



Executive Committee Agenda

Date: Wednesday, January 31, 2024
Time: 9:15 am
Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

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 5 - 5
3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

At the Executive Committee January 17th in-camera meeting, the December 20th in-camera meeting minutes were adopted as presented and Executive Committee authorized funding for legal action on Wise Island.
4. ADOPTION OF MINUTES

Pending
5. FOLLOW UP ACTION LIST AND UPDATES
 - 5.1 Follow Up Action List/Director/CAO Updates 6 - 14
 - 5.2 Local Trust Committee Chair Updates
 - 5.3 Islands Trust Conservancy Liaison Update
6. BYLAWS FOR APPROVAL CONSIDERATION

1. THAT the Islands Trust Executive Committee return Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023, to the Gambier Island Local Trust Committee for the following reasons:
 1. The referral is contrary to Islands Trust Policies 1.3.1 and 5.7.1 which requires a Policy Statement Directives Checklist to be included with a bylaw referred to the Executive Committee for approval,
 2. No written evidence is provided of an assessment whether the proposed bylaw is contrary to or at variance with Keats Island Official Community Plan Bylaw No. 77, nor is there any written evidence provided of an assessment whether the proposed bylaw is contrary to or at variance with the Islands Trust Policy Statement, and that
 3. Failure to provide evidence of the proposed bylaws evaluation variance with the Official Community Plan and Policy Statement is contrary to legislation, policies and best practices.
2. THAT the Islands Trust Executive Committee provide the following direction to the Gambier Island Local Trust Committee:
 1. Provide an evidence based assessment, whether Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 is contrary to or at variance with Keats Island Official Community Plan Bylaw No. 77, and
 2. Provide an evidence based assessment, by way of submitting an evaluated and completed Policy Statement Checklist, whether Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 is contrary to or at variance with the Policy Statement.

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive

7.1.1 Strategy Session 2024 for Trust Council - BRF

30 - 37

7.2 Planning Services

7.3 Administrative Services

7.4 Trust Area Services

8. EXECUTIVE COMMITTEE PROJECTS

8.1 Trust Council Initiated

8.1.1 Executive

8.1.1.1 San Juan County Invite to Trust Council - BRF

38 - 38

8.1.1.2 Committee of the Whole - RFD

39 - 43

8.1.1.3 Allocation of Ministry Grant for First Nations Engagement - BRF

44 - 47

8.1.1.4 Islands Trust Communications Plan - RFD

48 - 54

8.1.1.5 Provincial Funding Process Protocol Agreement - BRF

55 - 61

8.1.2 Trust Area Services

8.1.2.1 Policy Statement Amendment Project - RFD

62 - 74

	8.1.2.2	2023 / 2024 Annual Report Format - RFD	75 - 77
	8.1.3	Planning Services	
	8.1.4	Administrative Services	
8.2		Executive Committee Initiated	
	8.2.1	Executive	
	8.2.2	Trust Area Services	
	8.2.2.1	Climate Change Action - BRF	78 - 90
	8.2.3	Planning Services	
	8.2.4	Administrative Services	
9.		NEW BUSINESS	
	9.1	Executive/Trust Council	
	9.1.1	Mooring Buoy Regulation and Enforcement - Joint Discussion with CRD (and perhaps other regional districts) - Discussion	91 - 97
	9.1.2	Salt Spring Island Office Business Case - RPT	98 - 107
	9.2	Trust Area Services	
	9.2.1	LTC Chairs Report on Local Advocacy Topics	
	9.3	Planning Services	
	9.4	Administrative Services	
10.		CORRESPONDENCE (for information unless raised for action)	
	10.1	2024-01-14 Alix Deggan - Second Request for Explanation of Procedure Undertaken in-camera Sept 26, 2023	108 - 110
	10.2	2024-01-17 ECCC-PPER Modernization - Launch of the 3rd Phase of Consultation	111 - 142
	10.3	2024-01-19 Regional District of Nanaimo - Legislative Reform Initiative Update	143 - 177
	10.4	2024-01-24 UBCM Housing Summit - Forum focus: Surging Population and New Legislation	178 - 184
	10.5	2024-01-25 BCFerries - Request for meeting re impacts of Hornby Island ferry traffic to Denman Island	185 - 185
11.		WORK PROGRAM	
	11.1	Review and amendment of current work program	186 - 188
12.		ISLANDS TRUST CONSERVANCY BOARD JOINT SESSION	
	12.1	Co-operation on Spatial mapping support for Islands Trust Conservancy and Land Use Planning	189 - 192
		Verbal report	
	12.2	Provincial Funding Request re: Islands Trust Conservancy	
		Verbal report	
13.		CLOSED MEETING (if applicable)	
		None scheduled.	

14. NEXT MEETING

The next Executive Committee meeting will be held February 28, 2024 at 9:15 a.m. and will be conducted electronically.

15. ADJOURNMENT

Agenda No.	From	Context Notes
8.1.1.2	DLS	Committee of the Whole - RFD A draft Request for Decision and draft bylaw amendment to the Trust Council Meeting Procedures Bylaw 101 for early consideration by the Executive Committee. The purpose is to receive feedback on the way Committee of the Whole is presented in the bylaw, and then bring back amendments to the February Executive Committee meeting for consideration of sending to Trust Council.

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 Explore future education/workshop sessions on decision-making to benefit trustees.	Russ Hotsenpiller	Meeting: 24-May-2023 Target: 26-Sep-2023	In Progress

Director Legislative Services

Activity	Responsibility	Dates	Status
1 Staff to report back on recording of meetings by members of the public re clarity on recording and report on recording of electronic meetings. 2023-10-11 EC meeting update: Create a one liner statement in the chair opening notes, for the Chair to read out regarding recording of the meeting by members of the public.	David Marlor	Meeting: 22-Mar-2023 Target: 22-Nov-2023	In Progress
2 Staff to provide a briefing with respect to options for better understanding of the policy regarding Code of Conduct for vice-chairs, trustees and the public. 2023-10-11 EC update: review against Provincial guidelines and provide recommendation for any amendments.	David Marlor	Meeting: 12-Apr-2023 Target: 29-Nov-2023	In Progress
3 Staff to discuss, with interested trustees, requirements and options and report back on possibilities and effort required to improve Trustee access to key documents. On hold pending administrative staffing availability.	David Marlor	Meeting: 29-Jun-2023 Target: 05-Dec-2023	In Progress
4 Staff consider options and report back on possibilities and effort required to provide Trustee view access to integrated calendar of Trust Meetings. On hold pending IT staffing availability.	David Marlor	Meeting: 29-Jun-2023 Target: 28-Sep-2023	In Progress

Follow Up Action Report

Executive Committee

Director Legislative Services

Activity	Responsibility	Dates	Status
5 Executive Committee requests staff to assist, logistically, in forming of a Chief Administrative Officer Hiring Committee (CAOHC).	David Marlor	Meeting: 17-Jan-2024 Target: 19-Jan-2024	Completed
6 Executive Committee requests staff to schedule the first CAOHC meeting for Friday January 19, 2024 from 9:00 a.m to 11:00 a.m and that an agenda be created.	David Marlor	Meeting: 17-Jan-2024 Target: 19-Jan-2024	Completed

Director of Planning Services

Activity	Responsibility	Dates	Status
1 Develop a communications strategy and materials to support awareness of the housing affordability advocacy request and rationale. OCT 11: Referred to Regional Planning Committee	Stefan Cermak	Meeting: 22-Sep-2022 Target: 27-Jun-2023	In Progress
2 Coordinate a round table on housing, to include BC Housing, key ministers, housing leaders from island communities, and others, within the first six months of the new term and a panel session about housing challenges and solutions in the Islands Trust Area as part of trustee education OCT 11: Referred to Regional Planning Committee	Stefan Cermak	Meeting: 22-Sep-2022 Target: 06-Dec-2023	In Progress

Follow Up Action Report

Executive Committee

Director of Planning Services

Activity	Responsibility	Dates	Status
3 Staff to: a) evaluate the implications of a longer referral response window, and; b) consider how Trust Council and local trust committees (LTC's) might consult with First Nations to better understand what changes to the current referral process should be made to both improve communication and to further reconciliation, and report back to Trust Council.	Clare Frater Stefan Cermak	Meeting: 29-Jun-2023 Target: 31-Mar-2024	In Progress
4 Items 1 and 2 of the DPS FUAL (as presented in the agenda package) be referred to the RPC for recommendations and to report back on them to the EC.	Stefan Cermak	Meeting: 11-Oct-2023 Target: 25-Oct-2023	In Progress
5 Staff to forward the housing statues and regulation changes of BC legislation to local trust committees with a recommended consideration of request for opting in to the short term accommodation regulation for the 2025 intake.	Stefan Cermak	Meeting: 20-Dec-2023 Target: 31-Mar-2024	Completed
6 Executive Committee requests Staff to inform Bowen Island Municipality that Bylaw No. 629 cited as "Bowen Island Municipality Traffic and Use of Streets Bylaw No. 133, 2005, Amendment Bylaw No. 629, 2023" is not contrary to or at variance with the Islands Trust Policy Statement.	Clare Frater Stefan Cermak	Meeting: 17-Jan-2024 Target: 15-Feb-2024	In Progress

Follow Up Action Report

Executive Committee

Director of Planning Services

Activity	Responsibility	Dates	Status
7 Staff to let the Denman Island LTC know that the Islands Trust Executive Committee approved Denman Island Local Trust Committee Bylaw No. 247, cited as "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 247, 2019, Amendment No. 1, 2023" in accordance with Section 27 of the Islands Trust Act.	Stefan Cermak	Meeting: 17-Jan-2024 Target: 31-Jan-2024	In Progress
8 Executive Committee requests Staff to inform Denman Island LTC that the Executive Committee approved financial sponsorship for the \$1530.00 application fee for rezoning application DE-RZ-2024.1 from the Triple Rock Land Cooperative.	Stefan Cermak	Meeting: 17-Jan-2024 Target: 31-Jan-2024	In Progress
9 Executive Committee requests staff to inform the Gabriola Island LTC that the Executive Committee approved financial sponsorship for the \$7,956.00 application fee for rezoning application GB-RZ-2024.1 from the Gabriola Agricultural Cooperative Association.	Stefan Cermak	Meeting: 17-Jan-2024 Target: 31-Jan-2024	In Progress

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 Target: 18-Sep-2024	In Progress



Follow Up Action Report

Executive Committee

Director, Administrative Services

Activity	Responsibility	Dates	Status
2 Staff to research the possibility of self-insurance for the organization.	Julia Mobbs	Meeting: 29-Jun-2023 Target: 26-Jun-2024	In Progress
3 Executive Committee requests staff to inform KPMG that Executive Committee appointed KPMG as auditor for the Islands Trust and the Islands Trust Conservancy 2023/24 financial statement audit.	Julia Mobbs	Meeting: 17-Jan-2024 Target: 31-Jan-2024	In Progress

Director, Trust Area Services

Activity	Responsibility	Dates	Status
1 Staff to work with trustees to organize two film screenings of the movie Dust n Bones and reconciliation discussions subject to support of affected local trust committees. (A grant in aid of 4,500 (from History and Heritage Grants in Aid program was provided in 2020 to host screenings on three islands but due to Covid-19 restrictions only one screening occurred.) EC previously indicated interest from Gabriola and Salt Spring Islands. As SSI LTC and Gabriola LTC initially expressed an interest in hosting a screening, Vice Chairs Peterson and Elliott will assess if the interest remains and will be involved in outreach and organizing those screenings.	Clare Frater	Meeting: 26-Feb-2020 Target: 31-Mar-2024	In Progress
2 Investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings.	Clare Frater	Meeting: 07-Oct-2021 Target: 31-Mar-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
3 Staff to develop policy regarding s. 8 (2) (h.1) (iii) and (iv) of the Islands Trust Act. This request responded to changes to the Islands Trust Act to give Trust Council new discretionary powers relating to supporting and give financial assistance to others to (iii)engage in activities to gain knowledge about the unique amenities and environment of the trust area and to increase public awareness, understanding and appreciation of the unique amenities and environment; (iv)preserve and protect the unique amenities and environment of the trust area. Executive Committee has discussed there may be an opportunity to concurrently review the secretariat services, and grants in aid policies with the intention of identifying administrative efficiencies.	Clare Frater	Meeting: 12-Apr-2022 Target: 30-Jun-2024	In Progress
4 Staff to: a) evaluate the implications of a longer referral response window, and; b) consider how Trust Council and local trust committees (LTC's) might consult with First Nations to better understand what changes to the current referral process should be made to both improve communication and to further reconciliation, and report back to Trust Council.	Clare Frater Stefan Cermak	Meeting: 29-Jun-2023 Target: 31-Mar-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
5 7.4.7 Supporting Material for Discussion on Climate Change Action - ask staff to return to Executive Committee in 2024.	Clare Frater	Meeting: 22-Nov-2023 Target: 31-Jan-2024	Completed
6 Request staff to organize media and social media training session for TrustCouncil for 2024.	Clare Frater	Meeting: 22-Nov-2023 Target: 31-Mar-2024	In Progress
7 Staff to add to a future EC agenda: Honoraria for Indigenous elders providing welcomes or presentations at local trust committee meetings.	Clare Frater	Meeting: 20-Dec-2023 Target: 08-Mar-2024	In Progress
8 The Committee request this Advocacy for provincial assistance re: heritage protection BRF be brought back to the joint meeting on January 31, 2024. JAN 26: On the Chair's (Luckham and Smith) request this item has been deferred until the next joint meeting.	Clare Frater	Meeting: 20-Dec-2023 Target: 31-Jan-2024	In Progress
9 Staff to develop a project charter for a webinar in 2024 on the role of Islands Trust.	Clare Frater	Meeting: 20-Dec-2023 Target: 31-Mar-2024	In Progress
10 Committee request Islands Trust Communications Strategy BRF be put on the January 31, 2024 Executive Committee regular meeting agenda.	Clare Frater	Meeting: 20-Dec-2023 Target: 31-Jan-2024	Completed
11 Staff to follow up with Ministry staff regarding the letter from Minister Fleming of November 29, 2023.	Clare Frater	Meeting: 20-Dec-2023 Target: 15-Feb-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
12 Staff to provide background info to Islands Trust Council with respect to social media session.	Clare Frater	Meeting: 17-Jan-2024 Target: 15-Mar-2024	In Progress
13 Staff to forward the MODUS report 2021 to members of the Trust Programs Committee and request that it be reviewed to inform any further recommendations about the policy statement amendment project engagement planning process.	Clare Frater	Meeting: 17-Jan-2024 Target: 15-Mar-2024	Completed
14 Staff to forward a resolution with backgrounder for consideration at the 2024 Association of Vancouver Island and Coastal Communities (AVICC) and Union of BC Municipalities (UBCM) conventions, requesting that the Province review the Manual of Composting Toilets and Greywater Practice and provide funding for demonstration projects and professional development for practitioners.	Clare Frater	Meeting: 17-Jan-2024 Target: 07-Feb-2024	Completed
15 Discussion on a coordinated approach by Islands Trust Conservancy and EC to advance the request to the Province to review the funding model and governance structure of the Islands Trust, highlighting the successes of the Conservancy in protecting and preserving valuable ecological areas for the benefit of the Province and residents of BC, be added to the agenda for the Jan 31 EC/ITCB joint meeting.	Clare Frater	Meeting: 17-Jan-2024 Target: 31-Jan-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
16 Executive Committee requests Staff to inform Bowen Island Municipality that Bylaw No. 629 cited as "Bowen Island Municipality Traffic and Use of Streets Bylaw No. 133, 2005, Amendment Bylaw No. 629, 2023" is not contrary to or at variance with the Islands Trust Policy Statement.	Clare Frater Stefan Cermak	Meeting: 17-Jan-2024 Target: 15-Feb-2024	In Progress

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 6500-20

DATE OF MEETING: January 31, 2024
TO: Islands Trust Executive Committee
FROM: Marlis McCargar, Island Planner
SUBJECT: Gambier Island Local Trust Committee – Bylaw No. 158

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee return Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023, to the Gambier Island Local Trust Committee for the following reasons:**
 - a. **The referral is contrary to Islands Trust Policies 1.3.1 and 5.7.1 which requires a Policy Statement Directives Checklist to be included with a bylaw referred to the Executive Committee for approval,**
 - b. **No written evidence is provided of an assessment whether the proposed bylaw is contrary to or at variance with Keats Island Official Community Plan Bylaw No. 77, nor is there any written evidence provided of an assessment whether the proposed bylaw is contrary to or at variance with the Islands Trust Policy Statement, and that**
 - c. **Failure to provide evidence of the proposed bylaws evaluation variance with the Official Community Plan and Policy Statement is contrary to legislation, policies and best practices.**
2. **THAT the Islands Trust Executive Committee provide the following direction to the Gambier Island Local Trust Committee:**
 - a. **Provide an evidence based assessment, whether Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 is contrary to or at variance with Keats Island Official Community Plan Bylaw No. 77, and**
 - b. **Provide an evidence based assessment, by way of submitting an evaluated and completed Policy Statement Checklist, whether Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 is contrary to or at variance with the Policy Statement.**

CAO COMMENTS

Notwithstanding the accurate and appropriate information provided in this RFD by staff, it is the recommendation of the CAO for Executive Committee to consider option 2, approval of Bylaw No. 158. It is uncontroversial that the process that has been undertaken is irregular as the the LTC has directed staff to forgo any research, analysis or review. In the course of a bylaw amendment, staff will typically identify any potential

issues or opportunities arising from an amendment project (e.g. environmental impacts, legal issues, financial implications, First Nations or intergovernmental implications, Regional Conservation Plan, sensitive ecosystems, species at risk, climate change adaptation, etc.). Due to the unusual nature of this file, including the nature of the applicant, the delivery of a utility service to Gambier Island and the compressed time frame, it is apparent that usual business practices are threatened. In particular, at this point there is no clarity regarding where the cable would land on the island or the process of installation in the foreshore. Some further basic information may be helpful to this consideration.

Nevertheless, consideration should be given to i) the opportunity cost of not approving the bylaw, ie. that the fibre optic cable is not landed on Keats and the service is not provided to residents and ii) the relative risk of approval to the environment or some other measurable.

Given that most general purpose marine zones throughout the Trust Area (other LTCs) allow utility use in all zones, the use itself, or potential impacts may be low. The other significant consideration is that while there has been limited referral to First Nations, responses have been received by Squamish First Nation and Cowichan Tribes. Another consideration would be the relative risk of setting of a precedent with regard to an LTC approving a bylaw without commensurate process or demonstrated concurrence with the Policy Statement.

DIRECTORS COMMENTS

Gambier Island Local Trust Committee (GM LTC) has referred Proposed Bylaw No.158 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee return the proposed bylaw to the Gambier Island Local Trust Committee with direction to complete an evidence based assessment whether the proposed bylaw is contrary to or at variance with the Keats Island Official Community Plan No. 77 and the Policy Statement, as required per legislation and Islands Trust policies.

IMPLICATIONS OF RECOMMENDATION

Organizational

Returning the proposed bylaw to GM LTC will increase the time required for adoption of the proposed bylaw. The GM LTC has expressed concern over timing believing that the opportunity for connection to marine fibre optic cables may be extinguished. However, the lack of evaluation is contrary to legislation, policies, and best practises and may set a tension of conflict between the Executive Committee and the GM LTC.

Another consideration is staff resources, as outlined in [Islands Trust Policy 6.2.1 \(Priority Setting. Review Guidelines\)](#), LTCs are permitted up to one active minor project at a time. The GM LTC currently has one active major and two active minor projects. Proposed Bylaw No. 158 is considered a second minor project for the LTC. The Keats Island Shoreline Protection project (ongoing minor project since 2018) will be moved to inactive to direct staff resources to the Proposed Bylaw No. 158 amendment project and comply with Policy 6.2.1.

Financial

None

Policy

The GM LTC has accelerated the bylaw amendment process in attempt to ensure that Keats Island does not miss the fibre optic cable opportunity. As such, the GM LTC has directed staff to forgo any research, analysis or review. GM LTC direction conflicts (at minimum) with Islands Trust policies 1.3.1, 2.4.4, and 5.7.1.

[Islands Trust Policy 1.3.1 \(Policy Statement Implementation Policy\)](#) states that the primary responsibility for demonstrating that a bylaw is not contrary to or at variance with the Islands Trust Policy Statement rests with each local trust committee. The Policy Statement Directives Checklist identifies the directives policies for each component of the Policy Statement that local trust committees and island municipalities are required to address in their bylaws. The policy states that:

- Staff will reference relevant sections of the Policy Statement in staff reports to the local trust committees.
- Staff may use the Directives Checklist to assess whether bylaw amendment applications in process and bylaws prior to first reading comply with the Policy Statement.
- Staff will provide the local trust committees with a staff report that includes the proposed bylaw and the Directives Checklist to assess that a bylaw complies with the Policy Statement before submitting it to the Executive Committee.

[Islands Trust Policy 2.4.4 \(Executive Committee Legislative Role\)](#) states that if a bylaw is submitted under Islands Trust Act section 27(1), the executive committee must consider the bylaw and either:

- approve the bylaw,
- return the bylaw with reasons for the return and directions to change the bylaw that would be required for approval, or
- refuse the bylaw, giving reasons for the refusal.

Islands Trust Policy 2.4.4 notes that Section 15(4) of the *Islands Trust Act* provides that a bylaw submitted to the Executive Committee must not be approved if it is contrary to or at variance with the Islands Trust Policy Statement. Without an evidence based assessment, the Gambier Island Local Trust Committee has, to their own satisfaction, determined the bylaw is not contrary to or at variance to the Islands Trust Policy Statement. The GM LTC passed the following resolution on January 09, 2024:

GM-2024-003

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee confirm that Bylaw No. 158, cited as "Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023" is not contrary to or at variance with the Islands Trust Policy Statement. CARRIED

Islands Trust Policy 2.4.4 also notes that the Executive Committee may also take into consideration whether the adoption of the bylaw would be contrary to the object of the trust; would expose the Islands Trust to unreasonable expense in the administration or enforcement of the bylaw, or would, on the basis of advice from legal counsel, be enacted without legal authority including inconsistency with the relevant Official Community Plan.

[Islands Trust Policy 5.7.1 \(Local Trust Committee Bylaws Checklist\)](#) includes policies to ensure that local trust committee bylaw processing is carried out in accordance with statutory requirements as outlined in the Islands

Trust Act and the Local Government Act and to ensure proper completion and procedural certainty of the finished bylaw document. Islands Trust Policy 5.7.1 notes that the Policy Statement Directives Checklist is based on the directive only policies from the Islands Trust Policy Statement. It is a tool used by planners and local trust committees to ensure that proposed bylaws are not contrary to or at variance with the Islands Trust Policy Statement. The policy states that staff are responsible for ensuring that the Executive Committee receives an updated Bylaw Checklist upon its consideration of (bylaw) approval.

Implementation/Communications

Communication to **Gambier Island Local Trust Committee** regarding the Executive Committee decision by **February 2, 2024**.

Other

The Connected Coast project construction window for the Gambier Local Trust Area closes end of March 2024. As a result, the Gambier LTC has expressed a high level of concern of being 'skipped over' for broadband connectivity, if the amended zoning is not in place prior to the construction window.

The LTC recognizes the current situation and fast-tracked timeline, is due to the poor planning of the Connect Coast project proponents. It has put the LTC in a difficult situation.

PURPOSE

Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 (Attachment 5) is intended to amend the current Keats Island Land Use Bylaw No. 78 to permit the establishment and use of telecommunication utilities in the Marine General (MG) zone. Currently, the MG zone only permits research and educational activities related to the marine environment, including nature interpretation and navigational uses. This zone is unique around Keats Island – no research was done as to why the area is uniquely zoned.

BACKGROUND

Gambier Island Local Trust Committee Bylaw No. 158

In March 2023, Islands Trust received a Crown Lease referral for multiple locations and landing sites of fibre optic cable within the Gambier Local Trust Area. Staff response back to the Ministry of Forests was that the application area was not zoned for the proposed purpose in the marine area around Keats Island. The Marine General zone surrounds Keats Island and does not permit public utility use or any structures aside from navigational aids. The other proposed locations in the local trust area, for Gambier Island, were compatible with current zoning.

The project to place subsea fibre optic cables is managed and implemented by CityWest and the Strathcona Regional District, who together form the Connected Coast Partnership. Islands Trust staff met with members of the Connected Coast Partnership team on October 5, 2023 to further discuss the rezoning requirement and staff encouraged the proponent to submit an application as soon as possible to meet their project completion timelines.

Connect Coast Partnership completion date is scheduled to be in March 31, 2024, at which time their funding expires.

Members of the Connected Coast Partnership team appeared as a delegation to the Gambier Island Local Trust Committee (LTC) meeting on October 17, 2023. At that time, the team introduced the LTC to the project that aims to bring high-speed internet to rural and remote communities along the BC coastline, Haida Gwaii and Vancouver Island. It was noted there are challenges with respect to bringing cables ashore through the Marine General (MG) zone around Keats Island. The LTC expressed interest in the project and recognized the benefit that it would bring to residents of Keats Island. The proponent was encouraged to submit an application and the LTC discussed expediting the rezoning application, once received.

The Connected Coast Partnership is responsible to ensure that all of the required permits are in place prior to construction. It was communicated to staff, that the Connected Coast Partnership is not directly gaining financially from this project, but providing an opportunity for existing Internet Service Providers (ISPs) to connect to the network and provide high speed internet to its users.

Islands Trust did not receive a rezoning application and due to a concern around Connected Coast Partnership time constraints and possibility of Keats Island being bypassed in the project, the LTC drafted bylaw amendment language and passed a resolution on November 21, 2023:

GM-2023-045

It was MOVED and SECONDED

that section 4.16.1 of Bylaw 78 be amended by:

1. deleting the words “and structures” from the first line;
2. deleting the word “and” from the end of the first bulleted line;
3. replacing the period in the second bulleted line with a semi-colon and adding the word “and” after it; and
4. adding a third bulleted line that states “the establishment and the use telecommunication utilities”.

CARRIED

As directed by the LTC, staff prepared proposed Bylaw 158, with no preliminary planning analysis, and it was brought forward for first reading at the January 9, 2024 Special Meeting. At that Special meeting, the LTC gave first, second and third reading to Bylaw 158.

The LTC is not holding a Public Hearing for proposed Bylaw No. 158 under the authority granted in Sections 467 of the *Local Government Act*.

Reports and associated information for proposed Bylaw No. 158 is available on the Islands Trust website, under [Gambier Projects](#).

Issues Relating To Provincial Interest

Proposed Bylaw 158 was sent to the following agencies and organizations on January 11, 2024:

Federal Agencies:

- Fisheries and Oceans Canada

Provincial Agencies:

- Ministry of Forests
- Ministry of Transportation and Infrastructure

Regional Agencies

- Sunshine Coast Regional District

Referral Responses:

There have been no referral responses received at the time of writing this report.

Issues Relating To First Nation Interest

[Islands Trust Policy 5.9.1 \(Best Management Practices for Delivery of Planning Services\)](#) provides policies for First Nations Engagement and Reconciliation. Policy 5.9.1 states that:

- First Nations with treaty and territorial areas, rights and title within the LTC should be identified. LTCs should be mindful that engagement may need to be inclusive of Indigenous and Métis people living on the island.
- Early and meaningful engagement in the process is encouraged to allow for collaborative review and recommendations to the local trust committee.
- Engagement and consultation processes will attempt to be flexible to meet the needs of the unique First Nation concerns and capacity.
- Planning Services staff will seek guidance and advice to ensure that wherever possible content aligns with the Truth and Reconciliation Commission Calls to Action, and the Declaration on the Rights of Indigenous Peoples Act and upholds the Islands Trust Declaration on Reconciliation.

The Executive Committee may return or refuse a bylaw based on not meeting Islands Trust Policy 5.9.1 or the Declaration of Reconciliation which, at minimum, includes referral of draft bylaws to relevant First Nations. Proposed Bylaw 158 was sent to the following First Nations on January 11, 2024 with a response window of 30 days:

- Squamish Nation
- Snuneymuxw First Nation
- Lyackson First Nation
- Cowichan Tribes
- Penelakut Tribe
- Lake Cowichan First Nation
- Stz'uminus First Nation
- Halalt First Nation
- Tsleil-Waututh Nation
- Musqueam Nation

Referral Responses:

Squamish First Nation have indicated they have no comments. Cowichan Tribes noted that given the location, they defer to communities closer to the referral area. Musqueam Nation responded that due to a high volume of requests for referrals, engagement, and consultation, an initial review may take up to 45 days.

Issues Relating To Resources and Enforcement

None

Public Comments

None at the time of finalizing staff report.

Staff Comments

The Executive Committee is being requested by the LTC to approve Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 in accordance with Section 27 of the Islands Trust Act.

The Connected Coast Partnership project is operating on an expedited timeline and has an expected completion date of March 31, 2024. As a result, the LTC has accelerated the bylaw amendment process in order to ensure that Keats Island does not miss this opportunity. However, due to external time constraints, the LTC has directed staff to forgo any research, analysis or review. In the course of a bylaw amendment, staff will typically identify any potential issues or opportunities arising from an amendment project (e.g. environmental impacts, legal issues, financial implications, First Nations or intergovernmental implications, Regional Conservation Plan, sensitive ecosystems, species at risk, climate change adaptation, etc.). In addition, staff will identify any information gaps or opportunities for mitigation, adaptation or avoidance (consultation, technical studies, legal agreements, etc.). Moreover, staff would normally provide an assessment of OCP and Policy Statement concurrence.

As none of this work has been done, staff are unable to recommend approval. Despite staff's professional position, the LTC remains steadfast that this amendment is minor and inconsequential; it is their position that the benefits to Keats Island will outweigh the risks.

KEY ISSUES/CONCEPTS

- The bylaw will amend the Marine General (MG) zone to permit telecommunication utilities.
- This is an LTC initiated and drafted bylaw amendment with no evidenced assessment of legislation, policies, best practices, or other.

RELEVANT POLICY

- Section 27 of the *Islands Trust Act*
- Islands Trust Policy Statement Directive Policies
- Islands Trust Policy 1.3.1 [Policy Statement Implementation Policy]
- Islands Trust Policy 2.4.4 [Executive Committee Legislative Role]
- Islands Trust Policy 5.7.1 [Local Trust Committee Bylaws Checklist]
- Islands Trust Policy 5.9.1 [Best Management Practices for Delivery of Planning Services]

- Islands Trust Policy 6.2.1 [Priority Setting/Review Guidelines]

ALTERNATIVE

1. Approve Gambier Island Local Trust Committee Bylaw No.158:

THAT the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No.158, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023” in accordance with Section 27 of the Islands Trust Act.

Submitted By:	Marlis McCargar, Island Planner	January 16, 2024
Concurrence:	Stefan Cermak, Director, Planning Services	January 23, 2024

ATTACHMENTS

1. EC Submission Cover
2. EC Policy Checklist
3. Bylaw Referrals Report
4. Bylaw No. 158



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gambier Island Local Trust Committee

Bylaw No.: GM-158

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 09-Jan-2024

- ☒ Bylaw Submission Checklist attached
- ☒ Policy Statement Checklist attached*
* not required for administrative bylaws
- ☒ Summary of Bylaw Intent Attached

Recieved by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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 numerically 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

Executive Committee

Policy Checklist

Checklist Key:

Consistent	The bylaw is consistent with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv
Contrary	The bylaw is inconsistent (contrary or at variance) with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv
Not-Applicable	The policy is not applicable with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv .

Executive Committee Legislative Role Policy (2.4)

Unknown	i	Bylaw is consistent with the object of the Trust
Unknown	ii	*See note Bylaw is not contrary to or at variance to the Islands Trust Policy Statement
Consistent	iii	*See note Bylaw does not expose the Islands Trust to unreasonable expense in the administration or enforcement of the bylaw
Unknown	iv	Bylaw is not enacted without legal authority, including inconsistency with the relevant OCP (based on legal advice)

Checklist Key:

Requires Resources	*see note Staff resources required to assist with administration.
No Resources Required	No staff resources required.

The Bylaw has been Examined Against Best Management Practices for Delivery of Local Planning Services as found in Section 5.9 of the Islands Trust Policy Manual

No Resources Required	B.5	Bylaw is consistent with the object of the Trust
No Resources Required	B10	Bylaw is not contrary to or at variance to the Islands Trust Policy Statement

Comments

NOTE:

- Item Executive Committee Legislative Role Policy (2.4) i: Staff was directed by Gambier LTC to not conduct any assessment/analysis and therefore it is unknown if the Bylaw is not consistent with the object of the Trust
- Item Executive Committee Legislative Role Policy (2.4) ii: the Gambier Island Local Trust Committee has , to their own satisfaction, determined the bylaw is not contrary to or at variance to the Islands Trust Policy Statement.
- Item Executive Committee Legislative Role Policy (2.4) iv: No written evidence was provided of an assessment whether the proposed bylaw is contrary to or at variance with Keats Island Official Community Plan Bylaw No. 77

Completed By: Nadine Mourao

Status

Date Resolution Referred to Executive Committee 09-Jan-2024

Reading: 09-Jan-2024

Referrals: Bylaw GM-158

Agency	Sent	Received
Cowichan Tribes <i>Chief and Council:</i> Candace Charlie <i>Comment:</i> Given the location, we will defer to communities closer to the referral area.	11-Jan-2024	12-Jan-2024
Fisheries and Oceans Canada <i>Suite 200 - 401 Burrard Street:</i> Referrals Coordinator <i>Comment:</i> Thank you for contacting the Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) regarding the above headlined Gambier Island Bylaw. The conservation and protection of Canada's marine and freshwater resources is a top priority for Fisheries and Oceans Canada (DFO). DFO's Fish and Fish Habitat Protection Program (FFHPP) helps conserve and protect fish and fish habitat and restore fish habitat for future generations. The FFHPP administers and ensures compliance for development projects taking place in and around fish habitat, under the Fisheries Act and relevant provisions of the Species at Risk Act. DFO's FFHPP is not providing detailed comments on the referenced Gambier Island Bylaw. However, DFO recommends that land use planning processes consider establishing clear environmental conservation and protection objectives that are reflected in designation of environmentally sensitive areas, setback requirements, stormwater retention/detention requirements, land use restrictions and bylaws (e.g., tree removal). Protection of freshwater and marine resources provides long-term benefits to fish and fish habitat, as well as to the public, by regulating water quality and quantity, providing for stream channel and foreshore stability, and increasing resiliency to climate change impacts.	11-Jan-2024	12-Jan-2024
Halalt First Nation <i>7973 Chemainus Rd:</i> & Council Chief	11-Jan-2024	
Islands Trust Conservancy <i>Islands Trust Conservancy:</i> K E <i>Comment:</i> As this bylaw doesn't fall under the Islands Trust Conservancy/Local Planning Services coordination policy, it doesn't require referral to the Islands Trust Conservancy Board. For efficiency, staff won't be assessing the content of the bylaw or the referral.	11-Jan-2024	15-Jan-2024
Lyackson First Nation <i>8017 Chemainus Road:</i> Cristina Hoffmann	11-Jan-2024	
Ministry of Forests, Lands and Natural Resource Operations - Water Protection <i># 142 - 2080A Labieux Road:</i> Referrals Coordinator <i>Comment:</i>	11-Jan-2024	
Ministry of Transportation and Infrastructure <i>Vancouver Island District:</i> Derek Atchison <i>Comment:</i>	11-Jan-2024	
Musqueam Nation <i>6735 Salish Dr.:</i> Referrals Coordinator	11-Jan-2024	

Referrals: Bylaw GM-158

Agency	Sent	Received
Penelakut Tribe <i>Chief and Council: Denean Jack</i>	11-Jan-2024	
Snuneymuxw First Nation <i>668 Centre Street: Desiree Thomas</i>	11-Jan-2024	
Squamish Nation <i>PO Box 86131: Lisa Wilcox</i> <i>Comment: Thank you for informing us of the proposed Bylaw. We have no comments.</i>	11-Jan-2024	17-Jan-2024
Stz'uminus First Nation <i>12611A Trans Canada Hwy: Chenoa Akey</i>	11-Jan-2024	
Sunshine Coast Regional District <i>1975 Field Road: Building Department Building Department Referrals</i> <i>Comment:</i>	11-Jan-2024	
Tsleil-Waututh Nation <i>3075 Takaya Drive: Referrals Referrals</i>	11-Jan-2024	
Tsuubaaasatx First Nation <i>Referrals: Referrals Coordinator</i>	11-Jan-2024	

A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002

1. Citation

2. Gambier Island Local Trust Committee Bylaw No. 158, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” is amended as per Schedule “1” attached to and forming part of this bylaw.

ADOPTED THIS _____ DAY OF _____, 20____

SECRETARY

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 158**

Schedule "1"

1. **Schedule "A"** of Keats Island Land Use Bylaw, 2002 is amended as follows:
 - 1.1. **PART 4 – ZONE REGULATIONS**, Section **4.16 MARINE GENERAL (MG) ZONE**, Subsection **4.16.1** is amended by deleting "and" after interpretation in the first bullet, by inserting "and" after "navigational uses" in the second bullet and by inserting a third bullet "the establishment and use of telecommunication utilities".
 - 1.2. **PART 4 – ZONE REGULATIONS**, Section **4.16 MARINE GENERAL (MG) ZONE**, Subsection **4.16.2** is amended by deleting "a navigational aid" and replacing it with "navigational aids or telecommunication utilities."

BRIEFING

To: Executive Committee **For the Meeting of:** January 31, 2024
From: CAO **Date Prepared:** January 26, 2024
SUBJECT: Consideration of scheduling a Strategic Planning Session for March Trust Council

PURPOSE: To consider scheduling a ½ day strategic planning session for March Trust Council.

BACKGROUND: As EC is aware a Corporate Plan working group was formed by Governance Committee to advance development of a corporate plan for the Islands Trust. Trust Council approved an RFD at their September meeting, as follows:

1. *That Trust Council approve the attached Draft Corporate Planning Framework, and*
2. *THAT Trust Council request that Governance Committee continue work on Corporate Plan development*

The RFD is attached here for reference. In the timeline, you can see that the organization has

1. undertaken Phase 1, SWOT
2. determined a vision statement
3. Agreed upon the Mission (see statement on the meaning of S3 of the Islands Trust Act)

The next step in the process is for Trust Council to determine and prioritize goals and objectives. The Corp Plan working group has discussed and number of options on how to achieve this and has come to the conclusion that a ½ day session at March Trust Council is recommended. The rationale is as follows:

- The 2022-2026 Trust Council adopted interim strategic projects from last term but has not adopted or discussed its own strategic direction;
- The next step in the corporate planning process needs input from trustees
- March 2024, while soon, provides an opportunity to discuss needs and wants and allows working strategies to be developed, including business cases, for the next budget year, that being 25/26. If the process is initiated too late, the organization may miss a planning window.
- It is convenient to have this discussion prior to adoption of the upcoming 24/25 budget, scheduled for the next day.
- It is recommended that the Tuesday March 12 afternoon be dedicated to this effort, that a consultant/facilitator be hired to run the session. Staff are determining costs at present.
- Staff will be reaching out to Governance Committee/Chair to seek their support.

ATTACHMENT(S): RFD Corporate Planning Framework for the Islands Trust

FOLLOW-UP: discussion at Committee meeting on January 31.

Prepared By: CAO

Reviewed By/Date:



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 26, 2023
From: CAO **Date Prepared:** September 5, 2023
SUBJECT: Corporate Planning Framework for the Islands Trust

RECOMMENDATION:

1. That Trust Council approve the attached Draft Corporate Planning Framework, and
2. THAT Trust Council request that Governance Committee continue work on Corporate Plan development.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: This recommendation is a reasonable means forward for the reimagining of corporate, strategic and financial planning at the Islands Trust. It is also fair to conclude that 75 % of the processes contemplated by the corporate plan exist in current practice. The priority will be in broadening the scope of the plan, including greater financial detail, delegating appropriate responsibility and reporting/progress management.

If Trust Council wishes to take a different approach to this work then this process should be concluded or amended.

- 1 **PURPOSE:** To approve a framework for a Corporate Planning process for the Islands Trust.
- 2 **BACKGROUND:** At Trust Council direction, and guided by recommendations from the Governance Review 2022, Governance Committee is in the process of developing a corporate planning process for the Islands Trust. Implementation of a new corporate planning process is intended to be a long term project that will bring greater clarity in process and outcomes to strategic and operational work at the Trust. Governance Committee requested the assistance of a working group of FPC to provide an initial outline and rationale. The working group is made up of Trustees Patrick, Evans and Boland with the aid of staff.

Work started in February with the development of a process document with significant reference to the [District of Saanich](#) planning process as a roadmap. Further work in the spring saw the document mature to a fully corporate framework that could provide a way forward for the Islands Trust.

This is the initial planning phase of the project. Before we do the hard work of actually developing an Islands Trust Corporate Plan the committees and and staff working on this process need confirmation that we are going in the right direction. Attached for consideration of Trust Council is a draft framework and it is provided in order to get approval from Trust Council.

The next steps are outlined in the following table, but in general there will need to be a significant investment of time and analysis between elected officials on both Committees and staff on:

- Determining processes for selecting major projects
- Establishing criteria for project selection
- Determining a reasonable level of detail that can be provided to elected officials as they populate and monitor a corporate plan
- Adopting and maintain a structured decision making process and ethic at the Islands Trust
- Linking, in a number of ways, the strategic projects of the Trust and the financial function
- Developing meaningful ways of measuring progress and reporting to Council
- Incorporating reconciliation work throughout the planning process, and
- Policies to aid all of the above.

It is important to remember that in doing this work, the Islands Trust is doing two things:

1. Development of a corporate framework with related policies and practices, and subsequently,
2. Developing a corporate plan for the term with new goals and objectives.

What do we do from strategic and budgetary perspectives in the interim? As we are in a period of transition, we will continue work on the current strategic plan and any associated budget requirements. This in no way limits trustees from sponsoring new work and adding it to the current budget cycle. Indeed, there will likely be a period where we bring in some best practices from the corporate planning processes, say for instance with business plans, before we have fully adopted a new approach.

If Trust Council approves this framework, the schedule below provides an approximate timeline. Our goal would be to have a new corporate plan in place for fiscal 2024/25.

CORPORATE PLANNING PROCESS ROADMAP	TIMELINE	NOTES
PHASE 1: Assess the Environment (SWOT)	June 2023	Occurred in June
PHASE 2: Develop a Term Strategic Plan Part 1 – Direction & Goal Setting Step 1: Determine the Vision Step 2: Understand the Mission/Mandate Step 3: Determine Values	September 2023	Trust Council is in the process of developing a vision and seeking agreement on the mission of the Trust
Step 4: Determine & Prioritize Goals & Objectives	September 2023 to June 2024	Analysis and policy development to Part 1.4 through Phase 3 is significant and would be the next tasks in plan development.
Part 2 – Strategy Implementation Step 1: Determine actions to achieve objectives Step 2: Prioritize actions & Assign Responsibilities		
		New concept, needs to be developed by staff.

PHASE 3: Develop Departmental Plans to support strategies and financials		
PHASE 4: Develop the Annual Budget & Long-Term Financial Plan Step 1: Review Background Documents Step 2: Budget Submissions Step 3: Draft Annual Budget & Draft Financial Plan Step 4: Senior Management Review Step 5: Financial Planning Committee Review Step 6: Trust Council Review Step 7: Public Feedback & Consultation with Municipalities Step 8: Financial Planning Committee Review Step 9: Trust Council Approval Step 10: Financial Plan Bylaw Submission to Minister	August 2024 to March 2025	1. Relevant policies and planning needs to further integrate projects and financials 2. By the end of June the Corporate Plan process and framework, with policies, would be ready to be implemented for the 2025 budget cycle.
PHASE 5: Monitoring, performance management and risk assessment	Post March 2025	3. New process needs development

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

This is a current strategic direction of Trust Council and the responsibility of both Executive Committee and Governance Committee. There will need to be the following staff resources dedicated to the project over the next 8 to 10 months.

Assumptions:

Working term: October 2023 to May 2024.
Committee meetings: October 2023 to May 2024: 9 meetings approx. for either subgroup or GC
Staff meetings: 5-6 half day meetings or equivalent October-May
Analysis of plan, committee planning, budget planning, link to LTC projects, other
Policy Development
Communications
Training: at this point this item is hard to approximate, depends on monitoring and reporting requirements.

	Notes	Hours	Totals
CAO	Main contact and project lead Department planning, Committee liaison Ongoing strategic management	5 hours a week for 32 weeks	160 hours
Executive Coordinator	Administration, agenda development	2 hours a week for 32 weeks	64 hours

Director of Leg Services	Policy Development, training	1 week of work	40 hours
Director of Admin Services	Corp/budget rationalization, FPC contact	2-4 hours week for 32 weeks	40-80 hours
Director of TAS	General policy development, analysis, training	1.5 week	60 hours
Dir of Planning Services	Policy development, training	1-2 hours week for 20 weeks	40 hours
Communications	Internal and external comms needed, mainly next fiscal year.	pending	
Sub Committee	1 meeting a month from Oct to May		
Governance Committee	3-4 meetings, Oct to May		

FINANCIAL: Limited requirement for funding this fiscal year.

POLICY: a number of policies will need to be amended or created to realize a new corporate planning process including:

- **2.3.1 Council Committee Systems** – updated to include as necessary the committees' roles in the implementation of the Corporate Plan
- **2.4.1 Executive Committee Terms of Reference** - dated to include as necessary the Executive Committee's roles in the implementation of the Corporate Plan
- **5.9.1 Best Management Practices for Delivery of Local Planning Services** – updated to reflect how projects of local trust committees and Regional Planning Committee will be evaluated against the Corporate Plan for budget purposes.
- **6.2.1 Priority Setting/Review Guidelines** – to incorporate the Corporate Plan into priority setting for all Trust Council bodies.
- **6.3.1 Budget Process** – to adjust timelines and processes to reflect the process outlined in the Corporate Plan.
- **X.X.X Corporate Plan** – a new policy that establishes Trust Council's corporate plan. Once Trust Council has settled on the scope of corporate plan, Staff will draft a new policy with the Corporate Plan language in it, which Trust Council may then consider for adoption. This new policy will likely be numbered 6.1.2 and follow the 6.1.1 First Nations Engagement Principles in the list of policies.

Depending on the scope of the final Corporate Plan adopted by Trust Council, there may be other policies that will require consequential amendments to bring them in line with the Corporate Plan. These will be identified and brought to council for consideration once the Corporate Plan has been adopted. The above five listed policies are more critical to the implementation of the Corporate Plan and therefore amendments to them should be considered concurrently with the Corporate Plan to ensure no conflicts, and that processes are clear.

IMPLEMENTATION/COMMUNICATIONS: pending

FIRST NATIONS: Integration of Islands Trust First Nations principles, recognition, reconciliation and engagement work will occur throughout the plan and is assumed to be a constant in work and project planning as well as business development.

OTHER:

4 RELEVANT POLICY(S):

5 ATTACHMENT(S):

a. Draft Corporate Plan Framework, August 2023

RESPONSE OPTIONS

Recommendation:

- 1. That Trust Council approve the attached Draft Corporate Planning Framework, and**
- 2. THAT the Governance Committee continue work on Corporate Plan development.**

Alternative:

Prepared By: R Hotsenpiller

Reviewed By/Date: David Marlor, Director, Legislative Services/September 5, 2023
Executive Committee/September 13, 2023

DRAFT Islands Trust Council Schedule March 12-14, 2024

Tuesday, March 12		Wednesday, March 13		Thursday, March 14	
		8:30	Administrative Services	8:30	Closed Meeting
					Public are welcome to attend all sessions excluding the Closed Meeting
10:00	Executive Committee Meeting		Budget		Rise and Report
			Consent Agenda Items		
			FPC Work Program		
			Director's Report		
			Decision/Discussion Items	9:30	Break
12:00	Lunch				
1:00	Land Acknowledgement			9:45	Disposition of Delegations
	Call to Order and Approval of Agenda				Correspondence
	General Business Arising				
	Consent Agenda Item(s)				
	Adoption of Minutes				
	RWMs	10:30	Break		New Business
	TC FUAL				
1:15	Trustee Roundtable	10:45	Budget (Continued)		Trustee/Summary Updates
	Emerging issues for Trust Council				First Nations Relations
					Freighter Anchorages/Oceans Protection Plan Update
2:00	Strategic Plan				Salt Spring Island Watershed Protection Alliance (SSIWPA)
					Southern Gulf Islands Forum
					Átl'ka7tsem/Howe Sound Biosphere Region
3:00	Break	12:00	Lunch		Baynes Sound/Lambert Channel Ecosystem Forum
3:15	Strategic Plan (Continued)	1:15	Delegations/Public Comment		BC Ferries Advisory Committees
					Freighter Anchorages Update
		2:15	Media & Social Media Training Session		Shellfish
			Welcome and Introductions		
		2:30	Training Session		
					Priorities Chart
					June Trust Council Draft Schedule
					Disposition of Delegations
					Correspondence
				12:00	Adjournment (approx.)
		3:00	Break		
		3:15	Media & Social Media Training Session (Continued)		
5:30	Adjourn for the Day (approx.)	5:30	Adjourn for the Day (approx.)		



Islands Trust



BRIEFING

To: Executive Committee **For the Meeting of:** January 31, 2024
From: CAO **Date Prepared:** January 25, 2024
SUBJECT: Scheduling a meeting with San Juan County representatives at Trust Council

PURPOSE: To discuss an that an invitation be provided to representatives from the San Juan Islands be invited to the June 2024 Trust Council meeting on Salt Spring Islands.

BACKGROUND: Following the December 2023 Trust Council meeting where two members of San Juan County joined the meeting via zoom, discussion was initiated by both parties to reengage and continue collaboration and discussion. San Juan officials have reached out the Island Trust asking for a specific date so that they can establish their annual schedule.

The options for hosting San Juan officials include March, June, September and December 2024. March is focused upon adoption of the budget and may not be preferred. June and September are reasonable options. December tends to be challenging for travel due to the weather.

June 2024 is the 50th anniversary of the Islands Trust, so that may be an appropriate and significant time to invite our colleagues. September is also viable, as the weather is amendable to travel.

ATTACHMENT(S): None

FOLLOW-UP:

Prepared By: CAO

Reviewed By/Date:

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** March 9, 2021

From: David Marlor, Director,
Legislative Services **Date Prepared:** January 18, 2024

SUBJECT: Committee of the Whole – Meeting Procedures Bylaw Amendment

RECOMMENDATION:

That Trust Council give Bylaw _____, cited as “ “ First reading.

That Trust Council give Bylaw _____, cited as “ “ Second reading.

That Trust Council give Bylaw _____, cited as “ “ Third reading.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

1 PURPOSE:

To provide recommendations for amendments to Trust Council’s meeting procedures bylaw to add “Committee of the Whole” as an option for Trust Council meetings.

2 BACKGROUND:

At its December 2023 regular meeting, Trust Council passed the following resolution:

TC-2023-095

It was MOVED by Trustee Boland and SECONDED by Trustee Evans,
that Trust Council request Staff to draft an amendment to the Trust Council
meeting procedures bylaw to include the Committee of the Whole as a meeting type,
and bring that draft to March Trust Council.

A Committee of the Whole is generally defined as a quorum of Trust Council members sitting as a committee for the purpose of a more informal discussion. Usually in Committee of the whole, the meeting procedure rules are relaxed to allow more open discussion and debate amongst members. Rule relaxation is up to the Committee of the Whole.

There is no set standard for Committee of the Whole across local governments in British Columbia. Some local governments have stringent meeting rules that limit members speaking to an item in council to one time, and use Committee of the Whole to relax this and allow members to speak multiple times to an item. Others use Committee of the Whole to seek public feedback,

and have a two way discussion with applicants and the public on items, which would not happen in the regular council meeting.

One consistency is that the Committee of the Whole does not make decisions, other than making recommendations to Council.

For the Islands Trust, Committee of the Whole could be used to have more informal discussions around issues, some of which may go to Council for a decision; others may be more about learning. The meeting procedures bylaw can be amended to include language that will allow Trust Council to move into Committee of the Whole at any time by resolution, and/or schedule a Committee of the Whole meeting at specific times. The bylaw can require that the meeting procedure rules still apply, with the exception that that Chair may ask another member to chair the Committee of the Whole, and by consent agree that rules of debate are relaxed to allow a better flow of ideas. The Chair of the Committee of the Whole would still maintain order.

Other than relaxing the rules of debate and interaction with the public, all other rules and procedures around Trust Council meetings would be observed, including (as examples) open and closed meeting requirements and procedures, quorum, minute taking, public notice, and public access to the meetings (such as streaming and recording open meetings).

Appropriate uses of the Committee of the Whole for Trust Council could include the following:

- Workshop or session on specific issues such as the budget
- Learning sessions for education of Trust Council
- Discussion on items not yet on council agenda for decision
- Review of draft policy amendments
- Receiving input from the public, such as delegations and “Town Hall”
- Providing feedback to staff on drafts of various issues

The Committee of the Whole should then decide what to do with the information. This could be to rise and report to Trust Council on a recommendation, or to take no action and not advance it to Trust Council for a decision.

The meeting procedure bylaw should specify how Committee of the Whole meetings are scheduled, or how Trust Council can resolve itself into a Committee of the Whole. This could be simply at any time by resolution, and/or a specific time could be set aside for Committee of the Whole, which could be cancelled if there is no need for it. As Trust Council meets four times a year over three days each time, one of those days, or an afternoon could be set aside for the Committee of the Whole. Rather than specify in the bylaw specific times, Staff recommend using more flexible language to allow Trust Council to both set a time at a Trust Council meeting for Committee of the Whole, or to go into Committee of the Whole as required during a Trust Council meeting.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

No organizational implications other than reformat of Trust Council agendas

FINANCIAL:

No financial implications.

POLICY:

No policy implications.

IMPLEMENTATION/COMMUNICATIONS:

Updates to Islands Trust website to explain Committee of the Whole, and its role would be required.

FIRST NATIONS:

No First Nations implications.

OTHER:

No other implications.

4 RELEVANT POLICY(S):

Trust Council Meeting Procedures Bylaw 101

5 ATTACHMENT(S):

Draft Trust Council Meeting Procedures amendment Bylaw XXX

RESPONSE OPTIONS

Recommendation:

That Trust Council give Bylaw _____, cited as “ “ First reading.

That Trust Council give Bylaw _____, cited as “ “ Second reading.

That Trust Council give Bylaw _____, cited as “ “ Third reading.

Alternative:

Prepared By: David Marlor, Director, legislative Services

Reviewed By/Date:

ISLANDS TRUST COUNCIL

BYLAW NO. XXX

A BYLAW TO AMEND THE ISLANDS TRUST COUNCIL MEETING PROCEDURES BYLAW

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, as amended, enacts as follows:

1. Islands Trust Council Meetings Procedures Bylaw, 2004 is amended as follows:

- a) By amending Section 1.1 by adding a new definition for “Committee of the Whole” following the definition for “Committee Chair” and before the definition for “Council” as follows:

““Committee of the Whole” means a quorum of Council convened in a less formal capacity than a Council Meeting to foster Public Engagement, to provide preliminary consideration of matters, and to make recommendations to Council.”

- b) By adding a new “Part 10A Committee of the Whole” following “Part 10 Public Access” and before “Part 11 Committee Meetings” as follows:

“PART 10A COMMITTEE OF THE WHOLE

10A.1 Committee of the Whole membership shall be comprised of all Trust Council members.

10A.2 Committee of the Whole allows all Trust Council members to sit as a Committee in a less formal structure to discuss complex issues that may require more in-depth consideration.

10A.3 Committee of the Whole is not a decision-making entity and will consider and provide recommendations to Council such as, but not limited to, the following business items:

- policy development;
- Learning opportunities;
- annual budget deliberations;
- advocacy and strategies;
- other matters that may require Trust Council's in-depth consideration and community input.

i.

10A.4 The Chair will be the Trust Council Chair or Acting Chair at the time of the meeting; the Committee of the Whole may appoint another Chair by general consent.

10A.6 Trust Council may go into Committee of the Whole at any time during its meeting by passing a resolution to “resolve itself as a Committee of the Whole”.

- 10A.7 Trust Council meeting procedures bylaw applies to Committee of the Whole, however, by general consent, the Committee of the Whole may relax any limits of discussion.
- 10A.8 No decisions in Committee of the Whole are made but motions are permitted to request information or to report on or refer items to Trust Council or another Committee.
- 10A.9 Committee of the Whole is adjourned or returned to Trust Council by General Consent of Committee of the Whole.”
- ”

2. This Bylaw may be cited for all purposes as “Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. __, 2024”.

READ A FIRST TIME THIS	DAY OF	, 2024
READ A SECOND TIME THIS	DAY OF	, 2024
READ A THIRD TIME THIS	DAY OF	, 2024
ADOPTED THIS	DAY OF	, 2024

_____ SECRETARY	_____ CHAIR
--------------------	----------------

BRIEFING

To: Executive Committee **For the Meeting of:** January 31, 2024
From: Staff **Date Prepared:** January 25, 2024
SUBJECT: Allocation of grant funds for engagement with First Nations

PURPOSE: To inform Executive Committee of a staff proposal to allocate grant funds for engagement with First Nations.

BACKGROUND: On March 24, 2023 Islands Trust received a letter from the Province of BC advising that a grant has been approved in the amount of \$150,000 for the general purpose of developing protocol agreements and engagement with First Nations in the Trust area, to be used over the course of the next five years.

The Province expects a report in the first year with an overview of the Islands Trust's plans for engagement with First Nations on potential protocols or other agreements about working together, and to receiving an annual summary of progress by March 31st until the funds are fully expended.

In making the following allocations staff considered a number of factors and criteria.

1. **Does the allocation honour the Islands Trust Reconciliation Declaration and Action Plan?** Both the Declaration and the Action Plan focus upon a commitment to Reconciliation and the building of long term relationships including creating opportunities for knowledge sharing, understanding and collaboration. Key to these goals is developing relationships and engagement. The allocation invests in trustee and staff training to support effective engagement, as well as practical examples of engagement and collaboration through the development of major projects and LTC projects. The proposed use of the funds is wide ranging and achieves a balance between relationship building and effective engagement.

Also, given the uncertainty or lack of guidelines available from senior government with regard to capacity funding, the use of the grant funds to assist in large scale, collaborative efforts provides a link to UNDRIP principles and guidance.

2. **Are the allocations in keeping with the grant provisions from the Ministry?** Yes. While the granting language focuses upon engagement, without question we are hearing from First Nations that that includes both relationship building but also collaboration and input early in the land use planning process. There is language in the grant agreement that would support long range planning cooperation, while avoiding the use of funds for day to day planning referrals, which would be outside of scope. There may be a need to reallocate funds towards emerging protocol agreements as they become possible as they are a key part of the grant.
3. **Is there an equitable allocation across the organization, ie. Is there a regional/practical balance with the funds and outcomes?** Over the five year timeframe there is the belief that there will be a

general evening of access to the funds. Initially, a good mix is achieved through universal training, the Policy Statement, Northern LTCmajor Projects, and Salt Spring projects. Other LTC projects will follow and there is always the ability for Trust Council to reallocate on an annual basis.

4. **Is the use of the funds practical and useful?** These allocations are offered as reasonable mix of relationship development in advance of protocol agreement development and long range land use collaboration.
5. **Budget considerations.** Use of the funds assists with the intentions of the Action Plan and Declaration and avoids day to day operations, which is not supported by the grant. The funds are also allocated in a manner that does not unnecessarily increase the tax burden on the region.

Staff propose to allocate the funding as follows:

DESCRIPTION	FY24 (current year)					
	FY25	FY26	FY27	FY28	TOTAL	
Protocol agreement development/signing			\$7,000		\$7,000	
Engagement training for trustees	\$8,000	\$17,000			\$25,000	
Policy Statement -capacity funding	\$4,000				\$4,000	
Islands Trust Conservancy Plan - capacity funding		\$10,000			\$10,000	
DELTC Major Project (Housing Review)		\$6,000			\$6,000	
GBLTC Major Project (OCP and LUB Review)		\$6,000			\$6,000	
GMLTC Major Project (OCP/LUB Targeted Amendments)	\$16,000				\$16,000	
HOLTC Major Project (First Nation Engagement)	\$12,000	\$12,000			\$24,000	
SSLTC Major Project (Ganges (OCP & LUB Review)		\$26,000			\$26,000	
SSLTC Major Project (Ganges (Shiya'hwt / SYOW T) Village Area Plan)			\$26,000		\$26,000	
TOTAL GRANT SPEND	\$40,000	\$77,000	\$26,000	\$7,000	\$ -	\$150,000

The \$40,000 in grant monies allocated to FY24 is for activities already budgeted for in the current fiscal year. Applying grant funds to these activities will result in financial savings in in the current fiscal (FY24). These savings will flow into the General Revenue Surplus Fund at year-end, bolstering that's Funds available balance to support other work in the draft 2024/25 budget.

The \$77,000 allocated to FY25 in the chart above is already included in the draft 2024/25 budget to pay for planned engagement activities next fiscal year.

ATTACHMENT(S): March 2023 letter to CAO re grant for \$150,000 for the general purpose of developing protocol agreements and engagement with First Nations in the Trust Area

FOLLOW-UP: Staff will make any requested changes and provide a briefing to Financial Planning Committee.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Russ Hotsenpiller, CAO/January 25, 2024



March 24, 2023

Russ Hotsenpiller (*sent via email only*)
Chief Administrative Officer
Islands Trust
200 - 1627 Fort Street
Victoria, BC V8R 1H8

Dear Russ Hotsenpiller:

On behalf of the Province of British Columbia, I am pleased to advise you that a grant has been approved in the amount of \$150,000 for the general purpose of developing protocol agreements and engagement with First Nations in the Trust area, to be used over the course of the next five years. The Ministry's representative for this funding will be Marijke Edmondson, Strategic Advisor, Local Government Division, (778) 698-3227.

In the event that the funding cannot be used in its entirety for the intended purpose, please notify the Ministry as soon as possible. I look forward to receiving within the first year, an overview of the Islands Trust's plans for engagement with First Nations on potential protocols or other agreements about working together, and to receiving an annual summary of progress by March 31st until the funds are fully expended.

Islands Trust agrees to acknowledge the Ministry's assistance on written materials, where appropriate. The following acknowledgement may be used:

"We gratefully acknowledge the financial support of the Province of British Columbia through the Ministry of Municipal Affairs."

We are pleased to support the important work you do and wish you success in building effective and collaborative working relationships with the First Nations in whose territories the Islands Trust operates.

Funds will be electronically deposited into your bank account.

Sincerely,

 Marijke Edmondson
on behalf of

Tara Faganello
Assistant Deputy Minister
Local Government Division

cc: Birgit Schmidt, Director, Operations and Client Relations Unit
Marijke Edmondson, Strategic Advisor
Local Government Division

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** January 31, 2023
From: Trust Area Services **Date Prepared:** January 25, 2023
SUBJECT: Islands Trust Communications Strategy

RECOMMENDATION: Request Executive Committee to approve the Islands Trust Communications Strategy.

BACKGROUND: For many years, staff have been laying the groundwork towards a strategic approach to communications and are pleased to provide a draft Communications Strategy to Executive Committee for approval, after having received comments from Executive Committee at its December 2023 meeting. No additional edits or comments were provided to staff by trustees verbally or via email.

The [Executive Committee Terms of Reference](#) set out the following relevant duties:

6.2 To coordinate an effective public relations program through the development of targeted public communication efforts.

6.3 To maximize effective internal communications by facilitating opportunities for trustees, local trust committees, Council Committees, Trust Council and staff consultation and information exchange and provision of services and resources.

The Islands Trust communications program is guided by the [Trust Council Communications Policy](#) (6.10. ii). The implementation of communications work is guided by the following resolution:

EC-2016-59 (April 27, 2016)

That the Executive Committee delegates the planning, management and implementation of the public relations program to the CAO; and that the Executive Committee continues to approve broad communications principles and strategic goals.

The intent of a communications strategy for Islands Trust is to foster engagement with island communities and improve public trust in the organization through awareness and education. This strategy is specific to communications and has been drafted with the expectation that a companion Islands Trust engagement strategy and toolkit will be developed at a later date to support engagement on projects. This document has been created as an overarching strategy, with project-specific communications work plans to be companion documents. Staff will be developing a work plan to implement the strategy as part of a Trust Area Services department work plan.

This strategy is specific to Islands Trust Council, Executive Committee and local trust committees. Islands Trust Conservancy and Bowen Island Municipality have their own communication strategies and plans. Efforts will be coordinated when possible and practical.

1. IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: This communications strategy will provide organization-wide communications support.

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Upon Executive Committee's approval, staff will finalize the communications strategy and the accompanying communications budget for Trust Council meeting for its March 12, 2024 meeting.

FIRST NATIONS: None.

OTHER: None.

2. **RELEVANT POLICY(S):** [Trust Council Communications Policy](#) (6.10. ii), and [Executive Committee Terms of Reference](#).

3. **ATTACHMENT(S):** Draft Islands Trust Communications Strategy

RESPONSE OPTIONS

Recommended:

That the Executive Committee approves the Islands Trust Communications Strategy.

Alternative:

- 1) Request that staff provide a revised or alternative Islands Trust Communications Strategy for its March 12, 2024 meeting.

Prepared By: Morgana van Niekerk, A/ Communications Specialist

Reviewed By/Date: Clare Frater, Director, Trust Area Services/ January 25, 2024
Russ Hotsenpiller, CAO, January 25, 2024

DRAFT Islands Trust Communications Strategy 2023/24

Contents

1. Context.....	1
2. Goals	1
3. Principles.....	3
4. Target Audiences	4
5. Tools and Tactics.....	4
6. Evaluation	5

1. Context

A formal communications strategy has not been adopted by Islands Trust in many years. An updated communications strategy is a priority within the organization and is necessary to foster engagement with island communities and improve public trust in the organization through awareness and education.

Through effective planning and resource allocation, content about the Islands Trust’s mandate and commitment to Reconciliation, its programs, governance, and services can be widely shared at reasonable cost, encouraging public support and individual efforts to preserve and protect the 450 islands and surrounding islands in the Salish Sea.

This strategy is specific to Islands Trust Council, Executive Committee and local trust committees. Islands Trust Conservancy and Bowen Island Municipality have their own communication strategies and plans. Efforts will be coordinated when possible and practical.

This strategy is specific to communications and has been drafted with the expectation that a companion Islands Trust engagement strategy will be developed at a later date to support engagement on projects. This document has been created as an overarching strategy, with project-specific communications work plans to be companion documents.

2. Goals

1. **Recognize community interests** and respond with information that connects citizens, elected officials and staff:
 - 1.1. Create efficiencies for identifying public issues and listening and responding to the public by:
 - Identifying current and emerging resources for collecting citizen feedback, including social media trends, engagement platforms, surveys and website forms
 - Ensuring the timely sharing of updates to elected officials, staff and citizens
 - 1.2. Be prepared by ensuring staff members understand their roles in the issues management process by:

- Updating procedures outlining best practices and desired outcomes
 - Determining the spokesperson on particular issues and topics, and make this information available to elected officials and staff
 - Prepare speaking notes as soon as information becomes available, regardless of if an issue is present at this point in time or not
- 1.3. Follow issues to identify and hear citizen concerns and prepare public information to address questions by:
- Identifying spokespeople
 - Preparing speaking notes
 - Preparing topical question and answers and adding to the Fact Check page
- 1.4. Increase elected officials use of social media by:
- Providing guidelines and best practices for elected officials and staff
 - Providing learning or training opportunities
 - Encouraging the opportunities for trustees to act as Islands Trust ambassadors
- 1.5. Introduce new opportunities for public feedback and questions through surveys and website forms by:
- Ensuring relevant and interesting surveys and/or forms are available for the public to share their opinions. These must be short and easy to complete
2. **Raise awareness** of Islands Trust work and its preserve and protect mandate through the development and publication of high quality digital and printed content. Also, raise awareness of department responsibilities and activities to the public, elected officials, and staff by:
- 2.1. Creating issue focused fact sheets and updates and distribute these to elected officials and staff
 - 2.2. Showcasing individual or team contributions from different departments social media, explaining what the staff are doing and how Islands Trust provides value to the community
 - 2.3. Continuing to communicate important Council and corporate decisions to staff
 - 2.4. Creating annual department communication work plans by working with directors and managers to identify routine annual communication priorities and activities for the coming year, as well as Strategic Plan and corporate projects.
 - 2.5. Determining budget and resource requirements for implementing this strategy and department annual department communication work plans
 - 2.6. Ensuring regular communication takes place across the organization to the public, staff, elected officials, and the media
 - 2.7. Updating procedure documents that contain best practices for communication processes
 - 2.8. Maintaining efficient and cooperative relationships with members of the media
 - 2.9. Providing training opportunities for staff that prepare communication documents
 - 2.10. Updating procedures and templates for common communication products, including graphic and layout products
 - 2.11. Developing an Islands Trust 101 presentation that can be customized for local trust areas
 - 2.12. Using all events as a communications tool to showcase the work Islands Trust does, its projects, its current engagement opportunities, or its achievements. Local trust committee meetings help people learn about projects, webinars educate people about IT programs that could be relevant to their lives, stand-alone events are opportunities to communicate to the public on all of the above. Islands Trust printed materials should be available at all in-person events or meetings, and there needs to be an Islands Trust

slideshow/video that showcases Islands Trust projects or achievements, during meeting breaks on Zoom meetings

3. **Improve engagement** with community by:

- 3.1. Creating an organizational engagement strategy and toolkit with checklists and templates to ensure the application of guiding principles, a consistent engagement planning process, and metrics for engagement evaluation
- 3.2. Creating an engagement plan per project, and providing communication support for this plan
- 3.3. Identifying engagement staff for each engagement and activity and create a communications plan to support the engagement activities. This is especially helpful when there is a staff person available that has connections to the local trust area, or is a resident
- 3.4. Partnering with other organizations to improve access to engagement tools (e.g. Comox Valley Regional District <https://engagemoxvalley.ca/>) and promote these tools to the public, elected officials, and staff
- 3.5. Promoting popular information on website to make it easier to find and understand
- 3.6. Improving the live-streaming of local trust committee and committee meetings to include well-designed screens to be used during recesses, closed meetings, technical issues and other times when a placeholder image might be used
- 3.7. Explaining what Islands Trust is doing by describing how individual projects and initiatives support the Strategic Plan and the Object

4. **Build trust** with the public, by:

- 4.1. Simplifying language and take advantage of opportunities for informal dialogue
 - 4.2. Promoting Islands Trusts social media accounts and work to attract more followers, from a diverse group of islands residents
 - 4.3. Promoting trustees as Islands Trust ambassadors, real people from the communities who are reliable sources of information
 - 4.4. Provide staff with corporate clothing to wear in the field or when working with the public
 - 4.5. Continuing to upgrade the website to ensure consistency of search results, simplifying where simplification is possible and providing the information the public use most often on main pages
- Ensuring communications are in line with the *Islands Trust Identity Guide* so colours and fonts are recognizable consistent and language is appropriate.

3. Principles

When creating communications plans or content it is important to keep several principles in mind. This will create a unified tone and style, which will be recognisable as the overall tone of Islands Trust.

Communications needs to be:

- **Accessible** – Communicating in a clear, meaningful, and relevant manner to the intended audiences with simple plain language whenever possible
- Focused on **Reconciliation** – Applying Indigenous style principles from the *Islands Trust Identity Guide*
- **Accurate** – Providing accurate information, limited use of adjectives

- **Creative** – Creating captivating and memorable content, including celebrating positive stories
- **Consistent** – Communicating in a well-written and designed way that is aligned with the *Islands Trust Identity Guide*
- **Measured** – Communication is effective and efficient, and can be based on metrics, goals and best practices
- **Timely** – Ensuring information is relevant and useful

4. Target Audiences

- **Primary:** Community members and organizations in the Trust Area
- **Secondary:** Provincial, municipal and local government bodies; First Nations governments in the Trust Area; media
- **Tertiary:** Islands Trust staff

5. Tools and Tactics

The primary tools to achieve Islands Trust’s communications goals and priority programs and services are:

- Publications (digital and print)
- Website
- E-subscriber messages and e-newsletters
- Flyers and mailing packages
- Sandwich boards
- Printed posters/signs
- Paid advertising in newspapers and online media,
- Media releases and earned media
- Direct emails and phone calls with community members, media and other interested and affected parties
- Events - online and in person
- Social media - paid for and organic

All communications will rely on the website as a base. Social media will be used to showcase content available on the website, mailed to new residents, new reports, and new tools. While different projects or themes will use additional communication tactics to suit different audiences and comply with procedures and regulations, social media will, as much as possible, represent a broad spectrum of what is happening at Islands Trust. Implementing this process will take several months to set up but will be ongoing; providing open and easily accessible content based on Islands Trust work. Social media posting will allow more people to understand:

- The value of Islands Trust
- The services it provides and does not provide
- The projects underway

- Initiatives from other organizations that are interesting and relevant
- The information available on the website.

Social media posts will link back to the website, ensuring that Islands Trust’s social media is a gateway to the wealth of information available within the organization, building public confidence in Islands Trust.

Specific projects, events, or programs that are not run by Islands Trust but may further the mandate of Islands Trust will also be featured. For example, an event organized by another organization focusing on rainwater harvesting is of interest to the Islands Trust’s audiences. It will, therefore, be on Islands Trust social media where timing allows. Content from outside organizations will be posted on the Islands Trust accounts with Islands Trust captions and, if possible, graphics, with limited sharing of outside posts. This approach is used to promote a broader reach.

6. Evaluation

Communications efforts need to be measured and evaluated continuously to gauge effectiveness, engagement and sentiment. Without pre-existing data on which to base this strategy, the strategy will be adjusted as engagement data becomes available.

Relevancy and engagement of communications content can be analysed through:

- **Hootsuite and Meta** platforms are excellent sources of engagement data on social media platforms. Trends and preferences will be simple to identify through analytics as well as through commentary in Facebook groups or post comments
- **Monster Insights** monitors and analyses webpage visitors and link clicks, allowing for focused improvements to the website
- **Trustees and the public** will be able to provide more community-based feedback on how other communications efforts are being received
- **Meeting attendance**
- **Monitoring online feedback** through the website

BRIEFING

To: Executive Committee **For the Meeting of:** January 31, 2024
From: Director, Planning Services **Date Prepared:** January 17, 2024
SUBJECT: Provincial Funding Process Protocol Agreement

PURPOSE:

To share correspondence from the Ministry of Municipal Affairs staff which summarizes their interpretation regarding the Provincial Funding Process Protocol Agreement between the Islands Trust and the Ministry of Municipal Affairs.

BACKGROUND:

This Briefing follows a verbal update given to the Executive Committee on January 17, 2024. A copy of this Briefing was placed on the January 24, 2024 Financial Planning Committee Agenda.

On October 18, 2023 the Financial Planning Committee passed the following resolution:

That Financial Planning Committee request staff to investigate pursuing the provisions of Section 2.1.1 (Community Planning Grant Program) and 4.1.1 Special Provincial Planning Grant Program) of the Protocol Agreement Between the Islands Trust and the Ministry of Municipal Affairs regarding the Provincial Funding Process with regard to Official Community Plan and land Use Bylaw reviews; Policy Statement Review; associated First Nations capacity funding; and Housing and Housing Needs Assessments; and report back to FPC. CARRIED

Islands Trust staff met with ministry staff on December 15th, 2023. Ministry staff followed up with written correspondence summarizing their interpretations of the Protocol Agreement (attached). Ministry staff interpret the Protocol Agreement to be expired and no longer valid. However, opportunities to apply for grants to support Policy Statement work and subsequent OCP and LUB amendments are still feasible as per [the Local Government Grants Act](#) and the associated [regulations](#). The Islands Trust has recently received grants for First Nations capacity funding (\$150,000 over 5 years) and Housing Needs Reports funding (\$127,336).

Prepared By: Stefan Cermak, Director, Planning Services
Reviewed By: CAO, Russ Hotsenpiller; Julia Mobbs, Director, Administrative Services

Attachments

1. CORR_2024-01-11_MMA_Re-Agreement
2. Provincial Funding Process Protocol Agreement between the Islands Trust and the Ministry of Municipal Affairs



January 11, 2024

Stefan Cermak
Director, Planning Services
Islands Trust

Sent via email: scermak@islandstrust.bc.ca

Dear Stefan:

Thank you for the meeting on December 15, 2023, in which we discussed the Protocol Agreement between the Islands Trust and the Ministry of Municipal Affairs regarding the Provincial Funding Process (Agreement). A copy can be found [here](#).

As was pointed out the Agreement was not dated nor signed off. The Agreement specifies that the "...Ministry support extends over a five year period 1992/93 to 1997/98 inclusive...". Based on this the Ministry views this Agreement as no longer valid and was for the specific timeline mentioned.

The funding process for the Islands Trust has changed since this time. Further information can be found in the *Local Government Grants Act* – Local Government Grants Regulations (Section 10 (3)) which states:

"The trust council under the [Islands Trust Act](#) may apply for
(a) grants referred to in section 9 (c) and (e) of this regulation in relation to activities referred to in sections 3, 15 and 44 of the [Islands Trust Act](#), and
(b) grants referred to in section 9 (b) to (e) of this regulation in relation to activities of a local trust committee, or the executive committee acting as a local trust committee, under that Act, and for these purposes is a related organization under the [Local Government Grants Act](#)."

Given the funding and legislation changes since the time of the Agreement, the Agreement is no longer valid. Grants can be applied for and are being received by the Islands Trust, as indicated in the Islands Trust budget ending March 31, 2024, which indicates there is \$569,795 entered as Provincial and Federal grants.

I hope this provides some clarity on the previous Agreement and that it no longer is applicable.

Should you have any questions please contact me.

Sincerely,

Kris Nichols
Manager, Planning Advice and Approvals

PROTOCOL AGREEMENT
Between
the ISLANDS TRUST (the Trust) and
the MINISTRY OF MUNICIPAL AFFAIRS
(the Ministry) regarding the
PROVINCIAL FUNDING PROCESS

WHEREAS the mutual interests of the Islands Trust and the Ministry of Municipal Affairs involve an annual process for the Ministry's receipt, review and approval of provincial funding requests from the Islands Trust.

THEREFORE, the parties agree to enter into an agreement regarding:

- **procedures** for submitting applications for basic, community planning and special planning grants; and
- **roles and responsibilities** within the annual provincial funding request process.

1.0 PROVINCIAL BASIC GRANT

1.1 Definition

The Provincial Basic Grant is provided by the Province on an annual basis to support the provincially legislated object of the Islands Trust. It is designed to support the general operations of the Trust including: Trust Council, the Executive Committee and Trust Fund Board; the development and implementation of the Trust Policy Statement; and the coordination of activities through protocol agreements with other government agencies.

1.2 Application

- 1.2.1 The Islands Trust accepts that the amount of the annual grant is determined by Treasury Board as part of the overall process of establishing the Ministry's budget and as a consequence, the ministry may not know the actual amount of the grant until late in the fiscal year preceding the year in which it is awarded.
- 1.2.2 The ministry agrees to discuss the question of grant funding in the second quarter of the preceding fiscal year or not later than September 30 in each year. This will provide the Trust with an appreciation of the province's current fiscal situation, entering into the discussion of the budget for the next fiscal year, and give the ministry an indication of Trust expectations.

1.3 Notification of Approval

- 1.3.1 The Ministry understands and accepts the need for the Trust to have as early notice as possible of the grant amount in order that Islands Trust budget may be finalized.
- 1.3.2 The Trust understands and accepts that, due to the Treasury Board budget development process, the ministry is constrained in its ability to make a communication of the amount of the grant.
- 1.3.3 Nonetheless, the Ministry agrees to provide as early notice as possible of the level of grant funding and this formal notice will not be later than February 28 in each year.
- 1.3.4 The Trust will submit its annual audited financial statement to the Minister in accordance with section 16 of the *Islands Trust Act* before September 30 in the subsequent fiscal year.
- 1.3.5 The Trust will submit an annual report to the Minister in accordance with section 17 of the *Islands Trust Act*, highlighting activities undertaken that relate to the Provincial Basic Grant before September 30 in the subsequent year.

2.0 COMMUNITY PLANNING GRANTS

2.1 Definition

The Ministry recognizes that the planning and regulatory framework in place within the Trust Area is in need of updating. As a consequence, the ministry agrees to provide assistance to the Islands Trust to review and up-date the Official Community Plans and associated regulatory bylaws for each of the local trust committees.

Ministry support extends over a five year period from fiscal year 1992/93 to 1997/98 inclusive and will be to a maximum of \$130,000 for the entire Trust Area in each year but is subject to the *Local Government Grants Act*, the regulations, program guidelines, the availability of funds and the approval of specific project applications.

- 2.1.1 The Ministry believes that it is important that mutual expectations with respect to the Community Planning Grant Program be well understood and agrees that the Trust and ministry staff should meet at least once a year, before submission of applications, to discuss current program guidelines, anticipated levels of funding and Trust expectations.

2.2 Application/Consultation

- 2.2.1 The Trust may submit applications for Community Planning Grants each year in accordance with the *Local Government Grants Act*, the Regulations and Ministry program guidelines.
- 2.2.2 The Ministry will review those applications in accordance with the *Local Government Grants Act*, the Regulations and Ministry program guidelines.

2.3 Notification of Approval

- 2.3.1 The Ministry may approve applications which meet the program guidelines in the context of funding available in that fiscal year.
- 2.3.2 The Trust will provide accountability reports for Community Planning Grants in accordance with the program guidelines or as required by the grant approval letter.
- 2.3.3 The Ministry will not provide payment for work underway or commenced prior to the approval of a grant.

4.0 SPECIAL PROVINCIAL PLANNING GRANTS

4.1 Definition

Special Provincial Planning Grants support specific projects, on a one time only basis, where the grant contributes to the achievement of the provincial interest or where the project has benefits which extend beyond the context of the Trust.

- 4.1.1 The Trust may meet at any time with the Ministry and propose projects for funding under the Special Provincial Planning Grant Program, recognizing that approval of grants is subject to the *Local Government Grants Act*, the Regulations and program guidelines.

4.2 Application/Consultation

- 4.2.1 The Trust may make application at any time in the year for a grant under the Special Provincial Planning Grant Program and will be given consideration if it is consistent with the Act, the Regulations and program guidelines.

4.3 Notification of Approval

- 4.3.1** The Ministry recognizes the Trust's need for a timely decision on grant applications and will endeavour to provide the Trust with a target date for grant approval decisions.
- 4.3.2** The Trust will provide accountability reports for Special Provincial Planning Grants in accordance with the program guidelines provided with the notification of approval.
- 4.3.3** The Ministry will not provide payment for work underway or commenced prior to the approval of a grant.

5.0 ANNUAL WORK PLAN

- 5.1** Both parties agree that the Executive Director of the Islands Trust and the Executive Director, Planning and Corporate Relations of the Ministry of Municipal Affairs will liaise on the preparation of an annual work program for the annual provincial funding request process.

6.0 OTHER

- 6.1** Both parties acknowledge that this agreement is limited to providing process certainty as to how provincial funding matters will be dealt with and does not include commitments regarding the actual funds provided by the Province on an annual basis. Actual funds will be dependent on the availability of funds voted by the Legislature.
- 6.2** Both parties acknowledge that funding confirmations will be in the form of a written notification of approval and that discussions which convey intent are not to be construed as an approval.
- 6.3** Both parties acknowledge that the decision outcomes of the annual provincial funding request process may be dependent on the decisions of Treasury Board.

- 6.4** Both parties agree that best efforts will be used to arrange for the Minister to meet with the Islands Trust Executive Committee to receive the Trust's annual funding request package and to deal with Trust concerns regarding the annual funding request process.

Signed this 17th day of January, 1996.

A handwritten signature in blue ink, reading "Darlene Marzari", written over a horizontal line.

Honourable Darlene Marzari
Minister of Municipal Affairs

Signed this 11th day of JANUARY, 1996.

A handwritten signature in black ink, reading "Graeme A. Dinsdale", written over a horizontal line.

Graeme Dinsdale
Chairperson
Islands Trust

L:\PCR\PROTOCOL.AGR



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** January 31, 2024
From: Trust Areas Services **Date Prepared:** January 25, 2024
SUBJECT: Policy Statement Amendment Project –Financial Update Request

RECOMMENDATION: That Executive Committee direct staff to amend the Policy Statement Amendment Project 2024/25 business case to increase project funding for communications in 2024/25.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The recommendation supports anticipated communications needs in the next fiscal year and reflects a shift in project funding from FY24 to FY25 finances. This request results from a change in project timelines. Should the Executive Committee be interested in responding to Financial Planning Committee’s January 24, 2024 recommendation to add \$20,000 for a Trust Area-wide survey and \$10,000 for virtual community workshop to the project, alternative resolutions are provided below.

1 **PURPOSE:** To seek direction from the Executive Committee to update the 2024/25 business case for the Policy Statement Amendment Project and to convey a resolution from the Financial Planning Committee.

2 **BACKGROUND:**

At its January 17, 2024 meeting the Executive Committee discussed the currently endorsed public engagement Option 1, (i.e., for local trust committee and Bowen Island Municipality to undertake public engagement). This included discussion of cost and the pros and cons of a trustee-led approach for this size and scope of project versus staff and professionals. The committee also discussed the belief that trustees need to see the Policy Statement draft document before they can make an educated decision/comment. The Executive Committee then passed the following motion.

That Executive Committee request staff to forward the MODUS report 2021 to members of the Trust Programs Committee and request that it be reviewed to inform any further recommendations about the policy statement amendment project engagement planning process.

At its January 24, 2024 meeting the Financial Planning Committee discussed the Policy Statement 2024/25 Business case and then passed the following motion:

That Financial Planning Committee adopt option #3 in regards to the Policy Statement Amendment Project business case and recommend to the Executive Committee to make the necessary changes to the Project Charter.

First Nations engagement

At its December 2024 meeting, Executive Committee heard about the work staff have been undertaking with First Nations to receive input on the revised draft Policy Statement, and were advised of delays to receiving input from Indigenous Nations. Since that time, additional meetings have been held and more scheduled resulting in additional time being needed to conclude this current round of engagement with First Nations and ensure comments can be brought forward on the same agenda as the revised draft. Staff are still hopeful March 2024 may be achievable but this could change.

Activity	Approved in Nov 2023	New Proposed
Current Fiscal (FY 2023-2024) -EC/TPC and Trust Council receive draft and recommend any revisions	Feb-Apr 2024	Mar-May 2024
Next Steps (FY 2024-25) -As requested by TC, EC and TPC develop recommendations for revisions -TC considers TC/EC recommendations and passes resolutions on actions -Approval in principle by Trust Council -Six month referrals period to LTCs and BIM concludes	May 2024 July 2024 Fall 2024 Apr 2025	June-July 2024 Late Aug 2024 No change No change
Final Adoption (FY 2025-26) -Trust Council receives referral responses, passes resolutions for action -Amendment drafting and amendment/ First Reading by Trust Council -3 month referral to First Nations, ITC Board, regional districts, others -Review of feedback and preparation for Second / Third Reading -Second and Third readings (incorporate revisions during same meeting) -Refer to Minister with FN engagement report; six months for review -Receive approval from Minister (estimated), and Adoption -Final graphic design, distribution, event, implementation planning	June 2025 Sept 2025 Oct-Dec 2025 Jan-Feb 2026 Mar 2026 Apr-Nov Dec 2026 Post Dec 2026	No change

Communications materials

Staff continue to work with a communications contractor to develop communications materials to support trustees and the public when the document is made public. Materials that are already substantially drafted include a Frequently Asked Questions document, social media posts, and news release. Work continues on revising the content and design of the Islands 2050 page, a video and additional materials. Due to delays in the project, staff plan to underspend on the project in FY 2023/24 and re-request the project funding for FY2024/25. This approach provides more flexibility in project delivery and supports Trust Council/Executive Committee in requesting project changes once they have seen the draft document.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Amending a business case is expected to take only an hour of the Senior Policy Advisor's time.

FINANCIAL: The recommendation results in project funding being shifted from FY2023/24 to FY 2024/25 with no increase to the overall project budget.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will amend the business case for review by Financial Planning Committee in February, and will advise the Director of Administrative Services of proposed changes to the budget.

FIRST NATIONS: None, although proactive, timely communications benefit all parties involved in the project.

OTHER: N/A

- 4 **RELEVANT POLICY(S):** [Trust Council Budget Process Policy 6.3.1](#)
 [Trust Council Policy Statement Amendment Policy](#)

5 **ATTACHMENT(S):**

- 1) Policy Statement Project Charter V7
- 2) 2023/24 Policy Statement Amendment Project Funding Business Case

RESPONSE OPTIONS

Recommendation: That Executive Committee direct staff to amend the Policy Statement Amendment Project 2024/25 business case to increase project funding for communications in 2024/25.

Alternative:

1. That Executive Committee direct staff to draft amendments to the Project Charter for the Policy Statement Amendment Project to reflect Option 3 in the 2024/25 business case and to update project timelines, for Trust Council review.
2. That Executive Committee direct staff to amend the Policy Statement Amendment Project 2024/25 business case to increase project funding for communications in 2024/25, and to reflect Option 3 in the 2024/25 business case

Prepared By: Mary Storzer, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director Trust Area Services/January 25, 2024
 Russ Hotsenpiller, CAO/January 25, 2024

Policy Statement Amendment Project - Project Charter V7

Purpose To support Trust Council's update of the Islands Trust Policy Statement bylaw, incorporating feedback from First Nations, the public, and referral agencies, and approval by the Minister of Municipal Affairs.

Background Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement through the lenses of reconciliation, climate change, and affordable housing, and to undertake early engagement with First Nations and the public in the process.

Objectives

- To adopt an updated Policy Statement bylaw that supports Trust Council's commitments to reconciliation, climate change, and affordable housing, and reflects feedback from the public, First Nations, and partner agencies.

In Scope

- Amendment drafting of V1 as directed by TC resolutions, communications, legal review, and implementation planning
- First Nations engagement, public engagement, and agency referrals
- Four readings/Ministerial approval

Out of Scope

- Treaty or territorial negotiations or accommodation
- Consequential amendments to official community plans and land use bylaws

Workplan Overview

Major Deliverable/Milestone	Dates
Past Years (FY 2019-20, 2021-22, 2022-23) -First Nations early engagement Phases 1 (2019-2021), 2 (2021-2022), and 3 (2023) -Public engagement Phases 1 (2019-2020), 2 (2021), and 3 (2022) -Policy review and analysis by Trust Council's committees/working groups and staff (2020-22) -Amendment drafting and legal review Phase 1 (Apr-Jun 2021), Phase 2 (Dec 2022-Mar 2023)	2019-2023
Present (FY 2023-24) -Amendment drafting -EC/TPC and Trust Council receive revised draft Policy Statement (EC/TPC recommend changes)	To Dec 2023 Jan-March 2024
Next Steps (FY 2024-25) -As requested by TC, EC and TPC develop recommendations for further revisions -Trust Council considers TC/EC recommendations and passes resolutions on further revisions required -Approval in principle by Trust Council -Six month referrals period to local trust committees and Island Municipalities for local engagement	Apr. 2024 June 2024 <u>Late Summer/Fall 2024</u> Fall 2024-Mar/Apr 2025
Final Adoption (FY 2025-26) -Trust Council receives referral responses and passes resolutions on further revisions required -Amendment drafting and amendment/ First Reading by Trust Council -Three month referral to First Nation governments, ITC Board, regional districts, other agencies as desired -Collation and consideration of feedback and preparation of document for Second / Third Reading -Second and Third readings (incorporate any desired revisions during same meeting) -Refer proposed bylaw to Minister with final FN engagement report; allow six months for review -Receive approval from Minister (estimated—no statutory timeline), and Adoption -Final graphic design and distribution, celebration event, implementation planning	June 2025 <u>Sept 2025</u> Oct– Dec 2025 Jan/Feb 2026 <u>Mar 2026</u> April 2026—Nov 2026 <u>Dec 2026</u> Post Dec 2026

Project Team

Executive Committee Trust Programs Committee Director, TAS	Project Champion Policy Content Advisors Project Director
Sr. Policy Advisor	Project Manager & Policy Writer
Program Coordinator	Public Engagement Coordinator
Communications Specialist	Communications Coordinator

Budget

Item	FY 23-24	FY 24-25	FY25-26
Communications	\$25,000	\$10,000	\$8,000
Public Engagement	\$0	\$20,000	\$0
Legal Review	\$5,000	\$5,000	\$5,000
Total Activity Costs:	\$30,000	\$35,000	\$13,000

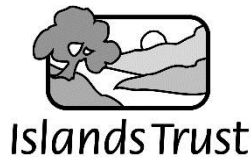
Approved by:

Clare Frater, Director, TAS

Endorsement: TC

Date: September 27, 2023

*Timeline assumes Trust Council does not schedule special meetings between regular quarterly meetings.



**Budget Funding Request
Short-Form Business Case**

TO BE COMPLETED BY INITIATOR

Requested by (<i>Committee or Operational Unit</i>): Executive Committee	Budget Source (select all that apply):
Department: Trust Area Services	☒ Specific Project Funding (select all that apply) ☒ Third Party Contractors ☒ Staff Travel Expense ☒ Staff Overtime Expense ☐ New Staff Member – Temporary for project ☐ Computer Hardware/Software
Name of Request: Policy Statement Amendment Project (PSAP)	☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary
\$ Value of Request (<i>indicate by fiscal year and total if project is multi-year</i>) FY24/25 \$35,000 FY 25/26 \$13,000 estimated FY 26/27 \$ depends on implementation plan not yet developed Total: \$48,000 plus FY26/27 TBD Over \$280,000 has been spent since the project's inception in 2019 on public engagement, First Nations engagement, and other project related expenses, in addition to considerable staff hours.	☒ Other – please describe: _____ Budget Breakdown: -\$10,000: Implementation of Communications Strategy (design, development and distribution of engagement materials and supports, promotional ads, mail-outs, etc.) -\$20,000: Public Engagement Phase 4 (in-person engagement events/special meetings for some LTCs/IMs as desired, staff travel, etc.) -\$5,000: Legal Services
Date of Submission to Finance: October 5, 2023	Funding Required for (date range): April 1, 2024 – March 31, 2025

TIE TO ISLANDS TRUST GUIDING DOCUMENTS:

Trust Council's Policy Statement Amendment Policy (1.2.1) states that each term, Trust Council will identify Policy Statement review and/or amendment tasks. Early on in the 2018-2022 term, Trust Council requested Executive Committee, with involvement from Trust Programs Committee as appropriate, to review and develop recommendations for amendments to the Islands Trust Policy Statement, primarily through the priority lenses of reconciliation, climate change, and housing. This multi-year project commenced in 2019 and has involved, to date, three phases of public engagement, two phases of early and meaningful engagement with First Nation governments, substantial review and analysis by Trust Programs Committee and Executive Committee, and periodic Trust Council discussion. The project will reach completion after the draft new Policy Statement bylaw has achieved first, second, and third reading by Trust Council; approval by the Minister of Municipal Affairs; and final adoption by Trust Council.

In September 2022, Trust Council passed the following resolution:

That Trust Council request staff to prepare a Policy Statement Amendment Project Communications Strategy for the consideration of the incoming Executive Committee and Trust Council in early 2023.

Staff have contracted a communications consultant in FY 2023-24 to implement the communications strategy [Trust Council received in March 2023](#) (see page 160 March 2023 agenda).

The funding requested via this business case will support implementation of a project charter approved [by Trust Council in September 2023](#) (see page 318 of September 2023 agenda). The requested funds would be spent as follows:

- \$10,000: Continued implementation of Communications Strategy (design, development and distribution of engagement materials and supports, promotional ads, mail-outs, etc.) and hiring of contracted communications support.
- \$20,000: Public Engagement Phase 4 (in-person engagement events/special meetings hosted by some LTCs/IMs as desired, staff travel, etc.)
- \$5,000: Legal Services

ISSUE/OPPORTUNITY:

Background: The currently Policy Statement is almost 30 years old and does not adequately address reconciliation, climate change and housing. This business case is requesting funding for the next stage of the Policy Statement Amendment Project that has been underway since 2019 and has involved extensive engagement. While First Reading of the first draft of the bylaw had been anticipated in July 2021, Trust Council instead requested enhanced community engagement, followed by direction to staff to implement [32 resolutions](#). In March 2023, Trust Council adopted a project charter which allows for a substantial amount of time for consideration of future drafts of the revised Policy Statement. Due to staff vacancies in 2023, project implementation has been delayed by six months from what was articulated in the March 2023 project charter.

The project will reach completion after the draft new Policy Statement bylaw has achieved first, second, third, and fourth reading by Trust Council and final adoption by the Minister of Municipal Affairs. More detailed project information is available on the [Islands 2050 webpage](#).

Current Project Status:

Staff have developed a revised draft, as per Trust Council's [32 resolutions](#), after engaging with internal and external staff partners and seeking legal counsel in the process. Staff are engaging with First Nations to seek their early input on the draft. Staff are now engaging and working in cooperation with eight First Nations who accepted capacity funding to seek their early input on the draft. Staff anticipate presenting Draft 2 of the revised Policy Statement to Trust Programs Committee and Executive Committee in January or February 2024.

along with a summary of comments from First Nations and recommendations for additional changes. These committees will then prepare recommendations for Trust Council to consider.

Staff have contracted a communications consultant to assist with implementation of a communications strategy for the project from now until March 2024.

PROJECTED RESULTS/DELIVERABLES:

The April 2024-March 2025 work on this project will result in First Reading of Bylaw 183 of the Policy Statement. The funding requested will enable this to happen through support for communications including materials, public engagement by local trust committees/Bowen Island Municipal Council, and revisions to Draft 2 of the Policy Statement, and legal review of the draft.

In the April 2024-March 2025 the following activities are proposed for the project :

- EC and TPC develop recommendations for further revisions, as requested by TC (Feb-April 2024)
- Trust Council considers TC/EC recommendations and passes resolutions on further revisions required. Staff will make those revisions. ((June 2024)
- Approval in principle by Trust Council (possibly in Late Summer/Fall 2024)
- A six-month internal referral process to local trust committees and Bowen Island Municipality (prior to First Reading). The intent is that local trust committees and Bowen Island Municipality will, as they deem necessary or desirable, undertake local public engagement using a method selected by the local trust committee/Bowen Island Municipal Council to inform their referral responses. As this is not part of local work programs the public engagement events would be supported/organized by Trust Area Services staff.
- After incorporating feedback from local trust committees and Bowen Island Municipality referral responses, Trust Council would undertake First Reading and then refer the document to other agencies/First Nations for at least three months.

RISK ASSESSMENT:

The proposed recommended option carries the following risks and options for mitigation:

Risk: A lack of timely and responsive communications materials risk developing a lack of public confidence in the project, circulation of misinformation, and poor levels of public engagement or high levels of engagement at the wrong points in the project. The lack of a proactive communications strategy at the outset of the project, lack of political consensus, ongoing vacancies in the TAS Communications Specialist position, and widespread misinformation about the project have slowed progress on the Policy Statement Amendment Project in recent years. To mitigate these risks going forward, Trust Council requested staff in September 2022 to develop a communications strategy to be implemented in FY 2023-24.

- These risks can be mitigated through ongoing implementation of the communications strategy with support from an external contractor to provide resiliency.

Risk: Extended timeframe incurred by having two referral periods increases the staff resources required for the project and increases risks to the project (e.g. staff turnover, emerging issue that competes for project resources). The approach of internal referral/public engagement prior to First Reading, does not represent typical local government bylaw review process.

- This risk could be mitigated by Trust Council foregoing the proposed approval in principle step and moving straight to First Reading, which would be followed by a concurrent referrals process and a coordinated public engagement process which could remove at least six months from the project timeline.

Risk: Adoption of revised Policy Statement in December 2026, after the next local elections.

- This risk could be mitigated by Trust Council foregoing the proposed approval in principle step and moving straight to First Reading, which would be followed by a concurrent referrals process and a coordinated public engagement process.
- This risk could be mitigated by Trust Council holding special meetings promptly when needed rather than considering the document only at regular quarterly meetings.

Risk: Lack of coordinated Trust Area-wide approach to public engagement. The planned approach is to refer the draft document, after receiving approval in principle from Trust Council to local trust committees and Bowen Island Municipality for six months. During this time, local trust committees and Bowen Island Municipality could undertake local public engagement, with some Trust Area Services staff support, at regular or special meetings, to inform their referral responses. This de-centralized approach could result in uneven delivery of public engagement, unavailable resources due to overlapping decentralized engagement activities and, depending on the engagement and data collection methods used, a lack of public confidence in the engagement process. The lack of a central on-line public engagement methods, such as a survey and virtual community workshops, may result in some community members feeling that there were not offered a convenient way to provide their views on the new draft.

- This risk could be mitigated by Trust Council reconsidering the approach to public engagement and undertaking a coordinated Trust-wide approach that includes a survey and possibly virtual community workshops

Risk: Lack of backfill for regular Senior Policy Advisor work leading to lack of progress on other initiatives and/or staff burnout. This business case assumes that the Senior Policy Advisor position is seconded to this project full-time, as has been the case in recent years. This means that the other duties that this position is responsible for do not have dedicated staff resources. In recent years, the Director of Trust Area Services has been undertaking many of these additional duties in addition to her regular work (often outside of regular work hours), and the Grants Manager has taken on legislative monitoring, and drafting of local trust committee advocacy letters and thank you letters to Trust Council delegates, as time permits within regular work hours. This informal backfill by the Director is not sustainable into the future and the ability of the Grants Manager to continue to support additional activities is in question as the demand for grant-related support is on the rise. The risk is that Trust Area Services' work in other areas (e.g. Trust Council/local trust committee advocacy/coordination, policy research/development, legislative monitoring, indicator reporting, agreement monitoring/development, organization of special Trust Council sessions, grants in aid administration, research into science topics for accuracy purposes, delegation thank you letters, etc.) would need to be paused or continue to be paused. An additional risk is staff burnout and/or lowered staff morale due to continuing requests for Trust Area Services support that cannot be accommodated in regular working hours.

- This risk (to other activities supported by Trust Area Services) could be mitigated by Trust Council funding backfill of the Senior Policy Advisor position or halting (not funding) OCP amendment project(s) to free up Planning Services staff time to support.

ALTERNATIVES CONSIDERED:

Option 1: Status quo- Implement project charter as approved in September 2023: \$35,000

Description of activities in 2024/25

- Trust Council considers TC/EC recommendations and passes resolutions on further revisions required and staff to make those revisions
- Legal review, as required
- Proactive and reactive communications about the project
- Approval in principle by Trust Council
- A six-month internal referral process to local trust committees and Bowen Island Municipality. During this time, local trust committees and Bowen Island Municipality can opt to undertake local public engagement as determined by them (could include some Trust Area Services staff support as needed) at regular or special meetings/events) to inform their referral responses.

Benefits – This is in keeping with the direction already provided by Trust Council.

Risks – as noted above

Financial implications – \$35,000 requested would go to:

- Communications - \$10,000 - further communications materials to support project implementation and specifically promotion of engagement during the six-month referral process
- Legal - \$5,000 - to support the legal aspects of the project as needed
- Public engagement - \$20,000 – to support local public engagement selected by local trust committees and Bowen Island Municipality. This is a modest amount and would not enable all entities to host in-person special LTC/IM meetings/engagement events or enable in-person Trust Area Services staff participation at all events.

Resource requirements – Requires the full-time support of Senior Policy Advisor and additional support from Director of Trust Area Services, and Program Coordinator and Communication Specialist. Staff hours required for public engagement depend on the options selected by local trust committees/Bowen Island Municipal Council. Staff hours required for re-drafting will depend on the scope of changes requested by Trust Council.

Other implications- None.

Option 2: Option 1 with Trust-wide Virtual/Print Public Survey: \$55,000 (Option 1 plus \$20,000 for a Trust Area-wide survey to receive input).

Description – This option would include all elements of Option 1 with an additional Trust Area wide public engagement survey. The additional funding would go to contracted survey research and preparation, survey design, survey set-up, survey analysis, and survey results report.

Benefits – As for Option 1 with constituents also receiving a virtual engagement option (survey) and Trust Council also receiving survey results that are collected in a consistent manner across the Trust Area.

Risks – Lack of contractor availability for contractors skilled at survey design on policy topics.

Financial implications – \$55,000 requested would go to:

- All elements of Option 1, i.e.

- Communications - \$10,000 - further communications materials to support project implementation and specifically promotion of engagement during the six-month referral process
- Legal - \$5,000 - to support the legal aspects of the project as needed
- Public engagement - \$20,000 – to support local public engagement selected by local trust committees and Bowen Island Municipality. This is a modest amount and would not enable all entities to host in-person special LTC/IM meetings/engagement events or enable in-person Trust Area Services staff participation at all events.
- Trust-wide Survey - \$20,000 - \$18,000 for survey design and analysis by contractor, with \$2,000 for printing, distribution and return mail costs for print copies of the survey.

Resource requirements –

- All elements of Option 1, and
- Trust-wide Survey – staff time to procure contractor for survey and to monitor the contract

Other implications - None.

Option 3: Option 2 with Virtual Community workshop: \$65,000 (Option 2 plus \$10,000 for virtual community workshop to receive input).

Description – This option would include all elements of Options 2 and a virtual community workshop that includes attendance by Islands Trust subject matter experts (possibly held over multiple days).

Benefits – All benefits of Option 2 plus constituents are offered an event that provides access to subject matter experts; participants in the virtual community workshop can hear the perspectives of people throughout the region, Trust Council receives collated workshop engagement results in a consistent manner.

Risks – All risks of Option 2 plus potential lack of contractor availability for virtual community workshop design, facilitation and note-taking.

Financial implications – \$65,000 requested would go to:

- All elements of Option 1, i.e.
 - Communications - \$10,000 - further communications materials to support project implementation and specifically promotion of engagement during the six-month referral process
 - Legal - \$5,000 - to support the legal aspects of the project as needed
 - Public engagement - \$20,000 – to support local public engagement selected by local trust committees and Bowen Island Municipality. This is a modest amount and would not enable all entities to host in-person special LTC/IM meetings/engagement events or enable in-person Trust Area Services staff participation at all events.
- Trust-wide Survey - \$20,000 - \$18,000 for survey design and analysis by contractor, with \$2,000 for printing, distribution and return mail costs for print copies of the survey.
- Virtual Community Workshop - \$10,000 – designed and delivered by contractor, with Islands Trust staff attending as subject matter experts

Resource requirements –

- All elements of Option 2, and
- Virtual Community Workshop – staff time to procure contractor for workshop, advise on content, and to monitor the contract; also a few hours from internal subject matters experts to participate in virtual community workshop.

Other implications- None.

Option 4: Communication and legal elements of Option 1 with no public engagement: \$15,000

Benefits – Cost and staff time savings; accelerated project delivery leading to some reduced risks to the project (e.g. staff turnover, emerging issue that competes for project resources)

Risks – Trust Council and local trustees would receive unstructured feedback and may receive negative comments about the lack of a fourth phase of public engagement for the project.

Financial implications – \$15,000 requested would go to:

- Communication and legal elements of Option 1 but with no public engagement.
 - Communications - \$10,000 - further communications materials to support project implementation and specifically promotion of engagement during the six-month referral process
 - Legal - \$5,000 - to support the legal aspects of the project as needed

Resource requirements – Staff hours saved by not undertaking public engagement depend on the options that would have been selected by local trust committees/Bowen Island Municipal Council, and the extent of unstructured public feedback received.

Other implications- Would require dedicated communications effort to advise the public of key messages such as the following:

- The draft being developed by Trust Council is informed by the results of previous phases of Trust Area wide public engagement, engagement with First Nations and referral agency comments.
- Trustees always want to hear the views of constituents to inform their decisions and votes
- Members of the public can write and present to Trust bodies/Bowen Island Municipality to share their views

Option 5: Not proceed at this time or postpone until a future fiscal year: \$0

Benefits – Staff and financial resources available for other work.

Risks –The risks of not proceeding include the following:

Risk: continuing to operate under the guidance of a 30-year old document that does not reflect Trust Council's commitments to improve language and guidance relating to reconciliation, climate change and affordable housing may result in decisions that are not consistent with current values or current/predicted environmental conditions.

Risk: the public engagement results may be viewed as dated and no longer relevant.

Risk: staff turnover during a pause in the project could result in a loss of corporate memory leading to inefficiencies and loss of knowledge.

Risk: The Province of BC may amend the Islands Trust Act to require the Islands Trust Council to amend or considering amending the Policy Statement at regular intervals. The Local Government Act requires regional districts to, every five years, seek input on the need for review of the regional growth strategies from its citizens; affected local governments; First Nations; boards of education, greater boards and improvement

district boards; and the Provincial and federal governments and their agencies; and consider whether the regional growth strategy must be reviewed for possible amendment.

Financial implications – Funds available for other initiatives.

Resource requirements – Staff time to communicate cancellation or delay of the project.

Other implications- None.

Optional add-on to Options 1-4: Backfill Senior Policy Advisor position temporary part-time (for FY24/25 three days/week): \$71,600

Benefits – Resources available for regular Senior Policy Advisor duties; reduced pressure on other staff to take on this positions' work. (e.g. Trust Council/local trust committee advocacy/coordination, policy research/development, legislative monitoring, indicator reporting, agreement monitoring/development, organization of special Trust Council sessions, grants in aid administration, research into science topics for accuracy purposes, delegation thank you letters, etc.)

Risks – Delay in recruitment. This is mitigated by having an up to-date job profile that is already through classification process.

Financial implications – \$71,600 requested (would be in addition to costs of Options 1-6)

Resource requirements – Staff time to hire and supervise.

Other implications- None.

SUMMARY TABLE OF OPTIONS					
Activities	Opt 1	Opt2	Opt3	Opt4	Opt5
Communications (\$10k)	X	X	X	X	X
Legal (\$5k)	X	X	X	X	X
Local LTC/BIM led public engagement (\$20k)	X	X	X		
Trust-wide virtual/print survey (\$20k)		X	X		
Trust-wide Virtual Community Workshop (\$10k)			X		
TOTAL COST	\$35k	\$55k	\$65k	\$15k	\$0
TOTAL COST with Optional Add-on for staffing backfill (\$71.6k)	\$106.6k	\$126.6k	\$136.6k	\$86.6k	N/A

CRITICAL SUCCESS FACTORS:

- Full staffing levels within Trust Area Services; administrative support available to manage correspondence as needed
- Adequate internal and external communications to build a shared understanding by members of Trust Council, First Nations, referral agencies, and the public, on the revised draft Policy Statement and the project purpose, scope, and timeline.
- Available staff and contractors
- Trust Council leadership.

RECOMMENDED OPTION:

Option 1 is recommended by Executive Committee as consistent with Trust Council's adopted project charter.

COST/BENEFIT ANALYSIS:Quantitative Analysis:

Comparative regional growth strategy/official community plan update processes in BC local governments have notably higher budgets and cover smaller geographic areas.

Qualitative Analysis:

Amending the Islands Trust Policy Statement will enable Trust Council to more effectively carry out its mandate to preserve and protect the unique amenities and environment of the Trust Area. It will also help to fulfill Trust Council's commitments to address reconciliation, climate change, and housing.

PURCHASING PROCEDURE:

All expenditures will be in accordance with Procurement Policy 6.5.3.

PROPOSED IMPLEMENTATION STRATEGY:

As outlined above and as per the Policy Statement Amendment Project Charter and Communications Plan.

STAFF RESOURCING

In FY 2024-25, the project is estimated to require the following staff time:

- 0.25 FTE - TAS Director
- 1.0 FTE - Senior Policy Advisor
- 0.5 FTE - Program Coordinator
- 0.15 FTE - Senior Indigenous Relations Advisor
- 0.15 FTE – Communications Specialist
- 0.1 FTE - Legislative Services Clerk (or other clerks as available)
- Will also require support from staff across the organization.

Without additional staff resources, Trust Area Service's (TAS) regular workload will need to be reduced. During critical periods, a certain amount of overtime is expected to fulfil project needs.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Change management will be undertaken via proposed updated to the approved project charter.

Communications are guided by a communications plan.

This project will be managed by the Executive Committee with involvement by Trust Programs Committee as appropriate. Staff anticipate that Trust Programs Committee will be deeply involved in developing recommendations for amendment.

First Nations are providing comment on the staff draft in Fall 2024 and will receive the document for comment after First Reading. Staff have, through work with First Nations to date, heard an interest for the Policy Statement amendment process, including timelines, to be co-designed with participating First Nations, and that this multi-year project is not currently being delivered in a manner that reflects this. Staff have advised that if there is a desire for fundamental change the model of project delivery there is a need for it to be discussed between Islands Trust and First Nations' leadership.

Requested by: Executive Committee

Prepared by: Clare Frater, Director, Trust Area Services

Reviewed by: Russ Hotsenpiller, CAO



REQUEST FOR DECISION

To: Executive Committee

For the Meeting of: January 31, 2024

From: Trust Area Services

Date Prepared: January 25, 2024

SUBJECT: 2023/24 Annual Report Format

RECOMMENDATION: That the Executive Committee approves the format and outline the contents for the 2023/24 Annual Report.

DIRECTOR COMMENTS: The recommendation complies with Section 19 of the *Islands Trust Act* and Trust Council's [Annual Report Policy 6.10](#).

-
1. **PURPOSE:** To seek endorsement from Executive Committee for the 2023/24 annual report format and outline of contents.
 2. **BACKGROUND:** The layout and design of the 2023/24 report will be similar to those produced in recent years, except that, as this is the 50th anniversary year, each local trust area section will include some additional information and/or history about the area and Statistics Canada data (in graphic form).

The Islands Trust Act requires that the Islands Trust Conservancy produce its own Annual Report to deliver to Trust Council. The Islands Trust Conservancy also requires a stand alone annual report for clear communication of its work to donors and supporters. For efficient use of staff time staff when producing these two Annual Reports, staff plan to place the ITC section of the Annual Report to the end of the document, as has been done in previous years.

The proposed content of the Islands Trust Annual Report is listed in the table of contents in the attached document.

3. IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: This annual project requires organization-wide support to meet established deadlines.

FINANCIAL: The graphic design of the annual report is estimated to be approximately \$2,500 which will come from the Trust Area Services communications budget.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Upon Executive Committee's approval, staff will draft the annual report for Trust Council's approval in June 2024. Staff will use the attached proposed table of contents.

FIRST NATIONS: None.

OTHER: None.

4. RELEVANT POLICY(S): [Annual Report Policy 6.10](#)

Section 19 of the *Islands Trust Act* requires the Islands Trust Council must prepare and file with the minister a report respecting the previous fiscal year that includes:

- (a) an audited balance sheet and statement of receipts and expenditures;
- (b) a report of the operations of the Trust Council, the Executive Committee, and the local trust committees;
- (c) the annual report of the Islands Trust Conservancy submitted to the Trust Council under section 46; and
- (d) other particulars required by the minister.

5. ATTACHMENT(S): Islands Trust 2023/24 Annual Report proposed table of contents

RESPONSE OPTIONS

Recommended:

That the Executive Committee approves the format and content outlined for the 2023/24 Annual Report.

Alternative:

- 1) Request that staff provide a revised or alternative format and outline of contents for Executive Committee's consideration on February 28, 2024.

Prepared By: Morgana van Niekerk, A/ Communications Specialist

Reviewed By/Date: Clare Frater, Director, Trust Area Services/January 25, 2024
Russ Hotsenpiller, CAO/ January 25, 2024

Proposed Table of Contents for 2023/24 Annual Report

- 1. Reconciliation Declaration**
- 2. Message from the Islands Trust Council Chair + Photo**
- 3. Message from the Chief Administrative Officer + Photo**
- 4. Islands Trust Area**
- 5. Organization and Responsibilities**
- 6. 2023/24 Key Accomplishments**
- 7. Islands Trust Council**
 - Role
 - Members
 - 2023/24 Advocacy
 - Other Islands Trust Council Highlights
 - Communications
 - Policy Statement Amendment Process and Islands 2050
- 8. Islands Trust Council Committees**
 - Executive Committee
 - Regional Planning Committee
 - Trust Programs Committee
 - Financial Planning Committee
 - Governance Committee
- 9. Local Trust Committees and Bowen Island Municipality**
 - Ballenas-Winchelsea Islands (Executive) Local Trust Committee
 - Bowen Island Municipality
 - Denman Island Local Trust Committee
 - Gabriola Island Local Trust Committee
 - Galiano Island Local Trust Committee
 - Gambier Island Local Trust Committee
 - Hornby Island Local Trust Committee
 - Lasqueti Island Local Trust Committee
 - Mayne Island Local Trust Committee
 - North Pender Island Local Trust Committee
 - Salt Spring Island Local Trust Committee
 - Saturna Island Local Trust Committee
 - South Pender Island Local Trust Committee
 - Thetis Island Local Trust Committee
- 10. Reconciliation and Relationship Building**
- 11. Climate Change Action**
- 12. Legislative Services — Administrative Fairness and Freedom of Information**
- 13. Enforcement and Legal Action**
 - Appendix A: Strategic Plan 2018–2022
 - Appendix B: Islands Trust Financial Statements
- 14. Message from the Islands Trust Conservancy Board Chair + Photo**
- 15. Acknowledgement**
- 16. Reconciliation Declaration**
- 17. Islands Trust Conservancy**
- 18. Regional Conservation Plan**

Appendix C: Islands Trust Conservancy Financial Statements



BRIEFING

To: Executive Committee **For the Meeting of:** January 31, 2024
From: Trust Area Services **Date Prepared:** January 26, 2024
SUBJECT: Islands Trust Climate Actions

PURPOSE: To advise Executive Committee about Islands Trust climate actions.

BACKGROUND: At its September 2023 meeting Trust Council was provided with a briefing with supporting materials that was intended for discussion in December 2023 re climate change action.

On November 22, 2023, Executive Committee reviewed the climate action related materials for the December 2023 Trust Council meeting, discussed the currency of the information in the briefing, and chose not to forward the materials to Trust Council. Instead the Executive Committee requested staff to return an updated briefing to an Executive Committee agenda in 2024.

Staff have not had time to provide a comprehensive update to the materials provided to Trust Council in September 2023 but offer the following as an update.

Islands Trust Commitments to Climate Action are rooted in the following:

- Mandate to Preserve & Protect
- Carbon Neutral Operations Policy
- Official Community Plan Reduction Targets to 2050
- Strategic Plan Priorities
- Islands Trust Conservancy Regional Conservation Plan Goals

The Islands Trust Council's Strategic Plan contains the following actions related to climate action:

Strategy	Status
Objective: Preserve, protect and advocate for forest and terrestrial ecosystems	
1.1. Map contiguous tracks of the Coastal Douglas fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems.	Completed.

1.2. Create a model development permit for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas fir zones throughout the Trust Area.	Last term, Regional Planning Committee decided to wait for work underway on Salt Spring Island on Coastal Douglas-fir ecosystem protection (wildfire resilience). At present, no future work planned.
2.1. Amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) to act as an incentive for the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.	Not started. Ministry officials have referred the Islands Trust to the Ministry of Finance for further information. A tax shift analysis is required for a business case to the Province of BC regarding Trust Council's desire that legislation be amended to increase the NAPTEP exemption.
2.2. Create forestry initiatives including establishment of development permit areas, tree cutting authority advocacy, enforcement of development permits related to forestry and advocacy associated with the Private Managed Forest Land Act.	As per Trust Council direction in March, pursuit of tree cutting authority is not proceeding. Advocacy occurred with regard Private Managed Forest Land Act changes in 20/21. Enforcement of development permits remains a province wide issue. Trust Council may wish to provide specific direction in terms of outcomes associated with this strategic priority.
Objective: To preserve and protect marine ecosystems	
2.3. Map the extent of eelgrass and kelp beds throughout the Trust Area.	Phase 1 was completed in March 2022 and Phase 2 has not yet been funded. On Regional Planning Committee's future projects list.
2.4. Undertake a review of Local Trust Committee- Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore.	Partially completed. On Regional Planning Committee's future projects list.
Protect quality and quantity of fresh water resources of the Trust Area	
2.5. Develop a regional freshwater management strategy that addresses responsibilities under the Water Sustainability Act, identifies water resources throughout the Trust Area, integrates water resource management into land use decision-making, and accounts for the impacts of climate change on island water resources.	Freshwater Sustainability Strategy received by Trust Council in December 2021. Trust Council requested that the Regional Planning Committee develop of a Freshwater Sustainability Strategy policy document and recommendations for implementation of the Strategy which is on Regional Planning Committee's future projects list. A webpage devoted to the Freshwater Sustainability Program was developed and implementation opportunities are occurring

	through development of products such as a Freshwater Atlas and Land Suitability Analysis.
2.6. Map and develop water budgets for groundwater aquifers in the Trust Area.	Partially complete. On Regional Planning Committee's active projects list. Water budgets still required for Hornby, Denman and Gabriola, Salt Spring, Thetis, Keats, Gambier and updates for Southern Gulf Islands.
2.7. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling.	On Regional Planning Committee's future projects list.
Mitigate and adapt to climate change impacts	
3.1 Amend the Islands Trust Policy Statement to add climate change mitigation, adaptation and resiliency policies.	In progress.
3.2 Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater.	Not started as Policy Statement Amendment Project not complete. The Gambier Island Official Community Plan update will address climate topics,
3.3 Develop i) a set of climate change, demographic and environmental data and ii) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaption efforts.	Trust Programs Committee received a contracted report about climate indicators at the August 2020 meeting which it forwarded to Trust Council. Conservancy Board received a contracted report about climate projections in 2020. Performance criteria project not started.
Improve community engagement and participation in Islands Trust work	
2.8. Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council.	Complete. Reduces GHG emissions via reduced travel.
2.9. Develop a new website and initiate a social media program.	Complete. New webpages on climate change, freshwater sustainability and new social media channels implemented which can be used to share climate action information.
2.10. Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area.	Ongoing. In 2020, TPC delivered a water conservation webinar, an eelgrass webinar and an ecosystem adaptation webinar. In February 2021, TPC delivered a groundwater licencing webinar.

	In 2023, Islands Trust Conservancy's Species At Risk Program hosted digital events from Feb.-Apr, 2023 which included information on climate impacts. In 2024, Trust Programs Committee is planning a wildfire prevention webinar.
To improve and modernize the ability of the Islands Trust to regulate land use activity and work with others	
5.2 Provide a secretariat role to forums within the Trust Area.	The Secretariat Services Program funds six coordination groups including, as of Dec 2023, the Vancouver Island and Coastal Communities Climate Leadership Steering Committee
Strengthen housing affordability throughout the Islands Trust Area	
4.4. iii. Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws.	Consultant Report received by Trust Council September 2021. Draft Housing Toolkit reviewed by Regional Planning Committee in July 2023 with all feasible regulatory options included. No further work recommended due to low value of using floor area ratio in rural areas and poor uptake of model bylaws.
4.4. iv. Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.	Not started, and not recommended due to poor uptake of model bylaws. The Flexible housing bylaw created for Mayne Island is an example.

In addition:

Trust Council Initiatives

- [Natural Area Protection Tax Exemption Program \(NAPTEP\)](#)
- [Natural Area Protection Tax Exemption Program \(NAPTEP\) Fee Sponsorship Program](#)
- Carbon Neutral Operations
 - [Carbon Neutral Operations Policy](#)
 - [2023 Report to Province of BC's Local Government Climate Action Program](#)
- [Shoreline Protection Model Bylaw Report](#)

Islands Trust Conservancy Initiatives

The Islands Trust Conservancy furthers climate action through its core work which is guided by:

- a [Five Year Plan](#) approved by the Minister of Municipal Affairs,
- a [Regional Conservation Plan](#),
- a [Land Securement Strategy](#), and
- a [Property Management Strategy](#)

and through its [Species at Risk program](#) funded by Environment and Climate Change Canada.

Due to a lack of staff resources, the Conservancy is challenged to undertake climate change adaptation work such as wildfire prevention planning and implementation.

Mapping

The Islands Trust has access to several mapping layers relevant to climate action planning including:

- Sea level rise (some portions of the Trust Area)
- Wildfire vulnerability (some portions of the Trust Area)
- Eelgrass mapping (not suitable for bylaw development until Phase 2 completed)

In addition, Islands Trust has a conservation model in the GIS mapping system that could be used for protected area network planning for climate change adaptation purposes.

Grant funding

There are various grant programs available to fund climate action work. Some examples are below:

- [Local Government Climate Action Program](#) (Provincial)
 - Islands Trust expects to receive \$38,000 in 2024/25 in provincial grant funding for climate change mitigation or adaptation initiative
- [Disaster Risk Reduction Climate Adaptation Program](#) (UBCM) (up to \$150,000) (next application deadlines in October 4, 2024 and March 28, 2025.)
 - In March 2023, Trust Council voted to approve Sunshine Coast Regional District applying for, receiving, and managing 2022 grant funding on behalf of the Islands Trust for development of a Coastal Flood Mapping.

The intent of the DRR-CA funding stream is to support eligible applicants to reduce risks from future disasters due to natural hazards and climate-related risks through the development and implementation of:

- Accurate foundational knowledge of the natural hazards they face and the risks associated with BC's changing climate
- Effective strategies to prepare for, mitigate, and adapt to those risks.

Islands Trust is eligible in two categories:

- Category 1: Foundational activities (risk mapping, risk assessments, planning) (projects may include mapping, assessment and/or planning for private land, only with the land owners' consent.)
- Category 2: Non-structural activities (land use planning, community education, purchase of eligible equipment)

Note: Applicants must demonstrate engagement with First Nations and/or Indigenous organizations in advance of submitting the application and as part of the proposed project

- [Active Transportation Network Planning Grant](#) (via Provincial) Active Transportation Infrastructure Program (Islands Trust has been accepted for a \$25,000 grant for the SSI Active Transportation Project but is trying to sort out matching funds).

The Network Planning grant supports smaller communities in developing active transportation network plans to support active transportation for all ages and abilities

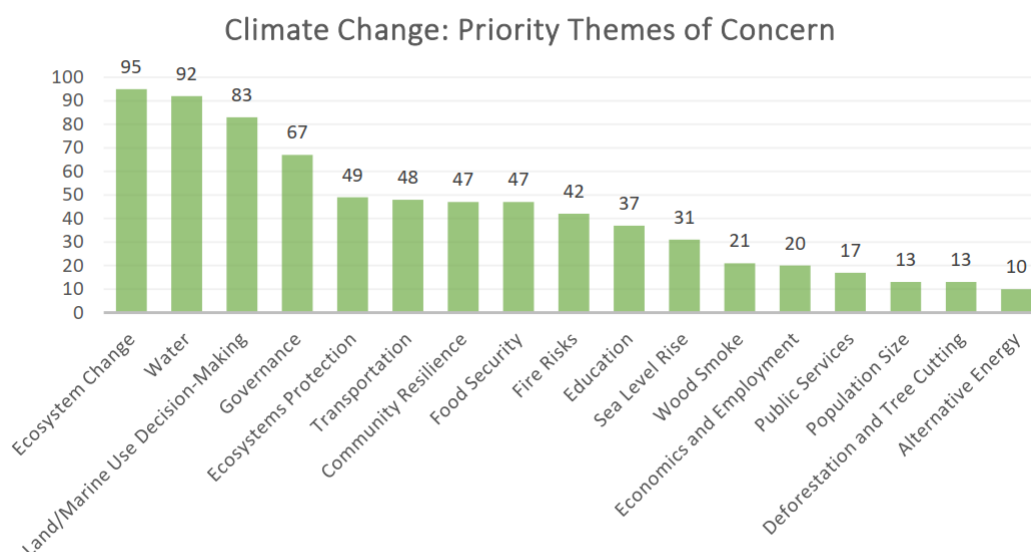
- [Complete Communities](#) (UBCM) (Salt Spring Island LTC has been accepted for a \$150,000 project for a "Building a Complete Community for Salt Spring Island" project. The Complete Communities program supports local governments and modern treaty First Nations in advancing identified community goals through the creation of more complete communities. The program supports communities in undertaking assessments to inform land use decision-making, considering housing need, supply, and location; providing transportation options including increased walkability; and making connections to infrastructure investment and servicing decisions.

Partnerships

- Conservation Decisions Lab at University of British Columbia (Trust Council has requested a data sharing agreement which will be arranged when staff capacity permits)
- [Vancouver Island and Coastal Communities Climate Leadership Steering Committee](#) (Trust Council is a member via Trustee Morrison).
- Regional Climate Adaptation Advisory Group (For local governments and First Nations) (Islands Trust does not have capacity to participate without backfill of the Senior Policy Advisor position).
- January 2024 agenda topics included: drought planning presentation by Island Health; sea level rise assessment presentation by Malahat Nation; climate risk assessment presentation by the Municipality of North Cowichan; and hazard risk and vulnerability assessment presentation by Emergency Management Cowichan

Climate-related previous public engagement results via Islands 2050 project:

Phase 1 (2019): Islands Trust asked communities in the Islands Trust Area, “In the context of a changing climate, what are your concerns for the next 30 years? Result:



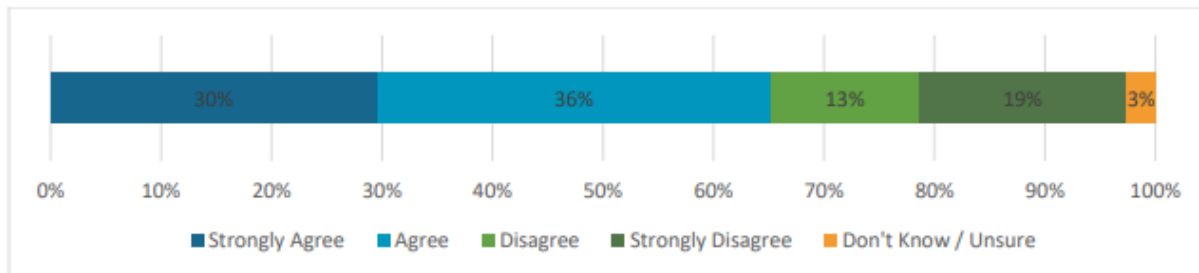
Phase 3 (2022): In final report about the engagement results, it was noted:

- Participants often mentioned the urgency of climate change. Respondents most often suggested that protection of the coastal and marine environment should be the priority as human activity and climate change are having significant impacts. Some noted they have seen visible changes to the foreshore and are worried about continued degradation.
- Respondents shared that agriculture on the islands is valuable, and contributes to food security and climate resiliency.
- Generally, a call to protect the environment was one of the most frequent themes mentioned. Respondents shared that the environment should be a priority over development which negatively impacts the environment. Some noted climate change impacts and depletion of resources means that their current way of life on the islands is not sustainable.
- Many participants shared concerns that Islands Trust is expanding its mandate to include climate change, affordable housing, forestry, agriculture, community, and reconciliation. Many considered these new policy mandates to overlap with existing regulations by other levels of government and

questioned whether Islands Trust staff would have the appropriate expertise or adequate capacity to implement the scope of these policy changes.

A survey result included:

A) The impacts of climate change on ecosystems should be identified and monitored through climate vulnerability assessments in each local planning area. (1014 Responses)



Analysis of correspondence received during the engagement revealed that:

- Many correspondents expressed they were pleased to see “Climate Change” incorporated into the Policy Statement.
- Many felt that climate adaptation, resilience, and mitigation strongly aligned with Islands Trust’s mandate to preserve and protect the environment and unique amenities.
- Many correspondents expressed the need to include a call to action for ecosystem and human survival: They believe that directives should speak to how precisely Islands Trust can play a role in, for example reducing greenhouse gas emissions or ensuring fresh water supply;
- Some correspondents questioned the ability of Islands Trust to enact climate action and questioned their jurisdictional ability to take concerted action;
- Correspondents highlighted the importance of climate change directives and a call to urgent action in policy, considering past and recent extreme weather and environmental events affecting social, cultural, and economic life on the islands:
- Many correspondents highlighted a wide range of examples of how climate change is affecting their lives. To name some examples, residents described extreme weather events such as the BC wildfires, drought, and the 2021 ‘heat dome’ that caused heat-related deaths;
- Others described slow onset effects of climate change, such as sea level rise and ocean acidification, significantly affecting small island communities;
- Many correspondents described the issue of fresh water supply and water insecurity;
- Some correspondents noted that there was no mention of wildfires and suggested including “fire smart” principles and forest fire management and responses in the Policy Statement
- Some correspondents used the term “climate emergency” to describe their experience of climate change. The need for urgent and swift action to mitigate ecological and human loss and ensure survival was a key theme.
- Several interrelated themes arose that intersected with climate change mitigation and resilience such as water access, forest and tree management, sustainable agriculture, human health and wellbeing, coastal and marine stewardship, and reconciliation.
- Some correspondents acknowledged the value of Indigenous knowledge systems and teachings as helpful contributors to climate mitigation and adaptation. They viewed reconciliation and meaningful and authentic relationship building with local First Nations and Indigenous peoples as part of the work towards ensuring sustainability and stewardship of the land.

Climate-related themes that emerged from previous First Nations engagements (Phases 1 and 2) during Islands 2050 engagement:

- Importance of preserving, protecting, and providing access to harvesting areas, culturally significant species, forests, and freshwater networks for First Nations members who wish to occupy and harvest from lands and waters in their territories
- Concern about impacts of climate change on surface and groundwater
- Encourage a Trust Council commitment to restrictions necessary to preserve and protect sensitive coastal and marine waters
- Desire for Trust Council commitment to the following [UNDRIP](#) Articles:
 - *18: Indigenous peoples have the right to participate in decision-making in matters which would affect 16 their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions*
 - *25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard*
 - *29.1: Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.*
 - *32.1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.*

ATTACHMENT(S):

- 1. Mitigation Tools from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019**
- 2. Adaptation Tools from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019.**

FOLLOW-UP: Staff will follow-up as directed. Executive Committee may wish to direct staff to update the climate action briefing materials provided to Trust Council in September 2023.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Russ Hotsenpiller, CAO/January 25, 2024

Attachment 1: Mitigation Tools from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019

Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and policies for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP

policies to require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

5. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

Attachment 2: Adaptation Tools from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019.

A. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. Sea Level Rise Adaptation Tools

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. Longer Periods of Drought Adaptation Tools

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and

alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density

but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.

HARBOURS

CRD set to tackle unregulated mooring buoys

Authority confirmed by feds

BY ROBB MAGLEY
DRIFTWOOD STAFF

The Capital Regional District (CRD) has tagged the placement of unregulated private mooring buoys (PMBs) as the primary cause of the region's derelict boat problem — and notably, the federal government has apparently made clear it is within the regional body's authority to manage them.

That news became public during the CRD's Environmental Services Committee meeting Wednesday, Jan. 17, as staff reported back on options to reduce or eliminate issues associated with not only derelict boats but those moored in fragile near-shore waters around the region.

A small forum had been held Tuesday, Jan. 16, hosted jointly by MP Elizabeth May and MLA Adam Olsen with an attendee list that included Central Saanich mayor Ryan Windsor, Salt Spring Island electoral area director Gary Holman, Salt Spring trustee Laura Patrick, and Clean and Safe Harbours

Initiative (CASHI) proponent Glenn Stevens, according to people in the meeting.

CRD environmental protection senior manager Glenn Harris said he thought the group showed "consensus support" for a region-wide discussion, as well as talk of advocacy with provincial and federal levels of government. That support, coupled with priorities set by the Saanich Peninsula Harbours Environmental Action Service, brought the issue to the CRD committee.

The B.C. government has shown little interest in managing private buoys, according to officials. And while Transport Canada is largely responsible for the regulation and enforcement of PMBs, according to Harris, the agency takes action only in response to placements in navigation channels — and on "smaller" matters like colouring, marking or how close they are set to other buoys.

"The province has chosen not to regulate the placement of private mooring buoys on provincial seabeds, despite their ability to do so," said Harris. "So Transport Canada staff have confirmed that local governments can prohibit the placement of private mooring buoys

within their metes and bounds."

Harris said staff were suggesting local governments consider using their authority through zoning, land use and structure bylaws to either prohibit PMBs or regulate their number and placement — reducing the need for local governments to respond to incidents, and possibly addressing the "environmental safety and neighbourhood concerns expressed by the impacted communities and local governments."

Directors seemed to accept that the proliferation of long-term moored boats and the increase in derelict boats requiring a municipal response in bays and harbours throughout the region was indeed a direct result of the unregulated placement of PMBs, and voted to task staff with setting up a new workshop — this time, with authority clarified, to directly explore local government management options.

But long-held concern over the absence of the federal and provincial government in the issue bubbled up as board members took turns alternating expressions of relief they had some direction on authority in the matter with worries

over how to fund any management actions they might take.

"In my view, the origin of this issue was that senior governments simply abandoned the field, and [said] 'you deal with the problem'," said Holman, noting that as governments like Central Saanich had earlier stepped in and asked for resources or help with liability insurance, there was "no support at all."

"So they [federal and provincial officials] need to be in the room — along with First Nations," he said of the planned policy workshop. "Some of them are interested in playing a role in stewarding, managing, maybe even an enforcement role."

Sooke mayor Maja Tait pointed out that in addition to problems previously discussed — derelict vessels, leaking oil and "black water" pollution from moored boats — her constituents had witnessed nighttime poaching.

"And a concern raised has been that when boats just appear, they drop anchor and they damage eelgrass," said Tait, "which is the place for salmon fry. It's another environmental impact — not just the black water and the vessel, but also the damage on the ocean bed."

Holman told fellow board members they needed to bear in mind the issue wasn't just related to the environment, but that it was — demonstrably, and particularly in the Gulf Islands — a housing one.

"I've heard estimates of up to 200 boats in Ganges Harbour," said Holman. "And what makes it a little more complicated is, it's not just about derelicts. You've got folks using these vessels of various kinds for housing."

A number of those are working ashore in their communities, Holman added, where housing options are few and affordability shrinking.

"We've got professionals living on boats in harbours, because that's the best or only alternative available to them," said Holman. "If you start imposing management restrictions — like you have to have insurance, holding tanks, et cetera — there's a number of boats, certainly in Ganges Harbour, that could not meet that standard. And there's a very serious secondary impact here that we really have to think through carefully."

The CRD board unanimously approved the scheduling of the policy workshop, with a future date to be announced.

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, JANUARY 17, 2024**

SUBJECT Boats Management Options in Regional Waters for Local Governments

ISSUE SUMMARY

The unregulated placement of private mooring buoys and proliferation of long-term moored boats, along with an increase in derelict, abandoned and wrecked boats in many bays and harbours throughout the region, has become problematic for several municipalities.

BACKGROUND

Determining options to reduce or eliminate issues associated with a proliferation of boats and unregulated placement of private mooring buoys is a key priority of the partners in the Saanich Peninsula Harbours Environmental Action service. That service was established in 2021 through the Saanich Peninsula Wastewater Commission, with direction to address various environmental issues, and specifically the presence and concerns around boats moored in the near shore waters around the Saanich Peninsula. The issue has implications across the region and staff were encouraged to bring the issue to the Environmental Services Committee for a broader discussion.

The Saanich Peninsula Harbours and Waterways Initiative working group determined that the proliferation of long-term moored boats (Appendix A), and the corresponding increase in derelict, abandoned and wrecked boats in Brentwood Bay and Tsehum Harbour, are a direct result of the unregulated placement of Private Mooring Buoys (PMBs). An understanding of the complex and multi-jurisdictional regulatory framework around abandoned and derelict boats and PMBs, the enforcement constraints of the provincial and federal agencies, and an unwillingness of the Province to regulate placement of private mooring buoys on provincially-controlled seabeds was gained through discussions with government and agency stakeholders in late 2021 and throughout 2022. As a result, the partners decided to focus on options that were fully within the control of local governments rather than continuing to advocate for solutions from federal and provincial jurisdictions largely responsible for the existing regulatory framework around PMBs, derelict, abandoned and wrecked boats.

Through zoning, land use and structure bylaws, local governments can better manage boat-related use of lands within their metes and bounds by regulating the placement and number of PMBs, regulating the structures associated with the PMBs and regulating uses (i.e., live-aboard, boat storage). Doing so would reduce the need for local governments to respond to incidents of derelict, abandoned and wrecked boats and could address many of the environmental, safety and neighbourhood concerns expressed by the impacted communities. Three options (Appendix B) are recommended for consideration:

1. Prohibit Private Mooring Buoys through Zoning and Land Use bylaws.
2. Regulate allowable harbour uses, the number of and placement of Private Mooring Buoys and allowable structures through Zoning, Land Use and Structure bylaws.
3. Allow Private Mooring Buoys and charge a fee through Licence of Occupation.

Staff have led significant stakeholder discussions in an effort to establish roles and responsibilities and current policy positions by the respective agencies and governments. Similar issues with a

proliferation of boats and PMBs exist in other regional harbours such as Sooke Basin, Cadboro Bay, Oak Bay and multiple bays and harbours on Salt Spring Island and the Southern Gulf Islands. It is recognized that action to resolve ongoing boat issues within the Saanich Peninsula municipalities could transfer or increase boat issues for local governments in other harbours. A regional conversation is needed to:

- discuss the proposed options to determine if a coordinated strategy is needed;
- determine appropriate locations to address the apparent need for long-term boat storage; and
- identify opportunities for regional advocacy to provincial and federal governments to assist local government in providing resolution to ongoing boat issues in the region.

ALTERNATIVES

Alternative 1

The Environmental Services Committee recommends to the Capital Regional District Board: That staff host a regional workshop regarding boats management options for local governments.

Alternative 2

The Environmental Services Committee recommends to the Capital Regional District Board: That this report be received for information and provided to affected local governments.

IMPLICATIONS

Environmental & Climate Action

The proliferation of long-term moored boats and unregulated placement of PMBs in many bays and harbours in the region has become problematic, resulting in issues such as pollution from wastewater and garbage, increase in dilapidated boats that break apart or become submerged during winter storms, increase in police and fire resources to respond to boat-related incidents and concerns, increase in the number of boats being parked for long periods of time and the unregulated placement of private mooring buoys, often in environmentally significant areas.

Environmental and community concerns include impacts to eelgrass beds and marine bird habitat, shoreline impacts due to lack of facilities and amenities to service this use of public lands, as well as an infringement upon public uses of large parts of the harbours due to the sheer number of moored boats and PMBs.

Financial Implications

Some local governments have spent considerable resources dealing with dilapidated boats that have impacted their shorelines or dealing with significant community concerns associated with large numbers of moored boats and PMBs within their metes and bounds. Navigating the lengthy and complex jurisdictional framework and trying to collaborate with the multiple federal and provincial agencies involved in responding to abandoned, derelict and wrecked boats can require significant staff resources and can be frustrating.

For some options, there may be a higher initial enforcement cost (i.e., to move PMBs out) but significantly lower long-term staffing requirements, whereas municipalities wishing to regulate and manage PMBs and the long-term moorage of boats may have increased long-term financial implications.

Potential cost implications and regional collaboration to provide efficient and effective local government roles and responsibilities can be discussed through a regional workshop. Costs for the workshop could be covered by the current Core Area and Saanich Peninsula harbour services.

Intergovernmental Implications

The proliferation of long-term moored boats and the increase in derelict boats requiring a municipal response in bays and harbours throughout the region is a direct result of the unregulated placement of PMBs.

Unlike the need to provide temporary anchorage for a reasonable time, Transport Canada staff confirmed local governments can prohibit the placement of PMBs within their metes and bounds. Transport Canada is largely responsible for regulation and enforcement of PMBs but only as it relates to placement with respect to navigation channels or other PMBs, and to the buoy colouration, marking and anchor system requirements. The Province has chosen not to regulate the placement of PMBs on provincial seabeds, despite their ability to do so. Therefore, local governments may want to consider using their authority through zoning, land use and structure bylaws to either prohibit PMBs or regulate their number and placement.

Implementation of the any new policy may have impacts on neighbouring jurisdictions.

CONCLUSION

The proliferation of long-term moored boats and the corresponding increase in abandoned derelict or wrecked boats are a direct result of the unregulated placement of private mooring buoys (PMBs). Dealing with derelict, abandoned and wrecked boats requires complex jurisdictional oversight and significant municipal resources. Local governments can control the presence or absence of PMBs within their metes and bounds and need to consider their next steps. A regionally-coordinated approach is also needed to avoid moving the problem around the region.

RECOMMENDATION

The Environmental Services Committee recommends to the Capital Regional District Board:
That staff host a regional workshop regarding boats management options for local governments.

Submitted by:	Glenn Harris, Ph.D., R.P.Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENTS

Appendix A: 2021 Inventory of Boats and Private Mooring Buoys in Tsehum Harbour and Brentwood Bay
Appendix B: Private Mooring Buoys – Regulation Options

PRIVATE MOORING BUOYS – REGULATION OPTIONS

January 2024

	OPTION 1 Prohibit Private Mooring Buoys through Zoning, Land Use and Structure Bylaws	OPTION 2 Regulate Private Mooring Buoys through Zoning, Land Use and Structure Bylaws	OPTION 3 Enter into a Licence of Occupation with the Province to Regulate Private Mooring Buoys and Recover Fees
Summary Description	Through zoning and land use bylaws, local government prohibits the placement of Private Mooring Buoys (PMBs) within their metes and bounds.	- Regulate the number of and/or location of PMBs through land use and structure bylaws. - Regulate allowable structures on the PMBs through Land Use and Structures bylaw. - No moorage fees are recovered by local government.	- Local government enters into crown land tenure through a Licence of Occupation, with an approved management plan, that defines the maximum number of moorages within the tenure area and terms of use for the moorages. - To charge mooring fees and recover costs, a local government would need to enter into a Licence of Occupation with the Province.
Local Government Role	- Develop or amend land use and structure bylaws to prohibit the placement of PMBs. - Enforcement of bylaws (this could include the removal/relocation of buoys).	- Determine appropriate number and locations for PMBs and long-term storage of boats. - Develop or amend land use and structure bylaws to regulate the placement and number of PMBs. - Provision of shore services and amenities (i.e., location for row boats/garbage/sewage discharge). - Enforcement of bylaws.	- Develop a management plan for each harbour area. - Negotiate Licence of Occupation with the Province. - Develop or amend land use and structure bylaws to regulate the placement and number of PMBs. - Set up a registration and payment system. - Provision of shore services and amenities (i.e., location for row boats/garbage/sewage discharge). - Enforcement of bylaws.

	OPTION 1 Prohibit Private Mooring Buoys through Zoning, Land Use and Structure Bylaws	OPTION 2 Regulate Private Mooring Buoys through Zoning, Land Use and Structure Bylaws	OPTION 3 Enter into a Licence of Occupation with the Province to Regulate Private Mooring Buoys and Recover Fees
Financial Implications	Enforcement of bylaws.	- Provision of shoreline amenities (garbage, access for small boat tie up area, sewage pump out facility). - Enforcement of bylaws.	- Signage at wharf/access point. - Provision of shoreline amenities (garbage, access and small boat tie-up area, sewage pump out facility). - Moorage buoy placement and maintenance. - Administration of moorage fees. - Enforcement of bylaws.
Environmental Implications	- Reduce or eliminate issues with derelict, abandoned and wrecked boats. - Eliminate depending on senior levels of government to better regulate PMBs and problem boats.	- Due to the ability to regulate structures, local government would be able to set conditions on the types of structures attached to PMBs, which could significantly alleviate issues with derelict, abandoned and wrecked boats. - Through land use bylaws, local government could determine where they would accommodate PMBs and they could also determine if/where liveaboards would be accommodated. - Local government could implement a permit requirement to easily control placement of PMBs and regulate appropriate uses. Permit conditions could include meeting new federal boat registration and licencing requirements, set time limits on boat moorage, among many other things, and could be revoked if not adhered to.	- Due to the ability to regulate structures, local government would be able to set conditions on the types of structures attached to PMBs, which could significantly alleviate issues with derelict, abandoned and wrecked boats. - Through land use bylaws, local government could determine where they would accommodate PMBs and they could also determine if/where liveaboards would be accommodated. - Local government could implement a permit requirement to easily control placement of PMBs and regulate appropriate uses. Permit conditions could include meeting new federal boat registration and licencing requirements, set time limits on boat moorage, among many other things and could be revoked if not adhered to.

	OPTION 1 Prohibit Private Mooring Buoys through Zoning, Land Use and Structure Bylaws	OPTION 2 Regulate Private Mooring Buoys through Zoning, Land Use and Structure Bylaws	OPTION 3 Enter into a Licence of Occupation with the Province to Regulate Private Mooring Buoys and Recover Fees
Intergovernmental Implications	• Likely that a number of boats will try to move into other harbours and bays, which could exacerbate/create boat issues for other local governments. • Need for regional discussions to address the need for long-term boat mooring (storage) with appropriate shore facilities.	• Less impact on other local governments and other harbours and bays.	• Less impact on other local governments and other harbours and bays.
Legal Implications	• Legal review to determine implications if a bylaw is put into place after PMBs have been in place for some time.	• Legal review to determine implications if a bylaw is put into place after PMBs have been in place for some time.	• Legal review to determine potential environmental liability to Local Government from Province, as a result of clauses in the Licence of Occupation template.
Enforcement Implications	• Initial enforcement requirements may be high in areas where current bylaws prohibit PMBs but that have not been enforced. • Similarly, enforcement could be high. • Once this is complete, long-term and ongoing enforcement would be minimal.	• Ongoing enforcement of zoning, land use and structure bylaws.	• Ongoing enforcement of zoning, land use and structure bylaws.



98

March 15, 2017 – Trust Council approves Financial Plan bylaw 167 (annual budget bylaw) for fiscal 2017/18, which includes \$15,000 for office renovations and \$15,000 for new furniture and equipment.

August 23, 2017 – First Request for Proposals (RFP) posting for Office Space Design/Build – no proposals received;

March 13, 2018 – Trust Council approves Financial Plan bylaw 172 (annual budget bylaw) for fiscal 2018/19 which includes \$282,000 for office renovations and \$15,000 for new furniture and equipment.

June 7, 2018 – Second Request for Proposals (RFP) posting for Office Space Interior Renovation - opportunity canceled after contractors and project managers advised there was not enough information provided. Various renovation project managers contacted the Finance Officer to offer their services;

July 12, 2018 - Held meetings with and requested quotes from renovation project managers;

July 30, 2018 – Hire Jeff Head as renovation project manager to prepare RFP, evaluate RFP, make recommendations, assist with budget refinement, oversee the build, etc;

November 2, 2018 – Third RFP posted for Victoria Office Renovation – no proposals received;

November, 2018 – Jeff Head advised that he had contacts in the industry and had spoke to a few contractors that might be interested in doing the work who could come by and give us a quote.

December 18, 2018 – Received 2 quotes to complete the work. Reviewed quotes and selected vendor BC Traditional Homes, Les Hoppe, General Contractor. Refine budget based on quotes.

December 20, 2018 – EC special meeting to approve the proposed revised budget and to rise and report to TC.

January 28, 2019 – Commencement of work by BCTH.

March 2019 - Trust Council approves Financial Plan bylaw 176 (annual budget bylaw) for fiscal 2019/20 which includes \$115,000 for office renovations and \$10,000 for new furniture and equipment.

October 31, 2019 – Receipt of Occupancy Permit.

BUDGET OVERVIEW

The approved budget by Trust Council for the project was \$445,729.00 which included the lease hold allowance of \$144,740.00. The final actual costs as of November 2019 are \$459,290 which is \$13,561 (2.95%) over budget. The overages appeared at the end of the construction phase and are attributed to:

1. \$7,000 of extra moving costs;
2. Boardroom e-meeting equipment, primarily electrical work.

As stated, there are some small deficiencies that remain that are covered in the current funding. There are two areas that are unfunded that could be considered as part of the 2020 budget or a future budget process, those being,

1. Approximately \$10-15,000 for artwork and presentation. Presently the space does not have the dedicated public artwork that is typical of a civic office. There is no First Nations artwork, which is an important element in acknowledgement of our relationship with local First Nations communities.
2. Additional privacy panels (\$4,000) for the open space where the previous boardroom was located.

The final status of the project is that the work is substantially complete, final drawings have been received and the occupancy permit has been issued.

ANALYSIS

The rationale for undertaking the renovation had a number of elements, including:

1. The offices had not been upgraded significantly in over 15 years and the material conditions had degraded. There was a desire to want to attract and retain staff and a belief that reasonable office standards would assist with that.
2. A desire to upgrade the boardroom and meeting room experience for live attendees of meetings.
3. To develop the Islands Trust capacity to deliver high quality electronic meetings and to thereby reduce costs on travel and food, and to also reduce our carbon footprint.
4. To encourage a reorganization of the workforce to lessen the silos between administration, planning, the Islands Trust Conservancy and Trust Area Services, and
5. To honour the direction of the Select Committee, that being:
....that staff examine the possibility of a satellite office for the Southern Planning Team members and/or other staff... March 2017 TC

The rationale for item 5 was that as we reconstructed the office to better use our space and create a more open office concept, that we would be able to absorb the current bylaw enforcement staff housed in Office #225 into Offices 200, 222 and 233, and then exercise our right to reduce our premises in the lease. The resulting savings of approximating \$1,100 per month would be redirected towards leasing an alternative office space in Sydney or environs to satisfy constituents and Trustees who did not want to drive into Victoria to do business. We would also have reorganized some staff on a permanent basis to the Sydney office.

Given a number of developments since the Select Committee provided that direction, and the increased costs associated with relocating some staff to Sydney, it is recommended that the Islands Trust not move forward with this initiative for the following specific reasons:

- I. Since March 2017 the Islands Trust has increased its workforce in the Victoria office by 4-5 positions including the Senior Intergovernmental Policy Analyst, the Senior Freshwater Specialist, a new bylaw officer, the Covenant Monitoring Specialist and the Trust Area Program Coordinator. They need somewhere to work and we are maxed out for floor space without Office #225.
- II. We have essentially affected the same or similar results that centralizing an office in Sydney would achieve by extending our hours and access on various islands. We now have office hours on Saturna Island, we have renewed hours on Mayne Island, we have agreements on Galiano and N Pender with the regional district to share office space and Hornby Island has requested office hours. We have effectively chosen to extend our on island presence which somewhat calls into question the justification for the expense of an office on the peninsula.
- III. A new office in Sydney would need to accommodate at minimum 2-3 staff and have a meeting space for trustees and the public. The cost of such an office is in excess of the current \$1100 we pay in retaining Office #225 at 1627 Fort Street. Information technology costs for an office startup would be between \$35-40,000.

ATTACHMENT(S):

1. Office Renovation Financial Report Detail

FOLLOW-UP:

As directed by Financial Planning Committee or Trust Council.

Prepared By: R Hotsenpiller, CAO
Reviewed By/Date:

**VICTORIA OFFICE RENOVATION
BUDGET AND ACTUALS**

Project Description: Victoria Office Interior Renovation
Total Square Feet of Project: 5,358
Total Square Feet of additional space: 3,105

Item #	Description	Cost/sq.ft (\$)	Budget (\$)	Budget incl. PST (\$)	Actual (\$)	over (under) budget (\$)
2.0	Consultants and Management					
2.1	Project Management Fee	4.11	22,000	23,540	20,125	-3,415
2.2	Interior Design - Space Planning	0.45	2,400	2,568	1,200	-1,368
2.3	Mechanical Engineering	0.77	4,100	4,387	4,100	-287
2.4	Electrical Engineering	1.03	5,500	5,885	5,500	-385
2.5	Architecture / Technology	0.90	4,800	5,136	6,405	1,269
2.6	Permits	0.89	4,783	5,118	4,783	-335
	Total Consultants and Management	8.13	43,583	46,634	42,113	-4,521
3.0	General Requirements					
3.1	General Conditions (ie: General Contractor profits and OH)	7.91	42,400	45,368	42,391	-2,977
3.2	Site Supervision	3.14	16,800	17,976	16,800	-1,176
	Total General Requirements	11.05	59,200	63,344	59,191	-4,153
4.0	Construction					
4.1	Demolition	4.11	22,000	23,540	22,602	-938
4.2	Drywall and Insulation	3.36	18,000	19,260	20,250	990
4.3	Doors & Frames	0.34	1,800	1,926	1,800	-126
4.4	Millwork	4.13	22,145	23,695	22,145	-1,550
4.5	Ceiling Grid including new ceiling tiles for Boardroom	1.87	10,000	10,700	10,800	100
4.6	Electrical - including Lighting and IT data and communications	7.71	41,295	44,186	53,375	9,189
4.7	Mechanical	5.97	32,000	34,240	32,000	-2,240
4.8	Plumbing	0.47	2,500	2,675	2,500	-175
4.9	Soundproofing of boardroom	-	-	-	3,500	3,500
	Total Construction	27.95	149,740	160,222	168,972	8,751
5.0	Finishes					
5.1	Artwork	0.32	1,700	1,819	-	-1,819
5.2	Doors and Frames	0.37	2,000	2,140	2,000	-140
5.3	Window Glazing	-	-	-	645	645
5.4	Fire Protection - Panel, Sprinkler move, pull	0.93	5,000	5,350	5,000	-350
5.5	Painting - Suite 200 only	2.24	12,000	12,840		-12,840
5.6	Painting - Adjacent Office Area South Office (total 3,105 SF)	4.20	13,041	13,954	3,100	-10,854
5.7	Window Covering	-	-	-	4,861	4,861
5.8	Flooring - General Office Area Suite 200	10.64	57,000	60,990	52,714	-8,276
5.9	Flooring - Adjacent Office Area South Office (total 3,105 SF)	9.10	28,256	30,233	14,626	-15,607
5.10	Furniture - Workstations (Height adjustable)	2.60	13,949	14,926	25,673	10,747
5.11	Furniture - Kitchen Tables & Chairs	0.79	4,211	4,505	4,544	39
5.12	Furniture - Boardroom Chairs, Tables & Storage	2.67	14,320	15,322	7,277	-8,045
5.13	Furniture - Reception Area	-	-	-	1,691	1,691
5.14	Toilet and Vanities in Bathrooms	-	-	-	1,550	1,550
5.15	Technology - Boardroom Meeting Equipment	-	-	-	43,905	43,905
	Total Finishes	28.27	151,476	162,079	167,587	5,507
6.0	Move Management					
6.1	Move Costs - Contents, people	0.75	4,000	4,280	11,335	7,055
6.2	Move Costs - Information Technology	0.28	1,500	1,605	1,698	93
6.3	Swing Space Allowance	0.56	3,000	3,210	6,000	2,790
6.4	Insurance Requirements	0.19	1,000	1,070	859	-211
	Total Move Costs	1.77	9,500	10,165	19,892	9,727
7.0	Other					
7.1	Contingency Allowance	4.67	25,000	26,750	25,000	-1,750
7.2	Credit for vacating space	(3.62)	(19,420)	(19,420)	(19,420)	0
7.3	Credit to leave electrical panel in place	(0.75)	(4,045)	(4,045)	(4,045)	0
	Total Other	0.29	1,535	3,285	1,535	-1,750
	Total Project Cost (Gross)	77.46	415,034	445,729	459,290	13,561

Costs do not include file storage space Aug 1/19 to Dec/19 of \$500 per month = \$2,500. Space to be retained to the end of the calendar year to ensure proper inventorying of records to offsite.

REQUEST FOR DECISION

To: Islands Trust Council

For the Meeting of:: March 14 – 16, 2017

From: Select Committee, Review of Victoria
Office Location

Date Prepared: February 8, 2017

File No.:

**SUBJECT: REPORT AND RECOMMENDATION OF SELECT COMMITTEE RE: FUTURE
ACTIONS REGARDING STAFF CURRENTLY IN VICTORIA OFFICE**

RECOMMENDATION: That Trust Council adopt the recommendations of the Select Committee “That the Management Team, their Administrative Support staff and the Trust Fund Board staff remain within the Greater Victoria area (32km or less from current location) for the foreseeable future and that staff examine the possibility of a satellite office for the Southern Planning Team members and/or other staff “as presented” and give direction to conclude the work of the Committee”.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Staff is in support of the recommendation of the Select Committee. In particular it is clear that serving the interests of constituents remains a priority for any office location selection. The Select Committee went through an iterative process (pro and con) of identifying criteria that they deemed important to the process of office selection that was summarized in the Office Selection Matrix. There remains however significant work to address types of tenure (lease, own), comparative costs of our current lease vs marketplace, the cost of leasehold improvements to the current building, wider staff engagement, moving costs, design options, and costs associated with opening a new satellite office.

A further point of emphasis relates to how we operate or provide services to the community and whether any anticipated changes to how we do our business could affect how we house ourselves as an organization. Factors that could create a shift in the nature of our business are the Salt Spring incorporation process, changes to the Islands Trust Act or a maturation of our relationships with First Nation communities.

While it is not recommended that we have certainty on all of these matters prior to selecting an optimal office location, it is recommended that the organization addresses or analyses these issues as we move toward a defensible and informed decision.

Trust Council may deem that the Select Committee has fulfilled its mandate or may wish to task the Committee with further work. At this point, staff is developing analysis, costs and preferred options in a business case for the Victoria Office location, including the recommendation of the Select Committee. This is important as; once again, we are facing a decision on our current one year lease, due March 31.

It should be noted that this matter is neither on the Trust Council work plan nor the Executive Committees work plan at this time and the Committee may wish to make a recommendation for the Executive Committee to make this a priority and to consider any resources needed to complete this work.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The recommendation will provide certainty about the location of much of the management and administrative staff and provide some direction to senior management to allow it to pursue alternative methods and locations of effectively delivering planning and other services to southern gulf islands.

FINANCIAL: There should be no financial implications from the recommendations that would not have arisen in any case due to the expiry of office leases and the need to provide appropriate office space for staff and others.

POLICY: The direction to explore a satellite office may enhance the strategic plan objectives to:

- a) Improve community and agency understanding and support of the Islands Trust
- b) Improve community engagement and participation in Islands Trust work. (Objective 9 and 10 of Strategic Plan)

IMPLEMENTATION/COMMUNICATIONS: The recommendation would be referred to senior Staff for implementation.

OTHER: This recommendation would be in pursuit of Strategy 5.5 of the Strategic Plan.

BACKGROUND

- Trust Council established the Select Committee at its September 17, 2015 meeting. The objective of the Committee was to “To investigate whether relocation of some or all of the Islands Trust Victoria Office staff positions might better serve the interests of Trust Area constituents.” Terms of reference were established by Trust Council (TC).
 - The Committee was made up of 6 Trustees elected by TC and 2 staff appointed by the CAO
 - The Committee met on October 19 and November 18, 2015, January 19, May 31, August 24, October 19 and November 16, 2016 and January 17 and February 14, 2017.
 - The Committee was assisted from time to time by the CAO and the Director of Administration Services assisted throughout the meeting process.
 - The Committee commenced its deliberations by examining the scope of its investigations and discussions. It determined to begin with a cost/benefit examination of various potential scenarios and to request information regarding:
 - a) Staff costs associated with moving offices outside the 32 km zone
 - b) The frequency of meetings by various senior staff with other persons and agencies in the greater Victoria area.
 - c) Square footage of current office space occupied in Victoria location by various departments.
 - d) The impact of any move on the Trust Fund Board.
- The first three reports were provided by the Director of Administrative Services with input from other senior staff. The fourth report was provided by the Chair of the Trust Fund Board, Trustee Law.
- As well the Committee reviewed the material provided as background to the Terms of Reference dealing with matters such as branding, carbon footprint, employment engagement, cohesiveness of staff, accessibility etc.
 - The Committee also reviewed the work done by staff on Leading Workplace Strategies
 - The Committee determined to restrict its considerations of any potential move outside the greater Victoria area only to Gabriola, Salt Spring, North Pender and Mayne local trust areas. The Committee proceeded to look at the pro's and cons those options in relation to each other and also in relation to some form of the status quo of remaining within the greater Victoria Area (within 32 km of the existing location).

- The Committee drew upon all of the resources listed in this report as well as the knowledge of staff committee members and the knowledge of the trustee committee members who represented South Pender, Saturna, Salt Spring, Gambier, Lasqueti Local Trust Areas and Bowen Island Municipality.
- The Committee discussed extensively the possibility of establishing a more visible “satellite” office to provide planning or other services. Sydney was discussed as a possibility.
- The Committee developed a matrix of various considerations based on the discussions and the materials referenced above. It has discussed the matrix at length and assigned various “values” to the matrix.
- In addition to the matrix, the Committee unanimously adopted the motion recommended in this Request For Decision.
- The purpose of the second part of the motion is to allow staff to consider the options to reconfigure its working locations.

REPORT/DOCUMENT:

The Terms of Reference and all Minutes for the Select Committee are found here <http://www.islandstrust.bc.ca/trust-council/council-committees/select-committees/>

Victoria Office Location Review Option Evaluation Matrix

KEY ISSUE(S)/CONCEPT(S):

To provide certainty and guidance to Staff regarding the issues addressed by the Select Committee.

RELEVANT POLICY:

Strategic Plan Strategy 5.5

DESIRED OUTCOME:

For Trust Council to determine the issue of the location of Management staff, Administrative Support staff and the Trust Fund Board staff.

To allow Staff to investigate and make recommendations regarding best work practices and locations.

For Trust Council to determine any future work of the Select Committee.

RESPONSE OPTIONS

Recommended:

That Trust Council adopt the recommendations of the Select Committee

“That the Management Team, their Administrative Support staff and the Trust Fund Board staff remain within the Greater Victoria area (32km or less from current location) for the foreseeable future and that staff examine the possibility of a satellite office for the Southern Planning Team members and/or other staff”.

That Trust Council determine that the Select Committee has completed its work and be disbanded.

Alternative:

That Trust Council not adopt the recommendation of the Select Committee but refer the recommendation back to the Select Committee with further directions.

That Trust Council adopt the recommendations with amendments.

That Trust Council adopt the recommendations with or without amendments and determine to disband the Select Committee.

That Trust Council adopt the recommendations with or without amendments and determine not to disband the Select Committee but rather give it directions on future work.

Prepared By: Dan Rogers, Vice Chair

Reviewed By: Russ Hotsenpiller, CAO and Clare Frater, Director, Trust Area Services

Dated: February 8, 2017



Islands Trust

VICTORIA OFFICE LOCATION REVIEW OPTION EVALUATION MATRIX

OPTIONS CONSIDERED						
OUTCOMES TO BE ACHIEVED THROUGH OFFICE LOCATION	Status Quo Fort Street location	Move to a new location within 32 km zone (contractual limit before triggering relocation/severance clauses for staff)	Move all Victoria staff to Salt Spring Island	Move all or part of Victoria staff outside 32km zone but within Islands Trust area. (Mayne, North Pender examined; other trust areas not examined, by SC consensus, due to location/limitations)	Move all Victoria Planning staff to Sidney location	Move all or part of Victoria staff to a new Sidney satellite office (located within 32 km contractual zone)
PUBLIC CONSIDERATIONS						
Maximize employee engagement in the communities served – knowledge /understanding of Islands (TC motion Sept 2015)	Staff disconnected from Islands Trust area communities Staff travel to meetings on a regular basis (Planning, Bylaw, Policy Advisory, TC) Staff more objective Staff has more anonymity	Staff disconnected from Islands Trust area communities Staff travel to meetings on a regular basis (Planning, Bylaw, Policy Advisory, TC) Staff more objective Staff has more anonymity	Staff gains "island-community" understanding related to island living in largest population base (not broad based knowledge across the Islands Trust area)	More specific "local" knowledge (not broad across the Islands Trust area)	Staff disconnected from Islands Trust area communities. Staff travel regularly to Islands. Trust Council meetings still held in Trust Areas	Staff disconnected from Islands Trust area communities. Staff travel regularly to Islands. Trust Council meetings still held in Trust Areas
Maximize convenient access for the public	Bus Transit not convenient Inconvenient access from ferries and up-island	Closer access from ferries and up island Location along more convenient transit route Larger parking area	Geographically central to the highest Islands Trust area population Good transportation/parking options Poor/inconvenient ferry access from SGI & other Trust Areas	More convenient for the public on particular islands where the move is anticipated. Less convenient for others	Closer access/more convenient to Swartz Bay ferries. 16km/10 minute (no traffic) longer for up island from ferries. Convenient bus transit via express bus. Improved parking choices	Closer access/more convenient to Swartz Bay ferries. Depends on specific staff 16km/10 minute (no traffic) longer for up island from ferries. Convenient bus transit via express bus. Improved parking choices
Accessibility for disabled persons (TC Motion Sept 2015)	Good	Good potential	unknown	Unknown	Good potential	Good potential
Minimize on-going facility operational costs related to office location	Possible increase upon renewal of existing location (likely minimal) Current location is not a green building – higher utility costs Potential leasehold improvements needed	Reduced utility costs of newer building Lease rates may increase (or decrease) with a move	Reduced utility costs of newer building Lease rates may increase (or decrease) with a move	Might be difficult to lease larger enough office space	Likely that office space at the same cost (potentially small increase) would be available Newer building would reduce ongoing utility costs It may be necessary to hire additional admin for reception	Likely that office space at the same cost (potentially small increase) would be available Newer building would reduce ongoing utility costs It may be necessary to hire additional admin for reception
Minimize staff and Trustee travel and overtime costs	TBD	TBD	TBD	TBD	TBD	TBD
Maximize economic benefit to island economies within the Islands Trust Area	Costs associated with office operations (lease, etc) not spent in Trust Area Staff not living in Trust Area not contributing monetarily day to day to local economies	Costs associated with office operations (lease, etc) not spent in Trust Area Staff not living in Trust Area not contributing monetarily day to day to local economies	Costs associated with office operations (lease, etc) spent in Trust Area. Staff living in Trust Area contributing monetarily day to day to local economies Repatriation of tax dollars restricted to SSI local trust area.	Costs associated with office operations (lease, etc) spent in Trust Area. Staff living in Trust Area contributing monetarily day to day to local economies Repatriation of tax dollars restricted to local trust area.	Costs associated with office operations (lease, etc) not spent in Trust Area Staff not living in Trust Area not contributing monetarily day to day to local economies	Costs associated with office operations (lease, etc) not spent in Trust Area Staff not living in Trust Area not contributing monetarily day to day to local economies

LEGEND:	
	Neutral/Caution
	Down-side
	Benefit

LEGEND:	
	Neutral/Caution
	Down-side
	Benefit

OPTIONS CONSIDERED						
OUTCOMES TO BE ACHIEVED THROUGH OFFICE LOCATION	Status Quo Fort Street location	Move to a new location within 32 km zone (contractual limit before triggering relocation/severance clauses for staff)	Move all Victoria staff to Salt Spring Island	Move all or part of Victoria staff outside 32km zone but within Islands Trust area. (Mayne, North Pender examined; other trust areas not examined by SC consensus, due to location limitations)	Move all Victoria Planning staff to Sidney location	Move all or part of Victoria staff to a new Sidney satellite office (located within 32 km contractual zone)
	STAFF CONSIDERATIONS					
Maximize retention/Minimize costs due to staff turnover	Access to large labor pool Access to training Spousal/partner job locations Full range of community services Diversity of housing Cost of housing (-)	Access to large labor pool Access to training Spousal/Partner job locations Full range of community services Diversity of housing Cost of housing (-)	Best labour pool in the Trust area Less Spouse/partner career opportunities - Best services and amenities in the Trust area Limited access to higher education for staff & family members More obstacles to professional development Fewer housing options than current location Moves by attrition would avoid staff relocation costs	Moves by attrition would avoid staff relocation costs Lower size of labour pool Limited access to higher education (high school and above) for staff family members More obstacles to professional development Fewer housing options	Impact on existing staff (increased personal travel and costs) could result in turnover of staff Staff who live in the area (outside of the downtown core) would consider this a benefit (with reduced personal travel and costs)	Impact on existing staff (increased personal travel and costs) could result in turnover of staff Staff who live in the area (outside of the downtown core) would consider this a benefit (with reduced personal travel and costs)
Maintain cohesiveness of staff (TC Motion September 2015)	Current level of staff cohesiveness unaffected	Most staff co-located	Most staff co-located	Most staff co-located	More dispersed	More dispersed
Maximize proximity/access to other relevant agencies	Good access to provincial and other governmental agencies	Good access to provincial and other governmental agencies	Reduced access to other governmental agencies due to increased travel time	Reduced access to other governmental agencies due to increased travel time	Good access to provincial and other governmental agencies	Good access to provincial and other governmental agencies
Minimize 'transition costs' of any change to Islands Trust staff headquarters location	No costs	Costs to relocate office but may be offset by lower lease costs	Costs to relocate Staff contractual/severance costs related to move	Costs to relocate Staff contractual/severance costs related to move	Costs to relocate office and possible need for additional secretarial staff if partial move	Costs to relocate office and possible need for additional secretarial staff if partial move
	TRUSTEE CONSIDERATIONS					
Maximize convenience for trustees	Low level of convenience for trustees to travel to Fort Street location	Location with better highway/transit location provides better access for SGI trustees	Geographically central to the highest population Ferry access for other Southern Gulf Islands is poor	More convenient for trustees on particular islands where the move is anticipated. Less convenient for other trustees.	More convenient for majority of trustees in Southern Area. Perhaps easier access for northern trustees.	More convenient for majority of trustees in Southern Area. Perhaps easier access for northern trustees.
Improve the strategic positioning (branding) of Islands Trust (TC motion dated Sept 2015)	Lack of brand visibility for the Islands Trust organization Perception that the power center is misplaced	Visibility for the Islands Trust organization limited to mostly SGI and Van Island communities if strategic signing is employed Perception that the power center is misplaced	Increased Islands Trust presence in largest population in Trust area Improved perception that the Islands Trust is within the Islands Trust area	Visibility limited to a small population Improved perception that the Islands Trust is within the Islands Trust area	Increased visibility through strategic signage to Southern Gulf Island residents and general local communities	Increased visibility through strategic signage to Southern Gulf Island residents and general local communities
Consider the impact of carbon footprint of moving the office (TC motion dated Sept 2015)	unknown	unknown	unknown	unknown	unknown	unknown

*Notation: SC indicated that an option for a one-time move of all Victoria staff to Nanaimo should not be ruled out – depending on SSI incorporation.

From: Alix Hodson Deggan [REDACTED]
Sent: Sunday, January 14, 2024 9:49 AM
To: EC; Russ Hotsenpiller
Subject: Second request for explanation of procedure undertaken In camera
Sept. 26, 2023

Categories: To-do's



Email to EC "unique amenities"

In the attached email I ask why the decision to define "unique amenities" was made in camera when this is a decision of "procedural fairness" and thus, is required to be transparent and open to the public .

Paraphrased from the attached email sent to you in October 2023:

We have some concerns about the process and the repercussions of this decision being made in a closed meeting. Why was a discussion conducted in such a manner when due process involving the public would have been the most transparent and democratic choice? Surely constituents have the right to know how their elected officials voted on this matter. "Procedural fairness" requires elected officials to provide a clear rationalization for the decisions they make and that those decisions are transparent, open, and made in public.

I asked for an answer to the above question but to date have not received a response.

In addition, to the this I would also ask:

1. Was there a legitimate vote taken? If not, why not?
2. If so, which Trustees voted "for" and which "against"? Will this be made public? If not, why not?
3. Why was there no reference to a decision made from a vote taken in the "Rise and Report" issued after the in camera meeting?

I await your reply.

Thankyou,
Alix Hodson Deggan

Executive Committee,
Islands Trust.

We are concerned by the Trust Council's decision to include social needs, such as housing, transportation, infrastructure, roads, tourism, and the economy, under the mantle of "amenities".

The word "amenities" as it appears in Sec 3 of the Trust Act, does not stand by itself. It is tied to the word "unique", the two being inseparable. Therefore, we would like to know how trustees can justify housing, roads, and other infrastructure as being unique when they occur everywhere throughout the province. The definition of "unique" according to the dictionary is "being the only one of its kind; unlike anything else." We fail to see how roads, housing, infrastructure, as described above, is unlike any other area in the Province.

If the decision by special legislation was made to preserve and protect the natural environment of the Trust area then "unique amenities" must surely pertain to the protection of natural resources and the ecosystems.

Moreover, we have some concerns about the process and the repercussions of this decision being made in a closed meeting. Why was a discussion conducted in such a manner when *due process* involving the public would have been the most transparent and democratic choice? Surely constituents have the right to know how their elected officials voted on this matter. "Procedural fairness" requires elected officials to provide a clear rationalization for the decisions they make and that those decisions are transparent, open, and made in public.

Council for years has wanted to define the Trust as a "local government" or a "special purpose government". It is not. Simply put, the Trust is continued in statute as a "trust".

The decision to define "unique amenities" as, to put it bluntly, "development", is a resolution that positions itself at odds with the results of every public survey undertaken by the Trust. In these surveys, the overwhelming majority of respondents (beneficiaries) expect the Trust to maintain its focus on preserving and protecting the environment.

While it might be argued that beneficiaries' voices within the Trust Area are entrusted to their elected members of Council, the Act specifies that the residents of the Province are also beneficiaries; yet, they had no voice at Council or in the decision making process.

We have to ask if the First Nations' Councils have been respectfully notified of Trust's intention and given an opportunity to comment on a decision that may impact their unceded territories? Have the Ministers of authority over housing, transportation, infrastructure, and environment given their support for the position Council has taken? Without those agreements, Council, contrary to Sec 3, may be seen not to have acted "in cooperation with First Nations, municipalities, regional districts and other British Columbia government ministries.

In our opinion the Islands Trust has not succeeded in achieving its mandate after 50 years of its existence. They have failed to preserve and protect the island ecosystems and their natural resources. The recent decision to include community and social issues under the umbrella of the Trust does not address the important issues of climate crisis, carrying capacity, declining ecosystems, contamination of groundwater and marine life by septic pollution and water shortages.

When decisions of such gravity are being made in camera we have to ask, along with many other Gulf Island residents, why the Trust is even relevant?

We would appreciate your answers and perspective on the above.

Respectfully yours,

Alix Hodson Deggan
Andrew Deggan

Good morning,

Environment and Climate Change Canada (ECCC) has published a new document entitled "[*Modernization of the Pulp and Paper Effluent Regulations - Updated Detailed Proposal for Consultation*](#)". This document includes changes based on comments received to date. Any information not covered in this document remains the same as in "[*Modernization of the Pulp and Paper Effluent Regulations – Detailed Proposal for Consultation*](#)" published in 2019. With this document, we wish to re-engage your organization.

Virtual information sessions to present the updates made to the 2019 document will be held:

- In English, January 31, 2024 from 1:00 PM to 2:30 PM EST: [English Meeting Link](#)
- In French, January 31, 2024 from 10:00 AM to 11:30 AM EST: [French Meeting Link](#)

If you wish to participate, please register in advance using the link provided for your preferred session.

Additional sessions on specific topics of the *Updated Detailed Proposal* can be arranged upon request.

We invite you to submit comments until March 15, 2024, by mail or e-mail using the contact information below.

We appreciate your time and look forward to hearing from you soon.

Bernard Lupien
Manager, Environmental Effects Monitoring and Forest Products
Forest Products and Fisheries Act Division – *Pulp and Paper Effluent Regulations*
Environment and Climate Change Canada
Place Vincent Massey - 19th Floor
Gatineau, Quebec K1A 0H3
e-mail: refpppper@ec.gc.ca

Modernization of the *Pulp and Paper Effluent Regulations*

UPDATED DETAILED PROPOSAL FOR CONSULTATION

January 2024



TABLE OF CONTENTS

1.0 INTRODUCTION1

2.0 UPDATES TO SCOPE OF REGULATIONS3

 2.1 FINISHED PRODUCT DEFINITION3

3.0 UPDATES TO ENVIRONMENTAL PROTECTION MEASURES.....4

 3.1 INTENSITY FACTORS FOR BOD, SS AND COD FOR OPERATING MILLS.....4

 3.2 AUTHORIZATION FOR HIGH-BRIGHTNESS MECHANICAL MILLS.....5

 3.3 ADJUSTMENT TO RPR FOR BIOTRANSFORMING MILLS6

 3.4 CONCENTRATION-BASED LIMITS FOR PHOSPHORUS AND NITROGEN7

 3.5 TEMPERATURE LIMIT8

 3.6 pH LIMIT8

4.0 UPDATES TO PPER ADMINISTRATION9

 4.1 NEW PROVISIONS FOR CLOSED AND CLOSING MILLS.....9

 4.2 NEW PROVISIONS FOR IDLED MILLS.....9

 4.3 STUDY DESIGNS FOR ENVIRONMENTAL EFFECTS MONITORING (EEM) 10

 4.4 WATER QUALITY MONITORING & EFFLUENT CHARACTERIZATION 10

 4.5 INVESTIGATION STUDIES AND IMPLEMENTATION OF SOLUTIONS 12

 4.6 REQUIREMENTS FOR OFF-SITE LANDFILLS 15

 4.7 CLARIFICATION FOR UNAUTHORIZED DEPOSITS..... 16

 4.8 SITE-SPECIFIC REQUIREMENTS FOR PORT ALBERNI MILL 16

 4.9 AUTHORIZATION TO TREAT OTHER SOURCES..... 17

5.0 UPDATES TO COMPLIANCE & ADMINISTRATIVE REQUIREMENTS..... 18

 5.1 EFFLUENT MONITORING & TESTING SCHEDULE 18

 5.2 COMING INTO FORCE 19

 5.3 DATA REPORTING FREQUENCY 20

6.0 NEXT STEPS..... 21

7.0 PROVIDING FEEDBACK..... 21

ANNEX A – SUMMARY OF PROPOSALS 22

1.0 INTRODUCTION

The 1992 *Pulp and Paper Effluent Regulations* (PPER) were put in place to streamline the existing 1971 regulations, improve the protection of fish and their habitat, and widen their application to all mills. The effluent limits were developed based on the performance of a group of Canadian mills that were considered good environmental performers in the late 1980s, and what was achievable through their secondary effluent treatment system at the time. Although portions of the PPER have been amended over the last 30 years, a complete review of the regulations has not been done.

In September 2017, Environment and Climate Change Canada (ECCC) shared the document entitled *Proposed Modernization of the Pulp and Paper Effluent Regulations – Consultation Document* with industry, environmental non-governmental organizations (ENGOS), Indigenous Peoples, provincial governments, and other interested parties. The document sought input on four broad themes:

1. Scope of regulations
2. Environmental Protection Measures
3. PPER Administration
4. Compliance & Administrative Requirements

In May 2019, ECCC published a second document entitled *Proposed Modernization of the Pulp and Paper Effluent Regulations – Detailed Proposal for Consultation*, which included the input received on the 2017 *Proposed Modernization of the Pulp and Paper Effluent Regulations – Consultation Document*. The Detailed Proposal for Consultation proposed the following changes to the PPER:

- widened the scope of the PPER to include facilities producing non-traditional products from wood, other plant material, pulp or a pulping process
- improved environmental protection by:
 - lowering effluent limits for currently regulated substances; and
 - adding effluent limits for additional substances, temperature and pH
- simplified administration of the PPER by:
 - Improving the efficacy and efficiency of Environmental Effects Monitoring (EEM) requirements by:
 - focusing biological monitoring requirements on the effects that are potentially of a higher risk to the environment;
 - adding quarterly effluent characterization and water quality monitoring requirements;
 - reducing the time spent by regulatees on investigation studies;
 - requiring the submission of a study design by all mills; and
 - requiring the implementation of solutions identified in EEM studies
 - clarifying the process and effluent limits for idled, closing and closed mills; and
 - revising effluent limits for off-site landfills and expanding the scope to landfills owned by a third party
- modernized methods and schedule for monitoring and reporting by:
 - including requirements for effluent characterization and water quality monitoring
 - incorporating a pH stabilization protocol to be used in conjunction with the existing test method for acute lethality;
 - updating requirements for analytical methods; and
 - updating schedule for requirements for compliance monitoring and reporting

The modernization of the PPER was initiated because:

- EEM studies submitted under the PPER have shown that the effluents from 70% of pulp and paper mills are impacting fish and/or fish habitat, and that the impacts at 55% of these mills pose a potentially higher risk to the environment;
- the Canadian industry is diversifying the products made from wood and other plant materials to include non-traditional products such as nanocrystalline cellulose, lignin and hemicellulose;
- what is achievable through process control and effluent treatment has improved since 1992 when the PPER were put in place, and best technologies and techniques are well documented.

Following the publication of the *Proposed Modernization of the Pulp and Paper Effluent Regulations – Detailed Proposal for Consultation* in 2019, ECCC held 45 consultation sessions and received feedback from interested parties. ECCC has since considered all feedback received, and is proposing the following updates to the modernization proposal outlined in this document. ECCC has analyzed the current state of the Canadian pulp and paper sector using all available regulatory data collected under the PPER from 2012 to 2022 and data provided by our provincial partners under their respective regulatory framework. This document also provides additional information to clarify certain aspects of the proposal.

It should be noted that this *Updated Detailed Proposal* only includes updates and clarifications to the *Proposed Modernization of the Pulp and Paper Effluent Regulations – Detailed Proposal for Consultation (2019)*. Any information not addressed in this *Updated Detailed Proposal* remains the same as what was proposed in the *Proposed Modernization of the Pulp and Paper Effluent Regulations – Detailed Proposal for Consultation (2019)*.

2.0 UPDATES TO SCOPE OF REGULATIONS

2.1 FINISHED PRODUCT DEFINITION

WHAT WAS PROPOSED

In 2019, ECCC proposed to change the definition of **“Finished Product”** to mean pulp, paper, cellulose-based and sugar-based products that has completed the production process at a mill.

WHAT IS BEING UPDATED

ECCC is proposing to remove the sugar-based products from the proposed definition of finished products.

“Finished product” means pulp, paper and cellulose-based product that has completed the production process at a mill.

Mills producing products not captured by the finished product definition could apply for the proposed supplementary discharge allocation described in section 3.3.

ECCC took into consideration:

- clarifying the definition of finished products; and
- ensuring that the definition of finished products covers products that have an impact on mill effluent.

3.0 UPDATES TO ENVIRONMENTAL PROTECTION MEASURES

3.1 INTENSITY FACTORS FOR BOD, SS AND COD FOR OPERATING MILLS

WHAT WAS PROPOSED

In 2019, ECCC proposed to review intensity effluent factors for biochemical oxygen demand (BOD), suspended solids (SS), and add an intensity factor for chemical oxygen demand (COD). These effluent limits aimed to further improve environmental protection, with existing secondary treatment while not requiring tertiary treatment.

WHAT IS BEING UPDATED

ECCC is proposing to update the proposed intensity factors for BOD, SS and COD to reflect what is achievable using a well operated, maintained and monitored secondary effluent treatment system. ECCC is proposing to update the limits for SS and COD for chemical mills, as well as the limits for SS and BOD for mechanical mills, shown in bold below.

Proposed Updated Intensity Factors for Operating Mills						
Mill Category	BOD (kg/t)		SS (kg/t)		COD (kg/t)	
	Daily	Monthly	Daily	Monthly	Daily	Monthly
<i>Chemical</i>	4.25	2.6	7.65	4.6	80	48
<i>Mechanical</i>	1.8	1.1	3.4	2.0	50	30
<i>Paper Recycling Papermaking</i>	1.25	0.75	2.5	1.5	12.5	7.5

ECCC took into consideration:

- the advice from expert consultants that a well operated, maintained and monitored secondary effluent treatment system should achieve an annual average concentration of 20 mg/L or below of BOD and 30 mg/L or below of SS;
- that a safety factor of 50% should be added to the proposed limits to account for shutdowns and upsets; and
- that mills have reduced their water use in recent years.

3.2 AUTHORIZATION FOR HIGH-BRIGHTNESS MECHANICAL MILLS

WHAT WAS PROPOSED

In 2019, ECCC proposed the introduction of three mill process categories: chemical, mechanical and paper recycling. High-brightness mechanical mills were included under the mechanical mill category.

WHAT IS BEING UPDATED

ECCC is proposing a new authorization for mechanical mills producing high-brightness pulp (>65 % ISO) that meet certain criteria to have higher BOD and SS effluent limits.

Criteria to be eligible for this authorization include:

- not being able to meet the effluent limits for mechanical mills;
- demonstrate with data that all measures to reduce effluent BOD and SS have been implemented; and
- demonstrate that the treatment system achieves a minimal reduction rate of 90% for BOD and SS and 60% for COD.

The authorization would allow the lowest effluent standard that can be achieved by the mill, not exceeding the following intensity factors:

- Daily SS: 6.1 kg/t
- Monthly SS: 3.6 kg/t
- Daily BOD: 5.4 kg/t
- Monthly BOD: 3.3 kg/t
- Daily COD: 50 kg/t
- Monthly COD: 30 kg/t

The authorization would be valid for five years and mills could reapply as necessary.

ECCC took into consideration that:

- the production of high-brightness mechanical pulp results in a larger quantity of BOD than the typical mechanical mill; and
- requiring mills producing high-brightness mechanical pulp to meet the effluent limits for typical mechanical mills could require tertiary treatment.

3.3 ADJUSTMENT TO RPR FOR BIOTRANSFORMING MILLS

WHAT WAS PROPOSED

In 2019, ECCC proposed allowing mills producing bioproducts to apply for an interim reference production rate (RPR) when the production of bioproducts accounted for more than 25% of the total RPR and increased the organic loading to the effluent treatment system by more than 25%.

WHAT IS BEING UPDATED

ECCC is proposing to allow mills producing bioproduct(s) to apply for a supplementary discharge allocation.

- The supplementary discharge allocation would be based on the BOD, COD and SS loading to the effluent treatment system resulting from the production of the bioproduct(s).
- To qualify:
 - mills would be required to meet applicable limits prior to application; and
 - the bioproduct(s) would have to result in a minimum 10% increase in BOD, COD and SS loading to the effluent treatment system above the loading from conventional finished products.
- Mills would apply for the allocation once, and the allocation limit would be re-calculated annually based on the previous year's daily loading data.
- The calculation for the supplementary discharge allocation would be:

Substance	BOD (daily)	BOD (monthly)	SS (daily)	SS (monthly)	COD (daily)	COD (monthly)
Proposed (kg)	$0.250 \times B_o$	$0.150 \times B_o \times D$	$0.250 \times S_o$	$0.150 \times S_o \times D$	$0.8 \times C_o$	$0.6 \times C_o \times D$

- B_o is the average* daily BOD loading resulting from biotransformation production
- S_o is the average* daily SS loading resulting from biotransformation production
- C_o is the average* daily COD loading resulting from biotransformation production
- D is the number of days in the month

* based on the previous year's daily loading data or for new mills or mills undergoing production changes, based on estimates of loading to initially establish discharge allocations

- For mills producing only bioproducts, they would have to submit:
 - plans outlining the production process;
 - a description of steps taken to reduce BOD, SS and COD at the production stage; and
 - a description of the effluent treatment system and its capacity to meet the required limits.

- For effluent containing one or more substances from Schedule 1 of the *Canadian Environmental Protection Act* as a result of biotransformation, the effluent would not be able to exceed the predicted no effect concentrations (PNECs) of those substances.

ECCC took into consideration:

- comments indicating that the use of an interim RPR to accommodate biotransformation would present implementation challenges when regulating biotransformation processes, given the unknown nature of the deleterious substance loadings from these processes; and
- what is achievable using a well operated, maintained and monitored effluent treatment system.

3.4 CONCENTRATION-BASED LIMITS FOR PHOSPHORUS AND NITROGEN

WHAT WAS PROPOSED

In 2019, ECCC proposed to implement weekly maximum average, and monthly maximum average concentration-based limits for nitrogen and phosphorus.

WHAT IS BEING UPDATED

ECCC is proposing to update the concentration-based limits for phosphorus to reflect what is achievable using a well operated, maintained and monitored secondary effluent treatment system, shown in bold below.

Proposed Concentration-Based Limits for Operating Mills				
Mill Category	Total Phosphorus (mg/L)		Total Nitrogen (mg/L)	
	Weekly Maximum Average	Monthly Maximum Average	Weekly Maximum Average	Monthly Maximum Average
<i>All Processes</i>	2.5	2.0	20	15

ECCC took into consideration that:

- proposed concentration-based limits should align with what is technically achievable, and account for treatment system variability.

3.5 TEMPERATURE LIMIT

WHAT WAS PROPOSED

In 2019, ECCC proposed to limit effluent temperature for all final effluents for all mills to a maximum daily temperature of 40°C and a maximum monthly average temperature of 35°C.

WHAT IS BEING UPDATED

ECCC is proposing to limit effluent temperature for all final effluents to a maximum daily temperature of 45°C, with no requirement for a monthly temperature limit.

ECCC took into consideration:

- optimal biological treatment temperature for a well operated, maintained and monitored secondary effluent treatment system;
- effluent temperature fluctuations; and
- the water quality temperature guidelines for various Canadian fish species.

3.6 pH LIMIT

WHAT WAS PROPOSED

In 2019, ECCC proposed to limit final effluent pH to within a range of 6.0 – 9.5 for freshwater receiving environments, and 6.5 – 9.2 for marine receiving environments.

WHAT IS BEING UPDATED

ECCC is proposing to limit final effluent pH for all mill effluents in all receiving environments to the range of 6.0 to 9.5.

ECCC took into consideration:

- comments received during consultation that the marine range may not be achievable; and
- aligning with other modern Fisheries Act regulations such as the *Metal and Diamond Mining Effluents Regulations*.

4.0 UPDATES TO PPER ADMINISTRATION

4.1 NEW PROVISIONS FOR CLOSED AND CLOSING MILLS

WHAT WAS PROPOSED

In 2019, ECCC proposed to require a two-phase procedure for mills planning to close:

- Phase 1: Preparation for closure
- Phase 2: Closure of mill

WHAT IS BEING UPDATED

Phase 1 Clarifications:

- Following the public announcement of closure, a mill will be given a period of time (e.g. 30 days) to notify ECCC, and an additional period of time (e.g. 45 days) to prepare and submit a closure plan that would be required before the process of closing the mill began.
- ECCC will provide a list of eligible 'key pieces of equipment' for removal to inform the mill closure plan.

ECCC took into consideration:

- comments that mills are often not able to disclose their intent to close until this information is first released to the public.

4.2 NEW PROVISIONS FOR IDLED MILLS

WHAT WAS PROPOSED

In 2019, ECCC proposed to require the owner or operator of a mill to notify ECCC when the mill has stopped or is expected to stop production for 100 consecutive days or more. The mill would then enter idled mill status.

WHAT IS BEING UPDATED

ECCC is proposing to extend the requirement for a mill to notify when it has stopped or is expected to stop production from 100 consecutive days to 6 consecutive months.

ECCC took into consideration:

- comments that some major mill upgrades or investments may take longer than 100 consecutive days to complete, and during an extended maintenance shutdown, a mill should not be considered idled as it would intend to restart production once the maintenance is complete.

4.3 STUDY DESIGNS FOR ENVIRONMENTAL EFFECTS MONITORING (EEM)

WHAT WAS PROPOSED

In 2019, ECCC proposed that all mills submit study designs for biological monitoring and investigation studies.

WHAT IS BEING UPDATED

ECCC is proposing that mills consider and include information and data provided by Indigenous people when developing the design of required studies. The intent of this update is to provide a mechanism to seek Indigenous communities' perspective on the site-specific elements of EEM study design to help inform how and where these studies should be conducted to best assess potential effects of mills' effluent on fish, fish habitat, and use of fish by humans.

Each mill would:

- inform and invite Indigenous peoples that use the waters in which the mill discharges effluents, to share any information or data they feel is relevant;
- describe how the information provided was taken into account in the design of any required studies;
- continue to take into account the information and data shared by Indigenous peoples in the design of any subsequent studies.

ECCC took into consideration:

- comments indicating that some Indigenous groups would like to be directly involved in local EEM studies.

4.4 WATER QUALITY MONITORING & EFFLUENT CHARACTERIZATION

WHAT WAS PROPOSED

In 2019, ECCC proposed that mills characterize their final effluent and conduct water quality monitoring studies. The list of substances to be measured as part of these two requirements was not specified.

WHAT IS BEING UPDATED

ECCC is proposing to require the following list of substances be measured through effluent characterization and water quality monitoring.

ECCC took into consideration:

- substances that are important to assess performance of pulp and paper effluent treatment; and
- substances used or generated by mills known to potentially impact fish and fish habitat.

SUBSTANCES FOR EFFLUENT CHARACTERIZATION AND WATER QUALITY MONITORING		
Substance/Parameter	Effluent Characterization	Water Quality
Deleterious Substances		Yes, TSS, COD, P, N
Conductivity	Yes	Yes, freshwater/estuarine
Dissolved Oxygen (DO)		Yes
Hardness	Yes	Yes, freshwater/estuarine
Alkalinity	Yes	Yes, freshwater/estuarine
Temperature	Yes	Yes
Water depth		Yes
pH	Yes	Yes, freshwater/estuarine
Salinity		Yes, estuarine/marine
Turbidity		Yes
Total Organic Carbon (TOC)	Yes	Yes
Total Dissolved Solids (TDS)	Yes	Yes
Adsorbable Organic Halides ¹ (AOX)	Yes	Yes
Hydrocarbons C10-C50	Yes	Yes
Total Phenols	Yes	Yes
Triarylmethane ²	Yes	Yes
Aluminum	Yes	Yes
Arsenic	Yes	Yes
Boron	Yes	Yes
Cadmium	Yes	Yes
Chromium	Yes	Yes
Cobalt	Yes	Yes
Copper	Yes	Yes
Iron	Yes	Yes
Lead	Yes	Yes
Manganese	Yes	Yes
Mercury ³	Yes	Yes
Nickel	Yes	Yes
Selenium	Yes	Yes
Silver	Yes	Yes
Thallium	Yes	Yes
Vanadium	Yes	Yes
Zinc	Yes	Yes

1. mills using chlorine or chlorine dioxide in their bleaching process
2. mills de-inking and/or dyeing paper – reduction to annual monitoring if 12 samples under threshold, return to regular monitoring if annual sample above threshold
3. all mills – cessation if 12 samples under threshold, return to monitoring if mill undergoes major change in process type

4.5 INVESTIGATION STUDIES AND IMPLEMENTATION OF SOLUTIONS

WHAT WAS PROPOSED

In 2019, ECCC proposed one study period of 3 years to determine the cause of environmental effects of effluent and, when applicable, to identify solutions for those effects.

In addition, ECCC proposed that mills be required to implement the solutions they identified to mitigate the environmental effect(s) of their effluent, within a 3-year timeframe. After 3 years, studies to re-assess effects would be required.

WHAT IS BEING CLARIFIED

ECCC is providing more details to clarify the proposed investigation studies and implementation of solutions requirements.

Timelines

At the registration of the modernized PPER, biological monitoring study requirements would be paused for all mills. All other EEM requirements would come into force at the registration of the regulations. The following requirements would restart when the new limits come into force:

- 1. 3 years after registration or;
- 2. Up to 5 years after registration for mills with a transitional authorization¹.

After the new limits are in force, the first biological monitoring study report would be due in 3 years.

Results of two consecutive biological monitoring studies would determine the overall mill effect designation, which set the type and timing of subsequent studies. The first biological monitoring study results after the registration of the modernized PPER would be used in conjunction with the previous biological monitoring study results to reassess the overall mill effect designation.

The following table indicates the type and timing of the subsequent studies.

TYPE OF STUDY AND TIMELINES FOR STUDY REPORT SUBMISSION		
Overall Mill Effect Designation	Next Study	Timelines for study report submission
Confirmed no effect	Biological Monitoring Study	6 years after previous report was due
Unconfirmed ² effect	Biological Monitoring Study	3 years after previous report was due
Confirmed effect less than CES	Biological Monitoring Study	3 years after previous report was due
Confirmed effect equal or greater than CES, or without CES	Investigation Study	3 years after previous report was due

1. See the Coming into force section for more details.
2. If two subsequent study cycles show different effect results, it receives the designation of having an ‘unconfirmed effect’. For more information see: [Designation a Mills Overall Effect](#).

Investigation Studies

Investigation studies would include a study to identify the causes of the effects and, where applicable, an identification of possible solutions to mitigate the effects. If there are multiple effects, mills would be required to identify causes for each effect and, where applicable, solutions for each effect.

Implementation of Solutions

Starting when the investigation study reports are due, mills would be subject to the implementation of solution(s) requirements:

1. Three months after investigation study reports are due, the *Declaration of Solution Implementation Plan* submission, a short document with a proposed ECCC template, would be required. It would include:
 - A description of the proposed solutions
 - The timeframe for implementing the solutions
 - What effects are being addressed by the solutions
 - How the solutions would help mitigate the effects
2. The *Declaration That Solutions Have Been Implemented* would be submitted once the solution is fully implemented. It would include:
 - A description of the implemented solutions
 - The date when the solution was fully implemented

If the solution(s) has not been fully implemented within 3 years, an annual interim progress report would be required until the solution is fully implemented and the final declaration has been submitted. It would include:

- An update on the timeframe for implementing the solutions
- If applicable, any change to the description of the proposed solutions
- If applicable, any change on how the solutions would help mitigate the causes of the effects

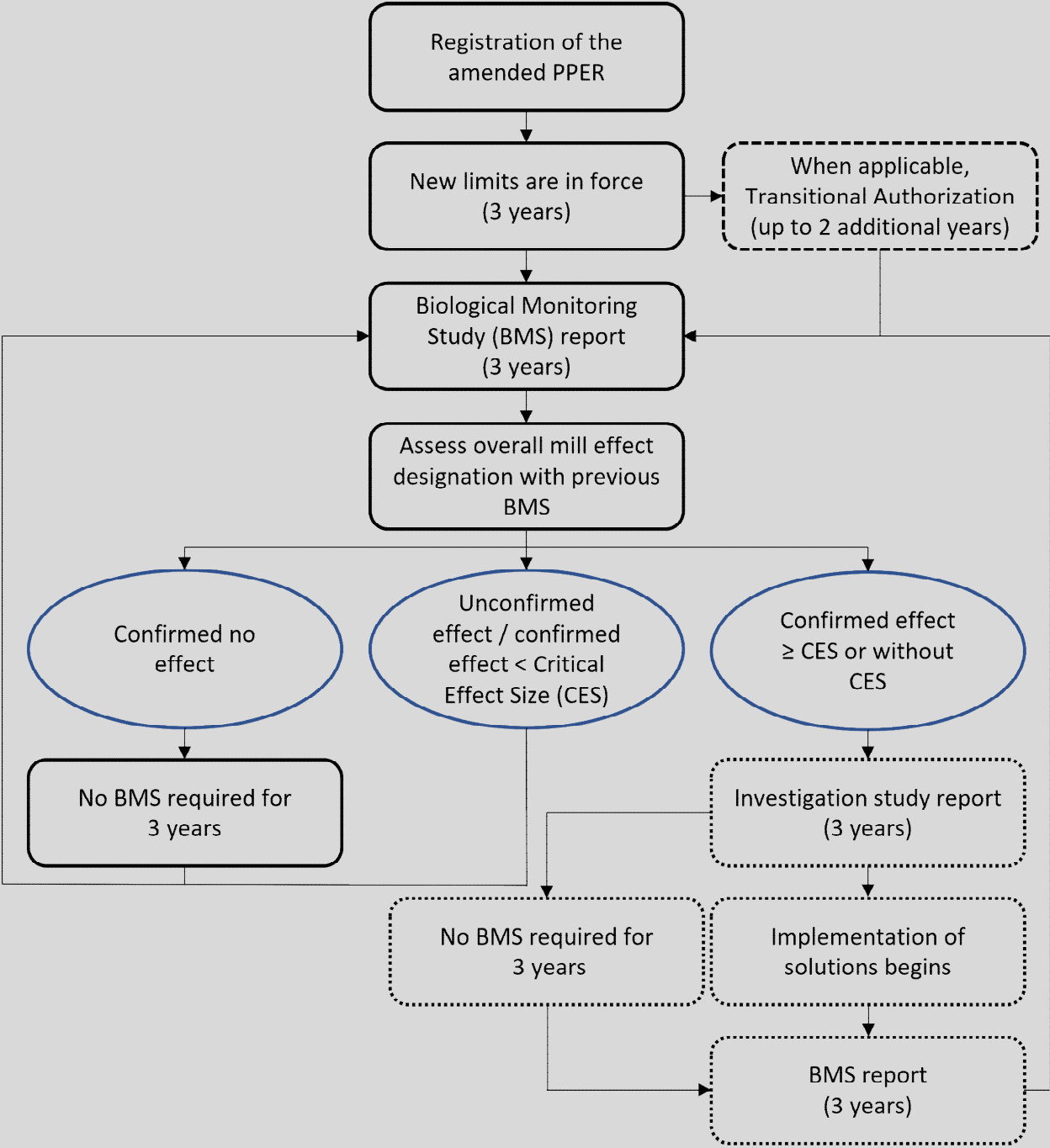
Reassessment of Effects

The biological monitoring studies assessing effects would resume 3 years after the investigation study reports are due, regardless of the completion of the implementation of solutions. The new biological monitoring study results would be used in conjunction with the previous biological monitoring study results to reassess the overall mill effect designation.

ECCC took into consideration:

- Comments received requesting more clarification on proposed investigation studies and implementation of solutions.

Type of required studies and associated timelines for report submission



4.6 REQUIREMENTS FOR OFF-SITE LANDFILLS

WHAT WAS PROPOSED

In 2019, ECCC proposed to include specific concentration-based limits for BOD, SS and COD in effluents (leachate) generated by all off-site landfills. ECCC also proposed to expand the scope of the PPER to regulate off-site landfills containing mill residues owned or operated by a third party whose purpose is to collect mill residues.

WHAT IS BEING UPDATED

ECCC is proposing the following:

- mill residue would be defined as: bark, wood residue, pulp, paper and paperboard discards, ash from a combustion facility, sludge from process water treatment, de-inking sludge, lime sludge, green liquor dregs, residues from lime slaking and any other residue from the pulp or paper product manufacturing process that is not a hazardous material;
- off-site landfills would be subject to the PPER for one year after the landfill stops accepting mill residue and then would be subject to the *Fisheries Act*;
- the monitoring frequency for off-site landfills is presented in section 5.1 below;
- the proposed off-site landfill requirements would apply to all off-site landfills discharging directly to the environment that treat only pulp and paper mill residue (not landfills accepting waste from multiple sources);
- remove the proposed requirements for a daily and weekly limit; and
- remove the proposed limits for temperature, total phosphorus, and total nitrogen.

The proposed effluent limits for off-site landfills are now to include only the following:

PROPOSED EFFLUENT LIMITS FOR OFF-SITE LANDFILLS (*monthly maximum average)				
BOD* (mg/L)	SS* (mg/L)	COD* (mg/L)	pH Range	Acute lethality
30	30	180	6.0 to 9.5	non-acutely lethal

ECCC took into consideration:

- comments questioning the need for nutrient limits in off-site landfills;
- comments on the relevance of a temperature limit, since leachate temperature is a function of the ambient temperature;
- comments to clarify what constitutes ‘mill residue’;
- the intermittent nature of the discharge of leachate from pulp and paper mill off-site landfills; and
- the need for information on leachate characteristics to assess potential environmental risks.

4.7 CLARIFICATION FOR UNAUTHORIZED DEPOSITS

WHAT WAS PROPOSED

In 2019, ECCC proposed to use the term “unauthorized deposits of deleterious substances” instead of “deposits out of the normal course of events”.

ECCC also proposed to clarify sampling requirements for evaluating the effect of an unauthorized deposit, requiring that the sampling be done at the place where the unauthorized deposit occurred.

WHAT IS BEING UPDATED

ECCC is proposing to:

- clarify that the sampling occurs at the same place as the unauthorized deposit, regardless of whether it consists of an outfall structure or any other place where the deposit can reach water frequented by fish; and
- add a requirement to subject the sample to a chemical oxygen demand (COD) test.

ECCC took into consideration:

- comments requesting clarity on the requirements proposed in 2019.

4.8 SITE-SPECIFIC REQUIREMENTS FOR PORT ALBERNI MILL

WHAT WAS PROPOSED

In 2019, ECCC proposed to lower and align the site-specific effluent loading limits for the Port Alberni mill with the limits proposed for all operating mills, and to repeal the specific requirement to measure dissolved oxygen.

WHAT IS BEING UPDATED

ECCC proposes to remove all site-specific requirements for the Port Alberni mill. The mill would be subject to the general limits.

ECCC took into consideration:

- comments requesting the removal of site-specific requirements for the Port Alberni mill;
- the current site-specific limits for the mill would align with what is proposed for mechanical mills, making the current site-specific limits obsolete; and
- the current dissolved oxygen program would be repealed and replaced with water quality monitoring requirements that would apply to all mills.

4.9 AUTHORIZATION TO TREAT OTHER SOURCES

WHAT WAS PROPOSED

In 2019, ECCC proposed to remove the authorization for a mill to exceed the maximum quantities of deleterious substances when it treats wastewater from other sources in addition to its own effluent.

WHAT IS BEING UPDATED

ECCC proposes to keep this authorization with the following conditions:

- remove the requirement that a mill must be opened before 1971, allowing all mills to apply;
- the authorization would only apply for treating municipal wastewater sources;
- an allocation for COD would be added; and
- mills would no longer be required to take all applicable preventative measures at the production stage to reduce BOD, SS and lethality.

PROPOSED SUPPLEMENTARY ALLOCATIONS FOR TREATING OTHER MUNICIPAL WASTEWATER SOURCES		
Substance	Current (kg)	Proposed (kg)
BOD (daily)	$0.375 \times B_o$	$0.250 \times B_o$
BOD (monthly)	$0.225 \times B_o \times D$	$0.150 \times B_o \times D$
SS (daily)	$0.375 \times S_o$	$0.250 \times S_o$
SS (monthly)	$0.225 \times S_o \times D$	$0.150 \times S_o \times D$
COD (daily)	-	$0.8 \times C_o$
COD (monthly)	-	$0.6 \times C_o \times D$

- B_o the average daily BOD in the other sources wastewater before it is treated by the mill
- S_o the average daily SS in the other sources wastewater before it is treated by the mill
- C_o the average daily COD in the other sources wastewater before it is treated by the mill
- D is the number of days in the month
- B_o , S_o and C_o are calculated using loading data from the previous calendar year and expressed in kilograms

ECCC took into consideration:

- comments that some mills treat other sources such as municipal wastewater; and
- considering the newly proposed maximum effluent loading limits, this additional allocation may now be necessary to accommodate facilities treating municipal wastewater.

5.0 UPDATES TO COMPLIANCE & ADMINISTRATIVE REQUIREMENTS

5.1 EFFLUENT MONITORING & TESTING SCHEDULE

WHAT WAS PROPOSED

In 2019, ECCC proposed a schedule for monitoring existing and new parameters, and tests for mill effluent.

WHAT IS BEING UPDATED

ECCC proposes the following updates to the effluent monitoring and testing schedule:

- Increase the threshold for reducing COD monitoring from 20 mg/L to 100 mg/L.
- Increase the threshold for reducing *Daphnia magna* testing from 20 mg/L of COD to 100 mg/L and add that, in the previous quarter, the effluent did not fail the *Daphnia magna* test.
- The monitoring frequency for off-site landfills would be as follows:

PROPOSED MONITORING REQUIREMENTS FOR OFF-SITE LANDFILLS	
Parameter/test	Frequency
BOD	Weekly
SS	Weekly
COD	Weekly
pH	Weekly
Effluent Volume	Weekly
Total Nitrogen	Weekly
Total Phosphorus	Weekly
Acute Lethality of Rainbow Trout	Quarterly

ECCC took into consideration:

- comments that the proposed COD criteria for reduced monitoring was not achievable for the average facility;
- alignment of the COD reduced monitoring frequency to the monitoring frequency of BOD and SS;
- clarifying the monitoring requirements for off-site landfills; and
- ensuring continued protection of Canadian fish and fish habitat from acutely lethal pulp & paper effluent.

5.2 COMING INTO FORCE

WHAT WAS PROPOSED

In 2019, ECCC had not proposed any schedule for when the amendments would come into force for facilities.

WHAT IS BEING UPDATED

ECCC proposes that all amendments come into force on the day of registration of the revised PPER, except for the following items:

Amended Limits

- The new amended limits would come into force three years following the registration of the revised PPER.
- Eligible mills that cannot meet the new limits for one or more regulated parameters would have the option to apply for a transitional authorization within 12 months of registration of the revised PPER.
- Mills would be eligible if the average loading of the previous three years before the registration of the revised PPER exceed the new limits and if they justify that more than three years is required to complete the necessary changes.
- The application for a transitional authorization would require the following information:
 - Data of the previous three years to demonstrate eligibility for each parameter.
 - Detailed project plans that would be used to meet the new limits, including specific timelines.
- The transitional authorization would give an additional two years to meet the new limits for one or more regulated parameters. Mills would have to submit annual progress reports to demonstrate their progress to meet the new limits.

Environmental Effects Monitoring (EEM)

- The first EEM biological monitoring study report would be due three years after the new limits come into force (i.e. by the sixth year after registration of the revised PPER).
- For mills with a transitional authorization, the first EEM biological monitoring study report would be due three years after the expiry of their transitional authorization.

ECCC took into consideration:

- flexibility necessary for the planning and costing that may be required by facilities to come into compliance with newly proposed regulatory requirements;
- the level of improvements required to come into compliance with the proposed regulation can vary between facilities; and
- minimizing the delay for the implementation of new proposals to improve environmental protection.

5.3 DATA REPORTING FREQUENCY

WHAT WAS PROPOSED

In 2019, ECCC proposed that reporting of monitoring results and production information be submitted to the Minister of the Environment on a quarterly basis within 45 days after the end of the quarter.

WHAT IS BEING UPDATED

ECCC is proposing to maintain the current reporting frequency of monitoring results and production information, with monthly submissions required to the Minister of the Environment.

ECCC took into consideration:

- comments that monthly reporting would result in less administrative burden for mills, and align with provincial regulations.

6.0 NEXT STEPS

WHAT WAS PROPOSED

In 2019, ECCC proposed the following key target dates for regulatory development:

Interested parties are welcome to provide feedback on the Proposed Approach for Regulating Pulp and Paper Mills Effluent (refer to the additional information below about providing feedback).	
Target 2020	Proposed pulp and paper effluent regulations under the <i>Fisheries Act</i> published in <i>Canada Gazette</i> Part I for a 60-day comment period
Target 2021	Publication of the final version of the PPER in the <i>Canada Gazette</i> Part II

WHAT IS BEING UPDATED

ECCC proposes the following update for key target dates regarding this proposal:

Interested parties are welcome to provide feedback on the Proposed Approach for Regulating Pulp and Paper Mills Effluent (refer to the additional information below about providing feedback).	
Target 2024	Proposed pulp and paper effluent regulations under the <i>Fisheries Act</i> published in <i>Canada Gazette</i> Part I for a 60-day comment period
Target 2026	Publication of the final version of the PPER in the <i>Canada Gazette</i> Part II

7.0 PROVIDING FEEDBACK

We would like to invite all interested parties to provide comments and feedback on the modernization of the *Pulp and Paper Effluent Regulations*. Please send your feedback in writing to:

Bernard Lupien, Manager, EEM and Forest Products
Forest Products and Fisheries Act Division – PPER Modernization
351, Boulevard Saint-Joseph - 19th Floor,
Gatineau, Quebec K1A 0H3
e-mail: refpppper@ec.gc.ca

ANNEX A – SUMMARY OF PROPOSALS

SUMMARY OF PROPOSALS		
Subject	2019 Proposal	2024 Proposal
“Mill” definition	“Mill” means a facility that is used or designed to produce: (a) pulp from wood or from other plant material or paper products; or (b) any product made directly from pulp or a pulping process <i>(section 2.0 of 2019 document)</i>	No change from 2019 proposal
“Finished product” definition	“Finished Product” means pulp, paper, cellulose-based and sugar-based products that has completed the production process at a mill <i>(section 2.0 of 2019 document)</i>	Removal of sugar-based products from the definition: “Finished product” means pulp, paper and cellulose-based product that has completed the production process at a mill <i>(section 2.1 of this document)</i>
Mill categories	Introduction of 3 process categories: • Chemical mills • Mechanical mills • Paper recycling and papermaking mills <i>(section 3.0 of 2019 document)</i>	No change from 2019 proposal
Intensity factors for BOD, SS and COD for chemical mills	• Daily BOD: 4.25 kg/t • Monthly BOD: 2.6 kg/t • Daily SS: 6.25 kg/t • Monthly SS: 3.75 kg/t • Daily COD: 75 kg/t • Monthly COD: 45 kg/t <i>(section 3.0 of 2019 document)</i>	• Daily BOD: 4.25 kg/t • Monthly BOD: 2.6 kg/t • Daily SS: 7.65 kg/t • Monthly SS: 4.6 kg/t • Daily COD: 80 kg/t • Monthly COD: 48 kg/t <i>(section 3.1 of this document)</i>

SUMMARY OF PROPOSALS		
Subject	2019 Proposal	2024 Proposal
Intensity factors for BOD, SS and COD for mechanical mills	• Daily BOD: 1.25 kg/t • Monthly BOD: 0.75 kg/t • Daily SS: 2.5 kg/t • Monthly SS: 1.5 kg/t • Daily COD: 50 kg/t • Monthly COD: 30 kg/t <i>(section 3.0 of 2019 document)</i>	• Daily BOD: 1.8 kg/t • Monthly BOD: 1.1 kg/t • Daily SS: 3.4 kg/t • Monthly SS: 2.0 kg/t • Daily COD: 50 kg/t • Monthly COD: 30 kg/t <i>(section 3.1 of this document)</i>
Intensity factors for BOD, SS and COD for paper recycling / papermaking mills	• Daily BOD: 1.25 kg/t • Monthly BOD: 0.75 kg/t • Daily SS: 2.5 kg/t • Monthly SS: 1.5 kg/t • Daily COD: 12.5 kg/t • Monthly COD: 7.5 kg/t <i>(section 3.0 of 2019 document)</i>	No change from 2019 proposal <i>(section 3.1 of this document)</i>
Multiple facilities discharging into one wastewater treatment system	Formulas were provided to calculate the maximum loadings in the case of multiple facilities of different process categories discharging into one wastewater treatment system <i>(section 3.0 of 2019 document)</i>	No change from 2019 proposal
Authorization for high-brightness mechanical mills	Not included in 2019 proposal	Authorization for mechanical mills producing high-brightness pulp (>65 % ISO) meeting certain criteria for higher intensity factors up to: • Daily SS: 6.1 kg/t • Monthly SS: 3.6 kg/t • Daily BOD: 5.4 kg/t • Monthly BOD: 3.3 kg/t <i>(section 3.2 of this document)</i>

SUMMARY OF PROPOSALS		
Subject	2019 Proposal	2024 Proposal
Biotransforming mills	Introduction of an adjustment to the RPR available for mills producing bioproducts not defined as a “finished product” (section 3.0 of 2019 document)	Instead of the interim RPR, biotransforming mills could apply for a supplementary discharge allocation for BOD, SS and COD under certain conditions (section 3.3 of this document)
Concentration-based limits for phosphorus	- Weekly max. average: 2.0 mg/L - Monthly max. average: 1.5 mg/L (section 3.0 of 2019 document)	- Weekly max. average: 2.5 mg/L - Monthly max. average: 2.0 mg/L (section 3.4 of this document)
Concentration-based limits for nitrogen	- Weekly max. average: 20 mg/L - Monthly max. average: 15 mg/L (section 3.0 of 2019 document)	No change from 2019 proposal (section 3.4 of this document)
Temperature limit	- Monthly max. average: 35 °C - Max. daily: 40 °C (section 3.0 of 2019 document)	- Monthly max. average: no limit - Max. daily: 45 °C (section 3.5 of this document)
pH limit	- Freshwater: 6.0 to 9.5 - Marine/estuary: 6.5 to 9.2 (section 3.0 of 2019 document)	6.0 to 9.5 for all receiving environments (section 3.6 of this document)
New provisions for closing and closed mills	Two phases for closing a mill and associated requirements: - Phase 1: Preparation for closure, which includes requirements for the mill to notify ECCC when it intends to close, and provide a closure plan - Phase 2: Closure of a mill, during which the conditions would remain the same as an operating mill, except for the limits, and after one year, the mill would no longer be subject to the PPER (section 4.0 of 2019 document)	Clarifications are provided on Phase 1: - Following the public announcement of closure, a mill would be given a period of time to notify ECCC and to prepare and submit a closure plan - ECCC would provide a list of eligible 'key pieces of equipment' for removal to inform the mill closure plan (section 4.1 of this document)

SUMMARY OF PROPOSALS		
Subject	2019 Proposal	2024 Proposal
New provisions for idled mills	- To enter idled mill status, a mill would notify ECCC when it has stopped or is expected to stop production for 100 consecutive days or more - All conditions would remain the same as an operating mill, except for certain limits <i>(section 4.0 of 2019 document)</i>	To enter idled mill status, a mill would notify ECCC when it has stopped or is expected to stop production for 6 months or more <i>(section 4.2 of this document)</i>
Effluent limits for idled and closed mills	- Daily max. BOD: 50 mg/L - Monthly max. average BOD: 30 mg/L - Daily max. SS: 50 mg/L - Monthly max. average SS: 30 mg/L - Daily max. COD: 300 mg/L - Monthly max. average COD: 180 mg/L - Other limits are the same as operating mills <i>(section 4.0 of 2019 document)</i>	No change from 2019 proposal
Incorporation of critical effect size (CES) in EEM requirements	- Introduction of CES for all effect indicators except one - An investigation of cause and solution study would be required only if an effect indicator $\geq$ CES, or if there is no CES <i>(section 4.0 of 2019 document)</i>	No change from 2019 proposal
Study designs for EEM	- All mills would be required to submit study designs for biological monitoring and investigation studies - Reduced requirements for mills with rapid effluent dilution <i>(section 4.0 of 2019 document)</i>	New requirement for mills to consider Indigenous perspectives in EEM study designs <i>(section 4.3 of this document)</i>

SUMMARY OF PROPOSALS		
Subject	2019 Proposal	2024 Proposal
Water quality monitoring and effluent characterization	- New EEM requirement to characterize mill effluent by analyzing a list of substances and parameters (list under development) - New EEM requirement to conduct water quality monitoring studies in the exposure area of each effluent deposit and related reference areas by analyzing a list of substances and parameters (list under development) <i>(section 4.0 of 2019 document)</i>	List of substances/parameters to be analyzed is provided <i>(section 4.4 of this document)</i>
Investigation studies and implementation of solutions	- Mills would have one study period of 3 years to determine the cause of effects of effluent and to identify solutions for those effects - Mills would be required to implement identified solutions within a 3-year timeframe <i>(section 4.0 of 2019 document)</i>	New clarifications are provided, including: - Mills could take more than 3 years to implement solutions, and in that case, annual interim progress reports would be required - Biological monitoring studies would resume 3 years after investigation study reports, regardless of the completion of the implementation of solutions Additional details on the steps and timelines for investigation studies and solution requirements are provided <i>(section 4.5 of this document)</i>

SUMMARY OF PROPOSALS		
Subject	2019 Proposal	2024 Proposal
Requirements for off-site landfills	• PPER would apply to off-site landfills owned or operated by a third-party whose purpose is to collect mill residue • Daily max. BOD: 50 mg/L • Monthly max. average BOD: 30 mg/L • Daily max. SS: 50 mg/L • Monthly max. average SS: 30 mg/L • Daily max. COD: 300 mg/L • Monthly max. average COD: 180 mg/L • pH range for freshwater: 6.0 to 9.5 • pH range for marine/estuary: 6.5 to 9.2 • Weekly max. average phosphorus: 2 mg/L • Monthly max. average phosphorus: 1.5 mg/L • Weekly max. average nitrogen: 20 mg/L • Monthly max. average nitrogen: 15 mg/L • Daily max. temperature: 40°C • Monthly max. average temperature: 35°C (section 4.0 of 2019 document)	• New definition for mill residue and clarification that requirements apply to off-site landfills that treat only pulp and paper mill residue • No daily limit for BOD • Monthly max. average BOD: 30 mg/L • No daily limit for SS • Monthly max. average SS: 30 mg/L • No daily limit for COD • Monthly max. average COD: 180 mg/L • pH range of 6.0 to 9.5 for all receiving environments • No limits for phosphorus • No limits for nitrogen • No limits for temperature (section 4.6 of this document)
Clarification for unauthorized deposits	The sampling occurs at the same place as the unauthorized deposit (section 4.0 of 2019 document)	• The sampling occurs at the same place as the unauthorized deposit, regardless of whether it consists of an outfall structure or any other place where the deposit can reach water frequented by fish • Sample subjected to a COD test (section 4.7 of this document)
Site-specific requirements for Port Alberni mill	• Limits lowered and aligned with general limits • Dissolved oxygen program repealed (section 4.0 of 2019 document)	• All site-specific requirements repealed • Mill subject to general limits (section 4.8 of this document)

SUMMARY OF PROPOSALS		
Subject	2019 Proposal	2024 Proposal
Authorization to treat other sources	Removal of the authorization for a mill to exceed the maximum quantities of deleterious substances when it treats other sources of effluent in addition to its own <i>(section 4.0 of 2019 document)</i>	The authorization to treat other sources will be maintained with new conditions <i>(section 4.9 of this document)</i>
Authorization for dissolving grade sulphite pulp	Removal of the authorization for dissolving grade sulphite pulp <i>(section 4.0 of 2019 document)</i>	No change from 2019 proposal
Authorization to combine effluents	• New requirement to re-apply for authorization every 5 years • Mills to reduce COD before the effluent is treated and demonstrate that treatment removes at least 60 % of COD <i>(section 4.0 of 2019 document)</i>	No change from 2019 proposal
Non-acute lethality requirements	New acceptable method for pH stabilization (RM 59) to be used in conjunction with the existing test method for acute lethality (RM 13) <i>(section 5.0 of 2019 document)</i>	No change from 2019 proposal

SUMMARY OF PROPOSALS		
Subject	2019 Proposal	2024 Proposal
Effluent monitoring and testing schedule	New schedule for monitoring existing and new parameters, as well as thresholds for reduced and increased testing frequency, including: • Threshold to reduce COD monitoring included that COD was less than 20 mg/L in the previous quarter • Threshold to reduce <i>Daphnia magna</i> testing included that COD was less than 20 mg/L in the previous quarter (section 5.0 of 2019 document)	Proposed effluent monitoring and testing schedule is maintained, with the following updates: • Increase of the threshold for reducing COD monitoring from 20 mg/L to 100 mg/L in the previous quarter • Increase of the threshold for reducing <i>Daphnia magna</i> testing from 20 mg/L of COD to 100 mg/L in the previous quarter • New requirement that effluent did not fail the <i>Daphnia magna</i> test in the previous quarter for reduced <i>Daphnia magna</i> monitoring • New monitoring frequency for off-site landfills (section 5.1 of this document)
Coming into force	Not included in 2019 proposal	Following publication of the revised PPER: • Amended limits would come into force in 3 years • Mills could obtain a transitional authorization for an additional 2 years to meet the limits • EEM biological monitoring studies would be due 3 years after the limits, or after the end of a transitional authorization (section 5.2 of this document)
Data reporting frequency	Reporting of monitoring results and production information would be submitted on a quarterly basis (section 5.0 of 2019 document)	The current reporting frequency of monitoring results and production on a monthly basis would be maintained (section 5.3 of this document)
Public availability of information	Information related to deposit of deleterious substances and EEM study results would be made publicly available and accessible (section 5.0 of 2019 document)	No change from 2019 proposal

January 19, 2024

Re: Legislative Reform Initiative Update

Dear Local Government Colleagues:

On September 21, 2023, the Regional District of Nanaimo (RDN), Alberni-Clayoquot Regional District, Fraser Valley Regional District (City of Chilliwack), and Don Lidstone, K.C., hosted an interactive, discussion-based panel session (Legislative Reform Initiative) focused on reform of the *Local Government Act* (LGA) at the UBCM Annual Convention in Vancouver. While the lack of powers for regional districts in the *Act* was a major spark for this initiative, the session was intended for both municipal and regional district officials because many aspects of municipal operations are contained in the *LGA* and municipal issues with the *Act* have been the subject of numerous UBCM resolutions over the years. Similar workshops have been held previously at the Association of Vancouver Island and Coastal Communities' Annual Conventions in 2022 and 2023. Approximately 80-85 people attended the September 2023 UBCM session, indicating a broad interest in this evolving topic.

Concerns about the dated *Local Government Act* have been widespread for some time among local governments. Although the Ministry of Municipal Affairs has made significant incremental changes in the legislation over time, without a comprehensive modernization of the *LGA* regional districts are left without sufficient tools or authority to meet expanding responsibilities or to legislate in key areas in comparison with municipalities. Moreover, the evolving social, political, and economic environments that both municipalities and regional districts operate within, such as climate change, environmental stewardship, and a recognition of the importance of First Nations' participation in regional governance, should be reflected in updated and modernized legislation. A key component of our discussions is that any additional powers or tools granted to local government are opt-in so that local governments can choose to implement tools based on what is best for their area.

The goals of the September 2023 UBCM interactive panel session were:

- to provide context and background about the Legislative Reform Initiative
- to discuss whether to proceed with the Legislative Reform Initiative
- to discuss options for the best path forward to steer the process

Prior to the session, the Ministry of Municipal Affairs provided some background information and several questions to consider during the group's discussion. This material was useful and very much appreciated.

The RDN committed to sending UBCM members a "What We Heard" document summarizing discussion at the session and next steps. We are attaching that document to this letter for your information, as well as the material provided by the Ministry of Municipal Affairs that was considered as part of the September 2023 panel discussion at UBCM. In addition, we are attaching the slide deck presented at the UBCM session.

We encourage other local governments to participate in this important initiative. As indicated in the "What We Heard" document, the RDN is currently following up with UBCM on the possibility of requesting that the UBCM Executive form a working group on this topic. Having letters of support from local governments across the province would be helpful in demonstrating interest. Should you wish to send a letter of support, have any questions, or wish to share examples of legislative challenges stemming from the *Local Government Act*, please contact RDN Chief Administrative Officer Douglas Holmes at dholmes@rdn.bc.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "Vanessa Craig". The signature is fluid and cursive, with the first name "Vanessa" written in a larger, more prominent script than the last name "Craig".

Vanessa Craig
Chair, Regional District of Nanaimo

Encl.

Background and Discussion Questions

The Ministry of Municipal Affairs (MUNI) is committed to listening to local governments about their evolving needs and how the existing legislated framework accommodates new responsibilities and challenges. Much of the legislative agenda sponsored by MUNI in recent years has responded to critical local government needs uncovered as a result of the pandemic and in response to UBCM resolutions. The development of legislative change is a lengthy, complex, and resource intensive process. Therefore, it must be rooted in and supported by a clear gap in existing tools and authorities to fix an identified problem that the current legislation or other tools don't resolve. The mere desire for regional district (RD) legislation alone needs to be tested against a real need, with a clear path on policy development for the province to consider.

Government Priorities

The province has been clear in its priorities and focus on pressing issues of affordability and housing supply – allocating significant resources from both the Ministry of Housing and MUNI to initiatives in this space. That scarce allocation is determined by elected decision makers. The priority on affordability and housing supply also presents an opportunity and recognizes that issues of housing availability and affordability are not just urban issues – and that there is a role for regional approaches to support this work that may require new thinking of how RDs are better able to participate in solutions that will have direct implications for RD regulatory authorities.

In addition, MUNI along with other agencies and ministries, are working on other initiatives that have a direct impact on RD authorities, these include:

- The local government financial review working group, made up of staff from the province and UBCM, where work has been underway to review the local government finance system in B.C., analyzing the recommendations in the 2021 UBCM report, and discussing matters of mutual interest;
- Inclusive regional governance to explore First Nations' interests on RD boards (explore issues such as geographic implications/boundaries of the current RD system and alignment with First Nation territories, election mechanics, and service provision);
- Consideration of business licensing and enforcement authorities for RDs, as previously requested by RDs.

Discussion questions – Are there specific RD challenges and legislative concerns that align with the current provincial priorities? What are the clearly defined problem statements/lack of authority for RDs not already accommodated for?

Other Approaches and Tools

In the past, RD officials have expressed a range of concerns such as lack of regulatory authority – in some cases the authorities in question may exist or it may be facilitated through regulation (recent examples include fireworks and source separation regulations). Other identified concerns relate to some of the fundamental foundations of RD structures and principles – such as the principle that cost-recovery for services being matched with the beneficiaries of the service, or the unique ability of RDs to balance rural and urban interests. Any changes contemplated need to be evidence-based and targeted

and not be change for “a nice to have” versus a particular business or governance need for which a policy rationale exists and no other tools exist.

Discussion questions – given the inherent flexibility in the RD system, are there other tools or approaches that may address challenges that could support RDs in the absence of legislative changes?

Process for further engagement

Given the key and pressing priorities that the province is currently engaged on (e.g., housing and homelessness, climate change and emergency planning, health, and the opioid crisis) there are practical considerations about how the local government system (including municipalities and RDs) will partner and collaborate with the province to address these issues. MUNI remains committed to understanding the broad views and perspectives of local government officials (both regional and municipal) across BC on the issues facing their regions and communities including the need for legislative change. We will take under consideration the results of this session.

Discussion questions – Have inclusive, broad meaningful conversations about RD outcomes and authorities occurred across all RDs? And have those been shared with MUNI? How will RDs organize themselves to ensure that all voices will be heard?

LEGISLATIVE REFORM INITIATIVE: NEXT STEPS
UBCM ANNUAL CONVENTION, September 21, 2023
Summary of Session and What We Heard

SUMMARY OF SESSION

On September 21, 2023, the Regional District of Nanaimo, Fraser Valley Regional District (City of Chilliwack), Alberni-Clayoquot Regional District, and Don Lidstone, K.C., hosted an interactive, discussion-based session on legislative reform. The session was intended for both municipal officials as well as regional district officials because many aspects of municipal operations are contained in the *Local Government Act*.

The goals of the session were:

- to provide context and background about the Legislative Reform Initiative
- to discuss whether to proceed with the Legislative Reform Initiative
- to discuss options for the best path forward to steer the process

The Ministry of Municipal Affairs provided background and several questions to consider during the group's discussion (Attachment 1).

Approximately 80-85 people attended the session, indicating a broad interest in this evolving topic.

Concerns with the dated *Local Government Act* include restrictions on taxation and revenue sources, complexities in establishing services, and the lack of provisions in comparison with Section 8 of the *Community Charter* which gives municipalities powers to regulate, prohibit, and impose requirements by bylaw without provincial approval or establishing bylaws. Regional districts are limited in their legislative authority in comparison with municipalities in several key areas such as business licensing authority (which the province is now addressing as part of its efforts around short-term rental housing), subdivision approval, regulation of fireworks discharge, parking enforcement, tree management, and taxation and funding models. Further, social, political, and economic environments that local governments operate within continue to evolve in areas such as climate change, environmental stewardship, and a recognition of the importance of First Nations' participation in regional governance. These realities should be reflected in a modernized legislative framework.

During the session, Slido polls were used to conduct two "straw polls" of the participants, on these questions: 1) whether or not to proceed with the Legislative Reform Initiative, and 2) whether a UBCM working group or a joint local government project is the best path forward to steer the process.

The majority of participants indicated support for the Legislative Reform Initiative, and indicated their preference would be for a UBCM working group to steer the initiative. These polls were conducted to gain a sense of the sentiments of the session participants only, and are not assumed to represent the views of the UBCM membership as a whole.

WHAT WE HEARD

WHY A COMPREHENSIVE MODERNIZATION EFFORT IS NEEDED

- The Ministry of Municipal Affairs has made important incremental changes in the legislation over time, but a more comprehensive modernization project is needed.
- Extensive downloading of responsibilities from the Province to local governments has exacerbated the problems local governments face; outdated legislation prevents local governments from addressing these issues effectively.
- Over 90% of the province is rural and is not under the *Community Charter*; these areas should not be governed by legislation that was drafted in 1966.
- Regional districts and municipalities have restricted powers where they have delegated authority only, are not constitutionally protected, and have few tools or resources to address local problems.
- Particular challenges with the *Local Government Act* (LGA) raised by participants at this session:
 - responding effectively to emergencies and natural disasters
 - taking measures to mitigate the effects of climate change
 - dealing with old infrastructure and the ability to fund these projects solely through property taxes
 - population growth and migration from cities during the pandemic is rapidly changing the character of rural areas; incoming residents have higher expectations for services
 - incorporation should not be the only other governance option for rural areas; there should be an intermediate step available
 - Electoral Areas lack power and resources
 - business licensing authority¹ and subdivision approval are difficult for regional districts
 - small municipalities and regional districts are unable to fund necessary projects costing millions, such as recycling, dikes, etc., to continue to provide the quality of life that residents cherish in these communities.

CONSIDERATIONS FOR PURSUING LEGISLATIVE REFORM RAISED AT THIS SESSION

- The background and questions provided by the Ministry of Municipal Affairs were very helpful in this discussion.
- Need to identify and list specific, concrete, local community issues and distill them from a 10,000-foot level to provide the Ministry of Municipal Affairs with evidence for the need to modernize the *Local Government Act*.
- Legislative reform should be viewed as supporting the Province, not in conflict with the Province.
- The Ministry of Municipal Affairs should be involved from day one.
- The Ministry should provide funding for this initiative's research and policy work, as they have done for the Northwest Benefits Alliance.

¹ The Province is addressing this as part of its efforts around short term rental housing. Amendments to the *Local Government Act* allow Regional Districts to regulate and licence short-term rentals and other businesses in similar ways to municipalities [see link](#)

- What is working well in the legislation should be left as is.
- If legislative reform is successful in providing new powers and tools for local governments, that does not mean all local governments must use them.
- Islands Trust has an even smaller toolbox than municipalities and regional districts.
- Metro Vancouver has excellent models and best practices, especially in the area of climate change; we can borrow good ideas.
- Local governments need a legislative framework that recognizes the importance of, and facilitates working together with, First Nations in a respectful, effective, and inclusive manner.
- When First Nations participate at the Board level, it changes the conversation and the votes. Local governments often are not well informed regarding Indigenous rights and title.
- The inclusive governance goals in UNDRIP legislation and provincial action plans can be reinforced and worked on concurrently with the Legislative Reform Initiative.
- Need to consider 7 generations into future when modernizing the LGA.
- Planning and land use issues should not be included in this initiative.
- Several participants stressed the need to draft a new charter rather than revise portions of the LGA in a continuation of the “band aid” approach.
- Area associations of UBCM should be included in the conversation.
- A retired CAO or Chair could be a primary resource person for this project, conducting research and policy work and keeping the project on track.

DECIDING WHETHER TO PROCEED WITH THE LEGISLATIVE REFORM INITIATIVE

- **Slido poll #1:** Is there an interest in proceeding with the Legislative Reform Initiative? (96% yes, 4% no)

OPTIONS FOR STEERING AND MANAGING THE LEGISLATIVE REFORM INITIATIVE

Option 1: UBCM Executive could form a working group on legislative reform, comprised of representatives from municipalities, regional districts, First Nations, UBCM, and ministerial staff

Option 2: This could be structured as a joint local government project, with local governments contributing funding to form a working group on legislative reform, comprised of representatives from municipalities, regional districts, First Nations, UBCM, and ministerial staff

Considerations for Option 1:

Pros:

- UBCM has an efficient network, broad reach, consistency, research capacity, and impact with the province.
- UBCM can be representative.
- UBCM has already been doing some work on legislative reform, and has experience.
- UBCM can allocate resources if legislative reform is identified as a priority.
- Reporting back will happen at UBCM.

Cons:

- Last UBCM working group report in 2010 did not meet expectations.
- Some uncertainty on the part of some participants as to how a UBCM working group functions.
- A UBCM working group may be more distant from local governments than is ideal.

Considerations for Option 2:

Pros:

- May insulate the project from getting sidetracked, if the Province does not assist with resources for UBCM.
- With a group of passionate people committed to working together on the project, the Legislative Reform Initiative may not need UBCM.

Cons:

- Challenges with resources and capacity: initiative will require significant buy-in and continued long-term commitment from local governments in terms of funding and staff time.
- Difficult to achieve forward momentum “off the side of the desk”.
- The complex coordination required for the project will be a challenge.

➤ Slido poll #2:

- **Option 1:** UBCM Executive forming a working group (85% in favour)
- **Option 2:** Joint local government project (15% in favour)

NEXT STEPS

- A “What We Heard” document summarizing the session will be distributed to UBCM members.
- It is noted that although there was significant enthusiasm for the initiative, including from areas outside the AVICC region, some representatives indicated they would like additional information on the initiative.

UPDATE: December 2023

Following the UBCM Annual Convention, Douglas Holmes, CAO of the Regional District of Nanaimo had the opportunity to discuss the Legislative Reform Initiative and the September 21, 2023, interactive panel session with Gary MacIsaac, Executive Director, UBCM. Mr. MacIsaac is in the process of seeking direction on this matter from the President’s Committee.

Attachment 1: Ministry of Municipal Affairs background and discussion questions

Legislative Reform Initiative: Next Steps

To log into Slido for this session:

Join at slido.com
Enter code: #UBCM1

In Slido, please tell us where you are from and whether you are an EA Director or from a municipality.

Agenda

2:30-2:40 Welcome/introductions/objectives of session

2:40-3:40 Legislative Reform Initiative: A Summary

- Context and background
- Challenges with the Local Government Act
- 20 years of resolutions: a quick review
- Actions taken on this initiative
- Themes from previous sessions and discussions
- Priorities identified in previous discussions
- Background and questions from Ministry of Municipal Affairs
- Reflections from the panel and discussion
- **Decision: Is there an interest in proceeding with the leg reform initiative?**

3:40-4:20 Options for steering and managing the legislative reform initiative

- UBCM working group
- Joint local government project
- Other ideas
- **Decision: decide the best path forward to manage the initiative**

4:20-4:30 Conclusion/wrap up

Welcome and Introductions

- **Vanessa Craig**, Chair, Regional District of Nanaimo
- **John Jack**, Chair, Alberni-Clayoquot Regional District; Chief, Huu-ay-aht First Nation
- **Jason Lum**, Chair, Fraser Valley Regional District; Council Member, City of Chilliwack
- **Don Lidstone**, K.C., Managing Partner, Lidstone & Company

Objective of Today's Session

- Provide context and background about the Legislative Reform Initiative
- Decide whether to proceed with the Legislative Reform Initiative
- Decide the best path forward to steer the process

Legislative Reform Initiative: Context and Background

- Community Charter replaced Municipal Act 2003
 - Excellent piece of municipal legislation in Canada
- Local Government Act (LGA) created in 1966
 - Not overhauled in early 2000s as planned
- Comprehensive modernization of LGA has not been done
 - Accountabilities of RDs continuing to increase
 - RDs lack tools and authority to meet expanded responsibilities
 - Many aspects of municipal operations that need updating are in the LGA (planning)

Challenges with the Local Government Act

- Limits on legislative authority no longer supported by policy rationales
- Demographics/population growth/increased development/sparsely populated areas
- Business licensing, subdivisions, fireworks, parking, tree management
- Is such a distinction between authority of regional districts and municipalities still supportable?
- Revenue generation, models of taxation, funding for services – lack of flexibility in current paradigm

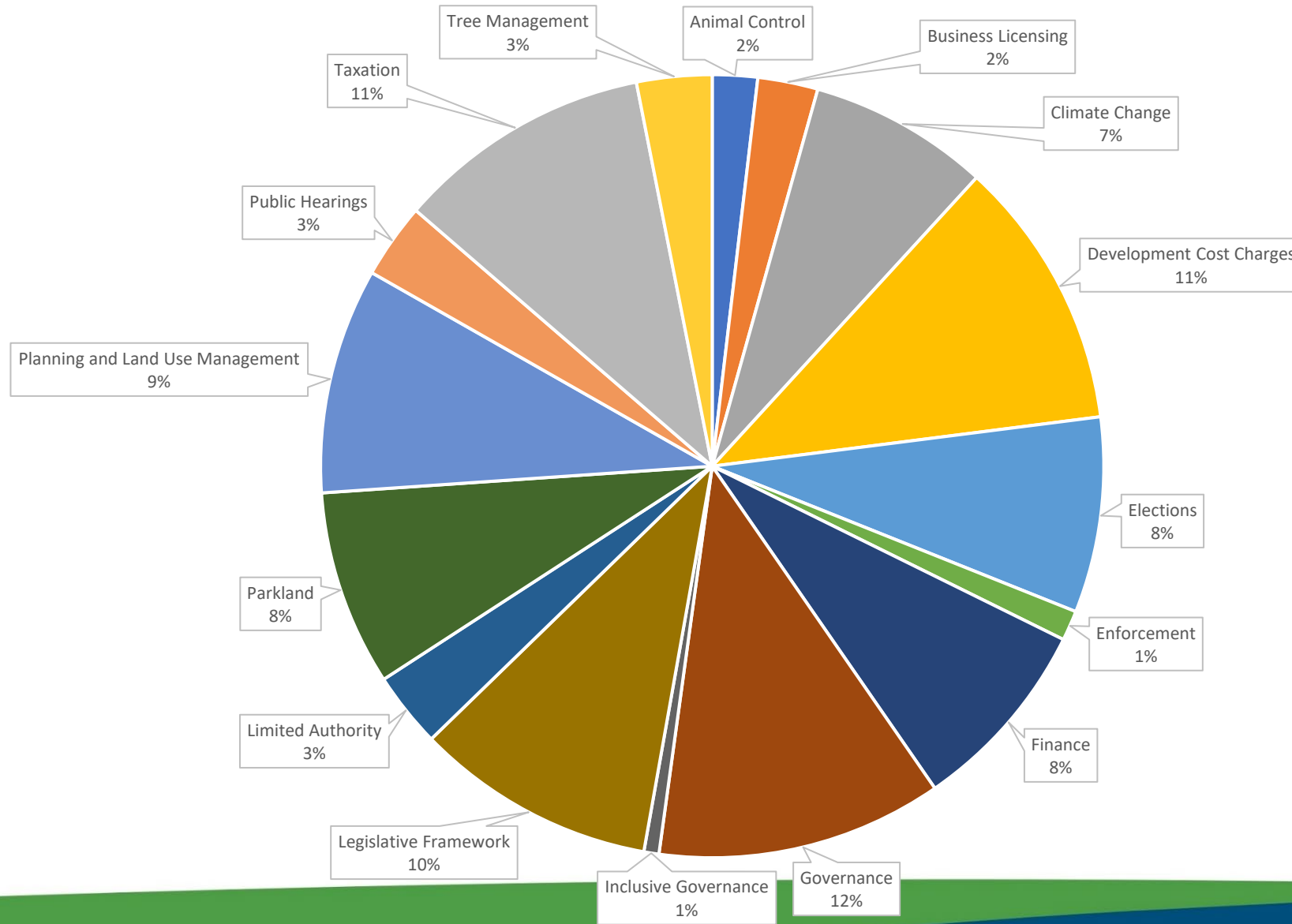
Challenges with the LGA (continued)

- Establishing services to optimize scale, cost distribution, fair participation
- Urban/rural friction
- Social, political, economic values have shifted significantly since legislation was drafted
- *The Province has implemented incremental legislative change over time - which is welcome and beneficial - but it is time for a comprehensive review and update.

20 Years of Resolutions: A Quick Review

- From 2003 to 2022, 161 endorsed resolutions specifically mentioned amending the Local Government Act. 34% were sponsored by regional districts. The rest are from municipalities.
- An additional 71 resolutions requesting an LGA amendment were submitted to UBCM for consideration and were either not endorsed or not admitted for debate.
- Of the 161 endorsed resolutions, three have called specifically for modernization of the LGA and one has called for the creation of a Regional District Charter.
- The 5 most common themes are:
 - Governance
 - Development Cost Charges
 - Taxation
 - Legislative framework
 - Planning and land use management

Resolutions At a Glance



Actions Taken on this Initiative

- **April 2021** – RDN initially presented this topic to Chair/CAO Forum for preliminary discussion
- **June 2021** – RDN and Don Lidstone hosted a half-day session with BC Chairs and CAOs to explore a collaborative effort to modernize the LGA
- **April 2022** - AVICC convention – RDN, ACRD and Don Lidstone hosted a 2-hour workshop with local governments to hear about areas needing reform, and to build support for interjurisdictional collaboration
- **September 2022** - RDN submitted resolution, endorsed by UBCM, proposing that UBCM work with Ministry and local government on this initiative

Actions Taken on this Initiative, cont'd

- **September 2022** – RDN and ACRD met with former Minister of Municipal Affairs Nathan Cullen to discuss moving project forward
- **March 2023** - Provincial response to RDN 2022 UBCM resolution on legislative reform received:
 - “The current framework mostly works well”
 - RDs can be innovative, creative in targeting issues
 - RDs should work with Ministry for tailored regulations
 - New tools/authorities must be based on a clear analysis
 - Consensus is needed for system-wide change
 - January 2022 “MOU on Local Government Financial Resiliency” (UBCM/Province) establishes a working group to review challenges

Actions Taken on this Initiative, cont'd

- **March 2023** – RDN again presented on this initiative to CAO Forum and Chairs/CAOs Forum to gather ideas and specific examples
- **April 2023** - RDN, ACRD and Don Lidstone hosted a second panel session at the 2023 AVICC Convention in Nanaimo, building on ideas from 2022 AVICC workshop and seeking guidance on how to move the project forward
- **September 2023** – UBCM Convention (Vancouver), RDN, ACRD, City of Chilliwack, and Don Lidstone hosting a third panel session, building on ideas from the April 2022 and April 2023 AVICC sessions, and seeking guidance on next steps, process and timeline, and priorities to be addressed

Themes from Previous Sessions and Discussions

- UBCM may be the most effective avenue for shepherding this initiative
- First Nations must be invited to be part of modernizing exercise
- A new legislative scheme should contemplate seven generations into the future; establish a framework responsive to future societal changes
- “Be careful what you wish for”: more authority may require more resources
- Ensure core task of modernizing legislation is not sidetracked by other issues
- RDs need more flexibility with revenue sources.
- Municipalities have authority to use fees to shape behaviour.

Themes from Previous Sessions and Discussions, cont'd

- Community amenity contributions should be addressed as part of this initiative
- Consultation with Boards, First Nations, stakeholders, developers, owners, citizens, Province is key
- Identify specific, concrete, local community issues to build ongoing grassroots pressure on local politicians
- Planning and land-use issues should not be included in this initiative
- Connect issues to ministerial mandates
- Capacity and resourcing (financial and staff time) will be major challenges for moving project forward

Priorities to Be Addressed: Ideas from March 2023 Chair/CAO Forum

- Legislative Powers
 - Clarify respective powers of Mayor and Council
 - Amending legislation that provides the ALC with powers to supersede the OCP and RGS
 - Give local governments time to make those changes within the land use plan in the OCP and RGS
- Weighted Voting Structure
 - EA Directors outvoted by municipalities (Planning and Land Use Management)
 - Unfair voting practices on RD assets/service establishment bylaws and their taxation with limited and ineffective representation

Priorities to Be Addressed: Ideas from March 2023 Chair/CAO Forum, cont'd

- Subdivision Approval
 - Maximum build-out to water availability to ensure sustainability. Water consumption needs to be met by raw water source without affecting other current infrastructure, forced to create potable water service
- Inclusive Governance
- Revenue Alternatives
 - Sales tax revenue alternatives, competing for grant funding
 - Ability to have additional revenue streams
 - Additional tools to meet residents' quality-of-life expectations

Priorities to Be Addressed: Ideas from March 2023 Chair/CAO Forum, cont'd

- Long-term Borrowing
 - For regulated infrastructure (water treatment) and essential services (sewer where there are health and/or environmental issues). Not requiring AAPs/referendums.
- Service Establishment – reduce complexity
- Business Licensing – enable RDs to have licensing
- Bylaw Enforcement – declared nuisances

Background and Questions from Ministry of Municipal Affairs

- Legislative reform is a resource-intensive process
- Need to demonstrate a clear gap in tools and authorities
- Must show a real need and a clear path
- Must be evidence-based and targeted
- Consider options other than legislative reform
- Provincial priority on affordability and housing supply presents urban/regional opportunities to participate in solutions

Background and Questions from Ministry of Municipal Affairs, cont'd

- Province has several other initiatives that impact regional district authorities (e.g., inclusive governance study, financial review working group, consideration of business licensing)
- Demonstrate how local government challenges align with provincial priorities
- Local government needs an effective process to organize this project and to enable broad, inclusive and meaningful consultation

Questions for Consideration from Ministry of Municipal Affairs

- Are there specific RD challenges and legislative concerns that align with the current provincial priorities? What are the clearly defined problem statements/lack of authority for RDs not already accommodated for?
- Given the inherent flexibility in the RD system, are there other tools or approaches that may address challenges that could support RDs in the absence of legislative changes?
- Have inclusive, broad, meaningful conversations about RD outcomes and authorities occurred across all RDs? And have those been shared with MUNI? How will RDs organize themselves to ensure that all voices will be heard?

Reflections from the Panel

Why this initiative is important...

Slido Poll:
Is there an interest in proceeding with
a legislative reform initiative?

YES

NO

Discussion: Options for Next Steps

- What process would be most effective to steer and manage this initiative?
 - UBCM working group
 - Joint local government-led project

A Refresher: Process Suggested at April 2023 AVICC Workshop

Option 1: UBCM Working Group

UBCM to manage this initiative; establish working group to steer the legislative review process:

- Working group comprised of reps from municipalities, regional districts, First Nations, UBCM, ministerial staff
- Research and policy work on the framework/approach to reviewing and modernizing the LGA
- Report back to UBCM membership in 2024 (if there is a resolution from the floor in 2023) or in 2025 (if resolution is submitted in 2024)
- Discuss pros and cons of this option (unified, centralized, broad reach, consistency, mechanisms in place)

Alternative Process To Consider

Option 2: Joint Local Government Project

Local governments could contribute funding to establish a working group to oversee the legislative review process.

- Working group possibly comprised of reps from municipalities, regional districts, First Nations, UBCM, ministerial staff
- Undertake research and policy work on the framework and approach to reviewing and modernizing the LGA
- Report back to UBCM membership? Local governments?
- Discuss pros and cons of this option (challenges with capacity, resources, complex coordination)

Slido Poll: Choose One Option

- Option 1: The Legislative Reform Initiative should be steered and managed by a UBCM Working Group.
- Option 2: The Legislative Reform Initiative should be steered and managed as a joint local government project.
- Option 3:

Conclusion and Wrap Up

- Action(s) depending upon results of today's polls
- RDN staff will follow up with a “What We Heard” document

Thank you!

THE COMPASS

News and information from the Union of BC Municipalities



Housing Summit will focus on surging population and new legislation

UBCM is gathering local governments [February 13-14](#) to take stock of the significant challenges and changes facing BC's housing development system. Recent data shows that the province's population is surging as a result of changes to Canada's immigration objectives. Local governments are also analyzing multiple pieces of legislation introduced by the Province in 2023 that aim at increasing the supply of new homes. The Summit will have a forward-looking constructive approach to the housing challenges facing BC communities. A [draft agenda](#) for the event, which is offered virtually as well as in person, is now available.

[Register here](#)



The Housing Summit will give UBCM members the opportunity to unpack the myriad implications of housing legislation introduced in the fall sitting, in particular at the *Recent Housing Legislation and the Law* session on Wednesday.

[Read More](#)

Advisors needed for Harm Reduction Community Guide update

The BC Health Effects of Anomalous Temperatures Coordinating Committee (BC Heat Committee) has released public health recommendations to reduce the impact of exposure to winter weather on people experiencing homelessness in British Columbia.

[Read more](#)

Follow UBCM on Facebook

UBCM's primary and official mode of communication with members is through this email newsletter, The Compass. Thanks for being a regular reader! Nothing's changing here, but we are making it easier to stay in the loop with UBCM news by expanding our presence on social media. You probably already see us on [LinkedIn](#) and [X](#) (formerly Twitter); now you can now follow and like us on [Facebook](#).



Follow and share our page with any colleagues who might benefit from extra reminders of things like funding intake dates, opportunities to give feedback on policy proposals, and analysis from our policy analysts.

Webinar on Short Term Rentals for local government staff

The Province is holding a webinar on [January 31, 10-11am](#) to present an overview of the objectives and execution of the *Short-Term Rental Accommodations Act*, with a focus on key considerations and implications for local governments. [Find more](#) webinars for local government staff from the Province.

UBCM in the News

UBCM President Trish Mandewo spoke with Radio NL in Kamloops about why UBCM is hosting a second Housing Summit. "BC remains in the grips of a housing crisis, and there is a need for local governments to meet and take stock of our collective efforts with other orders of government to address this issue," she said.

"Our members are also grappling with understanding all the legislation that came in [in the fall]. We want to talk about the practical issues that arise now that the province has pre-zoned multiple homes on single family lots in most communities, and the practical challenges that arise when we densify housing around public transit, for example. Everyone agrees that doing so is a great idea, but there are important issues here to consider, like how to we protect housing that is already in place near these hubs."

[Listen to the full interview here](#)

LEADERS IN LOCAL
GOVERNMENT LAW

LIDSTONE & COMPANY

lidstone@lidstone.ca

Copyright, Union of British Columbia Municipalities 2024



Housing Summit 2024: Program

The program below is still being developed. Check back for updates as we confirm speakers.



Tuesday, February 13

Opening Remarks – UBCM President

8:30-8:45 AM Overview and welcome by UBCM President, Councillor Trish Mandewo.

Housing the Next Million British Columbians

8:45-10:15 AM Panel of local elected officials reflecting on the challenge that lies ahead, exploring implications of the recent suite of housing legislation, and steps going forward.

10:15-10:30 AM Coffee Break

Bill 44: Small-Scale Multi-Unit Housing and Proactive Planning

10:30-12:30 PM In depth exploration of what Bill 44 means for communities of different sizes in two streams: small community & regional districts, and large urban.

12:30-1:30 PM Lunch

Taking Stock of BC’s Affordable Housing Needs

1:30-3:00 PM Consideration of the scope and role of government in housing, including an overview of new initiatives such as BC Builds and the Rental Protection Fund.

3:00-3:15 PM Coffee Break

Tuesday, February 13

BREAKOUT SESSIONS:

Breakout 1: Homeless Encampments and Bill 45

Exploration of the implications of Bill 45 for local governments and discussion of next steps.

3:15-4:30 PM

Breakout 2: Short-term Rentals

Review of the new regulatory framework set in place by the *Short-Term Rental Accommodations Act*, including application of the principal residence requirement, and potential approaches to data sharing.

Wednesday, February 14

Housing, Immigration and Population Growth

8:30-9:30 AM

Presenters to be confirmed.

Housing and Local Government Finance

9:30-11:00 AM

Explore the new development finance framework established by Bill 46, and consider in the context of infrastructure needs arising from the broader suite of housing legislation and anticipated population growth.

11-11:15 AM

Coffee Break

Recent Housing Legislation and the Law

11:15-12:30 PM

Brief presentations followed by Q&A addressing legal interpretations of Bills 44, 46 and 47, touching on topics such as interpretation of the SSMUH policy manual, public notification and hearing requirements, and more.

12:30-1:30 PM

Lunch

1:30-2:30 PM

BREAKOUT SESSIONS:

Breakout 1: Transit-Oriented Development Under Bill 47

Examination of what Bill 47 means for municipalities and regional districts, including what the changes mean for delivery of affordable housing, alignment with regional growth strategies, and other critical implementation considerations.

Wednesday, February 14	
Breakout 2: Navigating Foundational Transformation of the Planning Framework with Limited Staff Capacity	
Discussion of the capacity implications of the suite of housing changes, with a particular emphasis on small communities, featuring examples of how work plans are being adjusted and a review of available transition funding.	
2:30-2:45 PM	Coffee Break
2:45-3:15 PM	Provincial presentation to be confirmed.

Concluding Panel & UBCM President	
3:15-3:30 PM	Reflection on summit themes and an overview of how feedback gathered will be used.

HomePolicy AreasHousingHousing Summit 2024: Local Vision. Local Action.
Housing Summit 2024: Program

David Maude
Chair, Denman Island Local Trust Committee
Governance and Structure Branch
PO BOX 9839 STN PROV GOVT
Victoria, BC V8W 9T1

January 25, 2024

RE: Request for meeting about impacts of Hornby Island bound ferry traffic to Denman Island community

Dear Mr. Maude,

I appreciate your request to meet and discuss the concerns laid out in your letter. These are important issues, and as you are likely aware, we have received significant feedback from the community on these same issues during our engagement with the Denman and Hornby Island communities last summer.

While I understand the Islands Trust's interest in establishing a new direct route from Vancouver Island to Hornby Island, this is not within the scope of Performance Term 6 which sets the contractual service agreements between the Province and BC Ferries.

With that said, we are currently planning follow-up communications and engagement on enhanced summer service and the Denman East Terminal Project. When the details of these efforts are finalized, we look forward to speaking with both Denman and Hornby Island Local Trust Committees in advance of the public. The project team will reach out with a meeting invitation once timing is confirmed.

In the meantime, the *Denman and Hornby Island Engagement: Summary Report*, which is available on the Denman Island Community Page (bcferriesprojects.ca/denman-island) and our most recent Ferry Advisory Committee meeting summaries (bcferries.com/in-the-community/ferry-advisory-committees), are valuable sources of information on what we have heard and our commitments.

Thank you again for your correspondence. The Islands Trust is a critical interest holder and we appreciate your help in hearing and understanding the communities' concerns and aspirations as we work to address these complex challenges. We look forward to working with you to find solutions which balance the needs of all parties.

Sincerely,



Nicolas Jimenez
President and CEO, BC Ferries

Active Projects Report

Executive Committee

1. 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.
Updated Project charter approved March 2023. (Strategic Plan 3.1, 4.4 , 5.6, 5.7)

Responsible

Clare Frater
Russ Hotsenpiller

Dates

Rec'd: 26-Feb-2020
Target: 26-Sep-2023

2. First Nations Reconciliation

Develop Islands Trust First Nations Reconciliation and engagement planning (Strategic Plan Items 4.5 & 4.6)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 02-Sep-2020

3. Provincial Funding Strategy

Develop a strategy to request additional funding from the Province, including revisiting the provincial grant funding formula to the Islands Trust.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 07-Mar-2023

3. Request for Provincial Review

Per Trust Council request respond to Minister Kang to the effect that Trust Council will revisit the request for a review of Islands Trust mandate, governance and structure and provide the minister with an update.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 08-Mar-2023
Target: 06-Dec-2023

Active Projects Report

Executive Committee

4. *Strategic Planning*

Guide the development and implementation of the Islands Trust Strategic Plan.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 03-May-2023

5. *Communications*

Development of an Islands Trust Communications Strategy.

Responsible

Clare Frater
Russ Hotsenpiller

Dates

Rec'd: 03-May-2023

Future Projects Report

Executive Committee

1. *Marine Ecosystems*

Responsible

Date Received

Advance the preservation and protection of marine ecosystems.

03-May-2023

2. *MOTI MOU's*

Responsible

Date Received

To engage with the Ministry of Transportation on a updated Memorandum of Understanding.

03-May-2023

3. *Climate Change Emergency*

Responsible

Date Received

Programming associated with the Climate Change declaration of the Islands Trust.

03-May-2023

4. *Request to Minister for Review of Islands Trust*

Responsible

Date Received

To follow up on the request by Trust Council for a review of the Islands Trust by the Minister of Municipal Affairs.

01-Nov-2023

5. *Summary of requests by Trust Council to approach the Province to provide ongoing funding to the Islands Trust*

Responsible

Date Received

This work item is the combination of a number of requests by Trust Council (March 2023), (July 2023) and previous terms to develop a strategy to request further funding from the Province.



BRIEFING

To: Islands Trust Conservancy Board
For the Meeting of: January 23, 2024

From: ITC staff
Date Prepared: January 12, 2024

SUBJECT: Status report on mapping and technical needs, challenges and strengths

PURPOSE: To report on the status of Islands Trust Conservancy (ITC) mapping and technical needs, challenges, and strengths, to inform ITC-EC joint meetings.

BACKGROUND:

At its November 21, 2023 meeting, the ITC Board discussed upcoming joint meetings with the Islands Trust Executive Committee. Recognizing that geographic information systems (GIS) and other information technology (IT) are shared resources, the ITC Board passed the following resolution to assist with discussions about ITC access to GIS and IT resources:

ITC-2023-038

It was MOVED and SECONDED,

that the ITC Board request staff to provide a report on the status of mapping and technical needs, challenges and strengths, in time for the January 23, 2024 Board meeting.

ITC relies on GIS and other IT resources to support its core activities, including conservation planning, property monitoring and management, development of communications products, grant reporting, and annual reporting. ITC's responsibilities are growing with increases in ITC protected areas and increasingly complex land management challenges, such as climate change impacts, species at risk protection, and First Nations engagement. This growth in responsibilities has exposed significant limitations in the mapping and technical supports available to ITC. Over the past five years, the GIS and Information Services department has been unable to meet the needs of ITC. In particular, ITC needs for in-the-field technology have not been successfully addressed and the project to migrate development application information to *CityView*, did not consider the implications for long-term ITC property management data storage.

The Islands Trust Executive Committee has been advised of the capacity shortfall in GIS and has submitted a Business Case to Trust Council for a GIS Coordinator position (see attached - note the business case includes Appendix A outlining Islands Trust Conservancy emerging GIS needs). The ITC Board indicated support for this new staff position at its October 3, 2023 meeting:

ITC-2023-030

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board indicate to Financial Planning Committee and the Islands Trust Council that it is supportive of increased staff capacity for Geographical Information Systems (GIS) in the Trust Council budget as low GIS capacity is impacting the work of the Islands Trust Conservancy.

Mapping and Technology Challenges

Collection and Recording of ITC Spatial Data¹

Since 2019, when the property monitoring function was brought in house, ITC staff have worked with Information Services staff to trial and annually improve in-the-field hardware and software applications to support data collection. Field staff are now equipped with iPads that function as a GPS and are loaded with ESRI's *Field Maps* software. *Field Maps* has a customizable interface which ITC staff use to collect data in the field, with a view to using collected data to later efficiently and accurately populate monitoring and staff reports. *Field Maps* has the ability to significantly increase efficiency and effectiveness of data collection for both ITC staff and contractors (e.g. by standardizing categories, map symbols, and information collected for any given feature, by eliminating the need for paper survey forms; etc). However, for the last five years, Information Services staff have not had the capacity to fully implement *Field Maps* with ITC staff. ITC staff therefore continue to rely on paper forms to record monitoring information, which is inefficient. The current approach also risks the information being less accurate which presents two main risks:

1. If the ITC Board needs the Court to rule on a trespass/ enforcement matter, the Court may deem the information insufficient; and,
2. Safety concerns in Nature Reserves may not be accurately located or tracked.

Solution: ITC needs access to GIS Coordinator staff time to work with ESRI contractors to customize and fully implement *Field Maps* software.

ITC Access to Spatial Data

Access to mapping hardware and software² and data storage is restricted to members of the Information Services department: ITC staff cannot directly access, view, quality control, map, or analyse data. With the transition to digital field data collection, ITC staff are able to view data they collect on properties but have very limited ability to manipulate or analyse this information. With limits to capacity in the Information Services department, and restrictions on access, ITC staff have been frequently been hampered in their ability to view and analyse their data in a timely manner.

In 2022, ITC introduced GIS responsibilities for its summer co-op student, and this allowed for training in, and limited access to, Islands Trust's mapping hardware and software by this temporary ITC team member. While the co-op student was able to address ITC's day-to-day mapping needs, their term was too short to address long-standing issues. (To address this situation temporarily, Species at Risk Program funding was reallocated to a temporary GIS Technician position for December 2023-March 2024 to assist with the backlog of ITC mapping work).

Solution: ITC needs GIS staff time permanently allocated to ITC programs to address data access needs.

Lack of Property Management Database

ITC is without a property management database. As a cost-efficient approach, Staff once used Islands Trust's existing mapping database, *TAPIS Info*, to store, organize, and run reports on property management information, even though the structure and functionality of this database was cumbersome for this purpose.

In 2020, ITC and Information Services staff began a database improvement process. This project was later abandoned before completion due to Information Services staffing changes and reduced capacity, leaving *TAPIS Info* dysfunctional for ITC property managers/covenant monitors for several years.

¹ Spatial data is any type of data that is directly linked to a geographical location. For example, ITC's spatial data includes locations and information about invasive species, trails, covenant breaches, wildlife trees, and rare species habitat.

² Computers with the necessary software and power to run the mapping programs, and also the associated licenses for individual staff.

Islands Trust's new *CityView* software will replace the development application tracking functions of *TAPIS Info* and in 2024/25 Trust Council may fund transition of bylaw enforcement information out of *TAPIS Info*.

Information Services staff have advised ITC staff that ITC will need to migrate to an off-the shelf database product at some point as *TAPIS Info* is not a long-term solution to ITC's key functional need for supporting ongoing property data tracking. It will not be practical to maintain ITC's information in *TAPIS Info* as the software offers limited ability to record and track such basic information as landholder turnover on a covenanted property or to link management concerns or breaches to properties, and cannot generate any type of report about ITC's nature reserves or covenants without laboriously reviewing each individual file to compile information. This is an inefficient use of staff time, hampers quality corporate and long-term financial planning, and is negatively affecting staff morale.

ITC is also without a streamlined reporting process for property monitoring and management projects. The current process of filling paper forms in the field followed by manual transcription of paper to digital forms is time-consuming and inefficient. Monitoring photos are collected with relative ease using *Field Maps*, but the photo captioning, download, storage, and presentation processes are error-prone, time consuming and inefficient. Currently ITC and Information Services staff have not had the capacity to explore technology solutions for a paperless, streamlined, automated, and integrated reporting process.

Solution: Procure and implement new property management software appropriate to ITC's needs.

Mapping and Technology Strengths

Islands Trust has GIS and data storage systems in place that have served ITC well over many years. The content of these systems can be used and built upon to ensure that ITC needs are met.

Staff in IS and at ITC are keen to develop systems that work. There have been annual improvements and learning opportunities through field technology development that has occurred to date:

- Staff has invested considerable time itemizing needs and consulting staff at other land trusts about the mapping and technology systems. This information could inform a needs assessment and selection of improved tools.
- Staff have developed a system to standardise data collection by staff and contractors (e.g. defined categories and display for features on a property) and the system had undergone initial testing during current Management Plan development.
- Staff have begun liaising with ESRI to improve utility of *Field Maps*.

A further strength is that this is an opportune time to develop new and improved GIS and information technology resources:

- 1) As *CityView* replaces *TAPIS Info*, and *Nation Builder* replaces *SalsaCRM* as a contact management database, there is a need to source property management software that fills the gaps in terms of storage of property management information.
- 2) Executive Committee has advanced a business case for increasing capacity in mapping services by re-establishing a GIS Coordinator position.
- 3) ITC staff are currently preparing the next four-year Work Plan for implementing the second half of the current Regional Conservation Plan, detailing actions and priorities for 2024-2027. The on-going work planning includes addressing core technological constraints. Actions and objectives can be adjusted according to realistic timelines for addressing these limitations.
- 4) Now that ITC has collected five years of its own monitoring data, staff have a strong familiarity with collected data and a strong desire to visualise and analyse this data to inform securement and property management processes.
- 5) ITC currently has additional GIS support with the temporary GIS Technician position, funded through the ITC Species at Risk Program, and the team member in that role has experience both of ITC's fieldwork and digital technology needs and current platforms.

Mapping and Technology Needs

ITC is in need of allocated resources for the following needs:

- Creation of maps for communications and reporting
- Set-up and trouble-shooting for data collection used in field work, and processing the data collected for use in the office
- Review of new external data, and maintenance and updates of existing data, including Terrestrial Ecosystem Mapping, shoreline and marine mapping, species at risk occurrence mapping, and protected areas mapping
- Statistical information for annual reports and grant reports
- Training and support for data collection and safety devices that are used in the field

Moreover, the ITC needs process improvement, complex spatial analyses, and technology solutions, such as:

- Training and support for mapping software (e.g. *ArcPro*, *ArcGIS Online/Arc Portal*, etc.), so that ITC staff can attend to basic mapping needs, such as analysing spatial information, and creating maps for conservation planning, property management, and communications
- Integration of ITC-generated data into internal mapping systems for use by staff including the development of the replacement for *TAPIS Map* and *MapIT* (external version of *TAPIS Map*)
- Updates to spatial data requirements for contractors to improve the accessibility and consistency of the data generated for ITC
- Assistance with sourcing new software and hardware for property management, such as:
 - a new property management database to replace *TAPIS Info*, which will be phased out;
 - field data reporting applications; and
 - a more accurate GPS device.
- Design, training and support of in-the-field tools that assist ITC staff and contractors to more effectively and efficiently collect data, including set up of GPS data collection and associated apps, syncing of in-the-field data collection apps and internal reporting systems
- Ability to view and utilize data from external bodies (e.g. carbon storage potential and ecosystem niche shifting projections)

ATTACHMENT(S):

1. Budget Funding Request, Short-Form Business Case: GIS Coordinator – 1.0 FTE

FOLLOW-UP: Staff suggest that the ITC Board discuss the following with the Executive Committee:

- 1) Allocation of 40-50% of the GIS Coordinator time to conservation projects and ITC programs, including ITC staff training and tech support,
- 2) Inclusion of a conservation GIS skill set in the job description for the GIS Coordinator position and review of the job description by ITC staff,
- 3) Allocated time in 2024/25 and 2025/26 from Information Services to assist with selection and implementation of a software solution for ITC property information (should the Board vote to advance a business case for new software).

Prepared By: Jemma Green, Covenant Management & Outreach Specialist
Kathryn Martell, Ecosystem Protection Specialist
Nuala Murphy, Property Management Specialist

Reviewed By/Date: Kate Emmings, ITC Manager / January 15, 2024
Clare Frater, Director, Trust Area Services / January 15, 2024