



# Executive Committee Agenda

Date: Tuesday, September 20, 2022  
Time: 10:00 am  
Location: Electronic meeting, Public venue  
Islands Trust  
200-1627 Fort Street  
Victoria, BC V8R 1H8

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## Pages

1. CALL TO ORDER
2. APPROVAL OF AGENDA
  - 2.1. Introduction of New Items
  - 2.2. Approval of Agenda
    - 2.2.1. Agenda Context Notes
3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

Chair Luckham to rise and report that, at the September 7<sup>th</sup> closed meeting the in-camera minutes of August 3, 2022 were adopted as presented.
4. ADOPTION OF MINUTES
  - 4.1. September 7th, 2022 draft meeting minutes 3 - 13
5. FOLLOW UP ACTION LIST AND UPDATES
  - 5.1. Follow Up Action List/Director/CAO Updates 14 - 18
  - 5.2. Local Trust Committee Chair Updates
  - 5.3. Islands Trust Conservancy Liaison Update
6. BYLAWS FOR APPROVAL CONSIDERATION
7. TRUST COUNCIL MEETING PREPARATION
  - 7.1. Executive
  - 7.2. Local Planning Services
  - 7.3. Administrative Services
  - 7.4. Trust Area Services
8. EXECUTIVE COMMITTEE PROJECTS
  - 8.1. Trust Council Initiated
    - 8.1.1. Executive
    - 8.1.2. Trust Area Services
    - 8.1.3. Local Planning Services

- 8.1.4. Administrative Services
- 8.2. Executive Committee Initiated
  - 8.2.1. Executive
    - 8.2.1.1. Union of British Columbia Municipalities (UBCM) debrief - Discussion
  - 8.2.2. Trust Area Services
  - 8.2.3. Local Planning Services
  - 8.2.4. Administrative Services
- 9. NEW BUSINESS
  - 9.1. Executive/Trust Council
  - 9.2. Trust Area Services
    - 9.2.1. LTC Chairs Report on Local Advocacy Topics
  - 9.3. Local Planning Services
  - 9.4. Administrative Services
- 10. CORRESPONDENCE (for information unless raised for action)
  - 10.1. Review of Islands Trust Policy Statement Draft reviewed by Shar Wilson letter dated September 2022 19 - 25
  - 10.2. WLC Staff Response to 2021 Islands Trust Policy Statement Amendments August 4, 2022 26 - 33
  - 10.3. Minister response re: Proper Disposal of Derelict Docks email dated September 7, 2022 34 - 34
  - To chair letter sent August 4, 2022
- 11. WORK PROGRAM
  - 11.1. Review and amendment of current work program 35 - 39
- 12. NEXT MEETING
 

The next Executive Committee meeting is scheduled to be held electronically, October 5, 2022.
- 13. CLOSED MEETING (scheduled)
 

That the meeting be closed to the public subject to Section 90(1)(i) of the Community Charter in order to consider matters related to receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.
- 14. ADJOURNMENT



## Executive Committee

### Minutes of Regular Meeting

**Date:** September 7, 2022  
**Location:** Islands Trust - Victoria  
200 - 1627 Fort Street, Victoria, BC

**Members Present:** Peter Luckham, Chair, Thetis Island Trustee  
Dan Rogers, Vice-Chair, Gambier/Keats Island Trustee  
Laura Patrick, Vice-Chair, Salt Spring Island Trustee  
Sue Ellen Fast, Vice-Chair, Bowen Island Municipal Trustee

**Staff Present:** Russ Hotsenpiller, Chief Administrative Officer (CAO)  
David Marlor, Director, Legislative Services (DLS)  
Wanda Boden, Acting Director, Administrative Services (A/DAS)  
Clare Frater, Director, Trust Area Services (DTAS)  
Robert Kojima, Regional Planning Manager (RPM)  
Dilani Hippola, Senior Policy Advisor  
Warren Dingman, Manager, Bylaw Compliance and Enforcement  
Lori Foster, Executive Coordinator/Recorder

**Others Present:** 1 member of the public attended electronically

The meeting was livestreamed, recorded and available for the public to attend electronically. All members of the Executive Committee and most staff were present in the boardroom.

#### 1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Chair Luckham called the meeting to order at 9:02 a.m. and humbly stated gratitude to live and work on Coast Salish First Nations traditional and treaty territory then introduced elected officials and staff.

#### 2. APPROVAL OF AGENDA

##### 2.1 Introduction of New Items

For consideration to add the following items:

- Addendum with pending items 7.10 (circulated as 7.10.1) and 7.12. (circulated as 7.12.1)
- 8.1.1.2 UBCM/Minister Meetings - Discussion
- 5.4 Public Comments/ Delegations re South Pender Bylaw No. 122 and 123

##### 2.2 Approval of Agenda

**By general consent**, the agenda was approved as amended.

##### 2.2.1 Agenda Context Notes

As shown for item 3.

**3. RISE AND REPORT DECISIONS FROM CLOSED MEETING**

Chair Luckham reported that at the August 3th in-camera meeting, the June 8<sup>th</sup> in-camera minutes were adopted.

**4. ADOPTION OF MINUTES**

**4.1 August 3, 2022 draft minutes**

At item 5.2, second bullet, add “community” before the word information.

**By general consent**, the minutes were adopted as amended.

**5. FOLLOW UP ACTION LIST AND UPDATES**

**5.1 Follow Up Action List/Director/CAO Updates**

Chief Administrative Officer (CAO) Hotsenpiller and directors reviewed their FUAL list items, spoke to emerging issues, recently attended meetings, and gave staffing updates noting summer vacation schedules.

Discussion ensued on the following:

- CAO FUAL list item #1 (forest protection) and Trust Programs Committee’s position, and that public correspondence sent to the minister was cc’d to Islands Trust,
- British Columbia Government Employees Union (BCGEU) strike notice updates,
- Elections updates,
- Waiting to hold the Dust & Bones presentations on Salt Spring and Gabriola until after the election,
- Gap in reconciliation work with loss of Senior Intergovernmental Policy Advisor.

**EC-2022-114**

**It was Moved and Seconded,**

That the agenda for the Executive Committee meeting being held October 19, 2022, include a discussion item on First Nations engagement and suggestions.

**CARRIED**

**5.2 Local Trust Committee Chair Updates**

Local trust committee chairs gave verbal updates on recently attended meetings, project and application updates and, other local trust area developments.

**5.3 Islands Trust Conservancy Liaison Update**

Conservancy Vice-Chair Fast noted a communications workshop was held for the Conservancy board and staff on August 25<sup>th</sup>.

**5.4 Public Comments/Delegations**

South Pender Island residents Shelley Henshaw, Jon Spaulding, and Dennis Perch addressed Executive Committee regarding South Pender draft Bylaws No. 122 and 123. During the meeting, Shelly Henshaw and Dennis Perch presented written submissions

requesting Executive Committee not support/approve the South Pender Bylaws for consideration on today's agenda.

Executive Committee thanked the delegates for their presentations.

The meeting recessed for a break at 10:45 a.m. and reconvened at 10:55 a.m.

## **6. BYLAWS FOR APPROVAL CONSIDERATION**

### **6.1 South Pender Island Local Trust Committee Bylaw No. 123 (OCP amendment) - RFD**

Regional Planning Manager (RPM) Kojima spoke to the bylaw as presented in the report.

#### **EC-2022-115**

##### **It was Moved and Seconded,**

THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 123, cited as "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2021" in accordance with Section 27 of the *Islands Trust Act*.

Discussion ensued:

In general, Executive Committee (EC) had no issues the referral process, amendments or recognition statement concerning the bylaw noting the minister's office reviews official community plan bylaws/amendments.

**CARRIED**

### **6.2 South Pender Island Local Trust Committee Bylaw No. 122 (LUB amendment) - RFD**

RPM Kojima spoke to amendment to the land use bylaw as presented in the report and request for decision (RFD).

#### **EC-2022-116**

##### **It was Moved and Seconded,**

THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 122, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021" in accordance with Section 27 of the *Islands Trust Act*.

Discussion ensued:

EC discussed its role to review the bylaw with regards to the policy statement directives and found no issues.

**CARRIED**

### **6.3 Lasqueti Island Local Trust Committee Bylaw No. 99 (fees) - RFD**

Vice-Chair Patrick spoke to the request for decision noting one Lasqueti Island local trustee thought the fees were too high.

**EC-2022-117**

**It was Moved and Seconded,**

THAT the Islands Trust Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 99, cited as the "Lasqueti Island Local Trust Committee Fees Bylaw, 2022", in accordance with Section 27 of the *Islands Trust Act*.

**CARRIED**

**7. TRUST COUNCIL MEETING PREPARATION**

**7.1 Executive**

**7.1.1 June Trust Council draft meeting minutes**

Typo on page 6, Will Husby is spelled with two l's.

Forward to Trust Council as amended.

**7.1.2 Trust Council Follow-up Action List (FUAL)**

Forward as presented.

**7.1.3 Resolutions without Meeting Report**

Forward as presented.

**7.1.4 Executive Committee Work Program Report**

Forward as presented.

**7.1.5 Chief Administrative Officer 2022-2023 2nd Quarter Report**

CAO Hotsenpiller answered questions regarding the report.

Forward as presented.

**7.1.6 Strategic Plan Update**

EC requested clarification regarding water budgets and corresponding with Bowen Island Municipal staff regarding this data and that the first bullet on page 132 of the agenda package add "and associated ecosystems."

**By general consent,** forward to Trust Council as amended.

**7.1.7 2022-2026 Trust Council Orientation Overview – Briefing**

CAO Hotsenpiller spoke to the briefing.

Forward as presented.

**7.1.8 Bylaw Amendment to the FOI and Protection of Privacy Islands Trust Council Bylaw No. 188 and Model Bylaw – RFD**

Forward as presented.

The meeting recessed for lunch at 12:00 p.m. and reconvened at 12:35 p.m.

**7.2 Administrative Services / Finance**

**By general consent**, all items under 7.2 were forwarded to Trust Council as presented.

7.2.1 Financial Planning Committee Work Program Report

7.2.2 Administrative Services Report August 26, 2022

7.2.3 2021/22 Statement of Financial Information (SOFI) - RFD

7.2.4 Q1 June 30, 2022 Financial Report - RFD

7.2.5 Financial Forecast as at June 30, 2022 - Briefing

7.2.6 2023-24 Draft Budget Assumptions and Principles (BAP) Timelines - Briefing

### **7.3 Delegation Requests**

7.3.1 Gulf Islands Alliance

#### **EC-2022-118**

#### **It was Moved and Seconded,**

The Gulf Islands Alliance delegation be approved if speaking notes are received by noon on Friday Sept 9<sup>th</sup> and that delegations 7.3.1 and 7.3.3 be approved as presented.

**CARRIED**

7.3.2 Jennifer Margison - Trucking of Freshwater to the Gulf Islands

7.3.3 Michael Sketch - Is the Trust effectively preserving and protecting freshwater?

### **7.4 Trust Area Services**

7.4.1 Trust Programs Committee Work Program Report

Forward as presented.

7.4.2 Legislative Monitoring Report August 2022 – Briefing

Forward as presented.

7.4.3 Advocacy Summary (2018-2022 Trust Council Term) – Briefing

Forward as presented.

7.4.4 Correspondence from Ministry of Municipal Affairs staff on Policy Statement Content and Structure – Briefing

Forward as presented.

7.4.5 Trust Area Services 2022-2023 Second Quarter Report

Forward as presented.

7.4.6 Policy Statement Amendment Project Revisions and Next Steps (Fall/Winter 2022-23) – RFD

Forward as presented.

7.4.7 Islands Trust Conservancy Report to Trust Council 2nd Quarter 2022-2023

Forward as presented.

7.4.8 Executive Committee Sponsorship of NAPTEP Fees- RFD

Forward as presented.

7.4.9 Referral for Comment Islands Trust Conservancy (ITC) Plan – Briefing

Discussion followed, that it is a requirement to present the plan to Trust Council.

Forward as presented with a 10 minute presentation.

7.4.10 Amendments to History and Heritage Conservation Grants in Aid Policy 2.1.14 – RFD

Forward as presented.

**7.5 Local Planning Services**

7.5.1 Regional Planning Committee Work Program Report

Forward as presented.

7.5.2 Planning Services Report September 2022 Trust Council

Forward as presented.

7.5.3 Bylaw Compliance and Enforcement Statistics – Briefing

Forward as presented.

7.5.4 Amendments to Trust Council Policies 6.2.1 Priority Setting/Review Guidelines and 6.7.1 Work Program, Follow-up Action Lists and Priority Charts – RFD

EC discussed leaving ample time for this item and that it needs a presentation at Trust Council.

Forward as presented.

7.5.5 Advice to Trust Council on Advocacy to the Province re Housing Affordability Supports – RFD

Forward as presented.

**7.6 Collaboration**

7.6.1 Coastal Marine Strategy Presentation

Forward as presented.

**7.7 Governance Committee**

7.7.1 Policy Amendments to Support Governance Committee – RFD



Forward as presented.

**7.7.2 2022 Governance Report Review Session - draft session outline**

Executive Committee discussed facilitation of the breakout sessions and amend the timing on the session outline.

Forward as amended.

**7.8 Trustee Summary Updates**

**7.8.1 Trustee Johnston - Xwe'etay/Lasqueti Archaeology Project Report to Trust Council - September 2022**

Forward as presented.

**7.9 Trust Council Priorities Chart**

Spell out the Strategic Plan items listed in the Regional Planning Committee section.

Forward to Trust Council as amended.

**7.10 Draft November Trust Council 3-day schedule**

**7.10.1 Draft November Trust Council 3-day schedule**

Forward as presented.

**7.11 Draft September Trust Council 3-day schedule**

Executive Committee discussed the following changes:

- Add a session outline for the Policy Statement Next Steps RFD.
- Trustee roundtable focus, "Emerging issues for Trust Council"
- Break on Tuesday at 2:30 p.m. instead of 3:00 p.m.

Forward as amended.

**7.12 Draft September 20-23 Trust Council Agenda**

**7.12.1 Draft September 20-23 Trust Council Agenda**

Forward as presented.

**8. EXECUTIVE COMMITTEE PROJECTS**

**8.1 Trust Council Initiated**

**8.1.1 Executive**

**8.1.1.1 Digital Public Meetings Update and Options – Briefing**

CAO Hotsenpiller spoke to the briefing as presented.

Discussion ensued.

Received for information.

#### 8.1.1.2 UBCM discussion minister meetings

Discussion on the Islands Trust breakfast meeting presentation and minister meetings ensued. Speaking notes and a UBCM binder will be provided to attending EC members.

8.1.2 Trust Area Services - None

8.1.3 Local Planning Services - None

8.1.4 Administrative Services - None

#### 8.1.4.1 Forecasted Over Expenditure by General Ledger Budget Line – Briefing

A/DAS Boden spoke to the briefing.

#### 8.1.4.2 Financial options for budget increases re trustee laptops and grants-in-aid – Briefing

A/DAS Boden spoke to the briefing.

It was discussed that over-spends, as presented, would not require amending the budget or minister approval.

#### **EC-2022-119**

##### **It was Moved and Seconded,**

That Executive Committee approve up to \$21,000 for computers and increase the History Heritage Grants-in-aid budget by \$5,000.

**CARRIED**

Executive Committee discussed informing Trust Council about the considered budget over-spends.

#### **EC-2022-120**

##### **It was Moved and Seconded,**

Executive Committee requests staff to forward the amended briefing on financial options for budget reallocation re trustee laptops/computers and History Heritage Grants-in-aid to Trust Council with an indication that Executive Committee intends to proceed with this course of action.

**CARRIED**

#### 8.1.4.3 Enhanced Benefit Plan Coverage in Trustee Benefits Package - RFD

Executive Committee requested forwarding the request for decision (RFD) to Trust Council.

#### **EC-2022-121**

##### **It was Moved and Seconded,**

That Executive Committee recommend that Trust Council enroll the new term of Trustees in the in the Union of British Columbia Municipalities (UBCM) enhanced benefits plan with the Employee & Family Assistance Plan add-on.

**CARRIED**

## **8.2 Executive Committee Initiated**

### **8.2.1 Executive - None**

### **8.2.2 Trust Area Services**

#### **8.2.2.1 Trust Programs Committee Follow-up Action List item Referred to Executive Committee – Briefing**

DTAS Frater spoke to the briefing.

Executive Committee discussed that memorandums of understanding should have a built in review period and considered in strategic planning for next term.

#### **EC-2022-122**

#### **It was Moved and Seconded,**

That Executive Committee add MOTI MOU's to Executive Committees project list.

**CARRIED**

### **8.2.3 Planning Services**

#### **8.2.3.1 Gambier Island LTC resolution re: IAP2 Spectrum – Discussion**

Executive Committee discussed confusion regarding the level of engagement on the IAP2 spectrum only going to level 2 for some projects.

Director of Legislative Services Marlor will speak with regional planning managers.

### **8.2.4 Administrative Services**

## **9. NEW BUSINESS**

### **9.1 Executive/Trust Council - None**

### **9.2 Trust Area Services**

#### **9.2.1 LTC Chairs Report on Local Advocacy Topics**

Executive Committee commented on local advocacy topics including the presentation of community stewardship awards to Galiano recipients.

### **9.3 Local Planning Services - None**

### **9.4 Administrative Services - None**

## **10. CORRESPONDENCE (for information unless raised for action)**

### **10.1 E. OBrian-Horsy re: Housing Considerations on Denman email dated July 7, 2022**

**By general consent,** forward to Denman Island Local Trust Committee.

**10.2 Premier response re: Council urges Federal & Provincial Gov to Support Global Initiative for a FFNP Treaty**

By general consent, forward to Trust Council correspondence.

**10.3 Minister Osborne response RE: Request for New Legislation to Protect and Restore Biological Diversity and Ecosystem Health**

By general consent, forward to Trust Council correspondence.

**10.4 H. Holm letter dated August 31, 2022 re: carrying capacity vs ecological balance**

By general consent, forward to Trust Council correspondence.

**10.5 F. Atorp email dated August 30 re: Salt Spring Bylaw 530 - law broken**

Executive Committee discussed the correspondence as verging on defamatory.

Received for information.

**10.6 G. Elliott re: WSÁNEĆ Interests in Islands Trust Policy Statement letter dated May 30, 2022**

By general consent, forward to Trust Council correspondence.

**10.7 Trustee Wright re: considering carrying capacity letter dated August 31, 2022**

By general consent, forward to Trust Council correspondence.

**10.8 Trustee Fast re: Park proposal for Cape Roger Curtis - Bowen email dated August 10, 2022**

Received for information.

**11. WORK PROGRAM**

**11.1 Review and amendment of current work program**

As reviewed under item 7.1.4.

**12. NEXT MEETING**

The next Executive Committee meeting is scheduled to be held electronically, on September 20, 2022, starting at 10:00 a.m.

**13. CLOSED MEETING**

At 2:45 p.m. the meeting was closed to the public.

**EC-2022-123**

**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**

At 3:12 p.m., the meeting was reopened to the public.

**14. ADJOURNMENT**

**By general consent**, at 3:12 p.m. the meeting adjourned.

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**Peter Luckham, Chair**

**Certified Correct**

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**Lori Foster, Executive Coordinator**

## Follow Up Action Report

### Executive Committee

#### Chief Administrative Officer

| Activity                                                                                                                                                                                                                                                        | Responsibility    | Dates                                       | Status      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------------------------------------------|-------------|
| 1 That the report Potential legislative and procedure change by the Islands Trust in relation to forest protection - Briefing be brought to a future Executive Committee meeting for next steps.                                                                | Russ Hotsenpiller | Meeting: 18-Nov-2020<br>Target: 07-Sep-2022 | In Progress |
| 2 That Trust Council meeting preparations (under item 7 of the September 7th agenda) be forwarded to Trust Council September 20-21 agenda package as presented or amended.                                                                                      | Russ Hotsenpiller | Meeting: 07-Sep-2022<br>Target: 09-Sep-2022 | Completed   |
| 3 The Gulf Islands Alliance delegation be approved if speaking notes are received by noon on Friday Sept 9th.                                                                                                                                                   | Russ Hotsenpiller | Meeting: 07-Sep-2022<br>Target: 09-Sep-2022 | Completed   |
| 4 Staff to forward the amended briefing on financial options for budget reallocation re trustee laptops/computers and History Heritage Grants-in-aid to Trust Council with an indication that Executive Committee intends to proceed with this course of action | Russ Hotsenpiller | Meeting: 07-Sep-2022<br>Target: 09-Sep-2022 | Completed   |
| 5 That Executive Committee add MOTI MOU's to Executive Committees project list.                                                                                                                                                                                 | Russ Hotsenpiller | Meeting: 07-Sep-2022<br>Target: 20-Sep-2022 | Completed   |
| 6 Forward correspondence items 10.2, 10.3, 10.4, 10.6, and 10.7 to Trust Council agenda package.                                                                                                                                                                | Russ Hotsenpiller | Meeting: 07-Sep-2022<br>Target: 09-Sep-2022 | Completed   |
| 7 Forward correspondence to Denman Island LTC - E. OBrian-Hornsy re: Housing Considerations on Denman email dated July 7, 2022                                                                                                                                  | Russ Hotsenpiller | Meeting: 07-Sep-2022<br>Target: 20-Sep-2022 | Completed   |



## Follow Up Action Report

### Executive Committee

#### Director Legislative Services

| Activity                                                                                                                                                                                                                                                                                      | Responsibility | Dates                                       | Status      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------|-------------|
| 1 Staff to draft amendments for replacement of those Trust Council policies deemed as top priority for updating, based on policy review analysis, for consideration of approval by Trust Council. As of March 2022, amendments to 11 out of 17 policies deemed out of date have been adopted. | David Marlor   | Meeting: 03-Feb-2021<br>Target: 23-Sep-2022 | In Progress |

#### Director of Planning Services

| Activity                                                                                                                                                              | Responsibility | Dates                                       | Status      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------|-------------|
| 1 Staff review the Executive Committee sponsorship policy and report back recommendations on local trust committee approvals, communications, and funding mechanisms. | Stefan Cermak  | Meeting: 14-Apr-2021<br>Target: 07-Sep-2022 | In Progress |
| 2 Advise South Pender LTC that Bylaws 122 and 123 were approved by EC as presented.<br>and<br>Advise Lasqueti LTC that Bylaw 99 was approved by EC as presented.      | Stefan Cermak  | Meeting: 07-Sep-2022<br>Target: 20-Sep-2022 | Completed   |

#### Director, Administrative Services

| Activity | Responsibility | Dates | Status |
|----------|----------------|-------|--------|
|----------|----------------|-------|--------|

## Follow Up Action Report

### Executive Committee

#### Director, Administrative Services

| Activity                                                                                                                                                                                                                                                        | Responsibility | Dates                                       | Status      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------|-------------|
| 1 Review Islands Trust Policy 6.5.2 as a whole and specifically make recommendations to amend the policy to ensure the policy is clear in regards to the process and decision making authority related to proposed 'overspends' for any particular budget item. | Julia Mobbs    | Meeting: 21-Oct-2020<br>Target: 07-Sep-2022 | In Progress |
| 2 Forward RFD to Trust Council - Enhanced Benefit Plan Coverage in Trustee Benefits Package as recommended by EC.                                                                                                                                               | Wanda Boden    | Meeting: 07-Sep-2022<br>Target: 09-Sep-2022 | Completed   |

#### Director, Trust Area Services

| Activity                                                                                                                                                                                                                 | Responsibility | Dates                                       | Status      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------|-------------|
| 1 Investigate options for local trust committees with respect to being notified of aquaculture and mariculture license changes including changes in species in its negotiation of protocol agreements with the province. | Clare Frater   | Meeting: 30-Jan-2019<br>Target: 19-Oct-2022 | In Progress |
| 2 Legislative Monitoring Chart (bi-annually to Trust Council)<br>Staff to produce the Legislative Monitoring briefing every 6 months with the next one being March 2023.                                                 | Clare Frater   | Meeting: 23-Feb-2022<br>Target: 01-Mar-2023 | In Progress |





## Follow Up Action Report

## Executive Committee

## Director, Trust Area Services

| Activity                                                                                                                                                                                                                                                                                                                           | Responsibility | Dates                                       | Status      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------|-------------|
| 3 Authorize a grant of \$4,500 (from History and Heritage Grants) to Drama Camp Productions in support of the application to host screenings of the movie Dust n Bones and reconciliation discussions on Hornby, Denman (COMPLETE) and Gabriola Islands, subject to support of local trustees and affected local trust committees. | Clare Frater   | Meeting: 26-Feb-2020<br>Target: 19-Oct-2022 | In Progress |
| 4 That staff redirect funding approved by resolution EC-2020-032 from its February 26th business meeting for Hornby Island under the History and Heritage grant application, be allocated to a Dust n Bones screening event on Salt Spring Island.                                                                                 | Clare Frater   | Meeting: 10-Mar-2020<br>Target: 19-Oct-2022 | In Progress |
| 5 That Trust Council request that the Executive Committee support Bowen Island Municipality in its efforts to oppose recreational use of motorized vehicles on Mount Gardner Crown land, subject to consultation with First Nations.                                                                                               | Clare Frater   | Meeting: 17-Jun-2020<br>Target: 07-Sep-2022 | In Progress |
| 6 Ask staff to investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings.                                                                                                                                                               | Clare Frater   | Meeting: 27-Oct-2021<br>Target: 19-Oct-2022 | In Progress |
| 7 Staff to develop policy regarding s. 8 (2) (h.1) (iii) and (iv) of the Islands Trust Act.                                                                                                                                                                                                                                        | Clare Frater   | Meeting: 13-Apr-2022<br>Target: 19-Oct-2022 | In Progress |

## Follow Up Action Report

### Executive Committee

#### Director, Trust Area Services

| Activity                                                                                                                                                                                       | Responsibility | Dates                                       | Status      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------|-------------|
| <b>8</b> Continue to work with K'ómoks First Nation and Gabriola Historical Society in terms of its funding request and Executive Committee consider ways to allocate funds for such requests. | Clare Frater   | Meeting: 04-May-2022<br>Target: 19-Oct-2022 | In Progress |
| <b>9</b> Executive Committee meeting being held October 19, 2022, include a discussion item on First Nations engagement and suggestions.                                                       | Clare Frater   | Meeting: 07-Sep-2022<br>Target: 19-Oct-2022 | In Progress |
| <b>10</b> Include a discussion item on First Nations engagement and suggestions on October 19th EC agenda.                                                                                     | Clare Frater   | Meeting: 07-Sep-2022<br>Target: 19-Oct-2022 | In Progress |

## Review of Islands Trust Policy Statement Draft

Reviewed by the Coast Salish Peoples of Galiano Island Society Manager, Shar Wilson – Indigenous Rights Advocate, Matriarch, Indigenous Knowledge Keeper, Gitxsan, Resident of Coast Salish Lands. Discussion with representatives of the Coast Salish living on so-called Galiano Island.

Date: September 2022

This review is from an Indigenous lens.

There is also discussion about interaction with current Galiano Island Trust trustees and with Senior Intergovernmental Policy Advisor, Lisa Wilcox.

In summary, this document does not meet the minimum standard set by the Province of BC, it's legislation the Declaration on the Rights of **Indigenous Peoples**, and certainly not the United Nations Declaration on the Rights of **Indigenous Peoples**, as it relates to the Indigenous people living on the southern gulf islands in 'so called Island Trust area'. The language is weak, exclusionary, and Indigenous peoples were not consulted in a meaningful way.

The interchangeable use of First Nation and Indigenous speak to the attempt of the IT to exclude some Indigenous peoples. The IT's attempt to steward these Indigenous lands and waters in cooperation &/or collaboration with 'First Nations' is meaningless until the IT sees ALL Indigenous people as humans and equal.

Indigenous people are not 'pan-Indian', you cannot fit us into one group. This document does just that with phrases like 'Indigenous way of knowing' when discussing guiding principles. This is especially interesting when the policy portion only uses the words **First Nation** to identify who the IT will work with.

## PART 1: INTRODUCTION

### Sec 1.1 Acknowledgement:

The first thing I see is the non-inclusive acknowledgement that excludes Lelum Saraughtanaogh, a nation on Galiano Island. The trust, the Galiano trustees Wolverson and Rockerfella have lived among us as we have lived on this island long before the trustees and long before the Islands Trust and the Islands Trust Act, BC and the formation of Canada.

The Islands Trust is attempting to spin the UNDRIP document to read as if they are referring to 'First Nations'. First Nations is a white word for us and is driven by the racist Indian Act. UNDRIP refers to **Indigenous** peoples. The provincial government uses **Indigenous Peoples** in the DRIPA Act of 2019.

The provincial government passed the [Declaration on the Rights of Indigenous Peoples Act](#) ([Declaration Act](#)) into law in November 2019.

## **Why the Calls to Action are important**

It's important to recognize the historical and ongoing wrongs perpetrated against Indigenous peoples and the legacy of colonialism still in place today.

The legacy of that separation and suppression of culture has had a profoundly negative impact on Indigenous communities, families and cultural connections through the generations.

The TRC calls to action address the ongoing impact of residential schools on survivors and their families.

They also provide a path for government and Indigenous and non-Indigenous communities in British Columbia to create a joint vision of reconciliation.

B.C. is working collaboratively with Indigenous organizations, communities, and stakeholder groups to ensure all parties undertake comprehensive and meaningful actions on all the TRC calls to action.

Call to Action (CTA) #20 relates to health but also relates to off-reserve Aboriginal Peoples:

20. In order to address the jurisdictional disputes concerning Aboriginal people who do not reside on reserves, we call upon the federal government to recognize, respect, and address the distinct health needs of the Métis, Inuit, and off-reserve Aboriginal peoples.

We, Lelum Saraughtanaogh, the Coast Salish Peoples of Galiano Island, are off-reserve Aboriginal peoples.

CTA #43 reads:

43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

UNDRIP specifically speaks to "Recognizing that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration," LIKE GALIANO ISLAND and the SOUTHERN GULF ISLANDS.

Article 2 through 6 of UNDRIP states "Article 2 Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity. Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. Article 4 Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to 4. Resolution 217 A (III). 5 their internal and local affairs, as well as ways and means for financing their autonomous functions. Article 5 Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State. Article 6 Every indigenous individual has the right to a nationality.”

I have to repeat Article 6 to further emphasize the racism of excluding Lelum Saraughtanaogh in your acknowledgment:

Article 6 of UNDRIP: EVERY INDIGENOUS INDIVIDUAL has the right to a nationality. Lelum Saraughtanaogh are Coast Salish and we live on Galiano Island, we have never left.

DRIPA (BC) Article 43 & 44:

Canadian Governments and the United Nations Declaration on the Rights of **Indigenous** People

43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation. I believe this includes your organization.

44. We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

Transparency about engagement with First Nations is lacking in this document. Who did you ‘engage’ with and what does this engagement look like? You did not engage with Lelum Saraughtanaogh at anytime for this new draft policy statement. You did not engage with Penelakut. Who? When? What happened? The confidentiality reason to not disclose even a First Nation name indicates that there was NO MEANINGFUL engagement with any First Nation. In discussions with your Senior Intergovernmental Policy Advisor, Lisa Wilcox, I was unable to ascertain her nation. She mentioned Squamish many times but I learned that she only knew a few people from Squamish Nation, one ‘who took her under his wing’. Was this relationship indicative of the meaningful engagement you speak of on the briefing note dated July 7<sup>th</sup>, 2021. When meetings are mentioned, dates are not. This is standard business protocol to post ‘ENGAGEMENT MEETINGS’, especially with Indigenous groups and to have these meetings witnessed by other nations. This did not happen. I only mention this because I spoke with a few chiefs or managers of First Nations who indicated that they did not speak with Lisa or the Islands Trust. For example, Cowichan Tribes, Halalt First Nation, The Elders of Penelakut, Qualicum First Nation, Tseycum First Nation, Tsartlip First Nation to name only a few.

I also must speak to your authority over the reserve lands located on the southern gulf islands. You do not have any authority – which is why most First Nations do not engage with Islands Trust. Your organization is a thorn in our sides because your organization was created without Indigenous input.

Having said that, Lelum Saraughtanaogh and its members are living on the southern gulf islands, are Indigenous Individuals with a right to belong to a nation as accepted as a global norm via UNDRIP, are stakeholders on these islands, were never consulted.

ENTER your ‘government to First Nation government’ policy. Your legal spin doctors’ favourite phrase and the now known favourite racist phrase of the Islands Trust. This was invented in the ‘spirit of

reconciliation’. You have totally ignored DRIPA and UNDRIP and created a sub definition that fits your purposes. Even after, our group, an Indigenous group with our own story, shared our story with the trust you cite an AMERICAN WHITE author and scholar as one of the reasons you mention this:

“Many of the Indigenous people living on the islands have connections to the First Nations governments within the Islands Trust area but those connections have been lost due to the Indian Act, enfranchisement, and marriage to non-Indigenous settlers who moved to the islands from the 1800s to present” – WILCOX briefing, November 2021.

In the November 2021 briefing there is a bullet about IT staff meeting:

Islands Trust staff facilitated a meeting on Galiano Island on October 6, 2021 with Indigenous and non-Indigenous community members and First Nations Elders, Cultural Knowledge Holders, and Hereditary Chiefs; **\*\*THIS WAS A MEETING TO DISCUSS THE GALIANO ISLAND CEMETERY WITH THE ANGLICAN CHURCH. WE SPECIFICALLY LOOKED AT JANE WOLVERTON AND TOLD HER IT WAS NOT A CONSULTATION MEETING. IT WAS FACILITATED BY SARAH TWEEDALE, THE ANGLICAN REPRESENTATIVE. TWEEDALE SENT THE INVITATION AND IT WAS SIGNED BY HER, ROSEMARY GEORGESON (THEIR FACILITATOR) AND JANE WOLVERTON. WE, THE COAST SALISH PEOPLES OF GALIANO, RECEIVED THIS INVITATION THE DAY OF THE MEETING. SHAME ON YOU.\*\***

Who were the Indigenous people in this meeting? Galiano does not have Hereditary chiefs for your information. Who were the Cultural Knowledge Holders. I represent Lelum Saraughtanaogh, all Indigenous people living on Galiano who are on the Indian registry, and none of them attended this meeting. Maybe you are meeting with people who are not on the status registry nor do they have the authority to speak for our group, who represent 5% of Galiano’s population at last count.

Finally, DRIPA and UNDRIP utilize Indigenous and Aboriginal while you hang onto the First Nation definition created by a white person in an ivory tower that proves to be exclusionary when referring to all Indigenous peoples.

## Section 1.2 ESTABLISHMENT OF THE ISLANDS TRUST

I think the Islands Trust should own up to their biggest mistake of excluding Indigenous people right from the start by not recognizing Indigenous people as the true stewards and land keepers of these lands.

## Section 1.3 PRESENT CONTEXT

Indigenous people should be used as per UNDRIP and DRIPA, not First Nation. Steps that the IT are going to take in the adoption of the Reconciliation Declaration should be laid out in a clear, concise, measurable manner and not super summarized in a paragraph. This is so much bigger than the IT and deserves it’s own platform. You must begin to accept this, then understand what this means. You can’t white wash this responsibility anymore. Doing so will be detrimental to your organization.

You must cite what you mean by ‘Indigenous way of knowing’. Your recent history indicates that you clearly do not understand that this is a relational term not to be spin doctored or defined by one person or few persons.

Indigenous peoples were not involved in the research conducted by the IT Conservancy in a meaningful way. That is not to say it's not valid, it can be, but it will be biased to your interest of keeping power.

Housing: you have to be honest here and state that various groups have been trying to 20 years to get affordable housing with no movement. Again, cut the First Nation and use Indigenous. Indigenous is inclusive, First Nation is not in your jurisdiction or authority. Indigenous peoples have been living on these islands as a sovereign nation since time immemorial.

#### Section 1.4 THE ISLANDS TRUST OBJECT AND ITS MEANING

When citing the treaty and territorial lands I was reminded about a publication I read in 1999. It too discussed cultivated features of landscape, interrelationship between landscape and all beings, etc, etc.

This whole section seems like an effort to make the original 'object' work in today's world when it clearly does not. Everything has changed and the object is not effective nor demanding of respect. The object also fails to include Indigenous peoples as the only stewards of these lands.

#### Section 1.5 LOCATION OF THE ISLANDS TRUST AREA

This needs to be updated to include ALL the names of the islands so that Indigenous peoples will know if your organization is infringing on our territory and lands.

### PART 2: PURPOSE AND IMPLEMENTATION OF THE POLICY STATEMENT

#### Section 2.1 PURPOSE OF THE ISLANDS TRUST POLICY STATEMENT

Again Indigenous vs First Nation per DRIPA and UNDRIP.

Define 'place protection planning'.

The purpose statement works hard to limit it's involvement with Indigenous peoples by only acknowledging a few. This section must be reworded to include measurable context as it relates to Indigenous peoples.

#### 2.2 ROLES AND RESPONSIBILITIES

Again, use Indigenous vs First Nation as per DRIPA and UNDRIP if you really want to reconcile your past actions.

Indigenous people are not here to 'assist, cooperate, and collaborate' with the IT, we are here to sit at the table in a meaningful way at all times.

Indigenous peoples are not included in the 'Role of Islands Trust Council'. They should be.

Role of First Nation: very weak and should be defined and inclusive. This is a fail on all points of DRIPA and UNDRIP.

#### 2.3

Maybe this should be changed to also include MIRR to align with DRIPA.

### PART 3: REGIONAL GOVERNANCE

**THE GOVERNANCE CHALLENGE:** The challenge is ‘fear-based’ and this approach never works. All these challenges must be proven by unbiased researchers and must be proven to be true. The opening summary sounds like you have no where to start from so you make statements like, ‘nonetheless, if the Trust Area’s unique amenities and environment are to be preserved and protected for current and future generations, priorities must be defined and management strategies established.’. I can purchase template and cut and paste **Trust Area** with any words and create the same document.

**ESTABLISHING PRIORITIES AND LIMITATIONS:** “Indigenous cultural heritage”? One, bravo for utilizing the word Indigenous, two, we are not pan-Indians. You must identify the groups you are referring to. This ‘pan-Indian’ phrasing dilutes your duty to adhere to DRIPA and UNDRIP. “Indigenous way of knowing” – please define where you will get this, who will provide you advice. Just stating this is too broad, you must identify us as human beings. But, again, you used the word Indigenous.

**REGIONAL AND LOCALIZED APPROACHES:** You simply need more context here.

#### 3.1 Regional Governance Policies

##### Commitments of Trust Council

All of these should note that they are working in ‘partnership with Indigenous groups’ not leading. Indigenous knowledge should be one of the guiding principles.

A review of your ‘Precautionary Principle’ is necessary.

**3.1.6: per DRIPA, per UNDRIP, use the word INDIGENOUS and not FIRST NATION when discussing engagement. STOP writing rules to EXCLUDE Indigenous peoples living on the islands now. The IT has no jurisdiction over federal reserves. Indigenous peoples are organized on the islands and must be consulted as well as per UNDRIP and DRIPA. Indigenous rights must be considered according to the Constitution and the Supreme Court of Canada. Your amended policy cannot skirt this no matter what your legal department says.**

3.1.9 an example of what this looks like or how a community does this would clarify this.

3.1.12 You are giving yourselves too much objective power here on the backs of ‘Indigenous cultural heritage’. Wrong.

3.1.13 English please.

3.1.15 “shall rewrite all official community plans and regulatory bylaws to include all Indigenous views”.

### PART 4: ECOSYSTEM PRESERVATION AND PROTECTION

**Environmental Integrity:** Use Indigenous vs First Nations.

**Restoration:** I think a review of how the IT Conservancy has managed lands is a good add to this paragraph.

**Adaptive Management + Nature-Based Solutions + Sustainable Stewardship:** I have to ask...are you qualified to do any of this as trustees? If you aren’t, then are you creating a bottle neck for everything that needs to be done and not solving anything because you can’t speak to any of these without hiring an expensive consultant to answer a simple question?



4.1 ENVIRONMENTAL INTEGRITY POLICIES + 4.2 Freshwater Stewardship Policies + 4.3 Forest Stewardship Policies + 4.4 Agricultural Land Stewardship Policies + 4.5 Soil and Mineral Stewardship Policies + 4.6 Coastal and Marine Stewardship Policies

I believe these are 'steps' to a grander policy and should be in a procedure manual, land use plan, or community plan vs policy. These 'policies' state 'why not' but do not state the reason. Some of these 'policies' are NOT in your jurisdiction. Some of these policies are just too broad to be a policy which makes them moot.

Indigenous peoples should be your guiding partners.

Indigenous peoples harvest in ALL areas of the Southern Gulf Island and the so called Islands Trust Area.

## PART 5: HERITAGE PRESERVATION AND PROTECTION

So called Galiano Island has been our home since time immemorial. That is before the ITA, before BC was a province, before Canada was a country and before the Indian Act. The exclusion of our people will be to your detriment.

You cannot combine Indigenous being and old houses into one word. Heritage is not a 'unique amenity' of the Trust Area.

First Nation and Indigenous are not interchangeable from a legal standpoint. In doing so, you weaken your position and this document.

### 5.1 Heritage Preservation and Protection Policies

**Too weak and Indigenous Way of Being should be fundamental to all of Islands Trust Policy.**

This doesn't mean anything if your actions do not match what you write. Past history action is a good indicator of future actions.

## PART 6: SUSTAINABLE AND RESILIENT COMMUNITIES

Some of these are micro policies that I want to remain in control of. I don't think the IT should dictate how one lives or warms one's house, or how Indigenous people should access water.

If the trust is going to write policy on how people should warm their houses, they should also write policy on how ALL houses on the islands should change to conform to the policy.

Some of this policy is way out of your jurisdiction.



## **WLC Staff Response to 2021 Islands Trust Policy Statement Amendments August 4, 2022**

Below is a staff level review of the 2021 Islands Trust Policy Statement Amendments. WLC staff have organized this document by outlining past WSÁNEĆ Technical Advisory Committee (WTAC) recommendations, noting where Islands Trust amendments have incorporated and satisfied WTAC recommendations, and providing feedback on how to move forward. WLC staff have divided our review of the Islands Trust Policy Statement by the headers provided in that document (e.g. Introduction, Present Context, etc.).

As a note, this review is at the staff level and, due to capacity issue, it has not been reviewed by the WSÁNEĆ Leadership Council Board of Directors or the WSÁNEĆ Technical Advisory Committee. WLC staff hope for future opportunities to provide input where these advisory committees and decision-makers can be included.

### **Introduction:**

Past WTAC recommendation:

1. Include the story of TELEIÁĆES ("Relatives of the Deep"/Gulf Islands). This story brings a different level of understanding/context to those that may wonder why WSÁNEĆ want involvement in decisions regarding the Gulf Islands.

Feedback:

The story of TELEIÁĆES is not in the Policy Statement document. The WLC would like to see the inclusion of the story of TELEIÁĆES ("Relatives of the Deep"/Gulf Islands). This story brings a different level of understanding/context to those that may wonder why First Nations want involvement in decisions regarding the Islands. If other First Nations have similar stories, Islands Trust should attach them also as an appendix to the Policy Statement.

### **Present Context:**

Past WTAC recommendations:



1. Incorporate Bill c-15, an act respecting the United Nations Declaration on the Rights of Indigenous Peoples.
2. There is a need for cumulative impact studies to ensure responsible informed decision making. This work needs to incorporate First Nations values and be in collaboration with First Nations.
3. Support First Nations in the development of cultural overlay mapping, mapping for environmental and ecological systems, and heritage mapping.
4. Preserve environment to protect Douglas Treaty rights and ensure they can be exercised into the future.
5. Approach environmental issues in ways that further reconciliation with First Nations, the original and proper caretakers of the land.

#### 2021 Policy Statement:

- Trust Council adopted a Reconciliation Declaration that speaks to UNDRIP and free, prior and informed consent
- notes the need to “effectively preserve the environment” and, that “decision making will need to be guided by the best possible science and Indigenous ways of knowing”.
- Protects the environment for the generations to come and for First Nations that wish to come home or have access to traditional uses.
- Official community plans and regulatory bylaws, identify, preserve and protect and support the restoration of indigenous cultivation and harvesting areas and coordinate with, and advocate to, other government agencies to regulate and monitor harvesting.
- Commits to consulting with FNs prior to decisions regarding hunting and to preserve traditional harvesting areas.

#### WLC Staff Feedback:

The Islands Trust has adopted a Reconciliation Declaration that utilizes UNDRIP, and within the Policy Statement the Islands Trust has created policy that aligns with the principles of UNDRIP. However, support for UNDRIP is not imbedded in the Policy Statement and the Reconciliation Declaration 2019-2022 is not permanent. The WLC advise that a commitment to implementing the principles of UNDRIP is embedded into the Policy Statement.

The Policy Statement does a good job in utilizing scientific studies, cultural knowledge, First Nations’ values and informed decision making, but it does not commit to additional impact



studies or cultural site identification and mapping. The gathering of this cultural data is an important project for the implementation of this Policy Statement as the data held by the Provincial databases regarding Indigenous cultural sites are wholly insufficient. The WLC would like to see a commitment to resourcing data-gathering projects, which may be an item that can be negotiated as part of a WSÁNEĆ MOU.

The Policy Statement has greatly increased the protection of the environment and it does acknowledge the harvesting rights of First Nations, it also recognizes the need to solve environmental issues in collaboration with First Nations and other organizations but it lacks a framework in which this will occur. This is discussed further in the feedback for Governance.

### **The Islands Trust Object and Its Meaning**

Past WTAC recommendations:

1. Add information about First Nations and their history.
2. Mention First Nations rights and unceded title

2021 Policy Statement:

- Recognizes that it is in the homeland of 28,000 First Nations, that there is culturally significant species, archaeological sites and harvesting areas.
- First Nations have been here since time immemorial and are caretakers and stewards
- With creation stories, place names, laws and protocols
- Indigenous cultural heritage is a unique amenity of the Islands Trust.
- First Nations have been removed through colonization

WLC Staff Feedback:

Information regarding First Nations and their history were not added to the Object and its Meaning, possibly because the Object is stated in legislation and the Policy Statement is not intended to make a legislative change. However, Islands Trust did provide contextual information on First Nations through a statement that follows the Object and Its Meaning. Douglas Treaty rights and title, and Indigenous title is not specifically mentioned in this document. The WLC requests that Islands Trust recognizes its duty to uphold Douglas Treaty rights and title, and Indigenous title more generally.



## Location of the Islands Trust Area

2021 Policy Statement:

Includes a map of the 13 major Islands.

WLC Feedback:

In this section, WLC staff recommend the inclusion of a map that demonstrates the locations of the First Nations that have been named in the Policy and a place names map in SENCOTEN and/or Hul'qumi'num.

## Regional Governance:

Past WTAC recommendations:

1. First Nations should not be considered stakeholders. First Nations have a much stronger position that requires legal consultation than your typical stakeholder.
2. First Nations should be actively included in governance. First Nations involvement should not 'just' be as collaborators. WSÁNEĆ have responsibilities to the land and have been removed as caretakers.
3. There needs to be a more evidence based approach/whose information/ownership and controls. Not just 'evidence based' but based on best available science and social science and committed to indigenous ways of knowing."
4. We need a cooperation accord and information/data sharing agreements.

2021 Policy Statement:

- Trust Council recognizes that meaningful engagement/participation and cooperation with First Nations is critical and that First Nations play an integral role in governance and cooperative decision making in the Trust Area.
- Islands Trust commits to meaningful engagement/participation and cooperative/engagement mechanisms such as Protocol agreements, other cooperative arrangements and MOUs.
- The Islands Trust Policy Statement includes finding solutions using the best available area based mapping and indigenous ways of knowing.





#### WLC Staff Feedback:

In this policy statement, engagement and cooperation with First Nations is stated over 20 times. Engaging with First Nations is a priority of Islands Trust as they recognize that it is essential to the implementation of the Policy Statement. However, without an inclusive method of decision making, First Nations that do not have protocol agreements, or those that are in the process of making these agreements, will have no avenue of accountable engagement. Additionally, this method may limit tier one (First Nation to First Nation) collaboration and has the potential to reduce cooperation amongst First Nations. With that said, protocol agreements to clarify interests and establish commitments are essential and need to be created between the WSÁNEĆ Leadership Council, our constituent First Nations, and Islands Trust.

#### Ecosystem Preservation and Protection

##### Past WTAC recommendations:

1. The creation of protected areas, including areas that are 'off limits' and protected ecological networks that are intended to curb development.
2. Include active remediation projects.
3. All environmental preservation, protection, and mitigation projects should be established with First Nations as we need to ensure projects protect but do not alienate rights or block First Nations' economies.
4. When considering land acquisition, work with Local First Nations and land trusts
5. Reconnection of fragmented forest ecosystems.
6. Ecosystems Preservation and Protection.

##### 2021 Policy Statement:

- approaches to protecting the environment are being put in place for First Nations that wish to come home or have access to traditional uses.
- official community plans and regulatory bylaws are to identify, preserve, protect and support the restoration of indigenous cultivation and harvesting areas.
- advocate to other government agencies to regulate and monitor harvesting
- consult with First Nations prior to decisions regarding hunting and to preserve First Nations traditional harvesting areas.
- retain large land holdings to enable sustainable forest harvesting and minimize the fragmentation of forests



- coordinate with, and advocate to, the provincial government to adopt legislation establishing sustainable forest harvesting.
- agricultural and development activity needs to be respectful of Indigenous harvesting, and should not adversely impact (and be directed away from) traditional harvesting areas, middens and other archeologically significant resources and areas.
- in cooperation with First Nations and the Conservancy Board, will advocate for acquisitions in order to protect natural areas.

#### WLC Staff Feedback:

This policy statement increases environmental protection policies and recognizes the need to include First Nations' rights to access land and natural resources. It speaks not only to protection of the environment but the remediation of the environment, which was an important element to the WSÁNEĆ Technical Advisory Committee.

Additionally, there are tools embedded in the Policy Statement to protect land from development and pollution, but the policy statement does not speak to the creation of protected areas. The WLC recommends a commitment to additional impact studies, and ecosystem mapping to assist in protection and remediation of the environment.

Further, WLC staff find it problematic that the Policy Statement does not commit resources to do pursue these goals. This may be tackled through a protocol agreement or an MOU with the WLC but should also be a priority of the Islands Trust outside of a protocol agreement. This protocol agreement could include dedicated funding for environmental remediation projects important to WSÁNEĆ peoples, studies to determine causes of shellfish pollution in the Islands Trust area, and commitments to funding for WSÁNEĆ monitoring programs.

#### Heritage Preservation and Protection

##### Past WTAC recommendation:

1. Protect and preserve First Nations history, cultural and archaeological, in collaboration with First Nations

##### 2021 Policy Statement:

- recognizes heritage as a 'unique amenity' that is to be preserved and protected. This



includes, places, objects, knowledge, artistic impressions, natural landscapes, which includes Indigenous cultural heritage. This is not limited to areas that are utilized and occupied by indigenous peoples.

- First Nations have a right to identify, interpret and safeguard its value, outside of colonial frameworks.
- regional planning decisions should not have adverse impacts on Indigenous cultural heritage
- committees and island municipalities in their bylaws, need to identify, preserve, protect and support restoration of indigenous cultural heritage- in cooperation with First Nations.
- engage with Indigenous organizations/people to seek the best available archaeological data and provide educational materials and tools to help preserve and protect indigenous cultural heritage.

#### WLC Staff Feedback:

The additions that have been made to the policy statement in regards to the preservation and protection of heritage mostly cover the recommendations that were made by the WTAC. The concern of the WLC is the implementation of these policies and the inclusion of WLC in decision making on projects that may impact cultural heritage. The WLC staff recommend that Islands Trust make additional commitments to the WLC through protocol agreements and/or MOUs on this topic. Within these agreements, commitments could be made to further develop internal archaeological potential mapping at the Islands Trust; develop cultural heritage protocol for engagement, the use of WSÁNEĆ cultural workers, and other items of value to both parties; and, a role in decision making for WLC when Islands Trust contemplates Development Permits.

#### Housing

##### Past WTAC recommendation:

1. Promote First Nations housing opportunities that brings WSÁNEĆ people back out to the islands. That would be a real win.

##### 2021 Policy Statement:

- The Islands Trust shall advocate to organizations to foster safe, secure and affordable housing for indigenous peoples.





#### WLC Staff Feedback:

The WLC staff recommends that Islands Trust enter into an MOU to explore housing opportunities for WSÁNEĆ community members.

#### Additional Recommendations:

- Islands Trust include a commitment to place name changes, the use of First Nations art in developments, installing signage related to First Nations history/culture, and specific targeted reconciliation policies.
- Islands Trust prioritize First Nations economic opportunities.

#### Conclusion:

After completing the review of the 2021 Islands Trust Policy Statement, it is clear that the Islands Trust team has made meaningful and important changes to the Policy Statement. As mentioned above, there are many instances throughout the document where WLC staff can see that our feedback has been incorporated. However, WLC staff are concerned about future amendments to this document which may alter the elements important to the WLC. There is a chance that some commitments to environmental and cultural protection and First Nations engagement will be taken out of the Policy Statement. The WLC would like to support the strong commitments that are made in this iteration of the Policy Statement to First Nations collaboration, the environmental, and to First Nations culture. WLC staff would like to thank the Islands Trust staff who have provided the opportunity to review the Policy Statement which will may impact the rights and title of the WSÁNEĆ People.

**From:** Minister, LWRS LWRS:EX <LWRS.Minister@gov.bc.ca>  
**Sent:** Wednesday, September 7, 2022 3:35 PM  
**To:** Lori Foster <lfoster@islandstrust.bc.ca>  
**Cc:** Minister, FOR FOR:EX <FOR.Minister@gov.bc.ca>  
**Subject:** RE: Islands Trust Council Chair writes Minister Osborne re: Proper Disposal of Derelict Docks

Dear Peter Luckham:

Thank you for your letter of August 4, 2022, regarding the proper disposal of derelict docks in British Columbia.

I appreciate that you took the time to share your thoughts with this ministry, however this topic falls under the purview of the Ministry of Forests. I have shared a copy of your enquiry with Honourable Katrine Conroy for their review and consideration.

Thank you, again, for writing. I do appreciate hearing from you.

From the Office of the Minister of Land, Water and Resource Stewardship

pc: Honourable Katrine Conroy, Minister of Forests

**From:** Lori Foster <[lfoster@islandstrust.bc.ca](mailto:lfoster@islandstrust.bc.ca)>  
**Sent:** August 4, 2022 10:35 AM  
**To:** Minister, LWRS LWRS:EX <[LWRS.Minister@gov.bc.ca](mailto:LWRS.Minister@gov.bc.ca)>; Osborne.MLA, Josie LASS:EX <[Josie.Osborne.MLA@leg.bc.ca](mailto:Josie.Osborne.MLA@leg.bc.ca)>  
**Subject:** Islands Trust Council Chair writes Minister Osborne re: Proper Disposal of Derelict Docks

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Minister Osborne:

On behalf of Islands Trust Council Chair, Peter Luckham, please find correspondence attached re: Proper Disposal of Derelict Docks.

Thank you and warm regards,

Lori Foster  
Executive Coordinator  
Islands Trust  
200-1627 Fort Street  
Victoria, BC V8R 1H8  
In Victoria 250-405-5161  
Enquiry BC Toll-free call 1-800-663-7867  
Or from the lower mainland 1-604-660-2421  
Websites: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca) | [www.islandstrustconservancy.ca](http://www.islandstrustconservancy.ca)



## Top Priorities Report

### Executive Committee

#### 1. *Islands Trust Act Amendments*

Current requests by Trust Council to seek legislative change have substantially occurred.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 26-Oct-2016

#### 2. *Update Islands Trust Policy Statement*

With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Policy Statement including a First Nations and public engagement process. Project charter approved February 26, 2020. (Strategic Plan 3.1, 4.4 , 5.6, 5.7)

Responsible

Clare Frater

Dates

Target: 15-Sep-2022

#### 3. *Climate Change Emergency*

Matters pertaining to Islands Trust mitigation and adaptation to climate change impacts. (Strategic Plan 3.1)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 05-Jun-2019

#### 4. *Business Response to COVID-19*

Current business practices have been amended as per provincial health guidelines and work requirements. Adjustments will be made in the fall 2022 if necessary.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 15-Apr-2020

## Top Priorities Report

### Executive Committee

#### 5. *First Nations Reconciliation*

Implementation of the Reconciliation Action Plan. (Strategic Plan Items 4.5 & 4.6)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 02-Sep-2020

#### 5. *Preserve and protect marine ecosystems*

Continue advocacy re: Freighter Anchorages, Trust Council added freighter anchorages to the list of Executive Committee list of top priorities. (Strategic Plan Item 2.1)

Responsible

Clare Frater

Dates

Rec'd: 11-Mar-2021



## Projects Report

### Executive Committee

#### 1. *Development of an Islands Trust Communications Strategy*

Including development of a new website. (Strategic Plan Item 4.2)

Responsible

Clare Frater

Date Received

30-Aug-2017

#### 2. *Marine Advocacy*

Associated with i.) impact of commercial activities on Southern Resident Killer Whales SRKW (Strat Plan Item 2.1), ii.) oil spills and iii.) anchorages.

Responsible

Clare Frater

Date Received

02-Sep-2020

#### 3. *Broadcast Public Meetings*

Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council. (Strategic Plan Item 4.1)

Responsible

Clare Frater  
Julia Mobbs  
Russ Hotsenpiller

Date Received

02-Sep-2020

#### 4. *Improve Communications about the Islands Trust*

Related to Strategic Plan Items 4.1 & 4.2

Responsible

Clare Frater

Date Received

30-Aug-2017

#### 5. *NAPTEP regulation changes to increase the percentage of tax exemption*

Strategic Plan Item 1.3

Responsible

Clare Frater  
Kate Emmings

Date Received

02-Sep-2020



## Projects Report

### Executive Committee

#### 6. *Advocate to reduce negative impacts of shellfish aquaculture practices*

Responsible

Date Received

Develop project charter and budget requests to build organizational capacity (knowledge and time) related to shellfish aquaculture advocacy.

16-Aug-2017

#### 7. *Strengthen relations with First Nations*

Responsible

Date Received

MMIWG Calls for Justice Resolutions (Strategic Plan Item 4.6)

21-Oct-2020

1. All staff required to take training related to cultural safety in keeping with the Missing and Murdered Indigenous Women and Girls Calls for Justice.

2. That staff plan education on the Missing and Murdered Indigenous Women and Girls Calls for Justice for trustees and senior staff.

4. Staff to include information about the Missing and Murdered Indigenous Women and Girls Calls for Justice and cultural safety in staff and trustee orientation materials.

5. Draft amendments to the Communications Policy and the Advocacy Policy to address the Missing and Murdered Indigenous Women and Girls Calls for Justice.

#### 8. *Strengthen relations with First Nations*

Responsible

Date Received

Develop a policy regarding referral responses where there is a known archeological site. (Strategic Plan Item 4.7)

26-May-2021

## Projects Report

### Executive Committee

#### 9. Governance

Responsible

Date Received

Related to Section 5 of the Strategic Plan

21-Jul-2021

The possibility of utilizing Section 8(2)(e) of the Islands Trust Act. Responsibilities of trust council: 8(2)For the purpose of carrying out the object of the trust, the trust council may (e) make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies for the preservation and protection of the trust area and its unique amenities and environment -

#### 10. MOTI MOU's

Responsible

Date Received

Investigate options for a joint review with the Ministry of Transportation and Infrastructure (MOTI) of road standards, incorporating the Climate Change Declaration and the Reconciliation Declaration.

07-Sep-2022