian government, supports the development of the country by financing the investments of public entities, helping local authorities leverage their real estate assets, investing in social housing, and supporting energy efficiency policies.

We had a postal bank

Canada had postal banking for over a hundred years. The federal government passed legislation establishing a post office savings bank system just after Confederation in 1867 in order to provide a savings service to the working classes and small town residents. This system began operating in 1868 with 81 locations and grew quickly. By 1884, there were 343 post office savings banks, with a balance of $13 million from almost 67,000 accounts. However, Canada's postal banking system confronted challenges from chartered banks by the 1890s. These banks, facing a recession, became interested in attracting the kind of small-time depositors who used post office savings

banks and they actively worked to undermine postal banking. In 1898, the chartered banks successfully lobbied the government to reduce the interest rate paid on deposits at postal savings banks from 3% to 2.5%. They also worked to eliminate advertising by postal banks. As time went on, chartered banks and credit unions increased their presence in communities and the post office and government became less interested in maintaining the network. The post office savings bank system was closed down in 1969.

Support for postal banking

Municipalities: Over 600 municipalities have passed resolutions that support postal banking.

Public: Almost two out of every three respondents (63%) to a 2013 Stratcom poll supported Canada Post expanding revenue-generating services, including financial services like bill payments, insurance and banking.

Canada Post: A number of former Canada Post presidents have considered and even promoted the notion of the corporation getting more involved in financial services: Michael Warren, Andre Ouellet, Moya Greene.

Universal Postal Union: The UPU, a United Nations agency, thinks post offices should be looking at expanding financial services. It has produced a global roadmap for the future. This roadmap calls for the continued development of postal networks along three dimensions – physical, financial and digital/electronic.

Federal parties: Most federal parties have expressed either support for or an interest in postal banking. In 2014, the Liberal Party postal critic said the merits of postal banking should be explored in the context of several different options for the future of Canada Post.

Canada Post's secret postal banking study

Canada Post conducted a secret four-year study on postal banking that indicates that adding this service "would be a win-win strategy" for the corporation. This study was obtained though an Access to Information (ATI) request. Unfortunately, 701 of the study's 811 pages were redacted. CUPW has asked Canada Post's President to release the full report, but he has refused.

What would a postal bank look like?

There are many different models of postal banking. Some postal administrations set up their own bank. Others act as a financial intermediary by providing services in partnership with banking and other financial institutions, such as credit unions. In this instance, they work with one or a number of institutions, which operate nationally or in different regions. Some postal banks deliver a broad range of financial services, while others provide a more limited offering.

Services provided by postal banks:

- Savings and checking accounts
- Online banking
- Bank machines
- Credit cards, debit cards, pre-paid cards
- Money transfers, including remittances
- Insurance (home, auto, travel, etc.)
- Loans and mortgages
- Investment products (RRSPs, mutual funds, annuities)
- Foreign currency
- Other services such as financial counselling

Government review of Canada Post

CUPW wants the government review of Canada Post to recommend the addition of financial and banking services at Canada Post, or at a minimum, a task force to determine how to deliver new financial and banking services through our postal service.

Please consider making this recommendation to the review.

For more information:

A postal bank for everyone – Support Postal Banking
www.cupw.ca/PostalBanking

Why Canada Needs Postal Banking
https://www.policyalternatives.ca/publications/reports/why-canada-needs-postal-banking

The Banks Have Failed Us: Postal Banking To The Rescue
http://www.cupw.ca/postal-banking-rescue

Rural Canada is underserved by financial services: Why post offices need to offer banking services
http://cpaa-acmpa.ca/pub/files/banking_services_SEPT23Eng.pdf

Banking on a future for posts
http://www.cupw.ca/campaign/resources/banking-future-posts

A Canada Post for Everyone

Our Postal Service is Under Review: What's In It For You?

The federal government says it wants to ensure that "Canadians receive quality postal services at a reasonable price."

It's asking Canadians for our input. So, how do you think our national postal service should change with the times?

High Quality Service to Meet Our Changing Needs.

People everywhere are sending fewer letters through the mail, which has affected the revenues of post offices around the world. Some postal systems have raised prices or cut services and jobs, as Canada Post did when the Conservatives were in power.

But post offices in many other countries have expanded their services and branched out into new avenues in order to make more money.

It's time for Canada Post to make full use of its presence in every community and add new revenue-generating services. Here are a few options to think about:

Why Not Get More At The Counter?

With 6,300 outlets, Canada Post has the largest retail network in the country. It could be doing a lot more with this network.

Get Your Documents:

Canada Post already processes passport applications and issues fishing and hunting licenses. It could also accept identity card applications, provide identity authentication services, register voters, certify documents, issue permits and much, much more.

Canada Post could also process payments and cheques for federal and provincial governments, and offer government services in places that don't have any.

Get a Bank for Everyone:

Canada Post used to and could still provide financial and banking services like other post offices around the world. We could provide savings and chequing accounts; bank machines; lines of credit, mortgages, money transfers, etc.

Postal banking is profitable in many parts of the world and could reinvest its profits back into our communities. See CUPW's A Bank for Everyone campaign and go to **cupw.ca/PostalBanking.**

Get Display Space:

Canada Post's retail space could be better used in many locations. Why not rent display space to artists and producers for showcasing their specialty goods for fixed lengths of time? Showcase "Canadiana"? Or help on-line sales of products through a website portal like the Swiss post office?

Why Not Get Better Cell, Internet and Secure Data Service?

Canadians want simple, affordable internet and cell phone service. Canada Post could offer basic cell phone packages. It could also use its infrastructure to provide high-speed internet in rural and remote areas that do not have access to this service. Many post offices in Europe, such as the UK, Italy and France, already offer internet and cell service.

Canada Post could also collect data quickly and frequently for ethical use in transportation, infrastructure and public planning.

Why Not Get More at the Door?

With the largest delivery network in the country, Canada Post could deliver a lot more.

Get More Parcels:

The parcel delivery sector is growing rapidly as a result of e-commerce and internet marketing. It doesn't make sense to have multiple courier companies driving down the same streets every day to deliver parcels.

Canada Post could provide last mile delivery for the entire sector. This would lower prices and be good for the environment because it would reduce our use of fossil fuels, and cut pollution and traffic congestion.

Canada Post already provides last mile for FedEx in rural and small communities.

Get Your Groceries:

Canada Post could partner with large grocery stores to offer home delivery across the country like the Swiss and Danish post offices.

Remember, It's A Canada Post for Everyone

Of course, Canada Post isn't simply about making money. Like other Crown corporations, it is supposed to serve our public interest.

As well as considering revenue-generating services, Canada Post ought to be strengthening and expanding the services it provides to all Canadians. For example:

Get Better Services to Indigenous and Northern Communities:

- Postal Banking
- Food Mail

Get a Greener Canada Post:

- Electric Car Charging Stations at Post Offices
- Made in Canada Electric Postal Fleet
- Door-to-door as the greener option

For more information,
visit **cupw.ca** and **deliveringcommunitypower.ca**

Get Better Services for Seniors and People with Mobility Issues:

Our population is aging and we need to keep our communities connected.

Canada Post used to have a service called Letter Carrier Alert that allowed letter carriers to monitor seniors and people with disabilities. Many letter carriers still informally check up on their neighbourhoods and the people on their routes. In partnership with municipal governments, communities, health care providers and seniors, we can keep doing this, helping older Canadians to remain in their homes for as long as possible.

La Poste in France is a leader in testing such new roles for the letter carriers. It partners with pharmacies to deliver medicine and works with organizations to check on people who are vulnerable, isolated or disabled.

Japan Post also has a service called "Watch Over" that checks on seniors and reports back to family members for a small monthly fee.

This service costs the equivalent of about $8.40 US per month. According to the Inspector General of the United States Postal Service, a similar service in the US would generate $12.6 million in revenues annually if just one per cent of its 12.5 million older adults that live alone signed up.

Japan Post will deliver 4-5 million iPads to seniors by 2020. The iPads will have apps that facilitate check-ins and remind seniors to take their medications, eat and exercise.

From: northinfo
Sent: Wednesday, June 08, 2016 12:07 PM
To: Mandy Giesbrecht
Cc: David Marlor
Subject: FW: Office of Andrew Weaver - Introducing an Environmental Bill of Rights

Hi Mandy,
This email was sent to the northinfo@islandstrust.bc.ca mail box but was relegated to "Junk" and has just been retrieved.
Thanks
Mike

Mike Richards
Grants Program Manager
Islands Trust
700 North Road, Gabriola Island, BC V0R 1X3
Phone 250-247-2063
Enquiry BC Toll-free call 1-800-663-7867
or from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
Preserving Island communities, culture and environment since 1974

From: Pivnick, Evan [mailto:Evan.Pivnick@leg.bc.ca]
Sent: Wednesday, May 18, 2016 5:03 PM
To: Weaver.MLA, Andrew
Subject: Office of Andrew Weaver - Introducing an Environmental Bill of Rights

Dear Mayor and Council,

Please find attached a letter from me concerning the introduction of Bill M236 – *Environmental Bill of Rights Act, 2016.* I am emailing you because you are one of the 47 municipalities across our province that signed on to the David Suzuki Foundation's Blue Dot Tour, and have made a declaration about the right our citizens have to a healthy environment.

If you have any comments or questions, please feel free to get in touch with my office.

All the best,

Andrew

Andrew Weaver
MLA, Oak Bay-Gordon Head
Legislative Assembly, Room 027
Tel: 250-387-8347
Email: andrew.weaver.mla@leg.bc.ca

Andrew Weaver, M.L.A.
Oak Bay-Gordon Head

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Phone: 250 472-8528
Fax: 250 472-6123
e-mail: Andrew.Weaver.MLA@leg.bc.ca

Province of British Columbia
Legislative Assembly

Legislative Office:
Room 027
Parliament Buildings
Victoria, BC V8V 1X4

May 18th, 2016

Dear Mayor and Council,

I am writing you to inform you and your colleagues about a Bill I introduced in the BC Legislature: The *Environmental Bill of Rights Act, 2016*.

You are receiving this letter because you are one of the 47 municipalities across our province that signed on to the David Suzuki Foundation's Blue Dot Tour, and have made a declaration about the right our citizens have to a healthy environment.

I was at the back of the room in Vancouver last September when the Union of BC Municipalities endorsed resolution A5, which called on the Province of British Columbia to enact a provincial environmental Bill of rights.

Yesterday in the Legislature I introduced a bill intituled Environmental Bill of Rights Act, 2016.

This Bill specifically states that British Columbians' have a right to a healthy environment and that it is the government's responsibility to protect it for this generation as well as those to come. There are five key components to this Bill. The Bill:

1. outlines the Rights and Responsibilities of the BC Government and its residents when it comes to environmental decision making;
2. creates a publicly accessible one-stop-shop for environmental information;
3. ensures that all ministries consider the environmental impacts their operations may be responsible for;
4. creates an environmental commissioner responsible for investigating violations, providing the public an opportunity to participate in and access the decision making process, and providing regular reports about the state of the B.C. environment.
5. protects whistle blowers who act to prevent or mitigate environmental damage.

I am no longer confident that the next generation of British Columbians will enjoy the same opportunities that we have today. The problem is that governments are frequently pitting the environment against industry and it doesn't have to be that way.

The rhetoric that we hear in this province — 'the forces of no,' 'get to yes' no matter what the question is — is not helpful to anybody, despite the fact that it's a great sound bite. The intention of my bill is to create the rules in which industry can operate. Industry has crying out for this; the last thing industry wants is uncertainty. They want to know what the rules are. They want to know what the penalties are. They want to know how they can do business in British Columbia.

It’s also important to note that this conversation is taking place across the country. A number of jurisdictions across Canada already have some form of an Environmental Bill of Rights in place including Ontario, Quebec, Yukon, NWT and Nunavut. In addition, Manitoba and Nova Scotia have now had Bills introduced to their respective legislatures.

It's time that we moved on from the outdated thinking that every environmental law brought forward is somehow an attack on industry. I have visited projects across British Columbia and the most successful businesses, which also create the greatest benefits for their local economy, are those that account for their impacts on the environment. This should become the norm for anyone who wants to do business in B.C.

I want to thank you for raising your voice on this issue and I hope the Bill I have introduced will help you to continue to have this conversation in your communities.

Yours sincerely,

Andrew Weaver
MLA Oak Bay – Gordon Head
Leader, BC Green Party

Minister of Transport   Ministre des Transports

Ottawa, Canada K1A 0N5

Mr. Russ Hotsenpiller
Chief Administrative Officer at Islands Trust
301-990 Cedar Street
Campbell River BC V9W 7Z8

MAI MAY 13 2016

Dear Mr. Hotsenpiller,

I am writing to you today because I want to ensure that all affected communities receive an update on activities related to the Ports Asset Transfer Program. The Program, which was launched in spring 2015, aims to transfer Transport Canada-owned port facilities to local interests, as new ownership can help these facilities thrive and bring decision making closer to the community.

The Program has a proactive, structured approach that includes engagement, sales and divestiture phases. The initial engagement phase provided an opportunity to introduce and explain the Program to interested parties and is continuing throughout the duration of the Program, allowing Transport Canada officials to share Program information. During the sales phase, which was announced in mid-2015, the fifty port facilities, which includes some in your community, were first offered for transfer or sale to interested parties, in the following sequence: 1) other federal departments and Crown corporations; 2) provincial governments; 3) municipalities; followed by 4) Indigenous groups, non-governmental organizations, the private sector, Canada Port Authorities and individuals. The divestiture phase, which commenced in January 2016, follows the sales phase and continues to be rolled out on a port-by-port basis after no expressions of interest are received, or no transfer or sale is concluded for a port within the established time limits of the sales phase.

Under the Program, new operators have greater flexibility to expand or improve port facilities for continued marine operations or for alternative uses that are more responsive to local needs. I have ensured that measures are put in place by Transport Canada to bring to the forefront the public interest, which is my top priority, in all transfer agreements discussions. Furthermore, I have instructed Transport Canada officials to continue to keep communities informed on a continual basis about the future of local ports that remain under the Department's ownership at the end of the Program.

My department continues to update me on the ongoing efforts to keep communities informed of each stage of the Ports Asset Transfer Program. Should you have any questions or comments, please contact Lorraine Gill, Regional Manager, Property and Divestiture by telephone at (604) 666-5390 or by email at lorraine.gill@tc.gc.ca.

Yours sincerely,

Marc Garneau

The Honourable Marc Garneau, P.C., M.P.
Minister of Transport

Attached: Backgrounder Ports Asset Transfer Program

Canada

Backgrounder

Ports Asset Transfer Program

The primary goal of the National Marine Policy, established in 1995, is to improve the efficiency of the marine transportation system. One way to accomplish this goal is by placing port decision-making and operations in the hands of users and other local interests.

Building on the success of Transport Canada's former Port Divestiture Program (1996-2014), the new Ports Asset Transfer Program is a proactive and structured program for the sale or divestiture of 50 Transport Canada-owned port facilities to local interests.

The Program includes engagement, sales and divestiture phases. During the engagement phase, Transport Canada communicated with other federal departments, provincial/territorial governments, municipalities, Indigenous groups and other interested parties to provide information about the Program. Engagement will continue during all phases of the Program.

Next, the sales phase was undertaken in two stages. Transport Canada-owned port facilities were first offered to other federal departments, the provinces and territories, and municipalities. If no expressions of interest for the purchase of a port were received from these organizations, Transport Canada then sought expressions of interest from other interested parties, including Indigenous communities, non-government organizations, the private sector, Canada Port Authorities and individuals. The sales phase began in June 2015.

If there were no expressions of interest for a port during the sales phase, the divestiture phase followed on January 6, 2016, on a port-by port basis. This phase could include funding contribution from the Government of Canada to help continue port facility operations and maintenance.

It is important to note that interested parties involved in the divestiture phase should be aware that funding support may include a condition that the port facility remains operational for a specified timeframe.

Further information about the Program can be found at
https://www.tc.gc.ca/eng/programs/ports-asset-transfer-program-2979.html.

Canada

From: Hikmet Akin [redacted]
Sent: Tuesday, June 14, 2016 11:25 AM
To: marc.garneau@parl.gc.ca
Cc: bdumas@npa.ca; Peter Luckham; edahlgren@npa.ca; robert.dick@tc.gc.ca; yvette.myers@tc.gc.ca; oberkev@ppa.gc.ca
Subject: DISCREPANCIES IN NPA REPORT RELATING TO ANCHORAGES IN THE SOUTHERN GULF ISLANDS

Dear Minister Garneau,

A proposal is underway to establish 5 new anchorages for cape sized vessels off Gabriola Island. These anchorages will decimate a pristine marine area and negatively impact the daily lives of thousands of B.C. citizens.

The proponents of this proposal are providing decision makers at the highest level of the government with information which may not accurately represent the facts. As one example, attached please find our correspondence with Mr. Bernie Dumas, President and CEO of the Nanaimo Port Authority, regarding a serious, potential discrepancy in information provided by NPA to the decision makers and to the public.

Specifically, we do not believe the NPA's claim that the cargo volumes at PMV has increased by 200% in the last decade. Our analysis, based on data published by the PMV, indicates a total increase of 7.8% from 2007 to today.

We have sent repeated requests to Mr. Dumas asking that he review and consider correcting his claim by withdrawing his Briefing Note to you, if his analysis is not correct. So far, our repeated request have been ignored, yet we want to make certain that decision makers in the federal government base their deliberation on accurate information.

Regards,

Hikmet Akin, PhD

On behalf of Gabriola's Concerned Citizens

Hikmet Akin, PhD
[redacted]

June 13, 2016

Mr. Bernie A. Dumas, President & CEO
Nanaimo Port Authority
131-100 Port Drive
Nanaimo, British Columbia V9R 5K4

RE: DISCREPANCIES IN NPA REPORT DATED FEBRUARY 2016 – THIRD REQUEST

Dear Mr. Dumas,

On Monday, May 9, 2016 we sent you the attached email regarding statements made in the NPA Briefing Note titled, "Why the Existing Gulf Island Anchorages are important to Canadian Trade".

On May 31, 2016, we sent you the attached follow up letter requesting a reply to our May 9, 2016 inquiry.

To date, you have not responded to our repeated queries, for which we have now been waiting over 5 weeks.

In our message to you, we provided information which questions your claim that B.C. shipping tonnage has increased by 200% between 2004 and 2014. We also provided an analysis based on the figures published by PMV, that **the annual cargo volumes at PMV have increased by only 7.8% (in total) from 2007 to 2015**.

Considering that we have identified additional shortcomings in the document and that it has been distributed to the highest decision makers in the federal government and other political representatives, we strongly encouraged you to withdraw your report in its entirety if the information provided in it was not accurate.

We again ask you to kindly review the contents of your Briefing Note, including the data and graphs, for accuracy. After doing so, kindly provide us with your explanation so we can further our analysis.

Sincerely,

Hikmet Akin, PhD

On behalf of Gabriola's Concerned Citizens

Enclosures

cc: Honourable Marc Garneau, Minister of Transport
Mr. Robert Dick, Director General Transport Canada Pacific

cc (continued):

Mr. Edward Dahlgren, DO and Harbour Master, Nanaimo Port Authority
Mr. Kevin Obermeyer, President & Chief Executive Officer, Pacific Pilotage Authority
Ms. Yvette Myers, Regional Director, Marine Safety and Security, Transport Canada
Mr. Roy Haakonson, President BC Coast Pilots
Mr. Robert Lewis-Manning, President BC Chamber of Shipping
Mr. Peter Luckham, Chair, Islands Trust Council

From: Hikmet Akin [redacted]
To: bdumas@npa.ca; yvette.myers@tc.gc.ca; 0berkev@ppa.gc.ca
Sent: Monday, May 9, 2016 2:13 PM
Subject: DISCREPANCIES IN NPA REPORT DATED FEBRUARY 2016

Dear Mr. Dumas,

We have reviewed the NPA Briefing Note titled "Why the Existing Gulf Island Anchorages are important to Canadian Trade" ("Briefing Note") attached to your April 20, 2016 letter to Gabriolans Against Freighter Anchorages.

While we have identified a number of shortcomings contained in the Briefing Note, this letter will mainly focus on your representation that Port Metro Vancouver's annual cargo volume has increased by nearly 200% in the time period from 2004 to 2014 .

Your representation is, in our opinion, misleading.

The related data for which we base this statement is found on Page 5, Figure 2.b in the Briefing Note. However, based on information published by PMV on its webpage (www. Portvancouver.com, "Reporting, Statistics and Resources") we are unable to reconcile the diagram and data you employed with those published by PMV.

Our concerns are as follows:

1. Footnote 3 on graph 2.b of the Briefing Note indicates "Tonnage numbers prior to 2010 do not include the Fraser River." There is no explanation given for this significant exclusion, although it clearly determines the outcome of your analysis. In the absence of your rationale for this omission, we must consider your approach biased as it would fail to provide a reliable presentation and interpretation of the facts. This significant omission appears to artificially decrease the tonnages prior to 2010 by excluding contributions from the former Fraser River Port Authorities and yet compares these lower tonnages with more recent data which includes complete tonnage figures for the amalgamated PMV.

2. Therefore, your above analysis results in a "doubling" of the tonnages, which, if it was correct, would equate to a 100% increase, not a 200% increase, as you claim.

3. PMV's published numbers (per PMV website noted above) for total annual cargo volumes (in million metric tonnes, rounded up or down) are:

PORT VANCOUVER TOTAL ANNUAL CARGO VOLUMES			
Year:	Million Metric Tonnes:	Year:	Million Metric Tonnes:
2015	138	2010	118
2014	140	2009	102
2013	135	2008	115
2012	124	2007	128
2011	123		

The total annual cargo volumes provided in the Briefing Note agree with PMV's published data for only the years 2012, 2013 and 2014. All other volume numbers provided in the Briefing Note, from 2007 to 2011, are significantly LOWER than the figures published by PMV.

Using the above figures published by PMV, **the annual cargo volumes at PMV have increased by only 7.8% (in total) from 2007 to 2015**. Although this analysis does not cover the exact same time period as used in the Briefing Note, the result indicates that the assumption of even a 100% increase from 2004 to 2014 for the (amalgamated) PMV is improbable.

We also take this opportunity to highlight some additional factors pertaining to the Proponent's current justification of the Gabriola Anchorage proposal:

1. The Briefing Note ignores the fact that a significant portion of the coal exports is thermal coal. In the last five years the contribution of thermal coal increased from around 20% to over 30% of the total coal exports, a portion of this exported thermal coal is of US origin and its contribution to the Canadian economy is limited. In addition, there is already a significant decrease for demand of thermal coal in 2016, which will likely continue in the future due to structural changes in the international power generation industry.

2. The increase of grain exports in the last two years is mostly related to a "hundred-year" bumper crop in the prairies, indicating that it is a temporary and random event. We do not believe the decision to establish permanent anchorages can be based on temporary and random events, considering the permanent environmental and socio-economic impact on the affected communities.

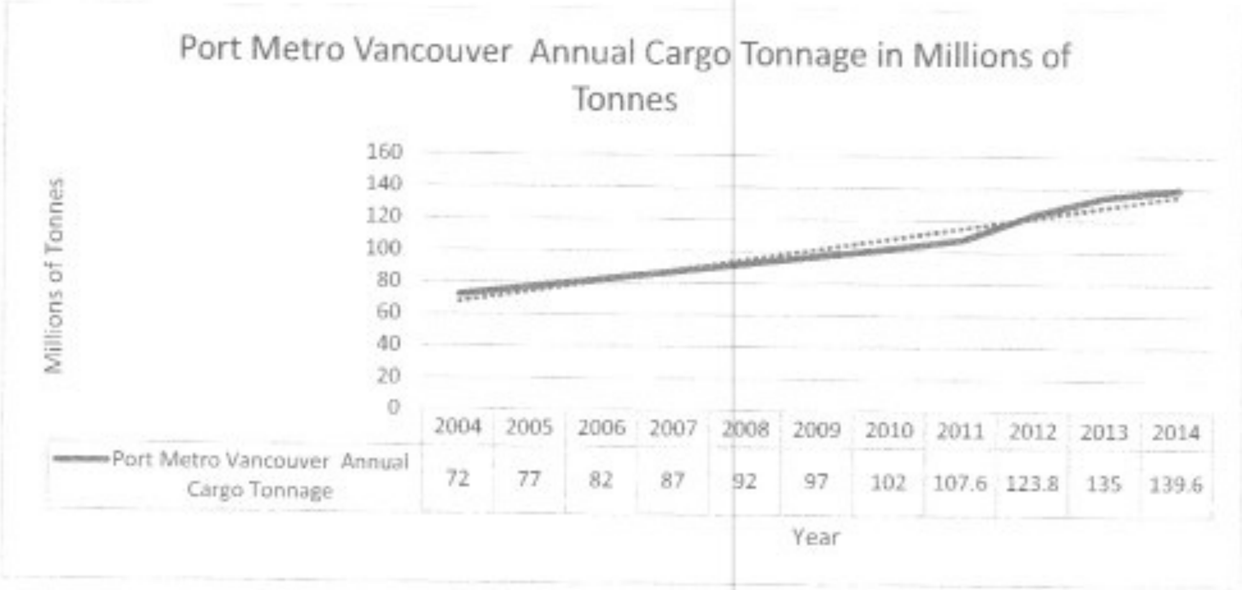
We invite you to review the data and graphs in the Briefing Note for accuracy. If you agree that our above statistical analysis is correct, we ask that you withdraw your report in its entirety. Considering that we have identified other shortcomings in the document and it has been distributed to the highest decision makers in the federal government and political representatives, we would strongly encourage you to do so as soon as possible.

Sincerely,

Hikmet Akin, PhD

On behalf of Gabriola's Concerned Citizens

Fig 2.b Port Metro Vancouver Annual Cargo Throughput in Tonnes 2004-2014[2][3]



The above two figures show that between 2004 and 2014, trade through Prince Rupert increased by approximately 500% and trade through Port Metro Vancouver has increased by approximately 200% (from around 70 million to around 140 million tonnes). There is no doubt that the present downturn in the international markets will have an impact on the rate of increase over the next few years, but the trend will be for Canadian Trade through the Pacific Coast to continue to grow.

This growth in trade over the last ten years has not meant that the number of ships has grown by the same amount. Fig.3 shows the number of pilotage assignments per year for the same period 2004-2014. A pilotage assignment occurs each time a pilot is dispatched to move a vessel. There is a strong correlation between vessel calls and vessel assignments. Every vessel calling BC will require at least two assignments (1 inbound and 1 outbound). But in most cases the actual number of assignments is higher per vessel call as ships often move to anchorages or multiple terminals during their call. The average number of assignments per call is between 2.5 and 3.5.

[2] Figures courtesy of Port Metro Vancouver Statistics Overview 2014 and Statistics Canada *Shipping in Canada Reports 2004-2011*

[3] Tonnage numbers prior to 2010 do not include the Fraser River

-----Original Message-----
From: Jan Slakov [redacted]
Sent: Tuesday, June 14, 2016 10:03 AM
To: EC
Subject: Protecting Open Process & ALR

Dear trustees,

I am concerned by a Trust Executive decision that may set an unhelpful precedent if allowed to stand unchanged.

I see, in a letter dated Feb. 9, 2016, from the Chair, Peter Luckham, to the Chair of the ALC, that he mentions “our previous interest in being delegated some responsibility for land use decisions”. I see also that the Trust Executive Committee directed staff to arrange a meeting with the Vancouver Island Panel of the ALC “to explore areas of mutual concern”.

I think any such meeting should only be arranged with preliminary direction from Trust Council and the areas of mutual concern should be made explicit. I would therefore ask that the Executive Council rescind EC-2016-051.

Further action should be taken to ensure that land use decisions will not be set up on a “staff to staff” basis, without public input and to make explicit the Trust’s obligation to uphold protection for agricultural land, in particular land in the ALR.

Sincerely,

Jan Slakov
Salt Spring Island BC
[redacted]

June 15, 2016

Islands Trust Executive

ec@islandstrust.bc.ca

Chair Peter Luckham
Vice Chairs

- Laura Busheikin
  Vice Chair, Executive Committee
- George Grams
  Vice Chair, Executive Committee
- Susan Morrison
  Vice Chair, Executive Committee

Support Staff

- Russ Hotsenpiller
  Chief Administrative Officer
  (250) 405-5160
- Mandy Giesbrecht
  Executive Coordinator
  (Deputy Secretary)
  (250) 405-5164

Dear Chair Luckham and Executive members: Re. outstanding issues needing your guidance.

I have two quick and simple asks of you and hope you are the appropriate choice, if not please direct me to someone who can address my issues.

#1. I attend the DFO hosted Shellfish Aquaculture Management Advisory Committee (SAMAC) bi-annual meetings along with First Nations, Shellfish fishers, BC Shellfish Growers Assoc., misc. provincial and federal reps. and two other NGO's. As well, there are two local government reps. neither of which exclusively represents the Islands Trust. I'm sure you will agree that the Trust mandate is vastly different from a regional district mandate and therefore needs a voice. Often only one UBCM rep. attends and even then, a Trustee would not be allowed at the table and are resigned to sit in the gallery. Bill Veenhoff states that it is up to the UBCM to designate a representative, yet for the last two years, I can find no evidence on the UBCM website about how/when this is to happen. I would therefore ask that the Trust Executive request a seat at the DFO SAMAC table in order to fairly represent their constituents who are the most impacted by DFO decisions.

#2. As I'm sure most Trust Islands do, Denman beaches are spawning habitat for forage fish who are the necessary link in the food web between phyto and zooplankton and all the larger species of fish, mammals, shore birds, eagles etc. Pacific Sand Lance and Surf Smelt make up up to 72% of the diet of salmon and are as important as herring (another forage fish). Three quarters of our west shore is being driven on in the upper inter-tidal regions regularly which is causing compaction which in turn, makes the substrate inhospitable for depositing eggs. As well, any eggs present may be crushed and are vulnerable for up to two weeks while they incubate. We have an LUB which does not list driving as an acceptable activity in this W1 Marine Conservation zone and Trustee Critchley is currently proposing

an amendment which would tighten up the existing bylaw and leave no doubt.
When I sent a bylaw complaint in about a vehicle driving on the beach on June 4, 2015 to the Trust bylaw office and received no reply by October, I resent the original as requested by Miles Drew. I had also sent a bylaw complaint (about a different incident) to the Comox Valley Regional District also in June 2015 and received an immediate response and action. As of Oct. 9th 2015, Trust bylaw file DE-BE-2015.08 was officially on the books but having received no reply from Robert Barlow by Nov 27, 2015, I sent another email reminder and included the DILTC Chair. Having had no response by Jan. 20th 2016, I sent another request for a reply to my original complaint and am still waiting, so my second ask is- could I please have a response to my June 2015 bylaw complaint?

Three questions-
1. If an activity is not listed as an acceptable use for a zoned area, is it?
2. Will I ever receive a reply to my Trust bylaw complaint?
3. If the DI LTC does not have the tools to proceed with bylaw enforcement, can it (through an existing mutual agreement) ask the CVRD to intervene on it's behalf?

Thank you for your time and consideration.

Respectfully, Edi Johnston
[redacted]
Denman Island BC
V0R 1T0
[redacted]

From: Peter Luckham
Sent: Thursday, June 16, 2016 3:27 PM
To: EC; Clare Frater
Subject: Fwd: Letter to Minister of Environment re National Energy Board Act Section 58 loophole

FYI, receive as correspondence

Peter Luckham
Chair Islands Trust Council
Thetis island Trustee
+1 (250) 210-2553
Sent from my iPhone

Begin forwarded message:

From: Malcolm Inglis [redacted]
Date: June 16, 2016 at 3:23:05 PM PDT
To: Gary Holman <gary.holman.mla@leg.bc.ca>, Peter Luckham <pluckham@islandstrust.bc.ca>, Stephen Hume [redacted], Elizabeth May <Elizabeth.May@parl.gc.ca>, Island Tides News <news@islandtides.com>
Subject: Letter to Minister of Environment re National Energy Board Act Section 58 loophole

For your information, attached is a letter from the Mayne Island Conservancy Society (MICS) to Catherine McKenna, Federal Minister of the Environment and Climate Change. You are copied on the letter along with other local political representatives and journalists.

MICS registered as a commenter on Kinder Morgan's Trans-Mountain Pipeline proposal to the National Energy Board. We opposed the proposal due to the high environmental risk of shipping bitumen through the Salish Sea over the proposed 50-year life of the project. Risk is the product of probability times impact. While we acknowledge that the probability of a major spill may be low, the impact would certainly be catastrophic and therefore we deem the risk to be unacceptable.

The letter describes how Section 58 of the NEB Act can permit Kinder Morgan to apply to increase the volume of material pumped through the pipeline without addressing the increased risk resulting from increased shipping. We advocate closing this loophole.

We would be grateful if you took the time to consider our argument and if you concur, you may wish to lend the weight of your position to help close this means for pipeline proposals to avoid a full environmental assessment.

Malcolm Inglis
President, Mayne Island Conservancy Society

To: The Honourable Catherine McKenna, MP
Minister of Environment and Climate Change

Cc: Elizabeth May, MP
Gary Holman, MLA
Peter Luckham, Chair, Islands Trust Council
Patrick Brown, c/o Island Tides newspaper
Stephen Hume, c/o Vancouver Sun
Peter Watson, Chair, National Energy Board

Date: June 13. 2016

RE: **Section 58 Loophole in the Nation Energy Board Act**

The Mayne Island Conservancy Society (MICS) wishes to congratulate your government for its stated commitment to restoring integrity and credibility to the National Energy Board's environmental review process for energy development proposals. In the spirit of your commitment, we wish to bring to your attention, a concern with the approval process for upgrades to existing energy development projects. We are particularly concerned about the implications for the Northern Gateway Project and the Trans-Mountain Pipeline Expansion Project, both of which introduce risks for the waters and shorelines of Canada's west coast.

MICS is registered with the NEB as a commenter on the Trans-Mountain proposal, and we submitted our official comment opposing the proposal in July 2015. We accepted in good faith the proposed volume expansion of 540,000 barrels per day and the resulting shipping increase from roughly one Aframax-class per month, to roughly one per day (round-trip numbers are double). This was the risk we assessed and found unacceptable, given the catastrophic consequences of a spill in the enclosed waters between Vancouver Port and the open Pacific.

We have subsequently learned that the design capacity of the new "twinned" pipeline is actually about 780,000 barrels per day, or about 45% greater than proposed. We have also learned that, following the recent approval of the original proposal, Section 58 exemptions permit a subsequent proposal to expand shipped volume to the maximum design capacity with a much more limited environmental review that could completely exclude consideration of the increased shipping risk.

It is clear that companies who design pipeline projects base their business cases on infrastructure carrying capacity in the expectation of utilizing that capacity in future – there is no other reason to build it. We understand that this is a perfectly legal approach under the provisions of the NEB Act. However it is also clear that the general public and most of those

PO Box 31 • Mayne Island • British Columbia • V0N 2J0
Phone: 250-539-5168 • Email: info@conservancyonmayne.com •
www.conservancyonmayne.com

who take the time in good faith to assess projects, base their assessments on the lower shipping volumes projected in the proposals. We assert that this lack of transparency of a proponent's real intentions results in an artificially lowered risk assessment by the public.

We believe that the integrity of the much-maligned environmental review process of the National Energy Board, and the credibility of your government's stated intention to restore that integrity, both depend on closing the Section 58 loophole. Therefore we request that:

- **Your government amend the National Energy Board Act to ensure that all energy development proposals, whether new projects or expansions of existing projects, be subjected to full environmental reviews; and**
- **Until such time that the Act is so amended, that Cabinet exercise its right to refuse any expansion proposals that the National Energy Board approves without full environmental review**.

For the Mayne Island Conservancy Society,

Malcolm Inglis
President

Helen O'Brian
Past President

June 19, 2016

Dear Chair Luckham, Executive Committee and Council Members,

On behalf of Gabriolans Against Freighter Anchorages Society and all of our supporters, I am writing to thank you all for your commitment to the object of the Trust and your work related to the threat of further industrialization of the Salish Sea. Your vision and leadership, reflected in the resolutions of June 15th regarding anchorages and port expansion plans, will send a strong message to decision makers.

We thank you also for arranging for the panel discussion on Marine Shipping Safety and, in particular, for including on that panel Misty MacDuffee of Raincoast Conservation Foundation. For too long only industry stakeholders have been involved in discussions and decision-making in this important area and there has been no recognition or representation of environmental and Trust Area interests. We congratulate you on taking the lead and sending a clear signal that this must change.

Sincerely,

Deborah J. Cook

Deborah Cook,

President, Gabriolans Against Freighter Anchorages Society

From: Jody Wright [mailto:jody.wright@clearseas.org]
Sent: Monday, June 20, 2016 3:41 PM
To: Peter Luckham
Cc: [redacted] Clare Frater
Subject: Connecting with Clear Seas

Hi Peter,

I hope this note finds you well. We very much appreciated your contributions at the Maritime Traffic Management workshop in April. Richard would enjoy the opportunity to speak with the Islands Trust Council or Executive Committee to further discuss how our interests align. Please let me know if there would be a convenient time to get together.

Warm regards,

Jody

JODY J. WRIGHT, PhD
Policy Analyst | Analyste des Politiques
355 Burrard St., Suite 630, Vancouver, BC V6C 2G8
604.328.5202
jody.wright@clearseas.org

CLEAR SEAS | CENTRE FOR RESPONSIBLE MARINE SHIPPING | CENTRE DE TRANSPORT MARITIME RESPONSABLE | clearseas.org

UBCM Union of BC Municipalities

June 16, 2016

Chair Peter Luckham
Islands Trust
Suite 200, 1627 Fort Street
Victoria BC V8R 1H8

Dear Chair Luckham:

Re: 2015 Resolutions

Please find attached the provincial response to the 2015 resolution(s) put forward by your Council and endorsed by the UBCM membership at Convention.

I trust this information will be of assistance to you. Please feel free to contact Reiko Tagami, UBCM Information & Resolutions Coordinator with any questions.

Tel: 604.270.8226 ext. 115 Email: rtagami@ubcm.ca

Sincerely,

Al Richmond

Chair Al Richmond
President

Enclosure

60-10551 Shellbridge Way, Richmond, BC V6X 2W9
t. 604.270.8226 | f. 604.270.9116 | ubcm.ca

525 Government Street, Victoria, BC V8V 0A8
t. 250.356.5133 | f. 250.356.5119 | ubcm.ca

2015 B24 Coastal Douglas-fir and Associated Ecosystems Conservation Partnership Funding **Islands Trust**

WHEREAS the UBCM members previously endorsed resolution 2013-B104 requesting that the Ministry of Forests, Lands and Natural Resource Operations adequately resource the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (the Partnership);

AND WHEREAS in 2015 the Partnership will issue a 30-year conservation strategy for the coastal douglas fir biogeoclimatic zone, the most at risk zone in British Columbia, but has insufficient resources to implement the strategy:

Therefore be it resolved that UBCM request the provincial government to provide core, multi-year funding to the Partnership to assist its members to implement the conservation strategy with the Province, First Nations, local governments, the federal government, stakeholders, and the general public.

Convention Decision: **Endorsed**

Provincial Response

Ministry of Forests, Lands and Natural Resource Operations

The Province was instrumental in the creation of the Coastal Douglas Fir Conservation Partnership and supports the goals and objectives of the organization. The partnership's steering committee is currently finalizing its long-term plan and preparing detailed budgets. Once these tasks are complete, we will work with the steering committee to develop a funding model to support this important work.

Through its involvement in the partnership, the provincial government remains committed to raising public awareness and promoting improved stewardship of the Coastal Douglas-fir ecosystem by working more closely with private landowners, local governments and environmental non-government organizations.

From: Ruth Simons [mailto:howesoundcommunityforum@gmail.com]
Sent: Thursday, June 23, 2016 6:09 AM
Subject: Info re CEA & Save the Date October Forum

Three news items to note:

1. The **District of West Vancouver** will be hosting the next Howe Sound Community Forum taking place on **Friday October 14th, 2016** at the Gleneagles Club House. Please submit requests for the day's program soon.

2. From Jeff Juthans: Attached Cumulative Effects Framework (CEF) Policy information materials used at last week's Stakeholder and Practitioner workshops in Richmond. Jeff is sharing the agendas, presentations and questions shared at each workshop to help inform HSCF members and/or their staff about the draft CEF policy documents and planned implementation. For those who were interested in these workshops but could not attend, Jeff hopes these materials are of some value.
Please see the Website for the draft CEF Policy Documents. Any review comments on the draft CEF policy documents can be sent by email to(CumulativeEffects@gov.bc.ca). The submission deadline is June 27, 2016, 4:00 p.m.

3. Looking for past information and files? Howe Sound Community Forum now has a Facebook Group Page. Reviews of prior forums and presentations can also be found on the Future of Howe Sound Society website.

Questions, comments and feedback is always welcome....

Ruth Simons 604 921-6564 778 834-4292 Assisting:

Howe Sound Community Forum ***Established in 2002***

To provide a forum for local governments, Regional Districts and First Nations discussion to maintain and enhance the economic, environmental, cultural and social well being of the Howe Sound for the benefit of present and future generations.

Squamish Nation - District of West Vancouver - Village of Lions Bay - Town of Gibsons - Resort Municipality of Whistler - Village of Pemberton - Bowen Island Municipality - Gambier Island Local Trust - District of Squamish - Metro Vancouver - Sunshine Coast Regional District - Squamish Lillooet Regional District

Reference: 300010

June 9, 2016

Dear Mayors, Councillors and Regional District Chairs and Directors:

As a follow up to my letter of March 30, 2016, regarding the *Water Sustainability Act* (WSA), I would like to highlight some key changes that are now in effect under the Act and new regulations that will affect many local governments. An information session on these changes has been scheduled for Tuesday, June 28 for local government staff. Given the possibility of drought and water scarcity this summer, I would also like to take this opportunity to highlight the relationship between the WSA and drought planning.

Information Sessions
Ministry staff are hosting a one-hour teleconference for local government staff, highlighting the key changes arising from the WSA and new regulations. The teleconference will take place on **Tuesday, June 28 at 2-3pm**. To attend the teleconference, please call 1-877-353-9184 and use access code 3425678#. Presentation material will be posted in advance at http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/laws-rules/water-sustainability-act.

Please email livingwatersmart@gov.bc.ca in advance of, or during, the information session if you have specific questions you would like addressed.

Groundwater Licensing Requirements
The WSA and new regulations came into force on February 29, 2016. The most immediate implication of the WSA is groundwater licensing. Approximately 20,000 existing groundwater wells, including those associated with waterworks, irrigation and storage purposes, will now require a licence. Local governments with existing wells associated with drinking water supply, irrigation, park operations and other uses will need to apply for water licence(s). There is an exemption to this requirement for individual household wells used for domestic purposes—these wells are not licensable, nor are they subject to water fees or annual rentals.

Bringing approximately 20,000 existing groundwater wells into the regulatory system is a significant undertaking. Due to the workload associated with licensing existing groundwater use and the number of proposed regulations and policies government is taking a phased approach to implementing the new Act. As work is initiated on the next phase of regulations, the Ministry of Environment will continue to work closely with the Ministry of Forests, Lands and Natural Resource Operations; the Ministry of Agriculture; the Ministry of Community, Sport and Cultural Development; the Ministry of Health, and other agencies to assess the implications for First Nations, local governments and other stakeholders.

For groundwater use that began prior to the Act coming into force, the regulations provide a three-year transition period in which to apply for a licence; application fees will be waived during the first year of the transition period to March 1, 2017. Annual water rentals for existing non-domestic groundwater users accrue starting February 29, 2016, regardless of when an application for a licence is submitted within the three-year transition period. The new water fees and rentals announced last year apply to both surface water and groundwater use.

…2

Ministry of Environment | Office of the Minister | Mailing Address: Parliament Buildings Victoria BC V8V 1X4 | Telephone: 250 387-1187 Facsimile: 250 387-1356

Drought Response
Provincial drought response planning is underway to prepare for the possibility of drought and water scarcity conditions this summer. We appreciate the efforts of many local governments that are working hard to prepare for drought. The WSA brings new tools to help the Province respond to drought, which may involve taking action more frequently to regulate surface water and groundwater use to maintain water supplies, particularly for essential household use and to protect fish and aquatic ecosystems. In times of drought, groundwater users including those that have not yet applied for a licence may be regulated if their use is considered to be hydraulically connected to surface water sources. Find the latest information on drought in British Columbia at the Drought Information Portal.

Further References
I have attached brochures that provide an overview of the WSA and groundwater licensing. More information about the Act and implications of the new regulations can be found on the Province's water webpages at http://www.gov.bc.ca/water. For specific direction and guidance on how to apply for a groundwater licence, please visit FrontCounter BC at http://www.frontcounterbc.gov.bc.ca. If you have further questions about the changes, please contact Mr. Ian Graeme, Manager of Watershed Sustainability for the Ministry of Environment, at 250 356-6663 or via email at livingwatersmart@gov.bc.ca.

In closing, I appreciate your commitment to water stewardship and look forward to continuing to work with you and your communities to manage and protect British Columbia's water resources for current and future generations.

Sincerely,

Mary Polak
Minister

Attachments (2)

cc: Honourable Peter Fassbender, Minister of Community, Sport and Cultural Development
Honourable Terry Lake, Minister of Health
Honourable Norm Letnick, Minister of Agriculture
Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations
Al Richmond, President, Union of BC Municipalities
Gary MacIsaac, Executive Director, Union of BC Municipalities

Islands Trust

PART 1 - Executive Committee Work Program Top Priorities

Project No[1]	Top Priority No	Description	Date Initiated[2]	Origin[3]	Summary of Activity to Date[4]	Owner	Target Completion Date	Status	SP[5]	PS[6]	ToR[7]
TC Prep, Strategic Planning, Org. Improvements, TC Policy & Bylaw Development, Management Liaison, Governance(EXEC)											
EX-15-05	1	CAO Transition Planning/Orientation	2015 05		2016 01 15 Initial orientation complete 2015 11 initial orientation planning underway	LA/RH	June 2016	Complete	N	N	Y
EX-15-02	2	Islands Trust Transition Plan and Adaptation Strategy	2015 06 25	TC	2016-5-9 Agreement with Urban Systems for update of Impact Study 2015 12 08 TC approved (in principle) Principles and Objectives for Adaptation Strategy 2015 12 09 Draft Annotated ToC and Charter to TC 2015 12 01 Meeting with CRD staff 2015 11 18 Draft ToC and Charter to FPC 2015 11 05 Draft ToC provided to ministry 2015 10 21 Draft Table of Contents (ToC) prepared for EC comment 2015 10 20 Council workshop report completed 2015 09 15 Council workshop/ministry discussions 2015 08 19 Briefing and Council Session prepared 2015 07 Mgmt Team discussions 2015 06 25 TC resolution	RH	June 2016	In progress	Y	N	Y

[1] Numbered chronologically by group, year and next consecutive number
[2] Date of originating resolution – in the case of policy, provide date of policy
[3] TC=Trust Council; EC=Exec Committee; R=resolution; P=policy; ITA=Islands Trust Act; L=litigation/legal
[4] Summarize activity to date, in reverse chronological order
[5] SP = Referenced in current Trust Council Strategic Plan
[6] PS = Referenced in *Islands Trust Policy Statement*
[7] ToR = Consistent with Executive Committee Terms of Reference of policy assignments
BOLD = non-discretionary (required by litigation, legislation or Trust Council policy)

Project No[1]	Top Priority No	Description	Date Initiated[2]	Origin[3]	Summary of Activity to Date[4]	Owner	Target Completion Date	Status	SP[5]	PS[6]	ToR[7]
					2015 06 04 Draft RFD to Trust Council 2015 05 01 Initial research re consultants 2015 04 22 Meeting scheduled with J. Schlosar to discuss 2015 03 Letter received from J. Schlosar						
EX-15-04	3	Amend Provincial Protocol re municipal incorporation	2015 06 25	TC	2016-5-4 Receipt of amendments from MCSCD 2015 09 Briefing to TC and BIM 2015 08 17 Draft amendments sent to MCSCD for review 2015 07 Discussions with ministry staff 2015 06 RFD to TC to initiate amendment process	RH	May 2016	In progress - awaiting Ministry input	Y	N	Y
Communications, Advocacy, Policy Statement, Protocols, Inter-agency and Public Relations (TAS)											
	1	2015-2016 Annual Report		IT Act	*Trust Council approval received. Now with graphic designer. Send to Minister.*		Aug 2016	In progress			
TA-12-01	2	Propose revisions to the protocol agreement and letters of understanding with the Province of British Columbia relating to interests in Crown Land.	2012-04-12 2014-06-19	EC TC	2016-07-28 Meeting scheduled for BIM, LPS, TAS and FLNRO 2016-06-09 TAS meeting with FLNRO 2016-05-03 LPS meeting with FLNRO 2015-06-01 TPC approved project charter 2015-04 BC, BIM and IT staff agree on draft project charter 2015-03 BIM agrees on involvement. FLNRO, BIM & IT Staff meet to complete project charter. 2015-02 TPC added to work program 2014 09 10 TC received RFD and added this topic to the strategic plan. 2014 06 TC asked EC to review resources needed to review protocol agreements/letters of understanding with the Ministry of Forests, Lands and Natural Resource Operations.	LG	Draft to BIM and Trust Council in 2016	Delayed	Y	N	Y
TA-14-03	3	Oil spill and shipping safety advocacy	2014 04	TC	2016-06 Trust Council marine shipping session, followed by letters to Prime Minister and Minister of Transportation 2016-04 Drafted Chair letter supporting	LG	2018	In progress	Y 2.3 3.1	N	Y

Project No[1]	Top Priority No	Description	Date Initiated[2]	Origin[3]	Summary of Activity to Date[4]	Owner	Target Completion Date	Status	SP[5]	PS[6]	ToR[7]
					Particularly Sensitive Sea Area nomination for Salish Sea and sponsor workshop 2016-04-08 AVICC resolution approved 2016-04-11 - Chair presented re Government and Community Engagement at the Clear Seas workshop on Decision Making for Maritime Traffic Monitoring & Modelling. Policy Advisor to attend. 2016-04-08 Vice-Chair Grams attended WESTAC Roundtable on West Coast Marine Spill Prevention, Preparedness & Response Capacity *Deleted all prior tasks on April 21, 2016*						
Administration (ADMIN)											
		n/a									
LTC Assistance (LPS)											
LT-12-01	1	Improve First Nations relations	2012-07-03	EC	2016-07-05 Senior Intergovernmental Relations Policy Advisor begins work, orientation underway. 2016 03 02 Database complete and data entry underway. Preview planned for Trust Council in March.	DM	Ongoing	In progress	Y 5.1	N	Y
Legislative Services, Procedures, Administrative Fairness (LS)											
LS-15-02	1	TC electronic meeting procedures	2015 09	TC	2016 03 22 Presentation to Trust Council re considerations for bylaw amendments; 2016 05 18 RFD to EC re TC meeting procedures bylaw amendment proposal 2015 11 25 Briefing to EC re options;	CT	Dec 2016	In progress	Y	N	Y
LS-15-01	2	Staff support to CAOHC	2015 05	EC	Meeting minutes and agendas for CAOHC meetings	CT	June 2016	Complete	N	N	Y

PART 2 - Executive Committee Work Program Long List

Project No	Long List Priority No	Description	Date Initiated	Origin	Summary of Activity to Date	Owner	Target Completion Date	Status	SP	PS	ToR
TC Prep, Strategic Planning, Org. Improvements, TC Policy & Bylaw Development, Management Liaison, Governance(EXEC)											
EX 12	4	Litigation Defence	2012	TC/EC	2015 11 Ongoing instructions to counsel re Ellis/Stoneman 2015 09 Instructions to counsel re Ellis/Stoneman and re Channel Ridge 2015 09 Instructions to counsel re Ellis/Stoneman 2015 09 Instructions to counsel re Channel Ridge 2015 08 18 Meeting with legal counsel re Channel Ridge claim 2015 08 Instructions to legal counsel re Channel Ridge claim 2012 -2015 Convey instructions to lawyers, communications (weekly input)				N	N	Y
EX-12-01	5	Seek legislative change regarding TFB name change	2012 09 12	TC-R	2015 11 03 Meeting with Minister 2015 06 29 Seek status from ADM 2015 05 12 EC Meeting with ADM 2015 03 26 Draft outline prepared re ADM meeting 2015 02 04 EC to seek meeting with ADM 2014 09 10 several minister meeting requests made – no response 2014 08 27 Minister meeting request completed 2014 07 21 CAO mtg with ADM 2014 05 30 Advice sought re timing of minister meeting 2013 09 10 Chair letter to Minister 2013 Chair letter to Minister 2012 Initial discussion with ministry staff	RH	2015	On hold	Y 1.4.1	N	Y
EX-14-01	6	Trust Council and Executive Committee orientation programs	2014 02 04	EC	2015 08 05 EC review of own orientation schedule and materials 2015 06 15 EC review of own orientation schedule 2015 05 13 Chair training session						

Project No	Long List Priority No	Description	Date Initiated	Origin	Summary of Activity to Date	Owner	Target Completion Date	Status	SP	PS	ToR
					finalized 2015 03 26 Briefing to EC re Chair training session 2015 03 10-12 Orientation re community planning, strategic planning, First Nations, ethical conduct 2015 03 Finalize toolkits and print/distribute 2015 02 04 EC orientation discussions and finalize toolkits 2015 01 27-29 LGLA sessions 2015 01 26 EC orientation schedule revised 2015 01 23 EC orientation toolkits finalized 2014 12 19 EC orientation materials and schedule developed 2014 12 3 Trust Council orientation 2014 11 13 Final TC orientation materials prepared 2014 10 18 EC review of draft TC orientation materials 2014 10 07 EC review of TC, EC and Planning Team orientation schedules 2014 08 12 EC review of past orientation materials and trustee feedback 2014 07 29 EC endorsement of development schedule 2014 07 29 EC review of orientation development schedule 2014 02 04 EC review of 2011 TC orientation schedule and trustee evaluations						
EX-14-02	7	Manage Hwlitsum litigation case	2014 11 10	L	2015 11 on-going instructions to Counsel 2015 07 06 Instructions to Counsel 2015 05 Verbal update to TFB 2015 04 01 Verbal update to EC 2015 01/03 Instructions to lawyer 2014 12 05 Update to Trust Council 2014 11 12 Legal advice sought	RH	2015 04	In progress	N	N	Y
EX-12-06	8	Documentation about prep of RFDs and briefings	2012 12 08	EC-R	2014 08 06 Staff workshop held	RH	2015	Delayed by other	N	N	Y

Project No	Long List Priority No	Description	Date Initiated	Origin	Summary of Activity to Date	Owner	Target Completion Date	Status	SP	PS	ToR
								priorities			
EX-15-05	9	Provide advice about amendments to Policy 2.2.1 (RFDs)	2015 02 15	EC-R		RH	2016	Not started	N	N	Y
EX-12-05	10	Policy/procedures regarding litigation defence	2012 12 08	EC-R		RH	2016	Not started	N	N	Y
EX-16-01	*11*	*Investigate the possibility of amendments to the Islands Trust Act to broaden the Islands Trust's ability to serve its communities and to strengthen its mandate to preserve and protect*	*2016 05 18*	*SSILTC/EC*		*RH*	*2016*	*Not started*	*N*	*N*	*Y*
Communications, Advocacy, Policy Statement, Protocols, Inter-agency and Public Relations (TAS)											
TA-14-01	4	Shellfish Aquaculture Advocacy / Improve Engagement with First Nations 2014-2018 strategic plan item 2.5 asks EC to advocate to reduce the negative impacts of shellfish aquaculture practices in 2017/18. Item #6.1 asks EC to improve relations with First Nations	2015 10 06	EC / TC	2015 12 01 Chair wrote to AAA welcoming opportunity to meet 2015 11 25 EC directs Chair to welcome meeting with AAA even if staff research is incomplete. 2015 11 03 EC meets with Minister who encourages EC to meet with the AAA. 2015 10 06 EC assigned TAS Director to do research with other ministries before drafting a Chair letter responding to the Aboriginal Aquaculture Association's (AAA) letter asking for a meeting.	LG	2016	In progress	Y 2.5	N	Y
Administration (ADMIN)											
		n/a									
LTC Assistance (LPS)											
EX-16-03	*2*	*Rural status for southern LTC grant eligibility*	*2015-11-02*	*EC*	*2016: staff to review and report back on options for legislative change* *2016-03-09 – Briefing to EC* *2015-11-25 – TAS Verbal advice to EC*	*DM (w CF)*	*2016*	*In progress*	N	N	Y
LT-12-02	3	Review and report on process for development of RD/LTC protocol agreements	2012 08 12	EC	Work to begin in July and complete for August EC meeting.	DM		Not started	N	N	Y
LT-12-04	4	Provide advice re application sponsorship policy re sponsorship of gov. bodies	2012 11 20	EC		DM		Not started	N	N	N

Project No	Long List Priority No	Description	Date Initiated	Origin	Summary of Activity to Date	Owner	Target Completion Date	Status	SP	PS	ToR
LT-12-03	5	Review and report on provincial process regarding tenure referrals	2012 08 12	EC		DM		Not started	N	N	N
Legislative Services, Procedures, Administrative Fairness (LS)											
EX 12-04	3	Improve policy and procedure development process	2012 12 08	EC-R	2016 04 – Directors to review anomalies in policies which came to light as a result of updating numbering, etc. 2015 08 to 2015-09 Existing numbering in policies updated along with position titles and references to ministries; and cross references checked to be in line with new scheme 2015 09 PPMRT meeting 2015 07 PPMRT meeting 2014 10 16 – Policy and Procedures Manuals Review Team (PPMRT) meeting. New Table of Contents and New template for operational procedures in development. 2014 09 Mgmt team meeting – new Table of Contents developed for integrated policy and procedures manual 2014 07 Mgmt team review of procedure manual 2014 06 20 2nd draft of policy development framework prepared 2013 08 27 First draft of policy development framework prepared 2013 04 staff training plans started 2013 04 internal discussions and research	CT	2016	In progress	N	N	Y

Notes:

1. Tasks assigned by Trust Council, either by resolution (R) or policy (P) (e.g. Annual Report development) should normally appear as the highest priority projects from the date of initiative until complete, unless variance approved by EC resolution.
2. Cyclical tasks with defined deadlines (i.e. Preparation of Trust Council agenda package or orientation materials) will occasionally displace discretionary projects.