



Islands Trust Conservancy

Regular Meeting Agenda

Date: Tuesday, May 30, 2023
Time: 10:00 am
Location: Electronic Zoom Meeting

Pages

1. CALL TO ORDER

1.1 Introductions (new staff and Board)

2. APPROVAL OF AGENDA

3. CLOSED MEETING

3.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4 Division 3, section: 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure could reasonably be expected to harm the interests of the Islands Trust Conservancy board; (k) negotiations and related discussions respecting the proposed provision of a service that are at their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the Islands Trust Conservancy if they were held in public; and that staff be invited to remain in the meeting.

4. RISE AND REPORT

4.1 From the March 14, 2023 In-Camera Meeting

Item 4.1.3 Bowen Island Municipality request for multi-use path in Terminal Creek Covenant

The ITC Board granted the request of the owner of Lot 1, Strata Plan LMS4058 of the Terminal Creek Covenant by issuing a temporary waiver of terms 1(b) and 1(c) for the purposes of laying out a Cross Island Multi-Use Path which intersects the southeastern boundary of the covenant area as shown in the October 2022 drawing provided, subject to the following terms:

- All impacted plants are salvaged, relocated, and transplanted within the covenant area;
- If the number of impacted plants will be significantly more than estimated or if more than 15 square metres of ground are to be paved within the covenant area the covenant holders will be notified in advance for permission to proceed; and,
- A qualified environmental professional oversees the work during the songbird-nesting window to ensure there are no impacts to ground-nesting birds.

4.2 From the May 30, 2023 In-Camera Meeting

As directed.

5. MINUTES/COORDINATION

5.1 Minutes of Meetings/Resolutions without Meetings

5.1.1 Approval of the March 14, 2023 Regular Meeting Minutes 4 - 11

5.2 Follow-up Action List 12 - 19

6. BUSINESS

6.1 Items for Approval

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6.1.3 ITC 2024-25 Budget Submission - Request for Decision 101 - 103

6.1.4 ITC Annual Report Draft - Request for Decision 104 - 115

6.1.5 Referral, Bylaw 313, Gabriola Island - Request for Decision 116 - 122

6.2 Items for Discussion/Direction

6.2.1 S'ul-hween X'pey (Elder Cedar) Danger Trees, Gabriola - Briefing 123 - 126

6.2.2 ITC Board/Executive Committee - Liaison Meeting - Briefing 127 - 133

6.3 Correspondence

6.3.1 Trust Council Chair - Feedback on Coastal Marine Strategy Intentions Paper Letter, dated 2023-04-13 134 - 138

6.3.2	Ken Gurr - Elder Cedar Tree Cutting Email, dated 2023-05-12	139 - 141
6.3.3	GaLTT - S'ul-hween X'pey (Elder Cedar) Nature Reserve Tree Cutting Letter, dated 2023-05-22	142 - 144
6.4	Updates for Information	
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6.4.3	Budget Report	157 - 157
6.4.4	Executive Committee Update	
6.4.5	Financial Planning Committee Update	
6.4.6	Trust Council Update	
6.4.7	Trustee Roundtable (time permitting)	
7.	PUBLIC COMMENTS AND DELGATIONS	
7.1	Salt Spring Solutions: Homes for Islands – Presentation	158 - 221
8.	NEW BUSINESS	
9.	NEXT MEETING - July 18, 2023	
10.	ADJOURNMENT	



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Islands Trust Conservancy Board Minutes of the Regular Meeting

Date: Tuesday, March 14, 2023
Time: 10:00 a.m.
Location: Electronic Zoom Meeting
Islands Trust - Victoria
200 - 1627 Fort Street, Victoria, BC

Board Members Present Risa Smith, Vice Chair
Tobi Elliott, Board Member
Grant Scott, Board Member
Susan Yates, Board Member

Board Member Regrets Linda Adams, Chair

Staff Present Clare Frater, Director, Trust Area Services, joined the meeting at 10:19 a.m., left the meeting at 10:45 a.m., and rejoined the meeting at 12:00 p.m.
Kate Emmings, Islands Trust Conservancy Manager
Jemma Green, Covenant Management & Outreach Specialist
Kathryn Martell, Ecosystem Protection Specialist
Nuala Murphy, Property Management Specialist
Carmen Smith, A/Communications and Fundraising Specialist
Wendy Tyrrell, Species at Risk Program Coordinator
Corlynn Strachan, Administrative Assistant/Recorder

Public Present: There were four members of the public present electronically as attendees

1. CALL TO ORDER

In Chair Adams' absence, Vice Chair Smith chaired the meeting, called it to order at 10:05 a.m. and acknowledged that the meeting was being held in locations across the territories of the Coast Salish people.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Item 5.2.3 – Islands Trust Conservancy and Local Conservancy Relations
- Viewing of Conservancy Hornby Island Silver Highway Herring Migration video (10 minutes), time permitting

By general consent, the agenda was approved as amended.

3. RISE AND REPORT

Manager Emmings reported on the following items from the January 24, 2023 in camera meeting:

- Item 4.1.3 - The Board approved a Morrison Waxler Biodiversity Protection Legacy Fund Grant of \$4,614.75 to expand the existing Nighthawk Hill Natural Area Protection Tax Exemption Program (NAPTEP) covenant, North Pender Island.
- Item 4.1.4 - The Board approved an Opportunity Fund Grant of \$50,000 be awarded to the Nature Conservancy of Canada from the Opportunity Fund for the acquisition of 161 hectares of land on Reginald Hill, Salt Spring Island.
- Item 4.1.6 - The Conservancy received a legacy donation of \$25,000 for the purposes of implementing a Western Screech-Owl Project research project on Link Island.

4. MINUTES/COORDINATION

4.1 Minutes of Meetings/Resolutions without Meetings

4.1.1 Approval of January 24, 2023 Regular Meeting Minutes

By general consent, the Islands Trust Conservancy meeting minutes of January 24, 2023 were adopted.

4.1.2 Record of Resolution without Meeting: ITC-RWM-2023-001

Authorization for Trustee Smith to attend the BC Coastal Marine Strategy Forum, March 7-8, 2023.

Received for information.

4.2 Follow-up Action List

Manager Emmings advised the Sallas Strata voted to proceed with the Sidney Island Ecological Restoration Project, allowing Fallow Deer eradication. Staff are targeting the July meeting for the covenant waivers to come forward to the Board for approval.

Trustee Yates questioned if there has been communication between Islands Trust Conservancy and Mayne Island Trustees about their Fallow Deer problem. Manager Emmings noted the Board received correspondence from the Mayne Island Local Trust Committee regarding management of Fallow Deer and will recirculate the correspondence to the Board for information. Manager Emmings commented addressing the issue of Fallow Deer on Mayne Island would be a large and complex project.

5. BUSINESS

5.1 Items for Approval

5.1.1 2023/24 ITC Work Plan – Request for Decision

Manager Emmings presented the request for decision.

Board members discussed the importance of focus on core work, concern about discouraging land owners who wish to donate land or covenants, risk assessment topics, support for the administrative needs component, reconciliation, the climate change project, outreach, high priority areas, and size of properties accepted for proposals.

Ecosystem Protection Specialist Martell provided an update the Climate Change project. Manager Emmings provided a copy of the Climate Change Project Charter to Board members by email.

ITC-2023-009

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board direct staff to:

1) Focus work for the 2023/24 fiscal year on:

- Land management, land securement and targeted outreach components of the Species at Risk Program;
- First Nations engagement associated with development of the ITC Plan;
- Administrative needs, including: policy updates, maintenance and updates to internal databases (land management and contact management), job description reviews for selected staff, review of the new website and technology used in the field; and
- Working on proposals for conservation lands that are high priority; and

2) Delay the following work items until the 2024/25 fiscal year:

- The Climate Change Project;
- Revision of property management plans;
- Development of a Reconciliation Action Plan;
- Monitoring of lands that are protected by other conservation agencies (i.e. parks and nature reserves) or that are considered at low risk of covenant breach or trespass;
- Outreach and communications that generate new conservation proposals; and
- Placing of covenants on ITC Nature Reserves.

CARRIED

5.1.2 Referral, Development Variance Permit, GM-DVP-2022.4, Keats Island – Request for Decision

Property Management Specialist Murphy presented the request for decision.

Board members commented issues of engineered shorelines will come up again, recommended raising this issue with Trust Council. Chair Smith recommended discussing this under other business, time permitting.

ITC-2023-010

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board direct staff to draft a letter to the Gambier Island Local Trust Committee regarding GM-DVP-2022.4 indicating that, based on the information provided, the Board does not believe that the project will negatively impact the Sandy Beach Nature Reserve and finds its interests to be unaffected by the application.

CARRIED

5.1.3 Referral, N. Pender Bylaw No. 232, Sidney Island – Request for Decision

Manager Emmings presented the request for decision.

ITC-2023-00-011

It was MOVED and SECONDED,

that the Islands Trust Conservancy (ITC) Board direct staff to indicate to the North Pender Local Trust Committee that ITC's interests are unaffected by Bylaw 232 (Sidney Island) and request that the North Pender Island Local Trust Committee consider future regulations that increase buffers and other protection measures to ensure that conservation values on Islands Trust Conservancy's Sidney Island covenants are maintained.

CARRIED

5.1.4 Referral, Development Application RZ/OCP-2023-0018, Bowen Island - Request for Decision

Property Management Specialist Murphy presented the request for decision.

Board members discussed adding a dogs on leash directive to the resolution.

ITC-2023-012

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board direct staff to draft a letter to the Bowen Island Municipality regarding RZ/OCP-2023-0018 indicating that the Board recommends that if the application to amend the Land Use Bylaw and Official Community Plan goes forward to create a regional park over a series of properties at Cape Roger Curtis that:

- No trails leading to or around Fairy Fen Nature Reserves are advertised, placed on public maps or on signage from the regional park;
- Access into the park is not routed via Thompson Road and does not impact Bowen Island Crown Land or the Fairy Fen Nature Reserve;
- There is public education around the sensitivity of the area of the regional park and the surrounding areas to human disturbance especially pertaining to wetlands; and,
- There be a dogs on leash directive for this park.

CARRIED

5.2 Items for Discussion/Direction

5.2.1 Annual Report 2022-23 Changes – Briefing

Communications and Fundraising Specialist Smith presented the briefing, and highlighted changes to format and internal procedures.

Board members commented the briefing was clear.

The meeting recessed for a break at 11:29 a.m. and returned 11:45 a.m.

5.2.2 BC Coastal Marine Strategy Update (verbal)

Chair Smith attended the Coastal Marine Strategy Stakeholder meeting put on by the Ministry of Water, Land and Resource Stewardship (WLRS), noting they are working on two strategies, the Watershed Security Strategy and the Coastal Marine Strategy. They are conducting engagement and seeking input for two intentions papers:

- 1) Intentions Paper for the Coastal Marine Strategy (closing April 14, 2023); and,
- 2) Intentions Paper for the Watershed Security Strategy and Fund (closing April 17, 2023).

Board members discussed requesting the Executive Committee to respond to the request for input into both strategies.

Director Frater advised there is funding through the Healthy Watersheds Initiative to create a portal.

ITC-2023-013

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board request that the Executive Committee request a briefing regarding the Watershed Security Strategy and Fund and provide input on the Watershed Security Strategy by April 17, 2023 and the Coastal Marine Strategy by April 14, 2023.

CARRIED

5.2.3 Islands Trust Conservancy and Local Conservancy Relations

Trustee Scott commented that it would be valuable for Islands Trust Conservancy Board and staff to attend local community events, such as the Herring Fest that just occurred on Hornby Island. Trustee Scott suggested that the ITC Communication Specialist and staff could assist with making connections.

Trustee Yates noted that board members can be good liaisons with conservancy groups on their islands, noting that sending staff members is costly both financially and in terms of staff time.

Board members discussed cost of sending Board members and staff to events, Board roles, deferring outreach until next year and advertising events in the Heron Newsletter.

Manager Emmings highlighted various ways ITC is working on outreach including the Heron Newsletter, social media postings, eNews, and the land

monitoring program, and suggested staff could share event emails with ITC Board members.

5.3 Correspondence

5.3.1 Victoria Foundation - Cereus Fund Grant Letter, dated 2023-02-27

Received for information.

5.4 Updates for Information

5.4.1 Public Acquisitions Report

Received for information.

5.4.2 Public Covenants Report

Received for information.

5.4.3 Budget Report

Manager Emmings highlighted recent donations to the Opportunity Fund, and advised the audit report is on the agenda for the May 30, 2023 ITC Board meeting.

5.4.4 Executive Committee Update (verbal)

Trustee Elliott advised the last Executive Committee meeting was spent mainly approving agenda for Trust Council. There was a resolution to have Executive Committee work with staff on a strategic coordinated request to the Province to look again at the funding formula.

Board members discussed the importance of a well laid out strategic plan to support the preserve and protect mandate, and meeting to discuss ITC Board strategic priorities prior to the July liaison meeting with Executive Committee.

5.4.5 Financial Planning Committee Update (verbal)

Trustee Yates noted the Financial Planning Committee made clear recommendations to Trust Council on recommended items to cut from the budget. In-person Trust Council meetings were put back on into the budget and Trust Policy Statement work was cut due to diminished staff capacity.

Trustee Elliott and Director Frater provided an update on the Policy Statement amendment timelines.

5.4.6 Trust Council Update (verbal)

Trustee Elliott provided the following Trust Council update:

- The budget passed with a tax increase of 2.06%.

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- There were conversations regarding creating a corporate plan instead of programs driven budget, including revising strategic planning and matching corporate planning to budgeting functions.
- There was a delegation that claimed the use of Coastal Douglas-fir ecosystem bioregional classification was being used to raise funds for the Islands Trust Conservancy. Trust Council approved a resolution to review materials on the website related to Coastal Douglas-fir. The Conservancy donate buttons have also been removed from the Islands Trust website.

Board members discussed the impact of delegations on staff, response to delegations, and time spent on this particular delegation.

ITC-2023-014

It was **MOVED** and **SECONDED**, that Islands Trust Conservancy (ITC) Board raise concerns to Executive Committee regarding Trust Council decisions on conservation that have an effect on ITC work about which ITC Board has not had an opportunity to comment.

CARRIED

5.4.7 Trustee Roundtable (time permitting)

Trustee Yates commented that there are drawbacks to the relatively low tax increase that Council approved, there is a forecasted tax increase to the Five-year Financial Plan of 8.78%. When tax increases are artificially kept low by transferring funds from surplus, these low tax increases are passed on to future generations.

Chair Smith advised there was not sufficient time for a full trustee roundtable.

6. PUBLIC COMMENTS AND DELGATIONS

A member of the public, Christine, requested to speak but due to technical difficulties was not able. Chair Smith recommend that the member send comments by email to itcmail@islandstrust.bc.ca.

7. NEW BUSINESS

None.

8. NEXT MEETING

The next Islands Trust Conservancy Board meeting is scheduled for Tuesday May 30, 2023, to be conducted electronically.

9. CLOSED MEETING

9.1 Motion to Close the Meeting

ITC-2023-015

It was **MOVED** and **SECONDED**,

that the meeting be closed to the public in accordance with the Community Charter, Part 4 Division 3, section: 90 (1) (d) the security of the property of the Islands Trust Conservancy; (e) the acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure could reasonably be expected to harm the interests of the Islands Trust Conservancy Board; and that staff be invited to remain in the meeting. (f) Law enforcement, if the Islands Trust Conservancy Board considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;; and that staff be invited to remain in the meeting.

CARRIED

The meeting was closed to the public at 1:42 p.m. and recessed for lunch until 1:30 p.m.

10. ADJOURNMENT

By general consent, the meeting adjourned at 1:42 p.m.

Risa Smith, Chair

Certified Correct:

Corlynn Strachan, Administrative Assistant/Recorder



Follow Up Action Report

Trust Conservancy Board

24-Sep-2010

Activity	Responsibility	Dates	Status
1 Staff to work with landowners to clarify wording of Cunningham Covenant (Salt Spring) regarding vegetation removal, while maintaining conservation as a priority.	Jemma Green Kate Emmings	Target: 31-May-2023	In Progress

26-Nov-2019

Activity	Responsibility	Dates	Status
1 Staff to: a) develop a modification agreement to allow for maintenance of the septic field in the Woodwinds NAPTEP Covenant (North Pender); and, b) allow for maintenance of the septic field in the Woodwinds NAPTEP Covenant; and, c) provide resources about alternatives to traditional septic fields to land owners contemplating septic field maintenance or replacement, and new covenants.	Jemma Green Kathryn Martell	Target: 31-Mar-2023	In Progress

06-Oct-2020

Activity	Responsibility	Dates	Status
1 Staff to complete an ITC Reconciliation Action Plan that incorporates actions in Goal 2 of the Regional Conservation Plan.	Kate Emmings	Target: 31-Jan-2024	In Progress

Follow Up Action Report

Trust Conservancy Board

25-May-2021

Activity	Responsibility	Dates	Status
1 Staff to move forward with the Crystal Mountain Society proposal to register a Statutory Right of Way across Lot A on the upper ridge, in favour of Islands Trust Conservancy, to provide legal access to the eastern part of Lot A via the legal easement across neighbouring Lots B and C.	Kathryn Martell	Target: 29-Sep-2023	In Progress

24-Aug-2021

Activity	Responsibility	Dates	Status
1 Staff to work with the Steering Committee of the Sidney Island Ecological Restoration Project to develop appropriate waivers to the Sidney Island conservation covenants for the Sallas Forest Strata once an operations plan is developed to implement the Sidney Island Ecological Restoration, and to return to the Board for approval of proposed waivers	Jemma Green Kate Emmings	Target: 31-Jul-2023	In Progress

04-Oct-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Trust Conservancy Board

04-Oct-2022

Activity	Responsibility	Dates	Status
1 Islands Trust Conservancy Board Chair to sign the Conservation Covenant agreement among TLC The Land Conservancy of British Columbia, the Sunshine Coast Conservation Association, and the Islands Trust Conservancy, over the land identified as Lot 1 District Lot 696 Group 1 New Westminster District Plan EPP89532 (PID: 031-259-731) and known as Sandy Beach Nature Reserve.	Kathryn Martell	Target: 31-Mar-2023	Completed
2 The ITC Board Chair to sign the Nighthawk Hill NAPTEP Covenant NIHN with Andreas Nowak and Mary Reher, over a portion of the land described as Lot 38, Section 7, Pender Island, Cowichan District, Plan 32261, Except Part in Plan 35333, PID 001-081-110, subject to receiving an updated Baseline Documentation Report that is acceptable to the Islands Trust Conservancy Manager, and staff to register the covenant.	Kathryn Martell	Target: 31-Mar-2023	In Progress
3 The ITC Board Chair to sign a discharge for revised Nighthawk Hill NAPTEP Covenant (NIHN) covenant CA2826689 and staff to register the discharge subject to registration of a covenant over the expanded protected area.	Kathryn Martell	Target: 31-Mar-2023	In Progress

14-Mar-2023

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Trust Conservancy Board

14-Mar-2023

Activity	Responsibility	Dates	Status
1 4.2 Follow-up Action List - Manager Emmings to recirculate the Mayne Island Local Trust Committee correspondence regarding management of Fallow Deer to the Board for information.	Corlynn Strachan Kate Emmings	Target: 17-Mar-2023	Completed



Follow Up Action Report

Trust Conservancy Board

14-Mar-2023

Activity	Responsibility	Dates	Status
2 Staff to: 1) Focus work for the 2023/24 fiscal year on: - Land management, land securement and targeted outreach components of the Species at Risk Program; - First Nations engagement associated with development of the ITC Plan; - Administrative needs, including: policy updates, maintenance and updates to internal databases (land management and contact management), job description reviews for selected staff, review of the new website and technology used in the field; and - Working on proposals for conservation lands that are high priority; and 2) Delay the following work items until the 2024/25 fiscal year: - The Climate Change Project; - Revision of property management plans; - Development of a Reconciliation Action Plan; - Monitoring of lands that are protected by other conservation agencies (i.e. parks and nature reserves) or that are considered at low risk of covenant breach or trespass; - Outreach and communications that generate new conservation proposals; and - Placing of covenants on ITC Nature Reserves.	Carla Funk Corlynn Strachan Jemma Green Kate Emmings Kathryn Martell Nuala Murphy Wendy Tyrrell	Target: 31-Mar-2024	Completed



Follow Up Action Report

Trust Conservancy Board

14-Mar-2023

Activity	Responsibility	Dates	Status
3 Staff to draft a letter to the Gambier Island Local Trust Committee regarding GM-DVP-2022.4 indicating that, based on the information provided, the Board does not believe that the project will negatively impact the Sandy Beach Nature Reserve and finds its interests to be unaffected by the application.	Corlynn Strachan Nuala Murphy	Target: 20-Mar-2023	Completed
4 Staff to indicate to the North Pender Local Trust Committee that ITC's interests are unaffected by Bylaw 232 (Sidney Island) and request that the North Pender Island Local Trust Committee consider future regulations that increase buffers and other protection measures to ensure that conservation values on Islands Trust Conservancy's Sidney Island covenants are maintained.	Kate Emmings	Target: 16-Mar-2023	Completed

Follow Up Action Report

Trust Conservancy Board

14-Mar-2023

Activity	Responsibility	Dates	Status
5 Staff to draft a letter to the Bowen Island Municipality regarding RZ/OCP-2023-0018 indicating that the Board recommends that if the application to amend the Land Use Bylaw and Official Community Plan goes forward to create a regional park over a series of properties at Cape Roger Curtis that: - No trails leading to or around Fairy Fen Nature Reserves are advertised, placed on public maps or on signage from the regional park; - Access into the park is not routed via Thompson Road and does not impact Bowen Island Crown Land or the Fairy Fen Nature Reserve; - There is public education around the sensitivity of the area of the regional park and the surrounding areas to human disturbance especially pertaining to wetlands; and, - There be a "dogs on leash directive" for this park.	Corlynn Strachan Kate Emmings Nuala Murphy	Target: 20-Mar-2023	Completed
6 Staff to work with the Islands Trust Conservancy Board to request that the Executive Committee request a briefing regarding the Watershed Security Strategy and Fund and provide input on the Water Security Strategy by April 17, 2023 and the Coastal Marine Strategy by April 14, 2023.	Clare Frater Risa Smith	Target: 07-Apr-2023	Completed



Follow Up Action Report

Trust Conservancy Board

14-Mar-2023

Activity	Responsibility	Dates	Status
7 Islands Trust Conservancy (ITC) Board to raise concerns to Executive Committee regarding Trust Council decisions on conservation that have an effect on ITC work about which ITC Board has not had an opportunity to comment.	Clare Frater Kate Emmings	Target: 30-Jun-2023	In Progress

DATE OF
MEETING: May 30, 2023

TO: Islands Trust Conservancy Board

FROM: Kathryn Martell, Ecosystem Protection Specialist

SUBJECT: NAPTEP Application, Gabriola Island

Applicant: Yarrow Koontz

Location: 3090 George Street, Gabriola Island; PID: 005-788-447,

THAT PART OF LOT 3, SECTION 5, GABRIOLA ISLAND, NANAIMO DISTRICT,
PLAN 6986, LYING TO THE NORTH WEST OF A ROAD DEDICATED BY PLAN
17829, EXCEPT THOSE PARTS IN PLANS 21783 AND 26145

RECOMMENDATION

That the Islands Trust Conservancy Board approve the conservation proposal submitted by Yarrow Koontz, to place a NAPTEP covenant on approximately 2.5 ha of Gabriola Island, PID: 005-788-447, That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, to protect wetlands, maturing forest, and sensitive riparian and cliff habitats.

REPORT SUMMARY

This proposal is for a conservation covenant over approximately 2.5 ha of a Gabriola Island property (3090 George St, PID: 005-788-447), submitted April 28th, 2023 for Islands Trust Conservancy Board consideration. This staff report presents an assessment of the Conservation Proposal, based on selection criteria outlined in Policy 2.2 [Assessing Conservation Proposals](#), Policy 2.4 [Conservation Covenants](#), Policy 2.5 [Natural Area Protection Tax Exemption Covenants](#), and the ITC [Land Securement Strategy](#).

The proposed NAPTEP covenant would protect most of a 3.34 ha property (excluding residential area, and a separate greenhouse and garden area) on the southern end of Gabriola Island, near Silva Bay. There are large, healthy Western redcedar and maturing Douglas-fir with a mix of other habitat types including several patches of different types of forested wetland, a dug pond, Garry oak and arbutus openings, and rock outcrops / small cliffs used by Northern Alligator lizards, denning river otters, and other creatures. The landholder has spent two decades removing invasive species and stewarding wildlife habitat on the property and is interested in ensuring that these natural areas are protected.

The property contains two ecological communities that are Red-listed in BC—all plant communities identified on the property are considered at-risk by the BC Conservation Data Centre. There are two known species-at-risk on the property, Western Screech-owl *kennicottii* sub-species (BC Blue-listed [Special Concern], SARA Schedule 1 Threatened) and Northern Red-legged Frog (BC Blue-listed [Special Concern], SARA Schedule 1 Special Concern) and given the diversity of ecosystems and presence of rare cliff habitats, more detailed surveys may identify other at-risk species are present. The variety of habitat types, including wetlands of diverse types, increases the conservation value of this property.

Staff recommends that the ITC Board accept this NAPTEP Conservation Proposal, and direct staff to pursue next steps in negotiating a covenant for this property, based upon:

- The potential to increase protection of sensitive and at-risk ecosystems and species at risk;
- The relatively intact nature of the maturing forest and wetland habitats present on the property and the presence of a pond providing habitat for many species;
- The opportunity to protect water sources feeding into a salmon-bearing creek; and,
- Alignment with ITC's Securement Strategy and Regional Conservation Plan conservation priorities.

Implications of the recommendation include staff capacity to negotiate and complete a covenant within the timeframe for NAPTEP benefits next year.

1 PROPERTY INFORMATION

Property Description:

3090 George St, Gabriola Island, Gabriola Island Local Trust Area

PID: 005-788-447

That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145

Property size: 3.34 ha

Proposed protected area size: ~ 2.5 ha

Partners: Gabriola Land & Trails Trust (GaLLT). GaLLT connected this landowner with ITC and has confirmed their willingness to co-hold the covenant.

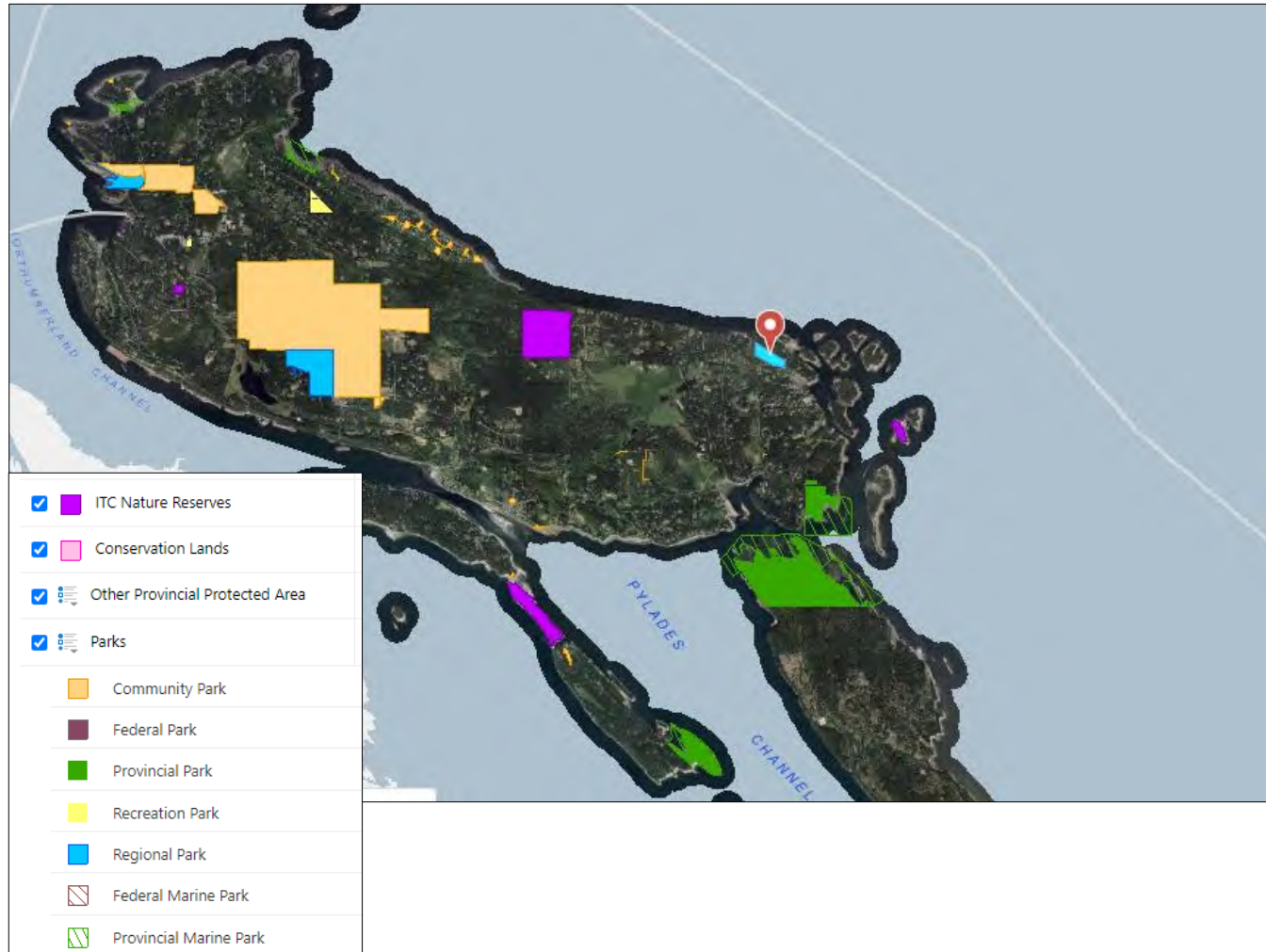
Property notes: The Ecosystem Protection Specialist visited the property on April 6, 2023, along with several directors of GaLLT. The property is a long, thin rectangle with a house and garden near the shortest, eastern boundary along George Street. There is an unimproved driveway from George Street running approximately 250m along the southern boundary, leading to a greenhouse and garden and infrastructure (shed, solar system, pump for irrigation). The proposed NAPTEP covenant will exclude the residential area and this greenhouse and garden. The property was previously logged, with extensive topsoil removal, excavation, and other damage (skid roads, log sort piles).

2 BACKGROUND

The property is on southern Gabriola Island, near Silva Bay. It stretches SE to NW for approximately 450 m from George Street, and is about 95 m wide at the NW end and 40 m wide at the SE end. There is a house and fenced garden area at the SE end of the property and a separate garden area and greenhouse in the approximate middle. Both the house and the garden/greenhouse area will be excluded from the covenant area. The property was extensively disturbed by past owners (logging and associated roads and debris, excavation). Ms Koontz has cared for this property since acquiring it 20 years ago, removing invasive species and stewarding natural habitat, and is committed to protecting habitat for the flora and fauna that share it. Despite its small size, this property contains diverse habitat of high conservation priority, including ponds, a forested wetland, cliffs, and Garry oak bluffs. It connects to largely undeveloped, residential properties on all sides. There are several small, informal trails through the property, used by the landowner as well as by wildlife.

Figure 1. Subject Property and nearby Protected Areas

Koontz property (red balloon/blue outline) and conservation context on Gabriola Island.



3 ANALYSIS

Values were determined by evaluating the application submitted by the property holder (attached), a report from GaLLT (attached), Islands Trust Conservancy and other mapping resources, and based on the site visit.

Natural Values

Ecosystem mapping shows two ecological communities Red-listed in BC (see details in next section).

Most of the property is mapped as wetland in the ITC Sensitive Ecosystem Mapping, however, it contains a diverse range of habitats. The forested wetlands consist of seasonally standing water in a matrix of maturing Douglas-fir and large, healthy Western redcedar. There are patches of red alder and big-leaf maple in wetland areas and Garry oak and arbutus in the scattered dry canopy openings. The long, narrow artificial pond (approx. 5m x 30m) provides habitat for river otters, Rough-skinned Newts, and Northern Red-Legged Frogs, and the otters are known to den in the small cliffs near the pond. The owner also reports Northern Alligator Lizards in the moss bald habitats. The northwestern property boundary is a naturalized ditch, taking water from the wetlands and dug pond into Dick Brook to the NW (a salmon-bearing creek on the adjacent property). The forested wetland along the southern boundary has large cedar trees and dense understory shrubs; the dug pond

has emergent rushes and sedges and healthy riparian shrubbery; and there are numerous wildlife trees, nurse logs, and small patches of alder in various areas. The mix of young and maturing forests of different types, variety of wetland and riparian habitats, and most especially the numerous small cliff areas provide a mosaic of relatively intact, connected, diverse habitats and increase the conservation value of this property.

Figure 2. Aerial images of property showing mapped Sensitive Ecosystems and other details. Elevation (contour) lines in green, showing drainage into Dick Brook (from Provincial TRIM mapping) mapped in bright blue. Building footprints are shown as tan shapes.

a) A wetland (swamp) polygon is mapped for much of the property (yellow).



- b)** Too small to be captured by sensitive ecosystem mapping, dry openings and mossy rock balds are visible among the trees; the aerial imagery also shows the different forest types (distinguishable as different shades and shapes of green).



This property qualifies for the NAPTEP program based on having: areas relatively undisturbed by human activity that are good examples of target ecosystems (Regulation 2[a]); areas relatively undisturbed by human activity that are key habitat for rare native plant species or plant communities (Regulation 2[b]); and areas that are critical habitat for native animal species in relation to breeding, rearing, feeding, or staging (Regulation 2[c]).

Ecosystems and Species at Risk

Almost the entire proposed covenant area is mapped as an ecological community considered at-risk (Red-listed) in British Columbia:

- Western Redcedar / Osoberry (*Thuja plicata* / *Oemleria cerasiformis*) [G1 / S1 (Critically Imperiled)]

Other portions of the property are mapped as having Douglas-fir – Shore pine – Arbutus ecosystems. The BC Conservation Data Centre separates this site series into several ecological communities including ‘Douglas-fir / Arbutus’ and ‘Douglas-fir – Dull Oregon-grape’, all of which are considered Red-listed (S1: Critically Imperiled or S2: Imperiled).



Photo 1(left). View into the forested wetland from the driveway.



Photo 2 (right). Scattered mossy balds and openings provide habitat for Northern Alligator Lizard and other species. This area was once a 'Scotch broom forest' that has been cleared and tended by the owner.

The landowner reports presence of Western Screech-owl *kennicottii* sub-species (BC Blue-listed [Special Concern], SARA Schedule 1 Threatened) and Northern Red-legged Frog (BC Blue-listed [Special Concern], SARA Schedule 1 Special Concern) although these are not recorded with the Conservation Data Centre. There are also occurrences of a secured species in the general area (occurrences of some species are kept confidential to protect the element from persecution or harm.) A detailed baseline survey of the property may well document additional at-risk species, especially considering the rare cliff habitats and the diverse habitat provided by the wetland and pond complex.

Sensitive Ecosystems

The proposed covenant area contains mapped areas of *Wetlands*. There are also unmapped, small areas of *Riparian* and *Cliff* sensitive ecosystems.

Photos 3 (below). There are numerous small cliffs and rock outcroppings throughout the property. River otters den in one of these areas next to the pond.
 Photo 4 (right). A deer trail along the edge of the pond.



Regional Conservation Plan Context

The ITC conservation prioritization model indicates that the proposed covenant area is in a High conservation priority area. For Gabriola Island Local Trust Area, ITC's current [Regional Conservation Plan](#) (RCP) identified protection of sensitive ecosystems and protection of forests as Medium priorities, and a High disturbance threat. The RCP places a High priority for protection in the Gabriola Island Local Trust Area. The proposed conservation covenant addresses the following RCP Biodiversity Priorities:

- *Sensitive Ecosystems*
- *Species at Risk*

Securement Strategy Assessment

Assessment category	Score	Comments
Representation:	12 /15	Riparian areas and wetlands are generally poorly protected on Gabriola (0% and 8.8%, respectively); cliff habitats are poorly mapped and only ~2% protected; representation of sensitive ecosystems
Site Condition:	10/15	Scattered current use throughout the property and impacts from past logging and excavation; almost all invasive species removed

Viability:	11/15	The property is bounded by areas that may become more developed by residential use in the future, limiting connectivity; wetlands and pond will continue to provide habitat and maintain large cedars over time
Known Rare Species:	10/15	Blue-listed species reported by landowner, potentially others given the rare cliff habitats
Ecological Value Subtotal:	43/60	
Management Ease:	8/10	Covenant, so management is landowner's responsibility; invasives removal will need to be ongoing
Time/Urgency	8/10	Landowner is considering selling the property in the near future and wants to see it protected before that happens
Threat Subtotal:	16/20	
Total:	59/80	

4 IMPLICATIONS AND CONSIDERATIONS

Organizational

Negotiation of a covenant will require staff time. Given current staff capacity constraints, it is not possible to complete this covenant before the October 31st registration deadline in order to receive tax exemption for 2024 and the owner has been made aware of this timeline. ITC's Board has made commitments to other landowners to pursue their conservation proposals as soon as capacity permits; staff is currently working on two covenant projects nearing completion, three active covenant negotiations and two active land donations, with an additional one land donation and one covenant project awaiting staff capacity to begin work. Staff will advise the landowner that work on this conservation proposal will be deferred until later in 2023, pending staff capacity, and that the ITC cannot assure an October 31st registration date.

Policy

The application is consistent with ITC policies and regulations for accepting covenants, and aligns with the [Regional Conservation Plan](#) and [Land Securement Strategy](#) conservation priorities.

Financial

Negotiation and drafting the covenant may take slightly more resources than usual (staff time and legal costs) because of the need to consider the protected area boundaries, landowner access to the greenhouse and garden, and other requested compatible uses. It will cost approximately \$1,500 - \$2,000 for legal review of the covenant agreement. Survey, baseline inventory report, and Land Titles registration costs are the landholder's responsibility. Some staff time will be required to prepare and issue the *Natural Area Tax Exemption Certificate*. If the landholder chooses to enter the Ecological Gifts Program, additional staff time will be required to prepare the application and issue a tax receipt. The registration of this covenant will result in an increase of \$1,160 to the ITC Property Management budget, according to the property management formula. This budget increase is to cover annual monitoring as well as signage and management of ecological and cultural features, although any management costs will primarily be borne by the landowners, and none are anticipated at this time.

Property Management Consideration

Aside from continued monitoring for and removal of invasive species, there are few immediate management needs. Staff considers these issues to be easily manageable by the landholder, who is willing and able. Any additional management activities should only occur after complete ecological surveys have been conducted and identified any species at risk. The potential presence of SAR may generate additional management considerations and costs.

Land Title and Relevant Land Status Information

The landholder is the registered owner of the property, which is zoned as Residential. There are a number of charges on title (see below). Staff will assist the landholder to negotiate a Priority Agreement with the Mortgage Holder. In absence of a priority agreement, ITC will be unable to proceed with covenant registration. Staff does not have concerns with the other charges but will seek legal advice.

- Undersurface Rights (90132G): registered to several members of the Silva family in 1938;
- Coal TSN (DF43106): forfeited to the Crown in 1939, DF 45242
- Mortgage (BA321288)

First Nations

Staff has done a desktop review of RAAD data as per guiding principles of the Archaeological Branch. This conservation proposal will be referred to all First Nations within the BC Consultative Areas Database for this property (Penelakut Tribe, Stz'uminus First Nation, Halalt First Nation, Lake Cowichan First Nation, Cowichan Tribes, Snuneymuxw First Nation, Lyackson First Nation). ITC collaborates with First Nations governments regarding conservation, and works with Cultural Knowledge Holders to create greater understanding and stewardship.

Communications

Following Board decision, staff will continue to discuss the project with the Gabriola Land & Trails Trust (GaLLT), the proposed co-holder. Staff will also forward information about the application to the Gabriola Island LTC.

Climate Change

This property contains patches of different ages and composition of forest, and wetlands, and therefore contributes towards climate change mitigation by protecting carbon sequestration sources. The forested wetland and dug pond provide critical access to water for many species and to breeding habitat for amphibians, insects, and others. Protecting properties with these features, and that contain a range of habitats, may assist with species persistence and/or migration in response to future climate instability and change.

Referrals

This proposal will be referred to all First Nations within the Consultative Areas Database (see above). Staff will update the Board with information from the First Nations referrals before proceeding with covenant negotiations.

Following ITC Board decision, the proposal will be sent to Islands Trust Executive Committee / Trust Council for their review and approval of the tax exemption certificate at their meeting June 27-29, 2023. The proposal will be sent to the Gabriola Island Local Trust Committee for their information, for their meeting July 20, 2023.

Other Issues and Opportunities

- Staff may return to the Board to request that ITC provide financial assistance to the landowner for surveying, inventory, and appraisal costs.

5 RECOMMENDATION AND RATIONALE

Staff recommends that the ITC Board accept this NAPTEP Conservation Proposal, and direct staff to pursue next steps in negotiating a covenant for this property, based upon:

- The potential to increase protection of sensitive and at-risk ecosystems and species at risk;
- The relatively intact nature of the maturing forest and wetland habitats present on the property and the presence of a pond providing habitat for many species;
- The opportunity to protect water sources feeding into a salmon-bearing creek; and,
- Alignment with ITC’s Securement Strategy and Regional Conservation Plan conservation priorities.

RESPONSE OPTIONS

Recommendation:

That the Islands Trust Conservancy Board approves the conservation proposal submitted by Yarrow Koontz, to place a NAPTEP covenant on approximately 2.5 ha of Gabriola Island, PID: 005-788-447, That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, to protect wetlands, maturing forest, and sensitive riparian and cliff habitats.

Alternative:

The Islands Trust Conservancy may consider the following alternative to the staff recommendation:

- **Request deferment**
- That the Islands Trust Conservancy Board approves the conservation proposal submitted by Yarrow Koontz, to place a NAPTEP covenant on approximately 2.5 ha of Gabriola Island, PID: 005-788-447, That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, to protect wetlands, maturing forest, and sensitive riparian and cliff habitats **but advise the applicant that ITC will defer this securement project until 2024 due to staff capacity constraints.**

NEXT STEPS

- Staff will inform the applicant of the Board’s decision and begin negotiating the conservation covenant according to capacity constraints.
- Trust Council review of application, June 2023
- First Nations referral
- Referral for information to Gabriola Island LTC, July 2023

Submitted By:	Kathryn Martell, Ecosystem Protection Specialist	May 16, 2023
Concurrence:	Kate Emmings, Manager, Islands Trust Conservancy	May 24, 2023

ATTACHMENTS

1. NAPTEP Application
2. Report submitted by GaLLT



200 - 1627 Fort Street, Victoria, BC V8R 1H8
Telephone: 250-405-5186 Fax: 250-405-5155
Toll Free via Service BC in Vancouver 604-660-2421
Elsewhere in BC 1-800-663-7867
Email: itcmail@islandstrust.bc.ca
Website: islandstrust.bc.ca/conservancy/



Natural Area Protection Tax Exemption Program

APPLICATION FORM

OFFICE USE ONLY

Size of Property _____ Application Fee _____ Receipt Number _____ File Number: _____

Please complete and attach the **Application Checklist** at the end of this form to your application. Be sure to include all required information with your application and ensure your site plan is complete and accurate.

We can only accept and process complete applications.

PROPERTY OWNER (Please Print)

Please list all registered owners as indicated on State of Title Certificate. Add additional page if more than two owners.

Name Yarrow Koontz
Street Address _____
City [REDACTED] Province [REDACTED]
Postal Code [REDACTED]
Telephone _____
Cell Phone [REDACTED]
Email [REDACTED]

Name _____
Street Address _____
City _____ Province _____
Postal Code _____
Telephone _____
Cell Phone _____
Email _____

APPLICANT INFORMATION (If different from owner)

Name _____ Street Address _____
City _____ Province _____ Postal Code _____
Telephone _____ Cell _____ E-mail _____

DESCRIPTION OF PROPERTY

(As indicated on State of Title Certificate)

Parcel Identifier (PID) 005-788-447

Legal Description: _____

Street Address or General Location THAT PART OF LOT 3, SECTION 5, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 6986, LYING TO THE NORTH WEST CORNER OF A ROAD DEDICATED BY PLAN 17829, EXCEPT THOSE PARTS IN PLANS 21783 AND 26145
3090 George Street

Jurisdiction and Folio Number 76813832200 (from Property Assessment/Tax Notice)

Property Size (hectares) 3.34 ha Proposed Covenant Size (hectares) _____

(1) Why do you want to covenant your land?

My intention of placing a conservation covenant on my property is to protect the plants and animals from loss of habitat and development. As climate change is affecting the flora of this bioregion, it will in turn affect the habitat of the animals that live here so I would like to help them out for as long as possible.

(2) Please describe the **current** use(s) of land and building(s) on the property.

This property is diverse in the sense that it has low wetland areas and higher, rocky Mediterranean-like areas. The wet areas are home to healthy cedars, ocean spray, skunk cabbage, alders and willows. The drier areas are hosting young Gary oak trees and naturalized lavender. There is a pond that is frequented by river otters, mallard ducks, deer, a host of birds, raccoons, snakes and newts. The land features escarpments that are used by the river otters to den their pups in the spring. The escarpment also houses red squirrels, alligator lizards and raccoons.

The property is 8.2 acres and the improvements include a cleared area around 1/2 acre with a house, greenhouse, chicken coop and garden. There is a larger garden and green house in the middle of the property with a shed for a solar panel and system for pumping water to the garden. There is a driveway off George street that continues to the garden in the middle of the property.

(3) Please describe the **current** use(s) of land and building(s) on **adjacent** properties.

The lands surrounding this property are large residential properties. Some are underdeveloped. One has a salmon-bearing stream - Dick Brook.

(4) Please check as many of the following boxes as necessary to indicate the natural features on your property that you believe make it eligible for a Natural Area Exemption Certificate and that the property owner(s) is (are) willing to permanently protect through NAPTEP.

- ☒ Areas relatively undisturbed by human activity that are good examples of eligible ecosystems (see *Islands Trust Act* *NAPTEP Regulations* for details)
- ☒ Areas relatively undisturbed by human activity that are key habitat for rare native plant species or plant communities
- ☒ Areas that are critical habitat for native animal species in relation to breeding, rearing, feeding or staging
- ☒ Geological features

(5) If you have additional information, such as photographs, maps, reports, letters from qualified parties or professional assessments that support your application for a Natural Area Exemption Certificate, please attach to your application.

(6) Site Plan: Please submit a sketch that shows the location of the natural features and buildings on the property. Reference the attached Application Checklist for a list of features to be included on the Site Plan.

(7) Is your property adjacent to a park or a protected area? YES ☐ NO ☒

(8) Do you have a preference for an organization/conservancy to co-hold the covenant with the Islands Trust Conservancy? Note that such an organization/conservancy must be authorized to accept covenants under Section 219 of the *Land Title Act* and authorized to accept a statutory right of way under Section 218 of the *Land Title Act*.

YES ☒ NO ☐

Name of Organization/Conservancy

Gabriola Land and Trails Trust

(9) Please indicate what you would like to name your NAPTEP Covenant. If you do not have a preference, the default is to name it using your last name (i.e. Jones NAPTEP covenant).

Important: Before you apply, we recommend you obtain independent legal and tax advice to fully understand how a Natural Area Exemption Certificate will affect your particular situation.

The Natural Area Protection Tax Exemption Program is available throughout the Islands Trust area.

CERTIFICATION

I hereby certify that the above information is true to the best of my knowledge and I have reviewed the Annotated Standard Conservation Covenant for NAPTEP. I am willing to permanently protect the proposed area with a covenant of this standard and any necessary easements.

	May 4, 2023
Signature of Applicant	Date
Yarrow Koontz	
Print Name	

AUTHORIZATION

*Required if the applicant is not the sole registered owner. Please list all owners indicated on the Certificate of Title. Strata Titled Developments require a written endorsement from Strata Councils.

I hereby consent to the application contained herein.

	
Signature of Owner	Signature of Owner
Yarrow Koontz	
Print Name	Print Name
May 4, 2023	
Date	Date
Signature of Owner	Signature of Owner
Print Name	Print Name
Date	Date

Freedom of Information and Protection of Privacy

Personal information contained on this form is collected under the authority of the *Islands Trust Act* and is subject to the *Freedom of Information and Protection of Privacy Act*.

The personal information will be used for purposes associated with the conservation proposal. Enquiries about the collection or use of information in this form can be directed to the Islands Conservancy Manager, phone: 250-405-5191.

Contaminated Sites Regulation

Please note that pursuant to Section 4(4) of the *Contaminated Sites Regulation, B.C. Reg. 375/96* a **site profile is not required and will not be accepted by the Islands Trust**. If you have any questions, please contact this office.



Click or tap to draw a multi-sided shape and find area. Double-click/tap to finish.

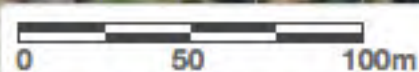


Properties

Imagery



Imagery



1:500

Report submitted by Gabriola Land and Trails Trust (GaLTT)

Property Description

Landholder: Yarrow Koontz

Address: 3090 George Street, Gabriola

PID: 005-788-447

The owner has nurtured this 8.26-acre property since acquiring it 20 years ago. She is intimately familiar with its physical and natural features and has spent countless hours removing invasive plants and rehabilitating disturbed areas. The owner is strongly motivated to formally protect it from disturbance should she need to sell it in the future.

The property stretches NW to SE for approximately 450 m and is about 95 m wide at the NW end and 40 m wide at the SE end. There is a house and fenced garden area at the SE end of the property and a separate garden area and greenhouse further to the NW.

The property is bordered by large, forested and ecologically diverse properties to the north, south, and west.

Most of the property is on flat to gently sloping ground dominated by a maturing mixed conifer-deciduous forest. Western redcedar (*Thuja plicata*) is the dominant conifer species with significant amounts of Douglas-fir (*Pseudotsuga menziesii*) and smaller amounts of grand fir (*Abies grandis*). The cedars are mostly healthy looking, with little evidence of the top dieback and mortality observed on other areas of Gabriola and other Gulf islands. However, the grand fir trees have suffered significant mortality, with many standing snags observed. One western yew (*Taxus brevifolia*) was observed. Deciduous trees in this portion of the property are predominantly red alder (*Alnus rubra*) with scattered bigleaf maple (*Acer macrophyllum*) and bitter cherry (*Prunus emarginata*). The understory is dominated by salal (*Gaultheria shallon*) with smaller amounts of other shrub species such as oceanspray (*Holodiscus discolor*), dull Oregon grape (*Mahonia nervosa*). Salmonberry (*Rubus spectabilis*) is abundant in the wetter areas under an overstory of red alder. Soil conditions are generally moist with some areas subject to seasonal flooding. The natural direction of water flow toward Dick Brook on the property immediately to the west may have been disrupted by past ground disturbance. There is an artificial pond near the NW property boundary, and water flows from it into Dick Brook during the winter months.

On the NW half of the property, the flat to gently sloping terrain is bordered by steeply sloped escarpments on either side. The extensive sandstone outcrops may meet the definition of sensitive cliff habitat. These areas are forested with maturing Douglas-fir and western redcedar with scattered smaller arbutus (*Arbutus menziesii*). Some of the cedars have died or are showing signs of distress. Several small Garry oak seedlings were observed. Soils are thinner and considerably drier than the valley bottom. Dull Oregon Grape and salal is the predominant understory vegetation.

There is evidence of past forest harvesting on the property and fire scars on some of the stumps indicate past fire history. The maturing forest is likely 60-100 years old with a few veteran trees remaining from the previous stand. There is evidence of old logging roads on the property.

The owner reports many sightings of river otters (*Lontra canadensis*) on the property with dens in the rocky escarpments. Western screech owls (*Megascops kennicottii*) have also been observed on the property and northern alligator lizards (*Elgaria coerulea*) are commonly seen. The western tanager

(*Piranga ludoviciana*) is a common visitor during the summer months. The artificial pond and surrounding wetland provide excellent habitat for the northern red-legged frog (*Rana aurora aurora*) and rough-skinned newt (*Taricha granulosa*).

The property is mostly free of invasive plant species, largely due to the concerted efforts of the landholder removing Scotch broom (*Cytisus scoparius*) in disturbed areas over the past several years. In many areas, the broom has been replaced by young Douglas-fir, grand fir, and red alder.

Rob Brockley

August 29, 2022



REQUEST FOR DECISION

To: Islands Trust Conservancy Board **For the Meeting of:** May 30, 2023
From: ITC Staff **Date Prepared:** May 1, 2023
SUBJECT: Ruby Alton Nature Reserve, Salt Spring Island, Management Plan

RECOMMENDATION: That the Islands Trust Conservancy Board approve the Ruby Alton Nature Reserve Management Plan, dated August 18, 2021.

1 PURPOSE:

To approve the revised management plan for Ruby Alton Nature Reserve.

2 BACKGROUND:

Islands Trust Conservancy Board policy (ITC 2.3) indicates, “The Board will prepare and approve a management plan for each property it acquires as a Nature Reserve...within one year of acquisition, and will update each management plan approximately every 10 years.” Islands Trust Conservancy management plans:

- Provide general and descriptive information on the property, including location, history, and land use;
- Set out the conservation goals and objectives for the property;
- Identify the property's ecological and/or cultural values and features;
- Describe the management issues associated with the property; and
- Provide short and long-term management recommendations (action items or tasks) on issues such as: invasive species management; species at risk protection; public access and safety; educational and research opportunities; and signage needs;
- Preserve and protect cultural, spiritual, and sacred locations.

Ruby Alton Nature Reserve (RANR) protects 1.6 hectares (4 acres) on southern Salt Spring Island and is connected to the 13.3 hectare (33 acre) Ruby Alton Nature Sanctuary which was donated by Ruby Alton to the Nature Conservancy of Canada. (Figures 1 and 2). One provincially at risk ecological community and two species at risk occur within RANR (Tables 1 and 2). Although the forest is small and has limited diversity, there are some larger trees along the southern boundary and the maturing forest provides important habitat which is amplified by its connectivity with the adjacent Ruby Alton Nature Sanctuary. The forest protects Forsen Brook which runs from west to east through RANR and through the adjacent Nature Sanctuary. The creek feeds the eelgrass and clam beds along the Fulford Harbour shoreline.

The marine shoreline interface with the upland forested habitat of RANR supports a variety of wildlife. Archaeologically significant clam beds constructed by First Nations have been identified in many areas of the Fulford Harbour and provide excellent foraging habitat for Great Blue Heron (*Ardea Herodias fannini* – Special Concern) and eelgrass habitat. Surf Smelt (*Hypomesus pretiosus*) have been recorded in the waters off RANR.

RANR is in an area with cultural significance to many Coast Salish Peoples and there has been a visit from a cultural knowledge holder to explore the land.



Figure 1. Location map of the five ITC Nature Reserves on Salt Spring, including Ruby Alton Nature Reserve

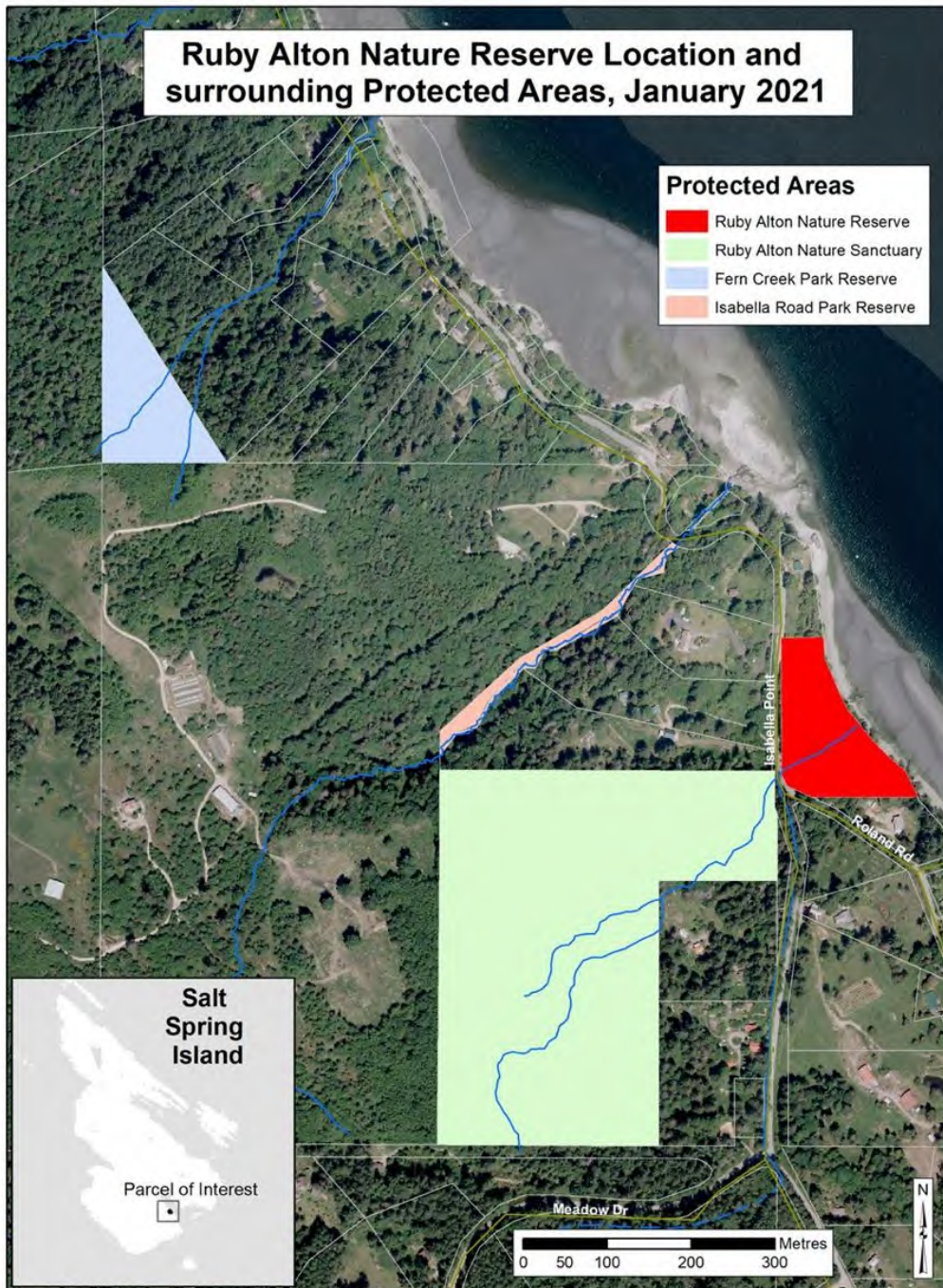


Figure 2. Protected areas around Ruby Alton Nature Reserve





Figure 3 and 4. Ruby Alton Nature Reserve Ecological Communities and Anthropogenic Features

Table 1. Ecological Communities in Ruby Alton Nature Reserve

Ecological Community Name		Status*		
English	Scientific	Provincial	BC List	Global
Western redcedar - Douglas-fir/Oregon beaked moss	<i>Thuja plicata</i> - <i>Pseudotsuga menziesii</i> / <i>Eurhynchium oregonum</i>	S1 (2013)	Red	GNR

*Status ranks from BC CDC (2021)

Table 2. Species at Risk in Ruby Alton Nature Reserve

Species Name		Status*				
English	Scientific	Provincial	BC List	COSEWIC	SARA	Global
Great Blue Heron, <i>fanninni</i> subspecies	<i>Ardea herodias fanninni</i>	S2S3B, S4N (2018)	Blue	SC (2008)	1-SC (2010)	G5T4 (2016)
Northern Red-legged Frog	<i>Rana aurora</i>	S3 (2016)	Blue	SC (2015)	1-SC (2005)	G4 (2015)

*Status ranks from BC CDC (2021)

This is the second management plan for RANR and was prepared by Carrina Maslovat, RPBio. RANR was transferred to the Islands Trust Conservancy in 2002 after Ruby Alton's death in 1998. A Section 219 conservation covenant and a Section 218 Statutory Right of Way was registered naming TLC The Land Conservancy of BC (TLC) as the covenant holder. The draft management plan was provided to TLC, and their edits have been incorporated into the attached management plan. The final management plan will be sent to them for approval before being implemented.

The general management direction for RANR is to maintain and protect habitat, and to allow natural successional processes to proceed without interference. With the exception of fire, natural disturbance factors such as wind (windthrow), pest infestation, and diseases should proceed without intervention. However, having a house onsite requires all effort to ensure the safety of the tenants and public that may be onsite. The removal of invasive plant species is recommended as required. Public access to the beach will continue.

ITC will continue to incorporate new information and knowledge sharing of First Nations interests, species-at-risk, invasive species, and management techniques over the course of the lifetime of the plan.

Immediate Actions (1-2 years):

1. Support all partners, contractors and volunteers to complete cultural competency training in regard to reconciliation, knowledge and history of Coast Salish and Indigenous Peoples.
2. Engage with First Nations to ensure that the management plan is reflective of treaty, inherent rights, and the traditional territories of each Nation.
3. Work in collaboration towards a Management Plan for Areas of Cultural Heritage, gathering and harvesting, and Sacred Significance with First Nations.
4. Install signage along Roland Road requesting that the public use the primary access off Isabella Point Road.
5. Maintain previously installed signage to direct the public to the primary access route.
6. Install signage next to the primary access that outlines permitted activities within RANR (e.g. keeping dog's on leash, prohibition of beach fires).
7. Monitor and remove invasive, non-native woody species that are found in RANR through cooperation with TLC and ITC. Establish a regular monitoring schedule to assess effectiveness of invasive species removal.
8. Remove all surface garbage from RANR.
9. Continue communication with the tenant-caretakers to address house and garden maintenance issues.

Short term Actions (3-5 years):

1. Develop a parallel *Management Plan for Areas of Cultural Heritage and Sacred Significance* document with First Nations.
2. Consult with the Salt Spring Island Fire Department and the provincial BC Wildfire Service to

communicate best management practices in case of a wildfire.

3. Explore whether there are any reasonable and practical measures that may be taken to mitigate the impact of future high-energy flow events in the downstream reaches of Forsen Brook.

Long term Actions (5+ years):

1. If funding is available, conduct more intensive wildlife surveys, with a focus on species at risk, over a range of seasons to more fully document the biodiversity of RANR and guide future management actions.

Ongoing or Annual Action Items:

1. Work with First Nations towards cooperative management of RANR using the *Management Plan for Areas of Cultural Heritage and Sacred Significance* as a guide, once developed.
2. Maintain boundary signs to limit unauthorized public use of RANR.
3. Conduct annual covenant monitoring to identify and address any management concerns that may arise.
4. Monitor and remove invasive species as required.
5. Maintain vegetative tertiary filter wastewater system associated with the house to prevent pollution.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: This management plan will guide the management of this property and assist staff in budgeting property management funds over the next 10 years.

FINANCIAL: RANR property management is funded through the Ruby Alton Nature Reserve Management Fund. This fund was established through a donation from the estate of Ruby Alton and is augmented through rental of the house and from funds from the Ruby Alton Endowment Fund, which are dispensed annually. Recently, some funding from the Species at Risk Grant has been allocated to RANR for forage fish surveys and invasive plant removal. Management costs for RANR will be invasive species removal and strategic sign installation and restoration of eroded areas along the shoreline and Forsen Brook embankment. Recent winter storms have increased the velocity of water flowing through Forsen Brook and undercut the bank damaging tree roots of large trees that are in close proximity to the house. Budget allocation will also be required to engage with First Nations toward cooperative management and conduct species at risk surveys and research.

POLICY: Consistent with policy.

IMPLEMENTATION/COMMUNICATIONS: Staff will provide the Board-approved version of the management plan to TLC The Land Conservancy of BC, the covenant holder, for their final approval. Once approved by all parties, the management plan will be posted to the ITC website. ITC contractors and conservation partners working within the RANR will be provided with the management plan.

FIRST NATIONS: Letters were mailed from ITC to Cowichan Tribes, Halalt First Nation, Lyackson First Nation, MÁLEXEL (Malahat) Nation, BOKÉCEN (Pauquachin) First Nation, Penelakut Tribe, SEMYOME (Semiahmoo) First Nation, Stz'uminus (Chemainus) First Nation, WJOLELP (Tsartlip) First Nation, SÁAUTW (Tsawout) First Nation, Tsawwassen First Nation, WSIKEM (Tseycum) First Nation, and Ts'uubaa-asatx (Lake Cowichan) First Nation on February 5, 2021 (Appendix C of management plan) as part of the community engagement process. There has been no response received to date. Over the 10-year timeframe of this management plan, ITC will strive to work more closely with First Nations to build trust through in-person meetings and development of a Management Plan for Areas of Cultural Heritage and Sacred Significance.

CLIMATE CHANGE: Climate change may impact the distribution of ecosystems across the landscape and may alter vegetation patterns, hydrology, biodiversity and the frequency of pest outbreaks. There may be increased risk from natural hazards such as windstorms, storm surges and droughts. Hotter, drier summers with more extreme winter rain events may lead to changes in groundwater recharge rates, altered water table depths and altered flow rates. We witnessed this in 2021 when heavy rain storms led to high velocity flows in Forsen Brook which eroded the stream channel and surrounding vegetation. These conditions are likely to have a significant impact on RANR forests over time. The western redcedar – Douglas-fir/Oregon beaked moss ecological community found in RANR is highly susceptible to impacts associated with climate change. Increased summer drought, altered fire regimes and changes in soil moisture regimes may lead to a loss of this ecosystem type. Ongoing monitoring is important to determine if climate change is impacting the ecosystems in RANR.

OTHER: None.

4 **RELEVANT POLICY(S):** [ITC 2.3 - Acquisition and Management of Land](#)

5 **ATTACHMENT(S):**

- DRAFT Ruby Alton Nature Reserve Management Plan

RESPONSE OPTIONS

Recommendation: That the Islands Trust Conservancy Board approve the 2021 Ruby Alton Nature Reserve Management Plan, dated August 18, 2021.

Alternative: That the Islands Trust Conservancy Board approve the Ruby Alton Nature Reserve Management Plan with the following amendments:

- *[to be inserted by the ITC Board]*

Prepared By: Nuala Murphy, Property Management Specialist

Reviewed By/Date: Kate Emmings, Manager, Islands Trust Conservancy / May 22, 2023



Ruby Alton Nature Reserve Management Plan Salt Spring Island, BC



Photo 1. Cobble Beach along the shoreline of Ruby Alton Nature Reserve.

PREPARED BY
Carrina Maslovat, R. P. Bio. #1407
Salt Spring Island, BC

APPROVED BY
Islands Trust Conservancy Board on DATE
TLC The Land of Conservancy of BC on DATE

i. Executive Summary

Islands Trust Conservancy acknowledges and respects that Salt Spring Island is within the traditional territory of Coast Salish Peoples, Cowichan Tribes, Halalt First Nation, Lyackson First Nation, MÁLEXEL (Malahat) Nation, BOKÉCEN (Pauquachin) First Nation, Penelakut Tribe, SEMYOME (Semiahmoo) First Nation, Stz'uminus (Chemainus) First Nation, WJOŁŁLP (Tsartlip) First Nation, S7ÁUTW (Tsawout) First Nation, Tsawwassen First Nation, WSIKEM (Tseycum) First Nation, and Ts'uubaa-asatx (Lake Cowichan) First Nation. The historical relationship to the land, culture, and spirit of this place continues to this day. Islands Trust Conservancy is committed to honouring the rich history of Indigenous stewardship in the lands and waters of the Islands Trust Area and to building mutually respectful relationships between Indigenous and non-Indigenous partners in conservation. Therefore, this Management Plan for Ruby Alton Nature Reserve is a living document that will evolve as opportunities for knowledge sharing arise and understanding grows¹.

The Ruby Alton Nature Reserve is 1.6 hectares (4 acres) in size and was donated to ITC by Ruby Alton in 1998 and ITC took title to the land in 2002. A Section 218 Statutory Right of Way and Section 219 conservation covenant held by The Land Conservancy of British Columbia (TLC) were registered in 2007.

The Reserve is located on southern Salt Spring Island and is connected to the 13.3 hectare (33 acre) Ruby Alton Nature Sanctuary which was donated by Ruby Alton to the Nature Conservancy of Canada. The Reserve includes approximately 228 m (748 ft) of marine shoreline, 1.1 hectare (2.7 acre) upland forested habitat as well as the house, garden and former pasture area. The Reserve includes the Red-listed western redcedar – Douglas-fir/ Oregon beaked moss (*Thuja pliota – Pseudotsuga menziesii/Eurynchium oregana*) ecological community and two recorded Special Concern Species at Risk: Northern Red-legged Frog (*Rana aurora*) and Great Blue Heron (*Ardea Herodias fanninni*).

This management plan is intended to guide long-term management of Ruby Alton Nature Reserve based on site history and ecological features, in accordance with the goals, policies and objectives of ITC. The management objectives for the Reserve are to:

- Preserve and protect the natural ecosystems, biological diversity and natural values;
- Support and protect continued use of areas of sacred and cultural significance by First Nations as per Section 35 of the Constitution Act and UNDRIP;
- Restore plant and animal communities and ecological process where necessary and feasible;
- Support ongoing inventory, mapping and monitoring to guide management provided it does not interfere with Species at Risk protection;
- Allow natural forest succession and natural ecological processes and functions to proceed unimpeded without human intervention, except in the case of wildfire or other exceptional situations where remediation is considered imperative;

¹ First Nations/reconciliation content written by Lisa Wilcox, Islands Trust

- Remove invasive species throughout the reserve where they compromise natural values;
- Maintain safe public access to the reserve, in particular the shoreline; and
- Maintain the residence, driveway and the immediate surrounding gardens as per Ruby Alton's last will and testament.

Management recommendations for the Reserve include supporting partners, contractors and volunteers to complete cultural competency training, engaging with First Nations to ensure the management plan is reflective of treaty, inherent rights, and the traditional territories and working to develop a *Management Plan for Areas of Cultural Heritage, gathering and harvesting, and Sacred Significance*. Immediate actions include installing signage on Roland Road, maintaining previously installed signage to guide the public to the official access to the reserve, monitoring and implementing invasive species removal as required, removing surface garbage and communicating with the tenant-caretakers to address house and garden maintenance issues. Other management actions include developing a wildfire management plan, conducting additional Species at Risk surveys and monitoring to guide future management, and conducting annual covenant monitoring.

ii. Tables and Lists

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Photo credit for all photos: C. Maslovat

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iii. Acknowledgements

Table 1. Acknowledgements table (primary author and other contributors, contributions, affiliations, and professional qualifications).

Name	Position/Affiliation	Professional Accreditation or subject expertise	Contribution
Carrina Maslovat	Botanist/Contractor	R.P. Bio. Maslovat Consulting	Primary Author, field data collection
Nuala Murphy	Property Management Specialist/Islands Trust Conservancy		Background information and mapping, local contacts
Jemma Green	Acting Property Management Specialist/Islands Trust Conservancy		Document review

1 Introduction

Salt Spring Island is situated within the territory of the Coast Salish Peoples, who share a rich history of stewardship in the lands and waters of the Islands Trust Area that inspires the work of Islands Trust Conservancy (ITC) and its partners.

The Ruby Alton Nature Reserve (RANR) is 1.6 hectares (4.0 acres) in size and was protected by the Islands Trust Conservancy (ITC) in March 2002 through a generous donation by the late Ruby Alton. RANR includes her former house, pasture and gardens and adjacent forested area. The Land Conservancy of British Columbia (TLC) holds a conservation covenant and statutory right of way on RANR.

1.1 Islands Trust Conservancy

Since time immemorial, the lands and waters between Vancouver Island and mainland British Columbia have been home to the Coast Salish People, whose ecological, cultural, and spiritual connections to this place continue to this day. In 1974, the Province of British Columbia recognized this region as a special place within the province where the unique beauty, cultural heritage, rural character and diverse ecosystems should be protected for future generations. Through the *Islands Trust Act*, the province established the Islands Trust, a special purpose government, with the following mandate (known as the Object of the Islands Trust):

To preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia. (Islands Trust 2020a) Reference: <http://www.islandstrust.bc.ca/connect/about-us/>

In 1990, through the enactment of a section of the Islands Trust Act, the Province established the Islands Trust Fund, now called the Islands Trust Conservancy (ITC), as a conservation land trust to assist in carrying out the “preserve and protect” mandate. Part 6 of the Islands Trust Act establishes the corporate status, responsibilities, and governance structure of the Islands Trust Conservancy. The Board of the ITC is one of the sixteen corporate entities² charged to uphold the Object of the Islands Trust. Since 1990, the ITC has protected over 1,300 hectares (3,220 acres) of land as nature reserves and conservation covenants.

The vision of ITC is for a network of protected areas that preserve in perpetuity the natural systems of the islands in the Salish Sea. The mission of ITC is to protect special places by encouraging, undertaking, and assisting in voluntary conservation initiatives within the Islands Trust Area. ITC nature reserves are managed to maintain, preserve, and protect the natural features and values of ecosystems.

1.2 Purpose of Islands Trust Conservancy Management Plans

ITC management plans provide background information and set out the direction of property management as follows:

- Provide general and descriptive information on the property, including location, history, and land use.
- Set out the conservation goals and objectives for the property.
- Identify the ecological and/or cultural values and features of the property.
- Describe the management issues associated with the property.
- Provide short-, medium- and long-term management recommendations (action items or tasks) on issues such as species at risk protection, ecological restoration, public access, educational and research opportunities, invasive species management, and signage needs.
- Preserve and protect cultural, spiritual, and sacred locations.

Once the management plan process is completed, the ITC works to carry out the management actions or strategies identified in the plan, as resources allow. Following general practice and as outlined in the conservation covenant and statutory right of way, the ITC revises the Management Plan every ten years.

1.3 The Scope of Islands Trust Conservancy Management Plans

Consistent with the Islands Trust Reconciliation Declaration (Islands Trust 2020b) ^{Reference} <http://www.islandstrust.bc.ca/trust-council/first-nations-reconciliation/>, ITC recognizes that nature reserves may be places of great cultural and spiritual significance to First Nations. Cooperative management of these protected places will provide opportunities to establish and maintain mutually respectful relationships between Islands Trust Conservancy and First Nations, as well as upholding the guiding principles of United Nations Declaration on the Rights of

² The corporate entities charged to uphold the Object of the Islands Trust are the Trust Council, the Executive Committee, twelve local trust committees, one island municipality, and the Islands Trust Conservancy Board.

Indigenous Peoples (UNDRIP)³ and the Truth and Reconciliation (TRC) Calls to Action. Relationship-building, knowledge-sharing, healing, and establishment of trust take time. Islands Trust Conservancy is committed to developing a parallel *Management Plan for Areas of Cultural Heritage and Sacred Significance*. This parallel Management Plan sets out guiding principles for cooperative collaboration between ITC and First Nations with traditional and treaty territories and cultural interests in the area defined by one or more nature reserve. Moreover, the Management Plan defines the common vision, objectives, policies, and best management practices for the nature reserve(s) to ensure that its natural values and cultural heritage and sacred significance are maintained for future generations.

1.4 Protected Area Purpose

The purpose of the Ruby Alton Nature Reserve is to preserve and protect the representative natural ecosystems and natural values of the site (including any rare and endangered plant and animal species), and to maintain the biodiversity of the site for the benefit of the flora and fauna of RANR, the residents of the island and the province generally. The site is to be protected in accordance with the objectives of the Islands Trust Conservancy and the mandate of the Islands Trust.

The Ruby Alton Nature Reserve was donated to ITC by Ruby Alton whose last will and testament specified the following: “that the said property be held, managed and preserved for its ecological environment and scenic features, and without restricting the generality of the foregoing specifically not as a recreational park, and upon the express condition that (the) residence thereon and the immediate surrounding radius of gardens and the existing driveway, shall be preserved and managed for non- profit purposes including meetings, gathering and functions”.

1.5 Protected Area Objectives

The objectives for the Ruby Alton Nature Reserve are as follows:

- Preserve and protect the natural ecosystems, biological diversity and natural values;
- Support and protect continued use of areas of sacred and cultural significance by First Nations as per Section 35 of the Constitution Act⁴ and UNDRIP;
- Restore plant and animal communities and ecological process where necessary and feasible;
- Support ongoing inventory, mapping and monitoring to guide management provided it does not interfere with Species at Risk protection;
- Allow natural forest succession and natural ecological processes and functions to proceed unimpeded without human intervention, except in the case of wildfire or other exceptional situations where remediation is considered imperative;

³ The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is an international instrument adopted by the United Nations on September 13, 2007, to enshrine (according to Article 43) the rights that “constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.” The UNDRIP protects collective rights that may not be addressed in other human rights charters that emphasize individual rights, and it also safeguards the individual rights of Indigenous people. Canada signed in 2010.

⁴ Section 35 of the Constitution Act, 1982 recognizes and affirms the existing aboriginal and treaty rights of the aboriginal peoples of Canada and the courts have stated that aboriginal rights include aboriginal title.

- Remove invasive species throughout RANR where they compromise natural values;
- Maintain safe public access to RANR, in particular the shoreline; and
- Maintain the residence, driveway and the immediate surrounding gardens as per Ruby Alton's last will and testament.

2 Property Information

The Ruby Alton Nature Reserve is 1.6 hectares (4.0 acres) in size and is located on southern Salt Spring Island, BC. The gently sloping waterfront property spans from sea level to 25 metres above sea level in elevation and includes approximately 228 metres (748 feet) of marine shoreline and 1.1 hectare (2.7 acre) of upland forested habitat in the southern portion of RANR. The northern portion of the property consists of a former sheep pasture, gardens, orchard, outbuildings and Ruby Alton's former home. "Ruby's Creek", also known as Forsen's Brook, flows through the middle of the property into Fulford Harbour. The eastern boundary of RANR is marine shoreline in Fulford Harbour, the western boundary is Isabella Point Road, and the north and south borders are adjacent to privately managed lots.



Photo 2. Shoreline of Ruby Alton Nature Reserve at high tide.

2.1 Location

The Ruby Alton Nature Reserve is located on the western shoreline of the Fulford Harbour at 661 Isabella Point Road. Salt Spring Island can be accessed by ferries from Swartz Bay, Tsawwassen and Crofton. To reach RANR from the Fulford ferry terminal, travel north out of the ferry terminal for 250 m then turn left (west) to stay on Fulford-Ganges Road for 1 km. Turn left (south) onto Isabella Point Road and travel 2.9 km as the road winds southeast. RANR is on the left (east) side of the road, just before Roland Road.

2.2 Legal description

RANR is legally described as parcel identifier (PID): 009-742-883, that part of the north west ¼ section 41, South Salt Spring Island, Cowichan District, as shown on Plan DD18480F, Except Parcel A (DD193491). A Section 219 conservation covenant and a Section 218 Statutory Right of Way were established on December 18, 2007 and held by The Land Conservancy of British Columbia (TLC) (FB130378 and FB130379).

2.3 Legal Access

Legal access to RANR is off Isabella Point Road which runs along the western boundary of RANR. Isabella Point Road is designated as a minor rural road under Salt Spring Island Official Community Plan Bylaw 434, Map 3 – Existing Transportation Network and Road Standards

(Islands Trust 2020d). Public access to RANR is via Isabella Point Road, through a wooden gate north of the driveway. A path leads from Isabella Point Road through an old pasture to the shoreline (Islands Trust Conservancy 2020a).

2.4 Landscape Context

Salt Spring Island is within the traditional and treaty territories of Coast Salish Peoples, Cowichan Tribes, Halalt First Nation, Lyackson First Nation, MÁLEXEL (Malahat) Nation, BOKEĆEN (Pauquachin) First Nation, Penelakut Tribe, SEMYOME (Semiahmoo) First Nation, Stz'uminus (Chemainus) First Nation, WJOŁELP (Tsartlip) First Nation, SẂÁUTW (Tsawout) First Nation, Tsawwassen First Nation, WSIKEM (Tseycum) First Nation, and Ts'uubaa-asatx (Lake Cowichan) First Nation.

Salt Spring Island is the largest of the Southern Gulf Islands located in the Strait of Georgia and is home to over 10,000 residents (see map in Figure 1 for location and protected area context). It is one of many islands that is governed by the Islands Trust. The Ruby Alton Nature Reserve is located on the west side of the Fulford Harbour in the southern part of Salt Spring Island.

A separate forested 13.3 hectare (33 acre) parcel (Ruby Alton Nature Sanctuary), which is southwest of ITC's Ruby Alton Nature Reserve, was donated by Ruby Alton to the Nature Conservancy of Canada. There are two small park reserves in the vicinity managed by the Salt Spring Parks and Recreation Commission (PARC): Fern Creek Park Reserve measuring 1.7 ha (4.2) and Isabella Road Park Reserve Measuring 0.5 ha (1.2 acres). The remaining properties near RANR are privately-managed lots.



Figure 1. Location of Salt Spring Island (inset) and protected area context surrounding Ruby Alton Nature Reserve.

2.5 Site History

Salt Spring Island is within the traditional territory of multiple Coast Salish First Nations who have called this place home since time immemorial. The Coast Salish peoples maintained a vital, dynamic, and sustainable connection to their territory and developed rich cultural, spiritual, and traditional ecological knowledge. However, cultural heritage and sacred sites of Salt Spring Island and the greater Islands Trust Area were negatively impacted by European settlement. Past archeological activities, vandalism, and land use have disturbed sites of cultural and spiritual importance. Nevertheless, the land and the greater territory remains an embodiment of the stories, oral history, and culture of these First Nations. There are archaeological artifacts dating back thousands of years on Salt Spring showing a rich history of First Nations settlement. There is an extensive anthropogenic clam garden approximately 100 m south of RANR, which indicates RANR and surrounding waters were important sites for First Nations. One of the questionnaire respondents noted indications of First Nations artifacts in the beach profile.

European settlement on Salt Spring Island began in the late 1800's primarily in low-elevation coastal areas that were easily accessed for farming and homesteading. Mr. Alton purchased what is now the Ruby Alton Nature Reserve with his first wife. The house, which is thought to have been built in the 1930s or 1940s, was already in place. Mrs. Alton became ill and Ruby Lacy attended to her while she was sick until her death. Ruby Lacy later married Mr. Alton and became Ruby Alton. A 10-foot addition was added to the north side of the house in the 1960s (ITC 2020a).



Photo 3. House in Ruby Alton Nature Reserve which is believed to have been built in the 1930s or 1940s.

Ruby Alton grew up on Salt Spring Island digging clams, fishing, raising sheep and growing vegetables as income supplements (ITC 2020a). Ruby was a prolific gardener and transplanted plants throughout the property including the forested areas of RANR. There are remaining pieces of old fencing that was used to protect these plants and a maintained fence that surrounds the vegetable garden. There are mature fruit trees throughout the garden and former pasture area including the heritage varieties “King of Tompkins County” apple and “King William” pear trees (Annschild, Anderson and Oak 2002; Rose 2004). One questionnaire respondent remembered purple peaches.

The forested area has been logged, most recently approximately 50 years ago judging by the size of the remaining trees.

After Ruby Alton's death in 1998, the land was in probate for four years before being transferred to the Islands Trust Conservancy, and as a result, the gardens and house had

fallen into disrepair. The first management plan for RANR was developed in 2002 by Annschild, Anderson, & Oak Environmental Services after extensive community consultation.

The Islands Trust Conservancy is tasked with managing the site at their discretion for non-profit purposes consistent with the last will and testament left by Ruby Alton. Ruby Alton Nature Reserve is unique among ITC-managed properties because it contains a house, garden and former pasture. An old sheep shed and boat house that were formerly on the property have been removed and the house has been rented to tenant-caretakers for the last 10 years.

2.6 Anthropogenic Features

At this time ITC has not undertaken archaeological reviews in cooperation with First Nations to complete Traditional Use Studies (TUS), or a Traditional Ecological Knowledge study (TEK), or worked with Cultural Knowledge Holders (CKH) on RANR. ITC will work with First Nations to understand the cultural significance of the area and the ecology.

There are no known recorded archaeological sites in Ruby Alton Nature Reserve and archaeological potential modelling does not indicate a high potential for previously unidentified sites to be found on the property (Cooper pers. comm. 2021). However, there are anthropogenic clam gardens that have been mapped to the southeast of RANR and there is a large clam bed along the shoreline of RANR which serve as indications that RANR and the surrounding waters were used extensively by First Nations (Figure 3).

There are a number of anthropogenic features associated with the former and current inhabitants. Locations of photograph are given in Appendix A and the map in Figure 2 identifies the locations of all photographs.

The most notable anthropogenic feature is the house including the addition and attached greenhouse on the south wall (Photo 3). One of the questionnaire respondents noted that the house has heritage value as recorded by the heritage architect Jonathan Yardley (Milburn pers. comm. 2021).

The house is in disrepair and although some upgrades have been done, further work will be necessary to keep it in a livable condition. The addition is separating from the main house as the house settles. A ditch which was dug beside the driveway to redirect water flow has backed up and water now flows under the house through



Photo 4. Shed and piping used to divert water to the house, formerly for drinking and then for irrigation.

the foundation of the house and is causing the porch to rot and the foundation to split (Cermak pers. comm. 2021).

Drinking water for the house was originally diverted from the creek. There is a small shed, measuring approximately 3m x 4m over the creek and associated piping which was formerly used to divert drinking water and was then used to collect water for garden irrigation but water no longer runs to the house. (Photo 4) (Cermack pers. comm. 2021). The water system has been upgraded with the installation of a water tank and rainwater catchment system although the PVC pipe of the catchment system is beginning to degrade and may need replacement (Cermak pers. comm. 2021). The ITC also installed a vegetative tertiary filter wastewater treatment system which includes a small pond below the driveway which has dense cover of Common Cattail (*Typha latifolia*) (Photo 5). ITC upgraded the insulation in the house (ITC 2020a) and the tenant-caretakers recently built a small woodshed next to the house (Photo 6) (Cermak pers. comm. 2021).

Close to the house is a large water tank and associated catchment system for drinking water (Photo 6). The unpaved driveway leads to the house from Isabella Point Road and there is a metal gate at the entrance to the driveway (Photo 7). There is a small chloroplast sign asking visitors to respect the caretakers privacy (Photo 17).

A wooden fence is found along the property line from the driveway to the northwest corner of RANR. The driveway is for the tenant-caretaker use only. There is a public access gate with a welcome sign close to the northwest corner of RANR off Isabella Point Road (Photo 9). There is a rustic wooden bench in the former pasture



Photo 5. Vegetative tertiary filter wastewater treatment system on right and garden fence on left with house behind.



Photo 6. Water storage tank in foreground with woodshed in background next to house.



Photo 7. Gravel driveway off Isabella Point Road. Note wooden fence to the left of the driveway.

next to the trail (Photo 15). This is the only area open to the public. From the gate, there is a rough path through the former pasture which leads to a set of stairs which provides public access to the shoreline (Photo 10; 15). A large number of canoes (4), kayaks (2) and rowboats (2) have been stored at the bottom of the stairs above the high tide line.



Figure 2. Anthropogenic features in Ruby Alton Nature Reserve.

There is a fenced vegetable garden as noted in Figure 2. An unauthorized trail is developing from Roland Road through the forest to the shoreline (Photo 19). The trail goes over a collapsing t-post and page wire fence along the southern boundary of RANR. The tenant-caretakers have blocked the steepest section of the desire line trail with barbed wire strung between trees which has been hung with flagging (Photo 18).



Photo 8. One of several garbage piles in RANR. This pile, which appears to be camping gear, is just above the shoreline.

A number of trenches were dug through the forest, presumably for garbage disposal. Although the tenant-caretakers have cleaned up some of the garbage, there is still surface garbage and presumably more that has been buried. There are also several garbage piles in the forested area (Photo 8) and a pile of old building materials next to the driveway.

Table 2. Anthropogenic features (structures) in Ruby Alton Nature Reserve

Anthropogenic Feature	Description	Condition	Photopoint Location
House	1.5 story house including addition and attached greenhouse.	Built in 1930s. House is in poor condition- there are issues with sagging due to poor foundation and poor drainage, broken glass frames in greenhouse. Tertiary water filtration pond and PVC pipes for water catchment system need maintenance.	P3, Map Figure 2
Water Tank	Metal cistern for storing water catchment.	Good. Recently installed tank.	P6, Map Figure 2
Wood Shed	Timber frame open structure with roof for storing firewood.	Good. Recently built structure appears solid.	P6, Map Figure 2
Water collection shed and piping	Shed formerly used for water collection from creek for household water use and associated black plastic piping.	Poor. No longer used as drinking water source or garden irrigation.	P4, Map Figure 2

Table 3. Anthropogenic features (land modifications) in Ruby Alton Nature Reserve

Anthropogenic Feature	Description	Condition	Photopoint Location
Trail	Public walking trail from gate on Isabella Point Road to shoreline (as mapped).	Fair. Narrow undeveloped footpath with no clearly defined boundary.	P15, Map Figure 2
Driveway	Gravel driveway from Isabella Point Road to house. Metal gate across driveway.	Fair. A drainage ditch beside the driveway (next to Isabella Point Road) is insufficient for draining water which pools in the driveway near Isabella Point Road.	P7, Map Figure 2
Wooden fence and gate with sign	Unpainted wooden picket fence with wooden 4x4 posts. Extends from the driveway to the northwest corner of the property and along northern property line (as mapped). Gate has a welcome sign with list of donors.	Fence is in fair condition. Untreated wood is covered with lichen growth. Appears stable. Paint on sign is fresh and sign is in good condition.	P9, Map Figure 2
Caretaker sign	Chloroplast sign next to driveway asking visitors to respect caretaker's privacy.	Sign is in good condition and replacement signs were noted near woodshed.	P17, Map Figure 2
Stairs	Wooden 4 x 4 sills with crushed gravel stairs from pasture to shoreline.	Good. Stairs were recently replaced and are in good repair.	P10, Map Figure 2
Wooden bench	Wooden slab on cut wooden rounds in former pasture.	Fair. Rustic unfinished bench.	P16, Map Figure 2
Vegetative tertiary filter wastewater treatment system	Cattail filled pond used for sewage filtration.	Fair. Caretaker/tenant says septic pond system in need of maintenance.	P5, Map Figure 2
T-post and page wire fence	T-post and page wire fence along southern and western property line.	Poor. Wire has collapsed in many places and has been buried by vegetation.	None taken
Garden fence	Wooden post and wire fence surrounding vegetable garden.	Fair. Fence appears sufficient for keeping deer out of garden.	P5, Map Figure 2
Short lengths of wire fencing	Random fencing in many parts of the property including garden and forested areas. Recently installed barbed wire to limit neighbours from	Poor. Original purpose of much of the fencing is unclear and most of the fencing has fallen and is covered by vegetation. Barbed wire will become a	P18, Map Figure 2

	accessing shoreline via Roland Road.	safety hazard once flagging tape deteriorates.	
Garbage	Garbage piled next to driveway (beside Isabella Point Road) and in multiple locations in the forested area.	Tenants have cleaned much of the garbage, but piles remain including building materials next to driveway, abandoned camping gear, plastic waste, and a cut telephone pole in forest.	P8, Map Figure 2
Watercraft	A number of boats (2 rowboats, 4 canoes and 2 kayaks) are at the bottom of the shoreline next to the beach, presumed to belong to off-site residents.	N/A	P10, Map Figure 2

2.7 Undersurface Rights

There is no mention of undersurface rights granted to another party on the land title documents.

2.8 Notations, Charges, Liens and Interests

A Section 219 Conservation Covenant (FB130378) and a Section 218 Statutory Right of Way (FB130379) were registered over RANR on December 18, 2007 in favour of The Land Trust of British Columbia (TLC). The covenant is divided into two areas, Covenant Area A in the northern half of RANR, north of the creek which measures approximately 1.1 ha (2.7 acre) and Covenant Area B in the southern half of RANR, south of the creek measuring approximately 0.7 ha (1.7 acres).

The general intent of the covenant agreement is:

- (a) to protect, preserve, conserve, and maintain Covenant Area A, and its amenities, in a natural state;
- b) to protect, preserve, conserve, and maintain the indigenous trees of Covenant Area B
- c) to prevent any development, occupation or use of the Land that will impair or interfere with the intent of (a) or (b) above;
- d) to prevent any subdivision of the Land.

The Statutory Right of Way outlines access and activities permitted by the Covenant Holders.

There is an easement (ET17477) that was registered on February 14, 2002 over the part in plan VIP73350 appurtenant to Parcel A (DD 193491I) Section 41, South Salt Spring Island, Cowichan District. The easement is in place for the adjacent property to the north to use surface water from the stream that crosses RANR.

2.9 Local Planning Designations

The property is zoned Rural (R) in the Salt Spring Island Official Community Plan, Bylaw #434, which permits agriculture, residential single-family dwellings, schools, and community halls

(Islands Trust 2020d). The shoreline is zone S6, which allows navigational use, geothermal heating equipment in tidal waters, private floats, buoys for non-commercial boat moorage, private docks and floats for non-commercial boat wharfage accessory to a permitted use on the adjacent upland (Islands Trust 2020d). It falls within Development Permit Area 3 for shorelines which protects the on-land portion 10 m horizontally from the natural boundary of the sea and the foreshore 300 m horizontally from the natural boundary of the sea (Islands Trust 2020d). The creek is not mapped under the Riparian Areas Regulation (DPA 7) (Islands Trust 2020d).

2.10 Existing Public and Other Use

Ruby Alton Nature Reserve is accessible to the public at the welcome sign at the northwest corner of the property via a signed wooden gate off Isabella Point Road. An undeveloped footpath leads from the gate to the shoreline via a set of stairs. This is the only public path on RANR. There is no public parking for RANR, so most visitors are local residents. There is a small chloroplast sign on the driveway asking visitors to respect the privacy of the caretakers.

Visitors walk along and spend time on the beach and use the beach as a launch site for canoes, kayaks and rowboats. A large number of boats have been left above the high tide line at the bottom of the stairs. There have been beach fires in the past.

In recent years, people have begun accessing the beach in RANR from Roland Road through the forested area. The path has become quite well worn and easy to follow. The tenant-caretaker has put up wire to discourage people from accessing the beach through a steep section of bank in order to minimize erosion.



Photo 9. Sign and gate at entrance to public path to Ruby Alton Nature Reserve.



Photo 10. Stairs to the shoreline with boats left above high tide line.

3 Inventory by Ecological Community⁵

ITC acknowledges that there is a wealth of Traditional Ecological Knowledge and a long history of ecosystem stewardship among the First Nations whose territory encompasses Ruby Alton Nature Reserve. ITC will strive to work with First Nations knowledge holders to deepen its understanding, improve its stewardship practices, and, ultimately, support the transfer of Traditional Ecological Knowledge to younger generations within First Nations communities to ensure that it is not lost. At this time, the ecological information presented in this management plan was formed using systems that are based in foundations of Western science.

3.1 Ecological Significance

Although the forest is small and has limited diversity, there are some larger trees along the southern boundary and the maturing forest provides important habitat which is amplified by its connectivity with the adjacent Ruby Alton Nature Sanctuary. The forest protects Forsen Brook which runs from west to east through RANR and through the adjacent Nature Sanctuary. The creek feeds the eelgrass and clam beds along the Fulford Harbour shoreline (Annschild, Oak & Anderson Ecological Services 2002). Anecdotal evidence from Ruby Alton notes that there was formerly a run of 30-40 salmon in the creek (Annschild, Anderson and Oak 2002). RANR also protects approximately 228 m (748 ft) of shoreline which provides important habitat for intertidal and terrestrial wildlife. A map of ecological features is provided in Figure 3.



Photo 11. “Ruby’s Creek”, officially known as Forsen Brook runs through the forested section of RANR. Note erosion on right (north) bank.

Table 4. Species at Risk in Ruby Alton Nature Reserve

⁵ Ecological communities are used by the B.C. Conservation Data Centre and NatureServe to describe both forested and non-forested natural areas. More information about ecological communities, including descriptions of ecological communities in the Islands Trust Area, can be found on the B.C. Conservation Data Centre website.

Species Name		Status*				
English	Scientific	Provincial	BC List	COSEWIC	SARA	Global
Great Blue Heron, <i>fanninni</i> subspecies	<i>Ardea herodias fanninni</i>	S2S3B, S4N (2018)	Blue	SC (2008)	1-SC (2010)	G5T4 (2016)
Northern Red- legged Frog	<i>Rana aurora</i>	S3 (2016)	Blue	SC (2015)	1-SC (2005)	G4 (2015)

*Status ranks from BC CDC (2021)



Figure 3. Ecological Communities and Features in Ruby Alton Nature Reserve.

Table 5. Ecological Communities in Ruby Alton Nature Reserve

Ecological Community Name		Status*		
English	Scientific	Provincial	BC List	Global
Western redcedar - Douglas-fir/Oregon beaked moss	<i>Thuja plicata</i> - <i>Pseudotsuga menziesii</i> / <i>Eurhynchium oregonum</i>	S1 (2013)	Red	GNR

*Status ranks from BC CDC (2021)

3.2 Climate

The southern Gulf Islands, which includes Salt Spring Island, have a climate pattern of warm, dry summers and mild, wet winters. The maritime influence moderates the effect of elevation, latitude, and aspect on local temperature and precipitation.

The weather statistics for the Cusheon Lake station (the closest station to the Ruby Alton Nature Reserve) show the annual precipitation is approximately 1071 millimeters and most of it comes in the form of rain rather than snow (Government of Canada 2020). On Salt Spring Island, average daily temperatures peak in the summer months (July and August) at 16°C and are lowest in the winter (December and January) at 2.4-2.8°C (Figure 3). The reverse is true for precipitation, with the winter months from November to January having the highest rainfall (averaging 139-185 millimeters) and July and August being the driest months (24-26 millimeters) (Government of Canada 2020).

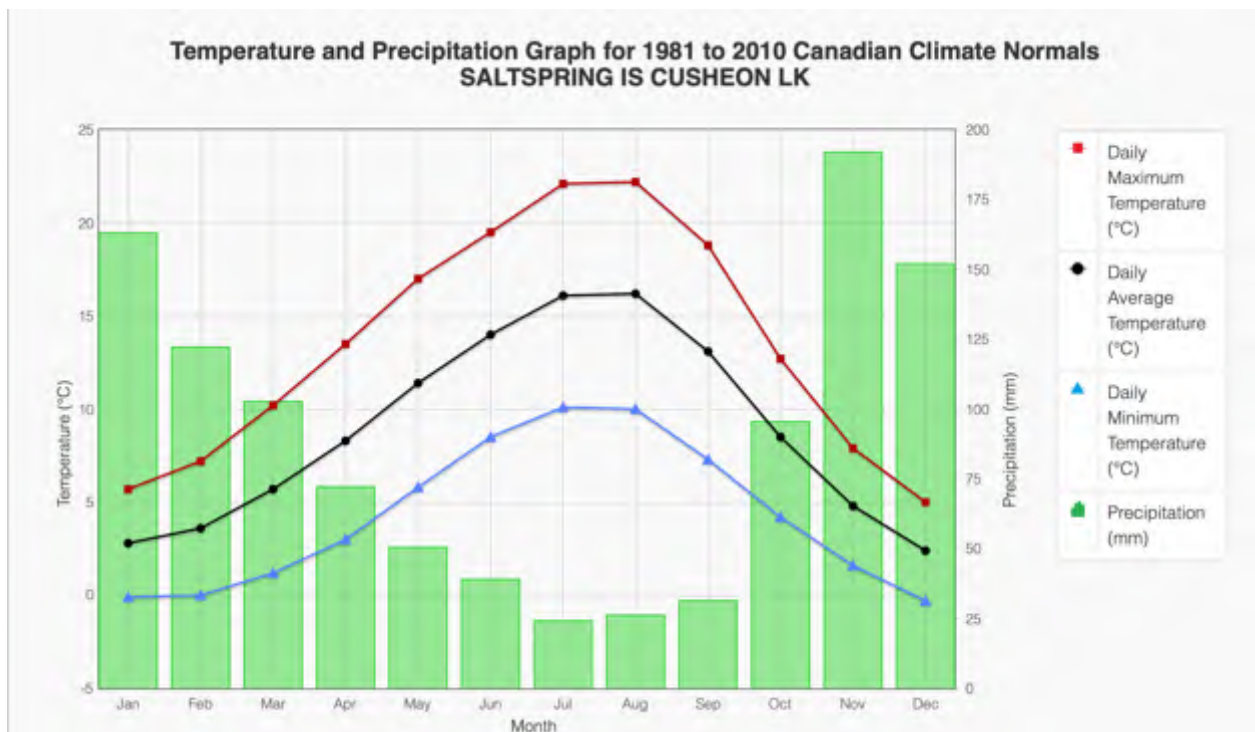


Figure 4. Canadian climate normals for temperature and precipitation at Cusheon Lake weather station, British Columbia from 1981-2018 (Environment Canada 2019).

The future impacts from climate change are unknown, although a summer drying trend and an increase in storm events are predicted (Mauger et.al. 2015). More powerful storm surges and sea level rise may cause increasing erosion along the shoreline and may cause a loss of

coastal habitats (Islands Trust 2021). Sea level rise and related impacts may lead to a loss of cultural and historical sites on coastlines (Islands Trust 2021).

Forests may see a shift in the distribution and range of species (Islands Trust 2021). Climate change may be associated with an increased risk of pest outbreaks, forest fire risk and competition from invasive species (Islands Trust 2021). Higher temperatures and less precipitation may lead to localized stress on trees and plants. Maintaining habitat connectivity, biodiversity and ecosystem resilience may assist the flora and fauna adapting to climate change stresses.

3.3 Geology and Physiology

The property slopes to the east to the shoreline and the marine influences moderate the temperature of RANR. The maximum elevation in RANR is 25 metres above sea level along Isabella Point Road. RANR receives upslope surface water that is shed from adjacent properties and the land slopes down to the creek which flows through the middle of the property to the shoreline.

3.4 Hydrology

There is a small creek, known as Forsen Brook, that flows through RANR from west to east, draining into the Fulford Harbour and feeding the clam and eelgrass beds along the marine shoreline (Islands Trust Conservancy 2020b). The creek flows year-round though the flow is significantly lower in the dry season. The tenant-caretakers have used water from the creek to irrigate their vegetable garden but the plumbing no longer works. There is an easement for a neighbour to use water from the creek but it is not being used at this time.

3.5 Soils

RANR is dominated by the Mexicana/Trincomali map unit, which is dominated by moderately well-drained Mexicana soils (50-65%) with inclusions of Trincomali soils (35-50%). A narrow band on the west side of the property bordering Isabella Point Road falls within the St-Mary/Mexicana map unit which consist of imperfectly drained St. Mary soils (50-75%) and moderately well-drained Mexicana soils (25-50%) (Van Vliet *et al.* 1989). There has been some soil compaction in the former pasture area due to many years of grazing pressure.

Mexicana soils:

Mexicana soils have developed on gravelly sandy loam to gravelly loam morainal deposits over deep, compact, unweathered till within 100cm of the surface. Coarse fragments make up 15 to 20%. Parent material generally consists of less than 20% clay and usually occurs at a depth of 80cm. Moderately well drained, these soils often support perched water conditions on compact till during the wet months (Van Vliet *et al.* 1989).

Trincomali soils:

Trincomali soils have developed on shallow deposits of gravelly sandy loam to gravelly loamy sand textured marine, fluvial, or glaciofluvial materials. Parent material for Trincomali soils is compact, unweathered till (within 100cm) whose texture consists of gravelly sandy loam to gravelly loam. The soils developed on shallow deposits of gravelly sandy loam to gravelly

loamy sand textured marine, fluvial, or glaciofluvial materials consisting of 15 to 20% gravels. In these moderately well-drained soils, perched water table conditions can exist on top of the compact till for short periods of time. However, during the dry season these soils are very droughty. Trincomali soils are strongly acidic (pH 4.6-5.5) and have a low inherent fertility (Van Vliet *et al.* 1989).

St. Mary soils:

The imperfectly drained St. Mary soils consist of 3 layers: a 30-70cm cap of marine deposits of loamy-sand to sandy-loam over a 20 to 50cm deep marine and usually stone free sandy clay loam to silty clay loam marine deposit over gravelly sandy loam to gravelly loam compact unweathered till within 100cm. Downward water movement may be restricted by the fine texture subsoil, creating perched water table conditions. Most of the St. Mary's soils of Salt Spring island have been cleared of their original vegetation for agricultural uses (Van Vliet *et al.* 1989).

Soil pits dug in RANR indicate the soil is gleyed, dystric brunisol which ranged in colour from medium dark brown to dark grey with orange mottles. Soil texture was primarily small to medium sized particles with a high percentage of coarse fragments. The rooting zone was 0-26 cm and the main soil process was oxidation-reduction (Rose 2004).

3.6 Ecological Classifications

The Ruby Alton Nature Reserve occurs within the Coastal Douglas-fir moist maritime (CDFmm) biogeoclimatic zone (Green and Klinka 1994). Climatic factors, in conjunction with existing soil conditions, result in a forest with a long growing season, although water deficits may occur on zonal sites (Green and Klinka 1994). RANR is within the Pacific Maritime Ecozone and the Georgia-Puget Basin Ecoregion (Ecological Framework of Canada 2019).

3.7 Ecological Communities and Site Series

The previous management plans for Ruby Alton Nature Reserve did not delineate ecological communities (Annschild, Anderson & Oak Ecological Services 2002). One provincially red-listed ecological community was delineated based on Terrestrial Ecosystem Mapping (TEM) (Islands Trust 2020b). The following ecological description data were collected on January 7, 2021.

Site series were identified using *A Field Guide for Site Identification and Interpretation for the Vancouver Forest Region* (Green and Klinka 1994; Figure 2). Structural stage was defined using *Standards for Terrestrial Ecosystems Mapping in British Columbia* (RIC 1998). The ecological communities are described below and summarized in Tables 6-7.

A plot was chosen in a location that was representative of the Vegetation Type and care was taken to avoid transitional areas next to adjacent clearings. All herbaceous vegetation was noted within an area of 400m² (circular plot with a radius of 11.3 m) and estimates of percent cover, canopy closure, tree age, diameter at breast height (DBH) and height were made within this area.

Only species that were observed within the plot are included in the tables below. All tree ages were estimates made from a visual assessment taking into consideration varying growth rates in different soil nutrient and moisture regimes. Core samples were not taken to determine tree age and soil pits were not excavated to limit unnecessary soil disturbance.

Locations of photographs are given in Appendix A and the map in Figure 2 identifies the locations of all photographs. A list of all plant species observed during preparation of the baseline, management plan and previous survey is included in Appendix B.

Animal species observed during preparation of the baseline, management plan and previous surveys are described in Section 3.8.

3.7.1 Ecological Community 1 CDFmm05

The ecological community in the forested area of RANR is the red listed western redcedar – Douglas-fir/Oregon Beaked moss. This community is hygric and has a medium soil nutrient regime (Green and Klinka 1994). This community was historically uncommon and is now considered rare within its range with less than 0.01% old forest and only 17% mature climax forest and fewer than 38 km² in total remaining (BC CDC 2013).



Photo 12. Vegetation Type 1. 90° showing Douglas-fir, western redcedar, red alder with swordfern understory.



Photo 13. Vegetation type 1. 270° with Douglas-fir, young western redcedar and swordfern understory. The ocean is beyond the trees.

Table 6. Description of Ecological Community 1

Polygon ID:	1
Ecological Community:	Western redcedar – Douglas-fir/ Oregon beaked moss
Classification ⁶ :	CDFmm/05
Structural Stage:	5 – Young Forest
Status (BC List):	Red listed
Photopoint(s):	P12, P13
Ecological Community Description:	Mixed age (30 – 50 years old) Douglas-fir forest with scattered mature (80+ years old) Douglas-fir and a secondary canopy of western redcedar (<i>Thuja plicata</i>) with a few scattered bigleaf maple (<i>Acer macrophyllum</i>) and red alder (<i>Alnus rubra</i>). The understory is dominated by swordfern (<i>Polystichum munitum</i>) with small patches of salal (<i>Gaultheria shallon</i>) and dull Oregon-grape (<i>Berberis nervosa</i>) and a sparse cover of Oregon beaked moss (<i>Eurynchium oregana</i>).
Disturbance Notes:	The polygon includes some historical disturbance from previous logging and numerous trenches that were dug for garbage disposal. There is an unauthorized trail from Roland Road to the shoreline and the small remnant forest is impacted by edge effects.

⁶ Classification should be to site series (forested ecosystems), or to Garry oak plant community or ecosystem or by wetland type.

Anticipated Change/Succession:	Deer grazing will restrict recruitment of young conifer and understory species. Dominant vegetation is likely to continue to be Douglas-fir trees.
Wildlife observations:	Black tailed deer (<i>Odocoileus hemionus</i>) browse observed on shrubs and scat noted, Common Raven (<i>Corvus corax</i>), Chestnut-backed Chickadee (<i>Poecile rufescens</i>) and Pacific Wren (<i>Troglodytes pacificus</i>) heard during surveys.

Table 7. Vegetation Species in Ecological Community 1

VEGETATION SPECIES	PERCENT COVER (%)						NOTES
	Main Canopy *	Secondary Canopy +	Shrub Layer **	Herb Layer ++	Moss, Lichen *	Non-natives ^	
<i>Pseudotsuga menziesii</i> (Douglas-fir)	40						MC: uneven-aged, 50-100yrs, ht: 30m DBH: 25-73cm
<i>Thuja plicata</i> (western redcedar)		20					SC: 30-40 years, ht: 20m, DBH: 15-50cm
<i>Acer macrophyllum</i> (big-leaf maple)		5					SC: 20-40 years, ht: 15m, DBH: 25-45cm
<i>Alnus rubra</i> (red alder)		5					SC: 30-70 years, ht: 20m, DBH: 40-45cm
<i>Polystichum munitum</i> (sword fern)				45			
<i>Ilex aquifolium</i> (English holly)						5	Low growing with multiple root shoots
<i>Mahonia nervosa</i> (dull Oregon-grape)				2			
<i>Rubus ursinus</i> (trailing blackberry)				T			
<i>Urtica dioica</i> (stinging nettle)				T			
<i>Eurynchium oregana</i> (Oregon beaked moss)					T		
Cover by Layer (%)	40	30	0	47	T	5	Total Canopy Cover: 40-50%

*Codominant trees, main layer of tree cover.

+Trees greater than 10m that do not reach the main canopy

**All woody plants less than 10m tall

++All herbaceous species, regardless of height and some low woody plants less than 15cm tall

*+ All bryophytes, terrestrial lichens and liverworts

T stands for Trace or less than 1%

3.8 Wildlife Species

The forested area provides habitat for Black-tailed Deer (*Odocoileus hemionus*) and Red Squirrels (*Tamiasciurus hudsonicus*) although the small size of RANR limits the diversity of wildlife species. Connectivity with the larger Ruby Alton Nature Sanctuary helps provide a larger area for wildlife although Isabella Point Road separates these two parcels, limiting movement for some species. There are few small wildlife trees which provide food for woodpeckers and may provide nesting sites for cavity nesters.

The marine shoreline interface with the upland forested habitat of RANR supports a variety of wildlife. Archaeologically significant clam beds constructed by First Nations have been identified in many areas of the Fulford Harbour and provide excellent foraging habitat for Great Blue Heron (*Ardea Herodias fannini* – Special Concern) and eelgrass habitat. Surf Smelt (*Hypomesus pretiosus*) has been recorded in the waters off RANR (Islands Trust 2020c). A questionnaire respondent noted that RANR may have Pacific Sand Lance and Surf Smelt spawning and burying habitat and that lab results are pending (Huard pers. comm. 2021).

The freshwater creek that runs through RANR provides riparian habitat which is ideal for amphibians including Northern Pacific Treefrog (*Pseudacris regilla*), Roughskin Newt (*Taricha granulosa*) and the federally-listed Northern Red-legged Frog (*Rana aurora* – Special Concern).



Photo 14. Wildlife tree next to creek in Ruby Alton Nature Reserve

Table 8. Wildlife species noted at Ruby Alton Nature Reserve.

Common Name	Latin Name
Mammals	
Black-tailed Deer (browse and scat)	<i>Odocoileus hemionus</i>
Mink**	<i>Neovison vison</i>
Red Squirrel (visual, auditory and middens)	<i>Tamiasciurus hudsonicus</i>
River Otter (visual and scat)	<i>Lontra canadensis</i>
Amphibians	
Northern Pacific Treefrog*	<i>Pseudacris regilla</i>
Northern Red-legged Frog*	<i>Rana aurora</i>
Roughskin Newt*	<i>Taricha granulosa</i>
Birds	
American Robin	<i>Turdus migratorius</i>
Bald Eagle**	<i>Haliaeetus leucocephalus</i>

Bushtit	<i>Psaltiriparus minimus</i>
Chestnut-backed Chickadee	<i>Poecile rufescens</i>
Common Raven	<i>Corvus corax</i>
Golden-crowned Kinglet**	<i>Regulus satrapa</i>
Great Blue Heron	<i>Ardea herodias fanninni</i>
Pacific Wren	<i>Troglodytes pacificus</i>
Pileated Woodpecker	<i>Dryocopus pileatus</i>
Pine Siskin	<i>Spinus pinus</i>
Fish	
Surf Smelt***	<i>Hypomesus pretiosus</i>

Source: * Annschild, Anderson and Oak (2002)

** Cermak pers. comm. 2021

*** Islands Trust (2020c)

Questionnaire respondents also noted the presence of other species described as follows: harbour dolphin, Pacific striped dolphin, porpoise, orca, sea lion, seal, salmon, cutthroat trout, sea snail, moon snail, sand dollar, many species of clam, Cooper's Hawk, Osprey, Black Oystercatcher, Belted Kingfisher, Anna's Hummingbird, Rufous Hummingbird, several species of woodpeckers, swans, ducks and other sea birds.

3.9 Expected Change Over Time

The protection of RANR will allow for the upland forested area to mature and diversify over time. Forest and understory vegetation regeneration will continue to be limited by high herbivory pressure. Barring any land use changes upslope, there is no expected increase in the number of invasive species or erosion over time, however ongoing invasive species management will be required to maintain diversity of the site.

4 Threats

Table 9. Threats to Ruby Alton Nature Reserve

Threats (examples below)	Coastal Douglas-fir Forest*	Shoreline	Former pasture and garden	Overall Threat Rank
Recreational Activities: Public use of RANR including walking and beach fires can cause wildlife disturbance, soil disturbance and erosion. Significant foot traffic use outside of the official trail can hasten erosion and damage rocky coastal shorelines. Beach fires can damage intertidal wildlife. With increasing population and development on Salt Spring Island public, use of all nature reserves is expected to continue to increase.	Medium	Medium	Low	Medium
Fire: Catastrophic wildfire: Naturally occurring fires have been actively suppressed for about a century on Salt Spring Island. Fire suppression	Medium	Low	Low	Medium

results in elevated fuel levels and a change of fire regime from low intensity, high frequency fires to higher intensity, low frequency fires. Higher intensity fires are also generally larger in scale. An intense fire could result in stand replacement, destruction of herbaceous vegetation, loss of nutrients and erosion. Vegetation recovery following catastrophic fire can be slow and invasive non-native species are likely to establish in areas with disturbed soil.				
Water Management/Historic Use of Creek/Hydrologic Changes: Ruby Alton used the creek water for household use and the piping/shed in the creek was used to divert water for garden irrigation but is not functioning at this time. It is unclear if the creek is in its original location since provincial mapping shows it in a different location. There is erosion occurring along the banks of the creek, particularly on the north side where there is with less native vegetation cover. Hydrologic flow in the garden and former pasture areas has been altered when the land was drained to allow agriculture and settlement. Ditching next to the driveway diverts water from its natural flow.	Unknown	N/A	Medium	Medium
Invasive Non-Native Species: Invasive species are a significant threat to biodiversity and according to the International Union for Conservation of Nature (IUCN), it is second only to habitat loss. The impact on native ecosystems, habitats and species can be severe and often irreversible (IUCN 2019).	Medium	High	N/A	Medium
Problematic Native Species: Hyper-abundant Mule Deer (<i>Odocoileus hemionus</i>) can be problematic, dramatically altering understory vegetation structure and composition and adversely affecting songbird populations (Martin et al. 2010).	Medium	Low	Medium	Medium
Pollution: Improperly maintained septic systems can discharge pollutants into freshwater and marine environments. The vegetative tertiary filter wastewater associated with the house needs to be maintained.	Low	Medium	Low	Low
Climate Change: The impacts of changing climate are difficult to predict and are likely to impact every ecosystem type differently. An	Low?	Low?	Low?	Low

increase in storm events with high rainfall may cause increased erosion both in the creek and along the shoreline. Prolonged summer droughts may cause shifts in species composition, such as the declining western redcedar trees noted in other protected areas on the Gulf Islands. Rising sea levels, especially in association with storm events may impact shoreline.				
Overall Threat Status for Protected Area	Medium	High	Medium	Medium

Very High: The threat is likely to destroy or eliminate the biodiversity target.

High: The threat is likely to seriously degrade the biodiversity target.

Medium: The threat is likely to moderately degrade the biodiversity target.

Low: The threat is likely to only slightly impair the biodiversity target

4.1 Expected Change to Threats Over Time

The threat of catastrophic high-intensity wildfire remains high in the region as predicted climate shifts to drier summers and active fire suppression increase fuel loads. Catastrophic stand-reducing wildfires could result in erosion events.

The lack of native tree and understory vegetation regeneration will likely remain consistent given the ongoing high levels of herbivory from native Black-tailed Deer.

Without management, the spread of Invasive species may increase over time especially given the small size of the property and the substantial edge effects from adjacent privately-managed properties. Ongoing monitoring, removal and control efforts should be implemented as required.

The human population on Salt Spring Island is growing, from a total population of 10,332 in 2011 to 10,640 in 2016 (Statistics Canada, 2016). This increase is compounded by visitors to the island, especially over the summer months. Recreational activities and unauthorized human disturbance in RANR may increase over time with increased development and human pressures on Salt Spring Island.

The threat associated with septic failure and pollution discharge should remain low if the treatment system associated with the house is well maintained.

The risks associated with climate change, including vegetation shifts, increased erosion associated with more extreme storm events, and sea level rise are likely to increase in the future.

5 Community Engagement

5.1 Adjacent Landholders

In preparation for the development of the Management Plan, letters were sent to all landholders and neighbours within a 100 m radius of RANR. A total of 13 letters were mailed on January 29, 2021 (Appendix B). The letters contained information about Ruby Alton

Nature Reserve, an invitation to a public seminar on Zoom, and both a paper copy and a link to a digital questionnaire (see Appendix C).

5.2 First Nations

Letters were mailed to the Coast Salish Peoples, Cowichan Tribes, Halalt First Nation, Lyackson First Nation, MÁLEXEL (Malahat) Nation, BOKEĆEN (Pauquachin) First Nation, Penelakut Tribe, SEMYOME (Semiahmoo) First Nation, Stz'uminus (Chemainus) First Nation, WJOLELP (Tsartlip) First Nation, SÁAUTW (Tsawout) First Nation, Tsawwassen First Nation, WSIKEM (Tseycum) First Nation, and Ts'uubaa-asatx (Lake Cowichan) First Nation on February 5, 2021 (Appendix C). The letters contained information about Ruby Alton Nature Reserve, an invitation to a public seminar on Zoom, and the questionnaire (see Appendix C). To date there has been no response.

5.3 Conservation Partners and Community Members

The Islands Trust Conservancy presented a public zoom seminar on February 11, 2021 from 7:00-8:00pm. A total of 6 members of the public registered and attended the meeting, with others potentially watching the live-stream. Harold Joe, cultural knowledge keeper, gave a welcome and acknowledgement. Consultant, Carrina Maslovat, gave a brief slide show outlining management goals, objectives, ecological features and management issues which included maps and photographs of RANR. The public was given the opportunity to ask questions and provide input on general management planning for RANR. An online questionnaire was made available from January 29, 2021 – March 15, 2021.

5.4 Engagement Results

The questionnaire was completed by 54 people. Most of the respondents were full-time Salt Spring Island residents (93%), with 18% living on the northern Salt Spring, 22% living on the mid-island and 53% living on the south island. Most respondents (29%) visit RANR once a month or more, with 15% visiting a few times per year, 20% visiting a few times, 13% visiting once and 24% who have never visited RANR. Most of the visitors (62%) spent time at the beach, while 44% spent time hiking/walking, 29% engaged in wildlife viewing and 20% walked their dogs. Several respondents noted concerns with off-leash dogs in RANR. A total of 42% respondents enjoyed other activities including gardening, fishing, canoeing, kayaking, swimming, visiting the residents of the house, demonstrating rainwater catchment system, and scientific studies including taking stream measurements, assessing forage fish habitat and sample collection.

The most important values for respondents were protection of habitat for at-risk species (72%), conservation for the sake of the intrinsic value of nature (70%), and ecosystem services (56%). Recreational opportunities (31%), educational and research opportunities (35%), aesthetic appeal (15%), and other values (19%) including walking and hiking, providing beach access and prevention of density were also noted as important by respondents. Although tourism was noted as a value for RANR by one respondent (2%), others felt recreation and tourism should not be allowed. Several respondents noted the value of maintaining the existing gardens and grounds and one resident noted the value of maintaining the house for its heritage values. One respondent noted the need for maintaining privacy to the yard surrounding the house and another noted the importance of

maintaining a functioning septic system to limit the pollution that enters the marine environment.

6 Management Recommendations

6.1 Management Roles

The Islands Trust Conservancy is the sole landholder of Ruby Alton Nature Reserve and has a partnership with the sole covenant holder The Land Conservancy of BC (TLC) to assist with on-the-ground management. ITC will monitor the property annually to detect any management issues and TLC will monitor RANR to ensure covenant compliance (Table 10).

Table 10. Management Partners for Ruby Alton Nature Reserve

Partner	Role
Island Trust Conservancy	Landholder
TLC The Land Trust of British Columbia	Covenant Holder

6.2 Permitted and Prohibited Uses

RANR is open to the public along the trail from Isabella Point Road to the shoreline. The following activities by the public are prohibited:

- Hunting
- Use of motorized vehicles
- Bicycling
- Horseback riding
- Dogs off-leash
- Camping
- Fires
- Forestry
- Livestock grazing
- Tree cutting
- Collection of plants, animals, or fungi

6.3 Proposed Monitoring Program

Annual covenant monitoring is important to ensure there are no infractions or management issues occurring within RANR. The main focus of covenant monitoring should be along the boundary perimeters, in particular along the property lines next to the privately-managed property to the north and south of RANR and the beach access. Monitoring should determine if any prohibited uses are occurring, such as tree cutting, unauthorized trails development, beach fires, etc. The proposed monitoring route follows the main access path to the shoreline (the northern property boundary is visible from the path for much of this route), along Isabella Point Road, along the southern property boundary and following the unauthorized trail from Roland Road to the ocean (map in Appendix D).

Species at risk surveys and ecological monitoring are encouraged during appropriate times of year to assess presence of rare species. Monitoring of invasive species spread is advisable over time so that control measures can be taken as required and assessed for their effectiveness.

6.4 Public Access

The public is welcome to use RANR via the gate on Isabella Point Road which leads to a trail through the former pasture and down a set of stairs to the shoreline. There is a rustic bench in the pasture for RANR visitors to use. The public is requested to respect the privacy of the caretakers who live on the land.

The public is also accessing RANR through Roland Road and have created unauthorized trails through the forest to the shoreline in the southern part of RANR.

There is no public parking at the site except for a small pullout next to the community mailboxes which limits use of RANR to primarily local residents.

6.5 Signage

There is a large wooden sign on the gate on Isabella Point Road that identifies RANR and acknowledges funders. There is no indication of prohibited uses or activities. There is also a small chloroplast sign next to the driveway requesting that visitors respect the caretakers privacy and do not access the area around the house without a guide. There are replacement signs next to the house that can be used to replace the caretakers sign in case it is damaged. There are no signs along Roland Road or along any of the boundary lines.



Photo 15. Rough footpath with gate in wooden fence next to Isabella Point Road in background.



Photo 16. Rustic bench in the former pasture area of RANR.

6.6 House/Trail Use, Maintenance and Development

Ruby Alton Nature Reserve is a unique property for ITC because of the presence of the house and tenant-caretakers. The house will require ongoing repairs and ongoing maintenance of the septic system is important to prevent pollution of the marine environment.

The driveway is for the tenant-caretakers use only and is not a public parking area. The only public access trail leads from the gate on Isabella Point Road through the former sheep pasture and to the shoreline. The public access route is a rough footpath that has had some minor resurfacing work done. There was no standing water on the trail surface in January despite the clay soils.

Public use of RANR from Roland Road to the shoreline has created a clearly used trail through the forest. This is causing erosion in some places and the lack of a well-defined trail in some places has created multiple trail braids. Use of RANR from the south has increased over the last couple years (Cermak pers. comm. 2021). The tenant-caretaker installed wire across the steepest parts of the bank where the public had been accessing the shoreline in order to limit foot traffic to less steep areas where erosion would be less of a concern. When the flagging deteriorates, the wire will become a safety hazard.

The stairs to the shoreline were replaced in 2015. They are solidly built with 4x4 sills with crushed gravel on the treads. They do not have a handrail.

Use of RANR appears moderate. The gate and sign appear to be in good condition and do not require maintenance. Although the lack of a handrail may pose safety concerns, it seems appropriate for the rustic nature of RANR. The unauthorized trail from Roland Road is causing erosion in steep areas next to the shoreline and may be impacting wildlife in the most sensitive part of RANR. It is recommended that



Photo 17. Sign next to driveway asking visitors to respect the privacy of the caretakers.



Photo 18. Barbed wire with pink flagging strung between trees to discourage visitors from accessing the beach through the steep portion of the forest.

signage be installed requesting that RANR visitors use the official access off Isabella Point Road. Further signage that outlines prohibited uses is recommended at the gate entrance.

6.7 Protection Initiatives for Sensitive Ecosystems and Species and Ecosystems at Risk

Maintaining the hydrology of RANR and protecting shoreline vegetation are important for protecting the two species at risk found in RANR: Great Blue Heron and Northern Red-legged Frog. Surveys are recommended to identify locations of other species at risk to aid management planning. Protection initiatives for sensitive ecosystems include trail maintenance, restoration and invasive species removal.

6.8 Ecological Restoration Options

The former pasture area is dominated by non-native invasive grasses. There are opportunities for restoring the former biodiversity of the site by planting native trees and shrubs. However, this must be balanced with the intent of Ruby Alton's will who bequeathed the property to the Islands Trust Conservancy with the express condition that the immediate surrounding radius of gardens be preserved. The former pasture is on the north side of the garden so it is possible to re-establish native vegetation while maintaining the garden. A restoration plan was created for the former sheep pasture which outlined restoration zones around the garden and pasture, detailed native species that could be planted and recommended wildlife features such as brush and log piles (Rose 2004).

Limiting foot traffic into RANR from Roland Road will limit erosion and compaction. Further planting of native vegetation in the forested area is not necessary at this time, but may be necessary if areas continue to erode.

All garbage should be removed from RANR as soon as possible.



Photo 19. Unauthorized trail from Roland Road to the shoreline

6.9 Scientific Research/Education Opportunities

There has been some limited research and surveys in RANR. cursory vegetation lists have been developed (i.e., Dunster 1999 in Rose 2004; Rose 2004) and prior to development of this management plan but a thorough vegetation inventory has not been done.

More detailed surveys for a range of taxa including bats, birds and vegetation would be useful for developing a greater understanding of the ecological features of RANR and guiding future management.

6.10 Exotic and Invasive Species Management

Since the last management plan (2002), ITC has removed invasive species from the former pasture area and has mowed the area to reduce maintenance (Rose 2004). There are a number of English Holly (*Ilex aquifolium*) plants throughout RANR along the fencelines and scattered throughout the forest area. English Ivy (*Helix hedera*) is extensive along the shoreline and has grown up many of the trees.

It is recommended that these invasive woody species be controlled as soon as possible. Holly will re-sprout from cut stems so ongoing treatment may be necessary. Both Holly and Ivy can re-grow from cut stem fragments so all cut material should be removed from RANR and care should be taken to avoid spreading berries which will grow new plants.

If funding is limited, work should focus on removing ivy from the trunks of trees to limit berry production and to prevent the ivy from killing the trees. Over time, the ivy can strangle and kill the trees by preventing them from photosynthesizing. Severing the vines and cutting a gap of about 30cm is sufficient to kill the growth further up the tree. It is not necessary to remove the dead growth (except for aesthetic reasons) and pulling on the severed vines may damage branches and epiphytic vegetation such as Licorice Fern (*Polypodium glycyrrhiza*) growing on the branches.



Photo 20. English Holly plants growing in the forest of RANR.



Photo 21. English Ivy starting to choke out native trees along the shoreline of RANR.

6.11 Wildfire Risk Management

Wildfire and wildfire suppression can be extremely damaging to sensitive ecosystems. Developing a fire management plan in consultation with the Salt Spring Island Volunteer Fire Department and the BC Wildfire Service to identify optimum fire suppression techniques is recommended. The location of RANR and recommendations for fire suppression preferences should be provided to the province to be included in their annual fire plan. If possible, saltwater and fire retardants should not be used for fire suppression since both can damage sensitive ecosystems.

6.12 Climate Change Impacts and Management

Climate change may impact the distribution of ecosystems across the landscape and may alter vegetation patterns, hydrology, biodiversity and the frequency of pest outbreaks. There may be increased risk from natural hazards such as windstorms, storm surges and droughts (Islands Trust 2021).

Hotter, drier summers coupled with more extreme winter rain events may lead to changes in groundwater recharge rates, altered water table depths and altered flow rates. There may be an increased risk of drought or flooding and changes to water quality (Islands Trust 2021). Hotter summers may lead to an increased risk of forest fire (Islands Trust 2021).

Biodiversity will also be impacted. Trends that may prevail in this region include up-slope migration of tree lines and ecosystem boundaries. There may be a loss of species that are unable to adapt to changing climate conditions and an increase in competition from invasive species. Climate change may lead to a loss of habitat (Islands Trust 2021), and climate change predictions suggest that stands dominated by Douglas-fir will likely expand, while western redcedar stands will likely diminish (Hebda 1997). The western redcedar – Douglas-fir/Oregon beaked moss ecological community found in RANR is highly susceptible to impacts associated with climate change. Increased summer drought, altered fire regimes and changes in soil moisture regimes may lead to a loss of this ecosystem type (BC CDC 2013).

Ongoing monitoring is important to determine if climate change is impacting the ecosystems in RANR.

Ensuring ongoing protection and connectivity between large, protected areas will aid the dispersal of species into new habitats and across elevations as vegetation patterns shift. These protected area matrices may act as reservoirs for species dispersal into suitable habitats in adjacent areas as climate change shifts the distribution of these ecosystem types (McCloskey et al. 2009).

7 Action Items

Management Plan action items are measurable and achievable specific tasks that the ITC and partners can complete to ensure that the protected area is managed in the best possible way. The following management action items are based on the recommendations made in this Management Plan and listed in priority sequence, subject to available funding resources.

7.1 Immediate Actions (1-2 years):

1. Support all partners, contractors and volunteers to complete cultural competency training in regard to reconciliation, knowledge and history of Coast Salish and Indigenous Peoples.
2. Engage with First Nations to ensure that the management plan is reflective of treaty, inherent rights, and the traditional territories of each Nation.
3. Work in collaboration towards a Management Plan for Areas of Cultural Heritage, gathering and harvesting, and Sacred Significance with First Nations.

4. Install signage along Roland Road requesting that the public use the primary access off Isabella Point Road.
5. Maintain previously installed signage to direct the public to the primary access route.
6. Install signage next to the primary access that outlines permitted activities within RANR (e.g. keeping dog's on leash, prohibition of beach fires).
7. Monitor and remove invasive, non-native woody species that are found in RANR through cooperation with TLC and ITC. Establish a regular monitoring schedule to assess effectiveness of invasive species removal.
8. Remove all surface garbage from RANR.
9. Continue communication with the tenant-caretakers to address house and garden maintenance issues.

7.2 Short term Actions (3-5 years):

1. Develop a parallel *Management Plan for Areas of Cultural Heritage and Sacred Significance* document with First Nations.
2. Consult with the Salt Spring Island Fire Department and the provincial BC Wildfire Service to communicate best management practices in case of a wildfire.
3. Explore whether there are any reasonable and practical measures that may be taken to mitigate the impact of future high-energy flow events in the downstream reaches of Forsen Brook.

7.3 Long term Actions (5+ years)

1. If funding is available, conduct more surveys to determine presence of species, with a focus on species at risk, over a range of seasons to more fully document the biodiversity of RANR and guide future management actions.

7.4 Ongoing or Annual Action Items

1. Work with First Nations towards cooperative management of RANR using the *Management Plan for Areas of Cultural Heritage and Sacred Significance* as a guide, once developed.
2. Maintain boundary signs to limit unauthorized public use of RANR.
3. Conduct annual covenant monitoring to identify and address any management concerns that may arise.
4. Monitor and remove invasive species as required.
5. Maintain vegetative tertiary filter wastewater system associated with the house to prevent pollution.

8 Conclusion

Although small, Ruby Alton Nature Reserve is an important protected area on Salt Spring Island. It has been impacted by residential use, historic logging and heavy browse pressure from native Black-tailed Deer, but RANR provides important and diverse habitats for wildlife and Species at Risk, including coniferous forests, marine shorelines and open gardens and pastures. Through its connectivity with the adjacent Ruby Alton Nature Sanctuary, it

provides a significant contribution to a network of protected areas on the south end of the island, enhancing habitat connectivity for wildlife and species of conservation concern.

Key action items for RANR include collaborating with First Nations to manage RANR, managing invasive non-native woody plants, removing garbage and ongoing sign maintenance. Establishing a wildfire management plan and conducting further surveys and monitoring for Species at Risk are also recommended.

The ITC will pursue the management action items identified in this plan to achieve the vision, objectives and purpose of the Ruby Alton Nature Reserve. Future management issues may lead to further action items that will be identified in work plans and in future revisions of this Management Plan.

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10 Appendices

Appendix A. Photographic Documentation

PHOTO STATION	LOCATION (UTM Coordinates)	DIRECTION	PHOTO-GRAPHER	DATE YYYY-MM-DD	DESCRIPTION
Anthropogenic Features as noted on Figure 3					
P3	467440 5399963	110°	CM*	2021-01-07	Ruby Alton's house
P4	467421 5399865	40°	CM	2021-01-07	Shed and piping used to divert water from the creek
P5	467434 5400001	150°	CM	2021-01-07	Vegetative tertiary wastewater filter and garden fence
P6	467440 5399963	190°	CM	2021-01-07	Water storage tank and woodshed
P7	467423 5400005	150°	CM	2021-01-07	Driveway to house
P8	467522 5399895	340°	CM	2021-01-07	Garbage pile with camping garbage
P9	467426 5400027	90°	CM	2021-01-07	Sign and gate at entrance
P10	467457 5400003	300°	CM	2021-01-07	Stairs and watercraft
P15	467438 5400015	300°	CM	2021-01-07	Rough foot path with fence and gate in background
P16	467434 5400001	270°	CM	2021-01-07	Rustic bench in former pasture
P17	467432 5399989	150°	CM	2021-01-07	Sign next to driveway requesting the public respect the caretaker's privacy
P18	467504 5399918	240°	CM	2021-01-07	Barbed wire with pink flagging to block steep areas to unauthorized use

P19	467522 5399886	285°	CM	2021-01-22	Unauthorized trail from Roland Road to shoreline
Natural Features as noted on Figure 4					
P1	467531 5399886	315°	CM	2021-01-07	Cobble beach along shoreline looking north
P2	467466 5400016	150°	CM	2021-01-07	Shoreline of RANR looking south
P11	467478 5399942	225°	22	2021-01-07	Creek that runs through RANR
P12	567473 5399877	90°	CM	2021-01-07	Vegetation Type 1.
P13	567473 5399877	270°	Cm	2021-01-07	Vegetation Type 1.
P14	467440 5399904	270°	CM	2021-01-07	Wildlife tree showing signs of woodpecker activity
P20	467561 5399862	45°	CM	2021-01-07	English Holly plants in the forest
P21	467489 5399970	120°	CM	2021-01-22	English Ivy plants growing along the shoreline

* CM = Carrina Maslovat

Appendix B. Vegetation found in Ruby Alton Nature Reserve. Survey focus was on forested area- the list of cultivated species is incomplete.

Common Name	Latin Name	Status
<i>Acer macrophyllum</i> Pursh	Bigleaf Maple	
<i>Achlys triphylla</i> (Sm.) DC	Vanilla-leaf	
<i>Adiantum aleuticum</i> (Rupr.) Paris	Northern Maiden-hair	
<i>Aesculus hippocastanum</i>	Horse Chestnut	Cultivated
<i>Agrostis capillaris</i> L.	Colonial Bentgrass	Introduced
<i>Alnus rubra</i> Bong.	Red Alder	
<i>Arbutus menziesii</i> Pursh	Arbutus	
<i>Athyrium filix-femina</i> (L.) Roth*	Lady Fern	
<i>Bellis perennis</i> L.	English Daisy	Introduced
<i>Berberis nervosa</i> Pursh	Dull Oregon-grape	
<i>Camellia</i> sp.	Camellia	Cultivated
<i>Carex deweyana</i> Schwein.	Dewey's Sedge	
<i>Carex obnupta</i> L.H. Bailey	Slough Sedge	
<i>Cornus</i> sp.	Dogwood	Cultivated
<i>Dactylis glomerata</i> L.	Orchard-grass	Introduced
<i>Digitalis purpurea</i> L.	Common Foxglove	Introduced
<i>Equisetum arvense</i> L.	Horsetail	
<i>Eurhynchium oreganum</i> (Sull.) Jaeg.	Oregon Beaked-moss	
<i>Ficus</i> sp.	Fig	Cultivated
<i>Forsythia</i> sp.	Forsythia	Cultivated
<i>Galium odoratum</i> (L.) Scop	Sweet Woodruff	Cultivated
<i>Gaultheria shallon</i> Pursh	Salal	
<i>Hamamelis</i> sp.	Witch-hazel	Cultivated
<i>Hedera helix</i> L.	English Ivy	Introduced
<i>Heleborus</i> sp.	Hellebore	Cultivated
<i>Holodiscus discolor</i> (Pursh) Maxim.	Oceanspray	
<i>Hyacinthoides</i> sp.	Bluebells	Cultivated
<i>Ilex aquifolium</i> L.	English Holly	Introduced
<i>Juglans</i> sp.	Walnut	Cultivated
<i>Juncus effusus</i> L.	Common Rush	
<i>Lathyrus nevadensis</i> S. Watson	Purple Peavine	
<i>Laurus</i> sp.	Laurel	Cultivated
<i>Leucolepis acanthoneuron</i> (Schwaegr.) Lindb.	Palm Tree Moss	
<i>Malus pumila</i> Mill.	Apple	Cultivated
<i>Melissa officinalis</i> L.	Lemon Balm	Cultivated
<i>Mycelis muralis</i> (L.) Dumort.	Wall Lettuce	Introduced
<i>Oemleria cerasiformis</i> (Torr. & A. Gray ex Hook. & Arn.) Landon	Indian-plum	
<i>Polypodium glycyrrhiza</i> D.C. Eaton	Licorice Fern	
<i>Polystichum munitum</i> (Kaulf.) C. Presl	Sword Fern	
<i>Prunella vulgaris</i> L.*	Self-heal	Introduced
<i>Prunus</i> sp.	Cherry	Cultivated
<i>Pseudotsuga menziesii</i> (Mirb.) Franco	Douglas-fir	
<i>Pteridium aquilinum</i> (L.) Kuhn	Bracken Fern	
<i>Ranunculus repens</i> L.	Creeping Buttercup	Introduced

<i>Rhododendron</i> sp.	Rhododendron	Cultivated
<i>Rosa nutkana</i> C. Presl.	Nootka Rose	
<i>Rosa</i> sp.	Rose	Cultivated
<i>Rubus armeniacus</i> Focke	Himalayan Blackberry	Introduced
<i>Rubus spectabilis</i> Pursh	Salmonberry	
<i>Rubus ursinus</i> Cham. & Schtdl.	Trailing Blackberry	
<i>Rumex crispus</i> L.	Curled Dock	Introduced
<i>Sambucus racemosa</i> var. <i>arborescens</i>	Coastal Red Elderberry	
<i>Sorbus aucuparia</i>	Mountain Ash	Cultivated
<i>Symphoricarpos albus</i> (L.) S.F. Blake	Common Snowberry	
<i>Symphytum officinale</i> L.*	Comfrey	Cultivated
<i>Taraxacum officinale</i> F.H. Wigg*	Dandelion	Introduced
<i>Taxus brevifolia</i> Nutt.	Western Yew	
<i>Tellima grandiflora</i> (Pursh) Douglas ex Lindl.	Fringecup	
<i>Thuja plicata</i> Donn ex D. Don	Western Redcedar	
<i>Tsuga heterophylla</i> (Raf.) Sarg.	Western Hemlock	
<i>Urtica dioica</i> L.	Stinging Nettle	
<i>Vaccinium parvifolium</i> Sm.	Red Huckleberry	
<i>Viburnum</i> sp.	Viburnum	Cultivated
<i>Vicia sativa</i> L.*	Common Vetch	Introduced

* Source: Rose (2004)

Questionnaire respondents also noted the presence of Chocolate Lily (*Fritillaria affinis*).

Appendix C. Public Consultation Letters and Questionnaires



January 29, 2021

RE: Ruby Alton Nature Reserve, Salt Spring Island, Management Plan Survey & Zoom Webinar

Dear Neighbour,

The Islands Trust Conservancy is updating the management plan to guide management of the Ruby Alton Nature Reserve for the next 10 years and we are interested in hearing from you.

Islands Trust Conservancy acknowledges and respects that Salt Spring Island is within the territory of Coast Salish Peoples, Cowichan Tribes, Halalt First Nation, Lyackson First Nation, MÁLEXEL (Malahat) Nation, BOKÉĆEN (Pauquachin) First Nation, Penelakut Tribe, SEMYOME (Semiahmoo) First Nation, Stz'uminus (Chemainus) First Nation, WJOŁEŁP (Tsartlip) First Nation, SĀAUTW (Tsawout) First Nation, Tsawwassen First Nation, WSIKEM (Tseycum) First Nation, Ts'uubaa-asatx (Lake Cowichan) First Nation. The Ruby Alton Nature Reserve (PID: 009-742-883, That Part Of The North West 1/4 Of Section 41, South Salt Spring Island, Cowichan District, Shown Outlined In Red On Plan Deposited Under Dd 18480f, Except Parcel A (DD 193491)) is a 1.6-hectare protected area located on Fulford Harbour in south Salt Spring Island (see Figure 1).

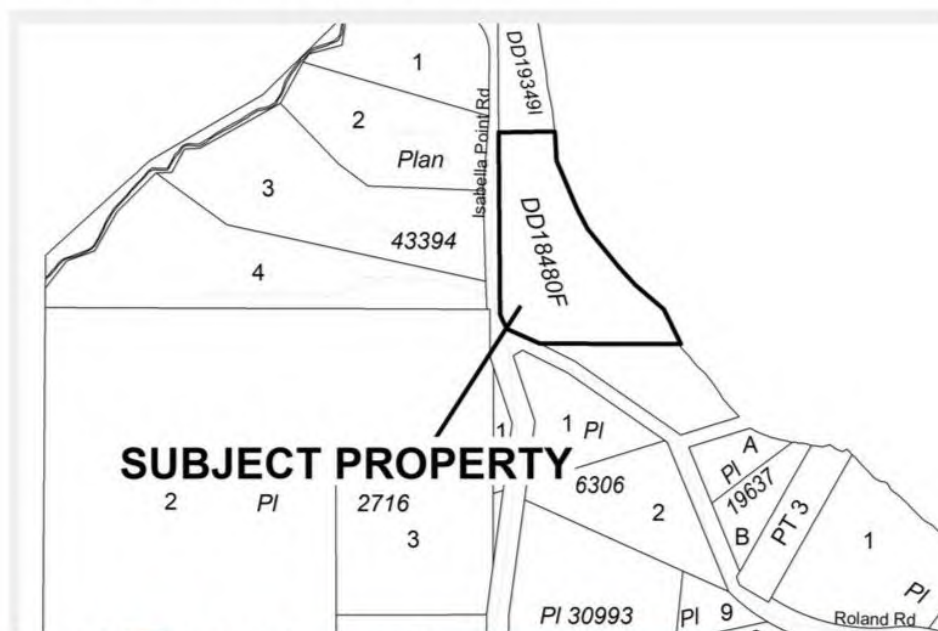


Figure 1. Ruby Alton Nature Reserve Location map

PHONE: (250) 405-5151 · FAX: (250) 405-5155 · 200-1627 FORT ST. VICTORIA, BC. V8R 1H8
ITCMAIL@ISLANDSTRUST.BC.CA · WWW.ISLANDSTRUSTCONSERVANCY.CA

There is a house and garden with a tenant family who act as caretakers. There is a public beach access off Isabella Point Road and a natural forest area with Forsen Brook flowing east towards Fulford Harbour with clam and eelgrass beds.

The Islands Trust Conservancy will work in partnership with TLC, the Land Conservancy, who hold a conservation covenant on the Nature Reserve. There are restrictions on the use of the property, outlined in the covenant, that have been put in place to protect the native plants and animals within the reserve.

Your input is requested for the development of the next Ruby Alton Nature Reserve Management Plan. As a neighbour of the nature reserve, we would like to hear your ideas and concerns regarding the long-term management of this special place.

The enclosed questionnaire can be:

- completed online at <https://www.surveymonkey.com/r/RANR>;
- returned by mail or email to the Victoria office at 200 – 1627 Fort Street, Victoria, BC V8R 1H8; nmurphy@islandstrust.bc.ca;
- or dropped off in person at the Islands Trust office on Salt Spring Island at 1- 500 Lower Ganges Road.

The deadline to complete the survey is March 15, 2021.

There will be a Zoom webinar with information about the Ruby Alton Nature Reserve on February 11, 2021 at 7:00 p.m. at the following link: <https://islandstrust.zoom.us/j/67042336524>

Webinar ID: 670 4233 6524

Thank you for taking the time to share your ideas regarding management of the Ruby Alton Nature Reserve. For more information, please contact me at the phone number or email listed below.

Sincerely,



Nuala Murphy
Property Management Specialist, Islands Trust Conservancy
250-405-5193
nmurphy@islandstrust.bc.ca





February 5, 2021

Dear Chief and Council,

Re: Ruby Alton Nature Reserve Management Plan

The Islands Trust Conservancy, through its work as a land trust, is drafting a management plan for the Ruby Alton Nature Reserve on Salt Spring Island.

Ruby Alton Nature Reserve is within your First Nations treaty and/or territorial lands and waters and we want to ensure that the direction of the management plan is reflective of both reconciliation and conservation goals. At this time, ITC would like to work with you to understand the cultural significance and use of the area so that these values can also be preserved and protected—now and into the future. We understand that the cultural significance of this land may be confidential and we would work with you to ensure that the management plan reflects this significance appropriately. Acknowledging the importance of naming and recognition, if there is signage, names, or place names that should be used for these areas please let us know.

Ruby Alton Nature Reserve (PID 009-742-883, That Part Of The North West 1/4 Of Section 41, South Salt Spring Island, Cowichan District, Shown Outlined In Red On Plan Deposited Under Dd 18480f, Except Parcel A (DD 193491l) is a 1.6-hectare protected area located on Fulford Harbour in south Salt Spring Island (see Figure 1).

There is a house and garden with a tenant family who act as caretakers. There is a public beach access off Isabella Point Road and a natural forest area with Forsen Brook flowing east towards Fulford Harbour with clam and eelgrass beds.

Islands Trust Conservancy would like to undertake an archaeological review or traditional use study in collaboration with you. Islands Trust Conservancy passed a Reconciliation Declaration, committing to building relationships to work with your Nation to protect and manage the area and any cultural heritage sites in these nature reserves in a way that is reflective of treaty, inherent rights, and the territorial lands of your Nation.





PHONE: (250) 405-5151 • FAX: (250) 405-5155 • 200-1627 FORT ST. VICTORIA, BC, V8R 1H8
ITCMAIL@ISLANDSTRUST.BC.CA • WWW.ISLANDSTRUSTCONSERVANCY.CA

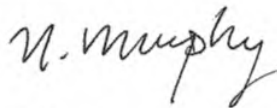
You may also be interested to know that Islands Trust Conservancy has developed a draft management plan template that includes cultural heritage and spiritual significance. I would be pleased to provide it to you, as a starting point if you would like to comment on it.

A questionnaire can be completed online at <https://www.surveymonkey.com/r/RANR>
The survey will remain online until March 15, 2021, and I can also be contacted at any time using the contact details below.

There will be a Zoom webinar with information about the Ruby Alton Nature Reserve on February 11, 2021 at 7:00 p.m. at the following link: <https://islandstrust.zoom.us/j/67042336524>

Thank you for considering our request to work together. Please contact me at the number or email listed below. Thank you for your kind consideration.

Sincerely,



Nuala Murphy
Property Management Specialist
Islands Trust Conservancy
250-405-5193 | nmurphy@islandstrust.bc.ca

Islands Trust Conservancy's Victoria office is located in Coast Salish territory and we acknowledge with respect the the BOKEĆEN, Cowichan Tribes, Halalt, Homalco, K'ómoks, Klahoose, Ts'uubaa-asatx, Lək'wəŋən (SXIMELEŁ, Songhees, T'Sou-ke), Lyackson, MÁLEXET, Penelakut, Qualicum, Scia'new, səliłwətaʔt, SEMYOME, shishálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, SÁUTW, Stz'uminus, Tla'amin, scəwəθən məsteyəxʷ, We Wai Kai, Wei Wai Kum, WJOLEŁP, WSIKEM, and xʷməθkʷəyəm territories in which we live and work.



Ruby Alton Nature Reserve Questionnaire

Islands Trust Conservancy acknowledges and respects that Salt Spring Island is within the territory of Coast Salish Peoples, including Cowichan Tribes, Halalt First Nation, Lyackson First Nation, MÁLEXEL (Malahat) Nation, BOKEĆEN (Pauquachin) First Nation, Penelakut Tribe, SEMYOME (Semiahmoo) First Nation, Stz'uminus (Chemainus) First Nation, WJOŁEŁP (Tsartlip) First Nation, SĀAUTW (Tsawout) First Nation, Tsawwassen First Nation, WSIKEM (Tseycum) First Nation and Ts'uubaa-asatx (Lake Cowichan) First Nation.

Ruby Alton Nature Reserve is a 1.6-hectare nature reserve located on Fulford Harbour in south Salt Spring Island. There is a house and garden with a tenant family who act as caretakers. There is a public beach access off Isabella Point Road and a natural forest area with Forsen Brook flowing east towards Fulford Harbour with clam and eelgrass beds.

The Islands Trust Conservancy's primary goal is to protect and nurture the sensitive ecosystems and natural values on this land. The information and actions required to achieve this goal and guide the management of the property are set out in a management plan that is updated every 10 years. We welcome community input and ask you to share your thoughts on the protection and long-term management of the Ruby Alton Nature Reserve.

1. Are you a resident of Salt Spring Island?

- ☐ Yes, I live on north Salt Spring Island
- ☐ Yes, I live mid-island
- ☐ Yes, I live on south Salt Spring Island
- ☐ No, but I own property on Salt Spring Island
- ☐ No, I'm a visitor

2. Have you ever visited Ruby Alton Nature Reserve? If so, how often?

- ☐ No, never
- ☐ Once
- ☐ A few times
- ☐ A few times per year
- ☐ Once a month or more

3. If you have visited Ruby Alton Nature Reserve before, what did you do there?

- ☐ Hiking/walking
- ☐ Wildlife viewing
- ☐ Dog walking
- ☐ Spending time at the beach
- ☐ Other (please list):

4. Please list any wildlife and unique plant species you have seen in or near Ruby Alton Nature Reserve:

5. What do you believe to be the most important values of nature reserves? (choose three)
- ☐ Protection of habitat for at-risk species
 - ☐ Ecosystem services (e.g. clean water and air, erosion control, groundwater recharge, etc.)
 - ☐ Recreational opportunities
 - ☐ Education and research opportunities
 - ☐ Tourism
 - ☐ Aesthetic appeal
 - ☐ Conservation for the sake of the intrinsic value of nature
 - ☐ Other (please specify):

6. What activities do you believe are incompatible with the protection of natural features, and should not be allowed within the Ruby Alton Nature Reserve?

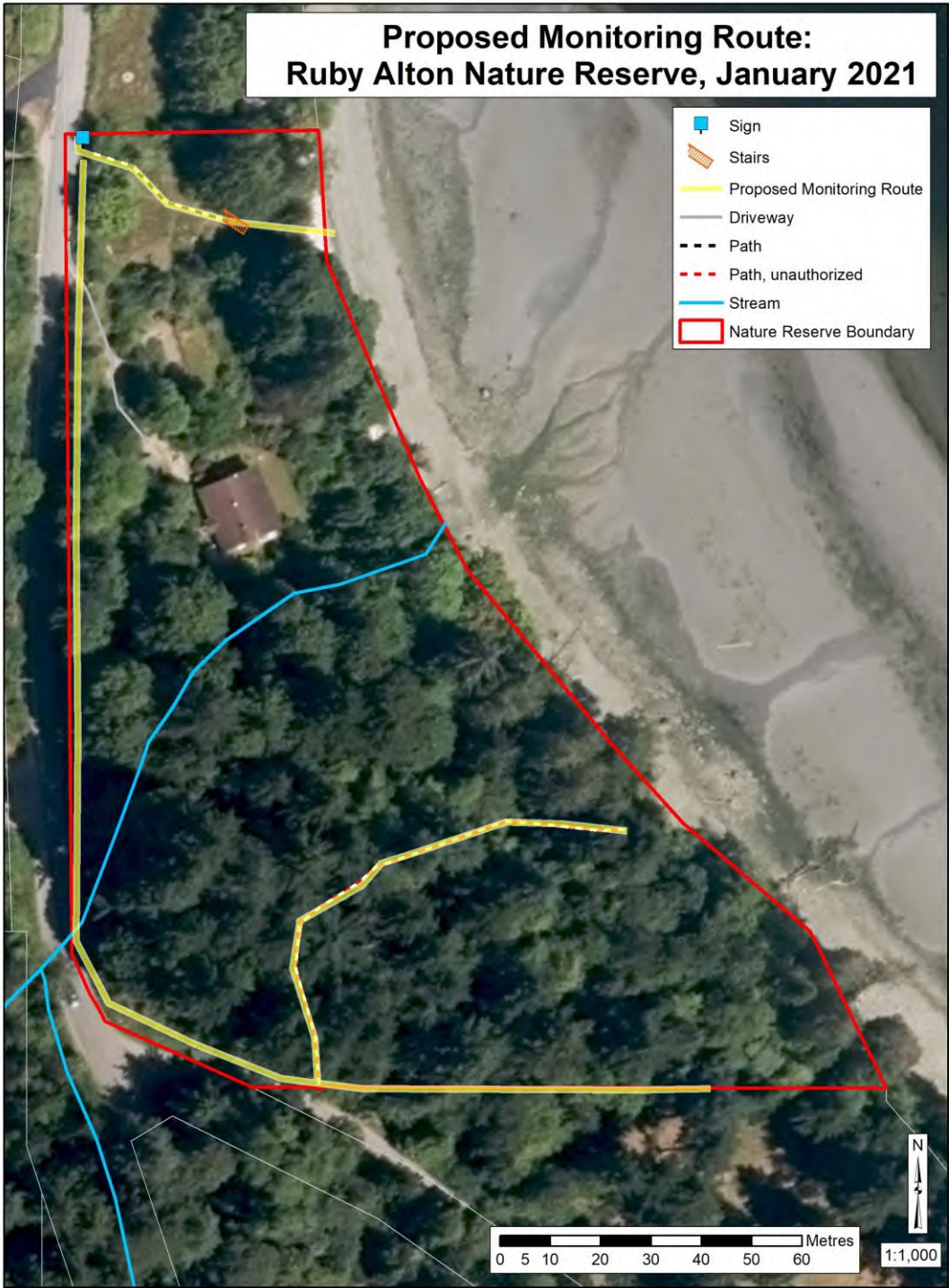
7. What do you feel could be the greatest threat to the health of this nature reserve, and should be the highest management priority for the Islands Trust Conservancy?

8. Please provide any other relevant information that will help us make the best management decisions for Ruby Alton Nature Reserve.

9. Please share with us any history you know about this property or any knowledge you have about unique cultural or other special features on the property or in the area.

10. If you would like to receive periodic updates from the Islands Trust Conservancy on this and other conservation projects on the islands, please provide your name and email address:

Thank you for your time spent helping us plan the future of Ruby Alton Nature Reserve.





REQUEST FOR DECISION

To: ITC Board

For the Meeting of: May 30, 2023

From: Staff

Date Prepared: May 21, 2023

SUBJECT: ITC 2024/25 Budget Submission

RECOMMENDATION: That the Islands Trust Conservancy (ITC) Board direct staff to prepare an ITC Budget request, including the following items, and to return to the ITC Board for review in July:

- Inclusion of Species at Risk Program grant commitments, totaling \$220,000;
- An increase to the property management budget of \$6,210 to reflect new nature reserves and covenants;
- An increase to the travel budget of approximately \$1,000 to accommodate additional travel needs for newly acquired remote covenants;
- Consideration of further increases to the budget to accommodate increasing property management needs; and,
- Development of a business case for the second year of First Nations engagement associated with development of the 2026-2030 ITC Five-Year Plan.

That the Islands Trust Conservancy Board direct staff to conduct an analysis of property management needs relative to available staff hours and return to the Board with a summary of the analysis and available options.

1 PURPOSE: To direct staff regarding preparation of the 2024/25 ITC Budget submission.

BACKGROUND: ITC Policy 1.6 requires that the ITC Manager prepare a proposed ITC budget for ITC Board approval. The following items are provided for consideration:

- The ITC budget will include \$220,000 of funding from Environment and Climate Change Canada for the ITC Species at Risk Program. This amount will be spread over several budget areas in accordance with the grant agreement as follows:

Item	Description	Amount
Salaries	SAR Program Coordinator and Co-op student and some costs for other ITC staff	\$120,000
Property Management	SAR surveys, Indigenous knowledge holder services, habitat restoration (labour and materials)	\$55,000
Land Securement and Conservation Planning	SAR surveys, securement costs (excluding land price)	\$15,000
Legal	Costs associated with land securement where SAR are present	\$5,000
First Nations Liaison	Indigenous Knowledge holder services & First Nations engagement	\$8,000
Communications	Materials and program evaluation	\$5,500
Mapping	SAR related mapping	\$4,200

Travel	For SAR Program Coordinator and Co-op student and some costs for other ITC staff	\$6,500
Travel – Training	For SAR Program Coordinator and Co-op student	\$300
TOTAL		\$220,000

- Staff will request an **automatic increase to the Property Management budget of \$6,210** to accommodate additional management needs for one new nature reserve (Salt Spring), and two new covenants: Larmour NAPTEP Covenant, Salt Spring Island and one in camera covenant negotiation in the North Pender Local Trust Area. Costs are allocated according to the approved property management formula (table below), which is evaluated annually. The formula has been updated this year to increase all costs by 6.9% to reflect the [annual Consumer Price Index for the Province of BC](#) (2022) (numbers rounded to nearest (\$10).

Average Annual Cost	Nature Reserve	Covenant
Management Plan Renewal	\$640	
Recreation Management	\$430	
Habitat Restoration	\$720	\$720
Signage	\$70	\$70
Species/Ecosystem Inventory and Surveys	\$270	\$270
First Nations engagement and cultural site management	\$360	\$180
TOTAL	\$2,490	\$1,240

- Staff will request an **automatic increase to the travel budget of \$1,000** to reflect anticipated water taxi costs for travel to remote islands.
- The ITC Property Management formula anticipates management planning costs for one additional property each year. For 2024/25, ITC will be acquiring one nature reserves and no additional increase is expected.
- Staff will draft a business case for year two of First Nations engagement for the development of the 2026-2030 ITC Plan using the business case for 2023/24 as a guide.

ITC continues to grow its network of protected areas and are nearing the limit of property management staff capacity. Staff will conduct further analysis of property management needs and will return to the Board with options to address growing staff capacity limits.

2 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: This work will be accomplished within existing staff resources.

FINANCIAL: The anticipated increase to the Islands Trust contributions to the ITC work is anticipated to be a minimum of \$17,000.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: ITC staff will prepare a budget request for consideration of the ITC Board at its July 18 meeting.

FIRST NATIONS: The property management budget and Species at Risk funding provide for costs associated with Indigenous Knowledge Holder expertise and a special budget item for First Nations engagement is planned for the development of the 2026-2030 ITC Plan.

CLIMATE CHANGE: Work of the Islands Trust Conservancy, as supported by the budget allocations from Trust Council, provides natural climate solutions to climate change. See <https://www.iucn.org/news/world-commission-protected-areas/202105/natural-climate-solutions> for details on natural climate solutions.

OTHER: As staff further develop the ITC budget for 2024/25, other areas for budget increases/decreases may emerge. These will be proposed at the July 18 Board meeting for Board consideration.

3 RELEVANT POLICY(S): [6.3.1 Budget Process](#)

4 ATTACHMENT(S): None

RESPONSE OPTIONS

Recommendation:

That the Islands Trust Conservancy (ITC) Board direct staff to prepare an ITC Budget request, including the following items, and to return to the ITC Board for review in July:

- Inclusion of Species at Risk Program grant commitments, totaling \$220,000;
- An increase to the property management budget of \$6,210 to reflect new nature reserves and covenants;
- An increase to the travel budget of approximately \$1,000 to accommodate additional travel needs for newly acquired remote covenants;
- Consideration of further increases to the budget to accommodate increasing property management needs; and,
- Development of a business case for the second year of First Nations engagement associated with development of the 2026-2030 ITC Five-Year Plan.

That the Islands Trust Conservancy Board direct staff to conduct an analysis of property management needs relative to available staff hours and return to the Board with a summary of the analysis and available options.

Alternative: That the Islands Trust Conservancy Board direct staff to prepare an ITC Budget request, including the following items, and to return to the ITC Board for review in July:

- *[insert items for budget consideration]*

Prepared By: Kate Emmings, Islands Trust Conservancy Manager

Reviewed By: Clare Frater, Director, Trust Area Services / May 23, 2023



REQUEST FOR DECISION

To: Islands Trust Conservancy
Board

For the Meeting of: May 30, 2023

From: Staff

Date Prepared: May 21, 2023

SUBJECT: Islands Trust Conservancy Submission for 2022-2023 Annual Report

RECOMMENDATION:

That the Islands Trust Conservancy (ITC) Board approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and direct staff to work with the ITC Chair to include a message from the Chair.

- 1 **PURPOSE:** To approve the Islands Trust Conservancy section of the Islands Trust 2022/23 Annual Report.

BACKGROUND: Preparation of the ITC Annual Report is required under Section 46 of the [Islands Trust Act](#). Staff have prepared a draft of the Islands Trust Conservancy 2022/23 Annual Report text for ITC Board review and approval. The message from the Chair remains outstanding, but staff will work with Chair Adams to draft and include this message in the version supplied to Trust Council. Graphics and images as well as pull quotes and callout boxes will be added to the final report.

2 **IMPLICATIONS OF RECOMMENDATION**

ORGANIZATIONAL: Timely approval of text will ensure smooth delivery of the Islands Trust annual report, in compliance with the *Islands Trust Act*, Section 19 and the annual reporting obligations of ITC under section 46 of the *Islands Trust Act*.

FINANCIAL: None

POLICY: None. This approach complies with section 19 of the [Islands Trust Act](#) and Trust Council's [Annual Report Policy 6.10.1](#).

IMPLEMENTATION/COMMUNICATIONS: Once each agency of the Islands Trust has approved its section, staff create a draft Annual Report for review by the Executive Committee and consideration of Trust Council in (June 27-29, 2023). Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs and circulate it as indicated in Trust Council's policy.

FIRST NATIONS: The ITC sections of the Annual Report have been reviewed by staff for consistency with the ITC Reconciliation Declaration. Efforts have been made to highlight work with First Nations.

OTHER: As noted at the March 2023 ITC Board meeting, the ITC section of the Islands Trust annual report will return to its location at the end of the Annual Report. The Islands Trust Conservancy extracts its component of the Islands Trust Annual Report to create its own Annual Report. These reports are maintained on the website at <https://islandstrust.bc.ca/about-us/accountability/annual-report/>.

Islands Trust Conservancy has also prepared an [Impact Report for 2022](#) in support of ongoing efforts to engage new donors with our work. Impact reports are for storytelling and are aimed at donors/general public audiences, whereas Annual Reports meet our financial and legislative reporting requirements.

3 **RELEVANT POLICY(S):** Trust Council [Annual Report Policy 6.10.1](#)

4 **ATTACHMENT(S):** Islands Trust Conservancy Annual Report Draft

RESPONSE OPTIONS

Recommendation: That the Islands Trust Conservancy (ITC) Board approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and direct staff to work with the ITC Chair to include a message from the Chair.

Alternative: The Islands Trust Conservancy Board approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs with the following amendments:

- *[insert amendments]*

Prepared By: Kate Emmings, Manager, Islands Trust Conservancy



DRAFT

ITC Annual Report Copy deck

COPY

[Logo; Islands Trust Conservancy, color; with tagline]

[Header] Reconciliation Declaration

Islands Trust Conservancy acknowledges that the lands and waters that encompass the Salish Sea have been home to Indigenous Peoples since time immemorial. We recognize that we are all intertwined in the ecosystems that are the lands, waters, culture, and ecology that embody this place.

Islands Trust Conservancy will strive to create opportunities for knowledge-sharing, understanding, and collaboration as people come together to preserve and protect the special nature of the islands within the Salish Sea.

Islands Trust Conservancy is committed to the protection and preservation of this place through processes that respect and honour reconciliation and mutually respectful relationships with Coast Salish Indigenous Peoples. We express our recognition for the past, present, and future stewardship and knowledge that has been shared by Indigenous Peoples and are humbled and grateful.

Adopted: July 16, 2019 Islands Trust Conservancy Board in METULIYE (Victoria)

[Image; TBD]

[Small text – image credit]

Commented [KE1]: Needs image.

[next page](#)

[Header] Who We Are:

Established in 1990, the Islands Trust Conservancy (ITC) is a land trust and part of the group of agencies that form the Islands Trust, dedicated to preserving and protecting the fragile and unique ecosystems of the Islands Trust Area in the Salish Sea. This region covers approximately 79,000 hectares of land and over 482,000 hectares of water on the southern coast of British Columbia. It includes 450 islands between southern Vancouver Island, mainland B.C., and Howe Sound.

Our mission is to protect these very special places by encouraging, undertaking, and assisting in voluntary conservation initiatives across the Islands. We work with many allies including: private landholders and donors, local conservancies, environmental organizations, charitable foundations, academic institutions, businesses, First Nations, and all levels of government.

[Pull quote] **The Government of Canada set a goal of 30% protected area by 2030 because science shows that nature needs our help in order to reverse the decline in biodiversity, better fight climate**

change, and maintain a strong, sustainable economy. Islands Trust Conservancy is doing its part to meet this goal within the Islands Trust Area – an area where only 20% of the land is in protected status..

[Read more about how you can protect nature with us.](#)

[next page](#)

[Header] How We Work:

We preserve and protect the Islands by:

- **Working with landholders to support voluntary land protection.** We accept donations and other transfers of land, manage them as nature reserves, and collaborate with landowners to conserve private lands through conservation covenants.
- **Monitor and restore sensitive ecosystems and habitat for species at risk.** We do this in collaboration with island communities and conservation partners.
- **Providing strategic funds to conservation partners.** We support land conservation across the Islands.
- **Identifying priority areas across the Islands Trust Area.** We ensure maximal impact through our work in addressing the biodiversity and climate crisis.
- **Reconciliation Action.** We work to build relationships with First Nations to identify areas of significance for protection and to incorporate Indigenous Knowledge into land management practices.

[Add link icon and text]; [Read more about our conservation planning](#)

[Image; Goals of the [Regional Conservation Plan](#) that guide the work of the Islands Trust Conservancy]

Commented [KE2]: Reference:

<https://www.canada.ca/en/environment-climate-change/news/2022/12/government-of-canada-recognizing-federal-land-and-water-to-contribute-to-30-by-30-nature-conservation-goals.html>

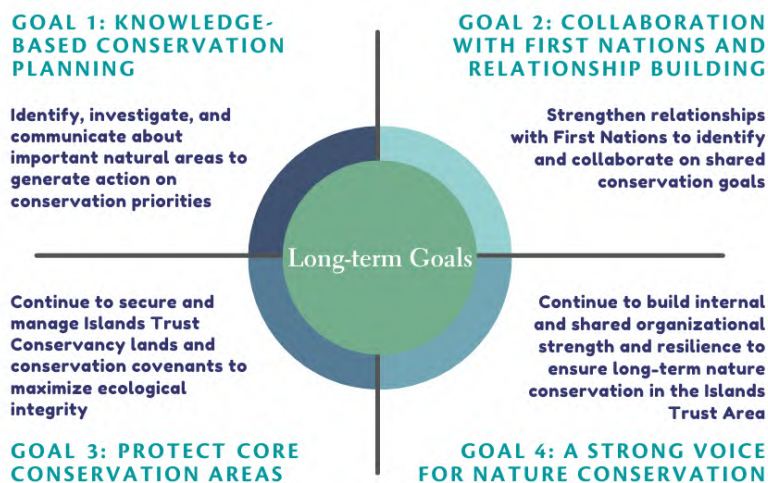
Commented [KE3]: <https://islandstrust.bc.ca/conservancy/protect-nature/>

Commented [KE4]: [Add link icon and text];

<https://islandstrust.bc.ca/conservancy/conservation-planning/>

Commented [KE5]: Hyperlink:

<https://islandstrust.bc.ca/conservancy/conservation-planning/>



[next page](#)

[Header] Our People

Islands Trust Conservancy is directed by a Board made up of three members appointed by the Province of BC and up to three members elected from the Islands Trust Council and one member appointed by the Islands Trust Executive Committee.

April 2022 – October 2022

- Kate-Louise Stamford – Chair
- Sue Ellen Fast – Vice Chair
- Linda Adams – Board Member
- Doug Fenton – Board Member
- Dr. Risa Smith – Board Member

November 2022 – March 2023

- Linda Adams – Chair
- Dr. Risa Smith – Vice Chair

Commented [KE6]: Match the election year transition format with what is used by Trust Council

- Tobi Elliott – Board Member
- Susan Yates – Board Member
- Grant Scott – Board Member

[Image: insert full board photo.]

next page

[Header]; Message from the Board Chair

Commented [KE7]: One page. Use pull quotes, etc. to help make it engaging and skimmable.

Sincerely,

[Insert image Linda Adams' signature]

[Text] Linda Adams, Chair

[Image – updated Board photo]

next page

[Updated full page map of Northern ITA Protected Areas]

next page

[Updated full page map of Southern ITA Protected Areas]

Commented [KE8]: In development

next page

[Header] Program Highlights 2022/23

[Sub header] Islands Trust Conservancy Plan 2023-2025

[Text] Islands Trust Conservancy submitted a revised Islands Trust Conservancy Plan to the Minister of Municipal Affairs in December 2022, as required under the *Islands Trust Act*. The proposed Islands Trust Conservancy Plan will be a three-year plan and sets policy for:

- acquisition, management and disposal of property of the Islands Trust Conservancy;
- investment of funds; and
- goals for major acquisitions.

[Add link icon and text]; [Read more about our Islands Trust Conservancy Plan](#)

Commented [KE9]: Hyperlink;
<https://islandstrust.bc.ca/about-us/accountability/plans-and-strategies/>

[Sub header] Land Conservation – Nature's Future

[Text] Islands Trust Conservancy is committed to increasing the protected areas in the Islands for the benefit of all species living in the Salish Sea. We do this through the creation of nature reserves and conservation covenants – legal agreements with landholders to care for nature

that are designed to last in perpetuity. Protected areas are important in safeguarding high biodiversity areas, allowing for the movement of wildlife and the conservation of unique ecosystems. Protected areas benefit people as well by providing clean water and air, resilience against the effects of climate change, and contribute to social and psychological wellbeing.

[Image; Betty Swift and Family at Link Island]

[Text box; Before Betty Swift passed away in 2021, she asked that Link Island be gifted to the Islands Trust Conservancy. "This gift is about the future," says Barbara Swift, Betty's daughter. "It is a gift for us all." The Swift family's dream is that Link Island will become a place for climate change research in the Salish Sea.]

[next page](#)

[Sub header] 2022/23 Nature Reserve Additions

Link Island Nature Reserve (21.45 ha), Gabriola Island Local Trust Area

In April 2022, Link Island was gifted to Islands Trust by Betty Swift and her family as a nature reserve. It is the largest complete island managed by the Islands Trust Conservancy and protects over three kilometres of undeveloped shoreline, coastal cliffs, wetlands, intricate sandstone formations, tidal flats and mixed forest ecosystems including coastal Douglas-fir, arbutus, and prairie oak (Garry oak) woodlands. Link Island Nature Reserve will continue to remain closed to the public, but will be available for research activities and cultural practices important to First Nations. Management planning has begun and will be complete in 2023/24.

[Add link icon and text]; [Read more about creating nature reserves](#)

Commented [KE10]: Hyperlink;
<https://islandstrust.bc.ca/conservancy/protect-nature/create-a-nature-reserve/>

[Sub header] 2022/23 Conservation Covenants

Livingstone Forest NAPTEP Covenant (11.35 ha), Lasqueti Island Local Trust Area

Islands Trust Conservancy manages the Natural Area Protection Tax Exemption Program (NAPTEP) on behalf of Trust Council. NAPTEP provides island landholders with an annual 65% property tax reduction on the portion of their land protected by a conservation covenant. This incentive is unique to the Islands Trust Area. In July 2022, Islands Trust Conservancy entered into our first NAPTEP covenant on Lasqueti Island. The covenant protects a mature forest and part of a large wetland with portions of open water. The landowner's intention is for the forest to be protected for carbon storage and sequestration.

[Add link icon and text]; [Read more about placing conservation covenants with us](#)

Commented [KE11]: hyperlink;
<https://islandstrust.bc.ca/conservancy/protect-nature/conservation-covenants/>

[next page](#)

[2-page spread of ITA New Protected Areas, similar to 2021/22]

[Text] [Explore Islands Trust Conservancy properties online](#)

Commented [KE12]: Link to protected areas app

[Sub header] Caring for the Land – Our Shared Responsibility

[Infographic Summary – # PAs, #Ha, #islands – pull info from impact report “small conservancy – big impact”];

[Text] Islands Trust Conservancy leads the ongoing management of the 113 protected areas in our care. This commitment involves regular monitoring and land management practices in accordance with management plans that identify long-term conservation and restoration goals.

In 2022/23, this care included the following land management activities in partnership with local Island conservancies and volunteers:

- Annual monitoring and trail maintenance (where applicable) on all Nature Reserves.
- Monitoring Islands Trust Conservancy conservation covenants to maintain relationships with landholders and ensure compliance with their covenant agreement terms.
- Collaborating with Parks Canada, First Nations, the Province of BC, and the Sidney Island community on the Sidney Island Ecosystem Restoration Project.
- Developing the first management plans for Sandy Beach Nature Reserve (Keats Island) and Lisa Baile Nature Reserve (North Pender Island). Management plans were referred to First Nations for comment and to initiate conversations regarding cultural use of land.
- Creation of a welcome sign at S’ul-hween X’pey (Elder Cedar) Nature Reserve on Gabriola Island with First Nations artist Eliot White-Hill.
- Collaborating on educational signage to help protect the fragile ecosystem at McRae NAPTEP Covenant on Gabriola Island.
- Habitat restoration and management including:
 - Managing over 14 priority invasive species from 30 ITC protected lands on 13 islands: Bowen, Gambier, Keats, Salt Spring, Thetis, Lasqueti, Denman, Galiano, Sidney, Little D’Arcy, Pender, Gabriola and Link.
 - Installing native plants on two conservation properties.
 - Maintaining restoration projects on multiple ITC protected lands, including wetland restoration on Lasqueti Island and oak meadows at the Mt. Tuam Pollinator Project.
 - Controlling introduced invasive bullfrogs in the early stages of population establishment/invasion on Sidney Island.

[Image; S’ul-hween X’pey (Elder Cedar) Nature Reserve welcome sign on Gabriola]

[Text box; “Our history lies in the trees” says Eliot White-Hill, First Nations artist and designer of the S’ul-hween X’pey (Elder Cedar) Nature Reserve welcome sign on Gabriola. “They are our roots. A connection to the wisdom and knowledge of our people”. Eliot’s great-grandmother Snuneymuxw linguist and elder Dr. Ellen White honoured this special place with its Hul’qumi’num name.]

[next page](#)

[Sub header] Species at Risk Program – Protecting the Rare and Special

Islands Trust Conservancy completed the third year of our Species at Risk Program, which began in late 2020 and has been extended until March 2026 with funding from Environment and Climate Change Canada. Through the Species at Risk Program, we have:

- Conducted monitoring and surveys for species at risk on 10 ITC properties spanning six islands confirming the presence of species at risk, including: Common Sharp-tailed Snake, Western Screech-owl, Little Brown Myotis bats, and Coastal Scouler’s Catchfly.
- Installed new nest boxes for Western Screech-owls on Link Island.
- Supported research projects utilizing environmental DNA (eDNA) to survey for Common Sharp-tailed Snakes on multiple ITC properties and Coastal Tailed Frog on Gambier Island.
- Hosted a Species at Risk Speaker series from February to May 2023. Speaker topics from the 2022/23 fiscal year included:
 - Panel Discussion on Indigenous Heritage & Ecological Conservation in the Salish Sea.
 - Species at Risk and Critical Habitat Protection on Non-federal Lands.
 - Growing Native Plan Species for People and Place.
 - Monitoring and Restoration of Rare Ecosystems.

[Add link icon and text]; [Read more about our Species at Risk Program](#)

[TEXT BOX WITH ECCC FUNDING LOGO IN BOTTOM CORNER]

[next page](#)

[Sub header] Partnerships, Collaborations and Supporters – Working with Others

Working with others helps Islands Trust Conservancy to effectively achieve its goals and we are grateful to be able to collaborate with so many individuals, agencies and groups.

- Continued a partnership with researchers studying climate change impacts on bull kelp beds throughout coastal B.C.

Commented [KE13]: Hyperlink to <https://islandstrust.bc.ca/conservancy/species-at-risk/>

- Updated protected-area mapping for the region and contributed to the British Columbia Non-Governmental Organization Conservation Areas Database.
- Shared spatial and other data including mapping of eelgrass beds, bull kelp beds, sensitive ecosystems, species at risk, and protected areas, with First Nations, local conservancies, community organizations, researchers, and all levels of government.
- Continued a multi-year project to develop management responses to climate change impacts in Nature Reserves.
- Contributed to the revised edition of *Greening Your Title*, the go-to reference guide on conservation covenants for landowners and land trusts in BC (publication pending in 2023).
- Continued participation with the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) to prioritize high biodiversity areas and develop resources to support conservation.

[next page](#)

[Sub header] Opportunity Fund

The Opportunity Fund provides support for hard-to-fundraise costs associated with land protection and leverages donations through matching funds for land-acquisition campaigns. The disbursement of funds is guided by the Regional Conservation Plan and the Islands Trust Conservancy Board considers applications twice per year.

Islands Trust Conservancy dispensed the following Opportunity Fund grants in 2022/23:

- \$50,000 to the Nature Conservancy of Canada for the purchase of Reginald Hill on Salt Spring Island.
- \$6,000 to the Gabriola Land and Trails Trust for the Nature Stewards Program on Gabriola Island.
- \$30,000 to the Raincoast Conservation Foundation, including a \$25,000 directed donation, for the purchase of KELÁ_EKE Kingfisher Forest on North Pender Island.

At March 31, 2023, the Opportunity Fund had \$100,215 available to grant.

[next page](#)

[Sub header] Creation of New Funds – Directed Donations

[text] Islands Trust Conservancy is a qualified donor through the Canada Revenue Agency and can accept donations, gifts of stock, bequests and other forms of gifts. In 2022/23, Islands Trust Conservancy gratefully received directed donations as follows:

[Sub header] Hornby Island Donation

[text] Islands Trust Conservancy received a donation of approximately \$45,000 through the estate of William Tempest for conservation on Hornby Island. The donation has been partially disbursed and will be completed in 2023/24. Gifted funds have been

allocated towards covenant management on Hornby Island and to the Opportunity Fund for grants to Hornby Island conservation projects.

[Sub header] Link Island Western Screech Owl Project

[text] Islands Trust Conservancy received a donation of approximately \$25,000 from an anonymous donor for a Western Screech-Owl Project on Link Island. The funds will be spent over the next two to three years.

[Sub header] Link Island Building Removal Fund

[text] In addition to receiving Link Island as a donation in April 2022, Islands Trust Conservancy received a donation of approximately \$36,700 for a building removal fund in the event that the Islands Trust Conservancy should elect to remove buildings from the island. These funds have been invested and will be used when the agreement for use of the cabin on the island comes to an end.

[next page](#)

[Header] Financial Statements

[Text] Islands Trust Conservancy (ITC) prepares Financial Statements annually, in compliance with the requirements under section 46 of the Islands Trust Act. Under the Islands Trust Act, ITC may receive money, land and other property as donations or through grants in order to further the object of the Islands Trust. ITC uses Canadian Public Sector Accounting Standards, including standards for government non-profit organizations, to manage its funds and land assets. ITC currently holds and manages the following funds:

- **Opportunity Fund:** Used for unrestricted resources, most notably for the Opportunity Fund Grant Program.
- **Restricted Fund:** Used for internally and externally restricted assets, including grants, funds restricted for property management, and funds restricted for land acquisition.
- **Capital Fund:** Used to record the value of land donated, acquired or transferred without external restrictions.
- **Endowment Fund:** Used primarily for land that is restricted through donation agreements.

In its 2022/23 Financial Statements, the Islands Trust Conservancy recognizes the following items of note:

- Grant revenue of \$238,500 from Environment and Climate Change Canada for the Islands Trust Conservancy Species at Risk Program.
- *[other notes added upon completion of Financial Statements]*

While Islands Trust Conservancy manages land and funds as noted in its Financial Statements, the cost of Islands Trust Conservancy operations are the responsibility of Trust Council under

the Trust Council budget process. Details on these costs are available in the Islands Trust Financial Statements.

[next page](#)

[insert audited Financial Statement once available]

[next page](#)

[Header] Looking Ahead to 2023/24

[text] As we move into a new year, Islands Trust Conservancy is prioritizing work that furthers our reconciliation efforts and relationship development with First Nations. Islands Trust Conservancy will continue to accept conservation requests through the Opportunity Fund Grant and will work with landholders and managers who wish to protect and care for land. We look forward to strengthening existing collaborations and building new ones that will help us in continuing to protect and preserve islands in the Salish Sea for generations to come.

[Text box] Thank you to all the donors, supporters, partners, and allies who make this work possible.

Together, we are creating a conservation legacy that will protect and preserve islands in the Salish Sea for all species to thrive for generations to come.

Please consider remembering Islands Trust Conservancy in your Will.

Commented [KE14]: Link to website:
<https://islandstrust.bc.ca/conservancy/how-you-can-help/planning-your-legacy/gifts-in-your-will-2/>



REQUEST FOR DECISION

To: ITC Board

For the Meeting of: May 30, 2023

From: Staff

Date Prepared: May 8, 2023

SUBJECT: Bylaw 313 Referral (Gabriola Island)

RECOMMENDATION:

That the Islands Trust Conservancy Board direct staff to indicate to the Gabriola Island Local Trust Committee that the approval of Bylaw 313 is recommended for the following reasons:

- 1) the new "Ecological Protection Zone" will work well for the current use of S'ul-hween X'pey (Elder Cedar) Nature Reserve; and,
- 2) the new zoning better represents the intended use of the land than the current 'Park 2' (Passive Recreation Community Park-P2) zone.

1 PURPOSE: To consider a response to the referral of a Bylaw No. 313 which contains amendments to the Gabriola Island Land Use Bylaw to allow for the introduction of a new Ecological Protection (EP) zone that would be used to zone S'ul-hween X'pey (Elder Cedar) Nature Reserve (SXNR), Gabriola Island.

2 BACKGROUND: The Gabriola Island Local Trust Committee gave First Reading to proposed Bylaw No. 313 on March 30, 2023. All relevant background information, including staff reports and public correspondence received is posted to the Gabriola Projects webpage:
<https://islandstrust.bc.ca/island-planning/gabriola/projects/>

The Gabriola Island Land Use Plan (LUB) Bylaw No. 177, 1999

<https://islandstrust.bc.ca/document/gabriola-island-land-use-bylaw-no-177/>

currently designates SXNR as 'Park 2' (Passive Recreation Community Park-P2) and the parcel is designated as 'Park' in the Gabriola Island Official Community Plan (OCP) Bylaw No. 166, 1997

<https://islandstrust.bc.ca/document/gabriola-island-ocp-bylaw-no-166/>

There is no consistent zoning designated for ITC nature reserves. Nature reserves are zoned differently depending on what zoning is available in each local trust area. ITC must also wait to change the zoning after it has acquired a nature reserve until there is a revision of the LUB. Land use designations change when there is an OCP update.

D.4.2 Parks 2 – Passive Recreation Community Parks(P2)

D.4.2.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Parks 2 – Passive Recreation Community Park (P2) *zone*:

a. Permitted Principal Uses

- i passive outdoor recreational activities, including walking, hiking, and nature appreciation
- ii special events under permit by the Regional District of Nanaimo

D.4.2.2 Buildings and Structures

The *buildings* and *structures* permitted in Article B.1.1.2, plus the following *structures* and no others are permitted in the Parks 1- Passive Recreation Community Park (P2) *zone*:

a. Permitted Structures

- i *Structures* to accommodate passive outdoor recreational activities.

b. Prohibited Buildings

- i Subject to Article B.1.1.2, all *buildings* are prohibited.

D.4.2.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Parks 2 – Passive Recreation Community Park (P2) *zone*:

a. Buildings and Structure Height Limitations

- i The maximum *height* of *building* and *structures* is 5.0 metres (16.4 feet).

b. Buildings and Structures Siting Requirements

- i The minimum *buildings* and *setback* for *structures* except a sign, fence, or pump/utility house is 4.5 metres (14.8 feet) from any *lot line*.

c. Lot Coverage Limitations

- i The maximum combined *lot coverage* by *buildings* and *structures* is one percent of the *lot area*.

Words shown in *Italics* are defined in Part G

Page 64

[S'ul-hween X'pey \(Elder Cedar\) Nature Reserve](#) would be given this new zoning: Ecological Protection (EP) zone

D.1.4.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted Principal Uses

- i ecological reserves, nature parks and conservancies
- ii ecological restoration
- iii natural and cultural resource management and protection

b. Permitted Accessory Uses

- i informational, cultural, and historical interpretation
- ii passive recreation

D.1.4.2 Buildings and Structures

The buildings and structures permitted in Article B.1.1.2, plus the following buildings and structures and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted Buildings and Structures

- i pedestrian trails : unhardened, or constructed for maximum permeability as in the case of a boardwalks
- ii benches, bridges and boardwalks
- iii trail, interpretive, safety and commemorative signage
- iv structures that are required to maintain the natural values of the land, including deer and predator fencing and plant support and protection.

D.1.4.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Ecological Protection (EP) zone:

a. Building and Structure Height Limitations

- i The maximum height of buildings or structures is 5.0 metres (16.5 feet).

b. Building and Structure Siting Requirements

- i The minimum setback for buildings or structures except for a sign, fence, or bench is 15.0 metres (49.2 feet) from any lot line.

c. Floor Area

- i No building or structure shall have a total floor area that exceeds 9.3 square (100 square feet).

d. Lot Coverage Limitations

- i The maximum combined lot coverage by buildings and structures is 1 percent of the lot area

e. Lot Area Requirements for Subdivision

- i No lot in the Ecological Protection zone may be subdivided for the purpose of creating additional lots.
- ii Boundary adjustments and lot consolidations are permitted for the purpose of increasing the area of a lot in the Ecological Protection (EP) zone.

New definitions are also being introduced which considers the purpose of the use in the Ecological Protection Zone and the existing uses of the term in the LUB:

Conservancy means an area designated to conserve and protect natural resource values including flora, fauna, ecosystems and the natural environment.

Ecological Restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed.

Passive Recreation is non-motorized outdoor recreation that creates the opportunity to have a high degree of interaction with the natural environment and has minimal impact on land, water, or other resources. Passive recreation requires no installation of equipment or facilities, except for trails and associated improvements.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: Staff time will be required to communicate the decision to the Gabriola Island Local Trust Committee.

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will provide the ITC Board response to the Gabriola Island Local Trust Committee.

FIRST NATIONS: The Gabriola Island Local Trust Committee has sent the referral to Snuneymuxw First Nation for comment.

CLIMATE CHANGE: None

OTHER: The zoning designation provided does not limit ITC's ability to manage the land and restrict permitted uses. For example, the zoning permits use of bicycles and horseback riding, but the management plan and conservation covenant for the land restricts these uses.

4 RELEVANT POLICY(S):

[ITC Policy 3.1, Islands Trust Conservancy and Local Planning Services Coordination](#)

5 ATTACHMENT(S):

- 1) Email regarding "Referral for minor proposed changes to a Gabriola Land Use Bylaw", dated April 11, 2023
- 2) Referral Form, Bylaw 313, dated April 6, 2023

RESPONSE OPTIONS

Recommendation:

That the Islands Trust Conservancy Board direct staff to indicate to the Gabriola Island Local Trust Committee that the approval of Bylaw 313 is recommended for the following reasons:

- 1) the new "Ecological Protection Zone" will work well for the current use of S'ul-hween X'pey/ Elder Cedar Nature Reserve; and,
- 2) the new zoning better represents the intended use of the land than the current 'Park 2' (Passive Recreation Community Park-P2) zone.

Alternative:

That the Islands Trust Conservancy Board direct staff to indicate to the Gabriola Island Local Trust Committee that it's interests are unaffected by Bylaw 313.

Prepared By: Kate Emmings, ITC Manager & Nuala Murphy, Property Management Specialist

Kate Emmings

From: Nadine Mourao
Sent: Tuesday, April 11, 2023 3:15 PM
To: Kate Emmings
Cc: Stephen Baugh
Subject: Referral for minor proposed changes to a Gabriola Land Use Bylaw
Attachments: Bylaw Referral Form Bylaw No. 313.pdf

Dear Kate Emmings,

The Gabriola Island Local Trust Committee of the Islands Trust is working on a minor amendment to the Gabriola Island Land Use Bylaw that will apply to the Elder Cedar Nature Reserve (S'ul-hween X'pey) specifically.

Please find attached, a bylaw referral package from the Gabriola Island Local Trust Committee of the Islands Trust regarding Bylaw No. 313.

The intent of the Bylaw No. 313, if adopted, would be to amend the current Gabriola Land Use Bylaw No. 166, 1999 to introduce a new "Ecological Protection Zone" and rezone the S'ul-hween X'pey (Elder Cedar) Nature Reserve to a new conservation/protection zone.

Staff reports and other materials related to the proposed bylaw can be viewed on our website at:

<https://islandstrust.bc.ca/island-planning/gabriola/projects/>

Islands Trust wants to ensure that core concerns and impacts to the rights and title are reflected in land use planning and that we work together to inform land use within this area. A reply is respectfully requested prior to **June 6, 2023** and a referral response form is included for your convenience, should you wish to use this document.

In the meantime, should you have any questions or concerns regarding the proposed bylaw, please contact Planner Stephen Baugh at 250 247-2201 or by email sbaugh@islandstrust.bc.ca

Nadine Mourao

Legislative Clerk (she, her, hers)

Islands Trust

700 North Road | Gabriola BC V0R 1X3

T 250-247-2206 | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKEĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səliwətał, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SṠÁUTW, Stz'uminus, ʔaθəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLELP, WSIKEM, Xeláltxw, Xwémalhkwu, Xwsepsum, and x"məθk"əyām First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.



Islands Trust

BYLAW REFERRAL FORM

700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Gabriola Island Local Trust Area –
Gabriola Island

Bylaw No.: 313

Date: April 6, 2023

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response no later than **Tuesday, June 6, 2023**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Gabriola Island Local Trust Committee

PURPOSE OF BYLAWS:

Proposed Bylaw No. 313 will, if adopted, amend the current Gabriola Island Land Use Bylaw No. 166, 1999 to introduce a new "Ecological Protection Zone" and rezone the Elder Cedar Nature Reserve to the conservation/protection type zone.

GENERAL LOCATION:

Gabriola Island

OTHER INFORMATION:

The Gabriola Island Local Trust Committee gave First Reading to proposed Bylaw No. 313 on March 30, 2023. A copy of the staff report and the proposed bylaw is included in this referral for background information. All relevant background information, including staff reports and public correspondence received is posted to the Gabriola Projects webpage: <https://islandstrust.bc.ca/island-planning/gabriola/projects/>

Please direct any communications regarding this referral to Stephen Baugh, Planner 2, at 250-247-2201, or by email to sbaugh@islandstrust.bc.ca.

Please fill out the Response Summary on the back of this form for the bylaw. If your nation's/agency's/organization's interests are "*Unaffected*", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Stephen Baugh

Stephen Baugh

Name: _____

Planner 2

Title: _____

This referral has been sent to the following for comment:

Regional Agencies

Regional District of Nanaimo's Parks and Open Space
Advisory Commission Islands Trust Conservancy

First Nations

Snuneymuxw First Nation

PLEASE TURN OVER ➡

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

**Gabriola Island Local Trust Area –
Gabriola Island**

(Island)

(Signature)

(Date)

Bylaw No. 313 (LUB)

(Bylaw Number)

(Title)

(Agency)



BRIEFING

To: ITC Board **For the Meeting of:** May 30, 2023
From: Staff **Date Prepared:** May 8, 2023
SUBJECT: Danger Trees Cut on S'ul-hween X'pey (Elder Cedar) Nature Reserve

PURPOSE: To provide information on danger tree work undertaken along the trails of S'ul-hween X'pey (Elder Cedar) Nature Reserve in March 2023.

BACKGROUND:

S'ul-hween X'pey (Elder Cedar) Nature Reserve (SXNR) is 65 hectares in total and there are over 1.5 km of trails. There has been no tree work done in the nature reserve in over 15 years. Trails have been consciously kept to a minimum and some of the existing trails in place when ITC acquired SXNR were decommissioned to reduce the amount of disturbed area and trail maintenance required.

In March 2023, a contractor working on behalf of ITC removed approximately 45 danger trees from SXNR. These trees were in close proximity to trails. Approximately ten were removed near the Windecker Road entrance and approximately 35 were removed from the loop trail that begins at the main entrance to SXNR off of North Road (map below).

ITC staff have received expressions of concern from members of the public and our partners regarding the extent of the tree removal and questions about the need to remove danger trees in SXNR (see related Board correspondence). This briefing provides background about the policy direction of the Board as it relates to tree removal and provides further information regarding the work that took place.

1) ITC Policy Guidance for Tree Removal

ITC Board guides land management through creation of plans, strategies, policy and procedure, as follows (below, web links provided). It also bound by the [Occupier's Liability Act](#) to assess and address risk to people and property on and relating to lands that it manages.

[ITC Plan](#)

The ITC Plan, which is required under the *Islands Trust Act*, provides the following guidance for management of land (emphasis added):

*The Islands Trust Conservancy's primary objectives in managing its properties are **to protect public safety** and ecological values. Lands held by the Islands Trust Conservancy are not parks but are nature reserves and nature sanctuaries, and this concept is considered in acquisition discussions, management planning, insurance and land use zoning.*

[ITC Property Management Strategy](#)

The ITC Property Management Strategy provides the following guidance to ITC staff regarding danger trees (emphasis added):

***Public safety is of the utmost importance to the ITC.** ITC Procedure 2.3.1 Annual Monitoring includes the protocol on documenting any safety issues such as danger trees, trespasses or unauthorized uses that would put the public at risk. All of the ITC owned properties have insurance applicable to their use, to cover use by the public, staff and/or volunteers.*

[ITC Policy 2.3, Acquisition and Management of Land](#)

ITC Policy 2.3 provides the following guidance related to recreational use of nature reserves (emphasis added) and notes that ITC will monitor for safety hazards in nature reserves and take action to address them:

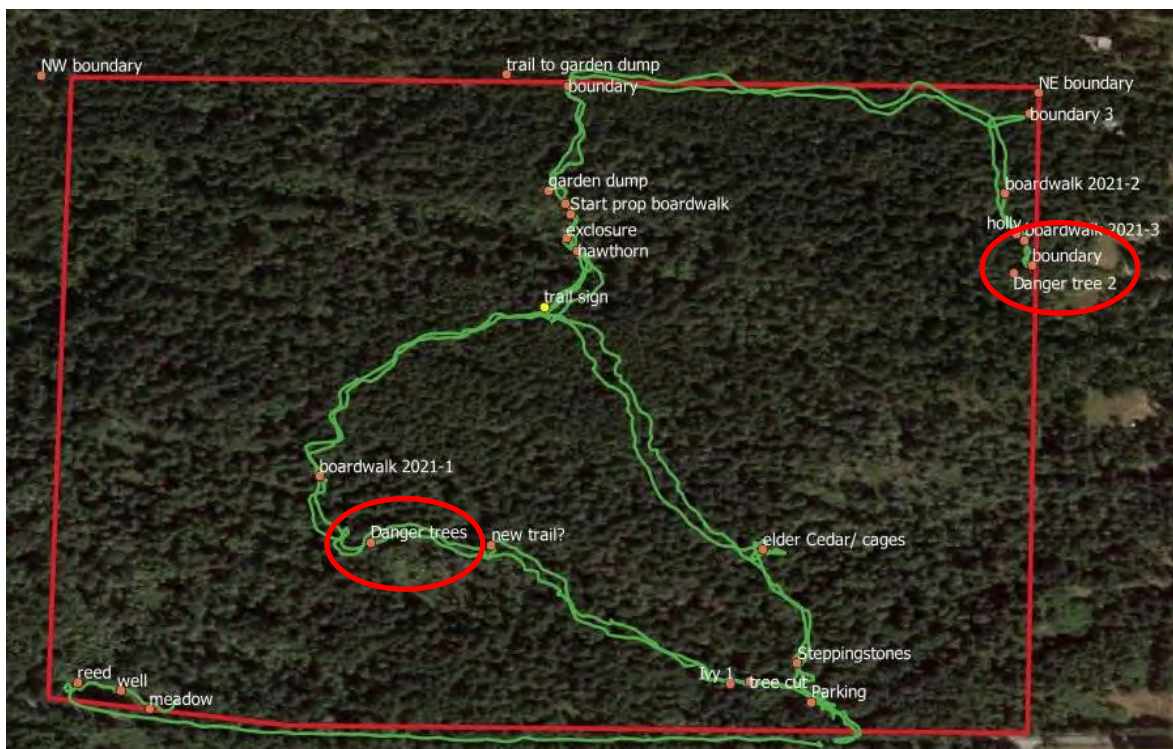
*13. Property management activities will focus on the preservation of the ecological integrity of the Nature Reserve. **Low-impact recreational access will be accommodated only where the ecological integrity is not significantly compromised.***

*14. The Board will monitor all Nature Reserves annually, and assess for potential management problems such as trespass, misuse or overuse, vandalism, **safety hazards** or other concerns or activities as listed in the management plan. The Board will take action to address any problems identified, within budget constraints.*

2) Tree removal at S'ul-hween X'pey (Elder Cedar) Nature Reserve (SXNR)

As required by ITC policy, trees that may be a danger to those walking on the trails of S'ul-hween X'pey (Elder Cedar) Nature Reserve (SXNR) are evaluated during the annual monitoring visits. These visits are commonly conducted with the conservation covenant and property management partners. Nanaimo and Area Land Trust (NALT) and Gabriola Land and Trails Trust (GaLTT) both hold a conservation covenant on SXNR. The public also notifies ITC staff and partners of potential danger trees. Concerned users contact GaLTT and ITC multiple times a year to express concern regarding hazards.

At the June 2022 monitoring visit, two areas of safety concern were identified (see map below, areas of concern in red circles). These areas of concern were by the Windecker Road entrance (see photos on next page) and on the west side of the loop trail. The areas included multiple leaning/fallen trees and areas where trees were precariously held up by other trees.



Monitoring route and points of interest during monitoring of S'ul-hween X'pey (Elder Cedar) on August 17, 2022 by NALT

As ITC does not have a qualified staff member to assess danger trees and do tree work, ITC staff, with agreement from the covenant holders, secured a contractor to undertake danger tree assessment and

removal as needed in December 2022. Where possible, the contractor was asked to leave as much of the tree standing as possible to act as a snag for wildlife.

Unfortunately, due to winter storms, the contractor was unable to undertake the work until a six-day period between March 6 and March 14, 2023. The work happened quickly and on short notice due to a need to begin prior to bird nesting season and ITC staff and local partners were unable to be present. Signage was placed at the entrances to SXNR to close the nature reserve during this time. See below for images of work done near the Windecker Road access.



Above: Hanging trees by Windecker Road entrance from June 10, 2022 monitoring visit with GaLTT

Right: Treated area by Windecker Rd entrance from May 18, 2023



3) Communications

Information about the tree work was shared via social media to alert the community. Two notices were put in the Gabriola Sounder in early February and early March and signs and flagging were put up at all three entrances during the work days by GaLTT board members.

After the work in March 2023 ITC, NALT and GaLTT posted a joint update on their social media. The following update went out from GaLTT on March 20, 2023:

Danger tree removal in S'ul-hween X'pey (Elder Cedar) Nature Reserve completed

“Danger trees” are those that are still standing but fully or partially rotten, with the potential for falling at any time. While no one wants to take out trees in a Nature Reserve, sometimes it’s necessary if they are identified as a safety hazard. Because it had been a long time since this kind of maintenance has been done in S’ul-hween X’pey (Elder Cedar) Nature Reserve, the number of danger trees had built up, and in the end about 40-45 had to be taken down. While they may be temporary eyesores from a human perspective, they will support the forest as they decompose, and the fallen trunks can serve as nurse trees for the plants that move in to replace them.

The conservation aim of danger tree management is to leave at least part of a tree standing so it can serve as potential wildlife habitat, but the arborist found that most of the trees in SX/EC were too rotten at higher levels to climb safely, so they had to be felled closer to the ground. They will serve as habitat nonetheless, as all cut wood is to remain in the reserve, left on the forest floor to naturally decompose. Small branches will be left as close to the ground as possible for quicker decomposition and to avoid fuel laddering in the event of a fire.

S'ul-hween X'pey (Elder Cedar) Nature Reserve is owned and managed by the Islands Trust Conservancy. GaLTT is co-covenant holder on the property with the Nanaimo Area Land Trust (NALT) and provides some trail maintenance, boardwalk building, and invasive plant control under contract to the ITC.

Islands Trust Conservancy has not communicated out to the Gabriola community since the danger tree work was completed.

4) Site Visit – May 18

The ITC Manager visited SXNR on May 18, 2023 to inspect the tree work. With only one observed exception, all the trees cut were dead standing trees with evidence of rot and decay. Several showed signs of broken or split tops. One live cedar tree that was leaning over the trail was cut. This tree showed evidence of a recently disturbed root system and may have been recently blown over the trail by wind. Cut trees included Douglas-fir (see photos of one example below), Western redcedar and Grand fir.



Second danger tree from main trail access. Stump shows rot in two locations and the main part of the tree has signs of insect and woodpecker damage.

ATTACHMENT(S): None

FOLLOW-UP: ITC staff have not had adequate time to consider detailed recommendations for next steps; however, preliminary investigations suggest that the Board may wish consider the following direction to staff:

- Review of policy and recommendations to the Board regarding policy additions or amendments.
- Request legal review of ITC liability with respect to danger trees in nature reserves
- Communication to the Gabriola Island community via the ITC website and/or the Gabriola Sounder
- Investigate options to train ITC staff in danger tree assessment
- Direction to staff regarding interim measures for addressing suspected danger trees

Prepared By: Kate Emmings, ITC Manager and Nuala Murphy, Property Management Specialist



BRIEFING

To: ITC Board **For the Meeting of:** May 30, 2023
From: Staff **Date Prepared:** May 21, 2023
SUBJECT: Executive Committee (EC) / Islands Trust Conservancy (ITC) Liaison Meeting

PURPOSE: To provide a draft agenda for the EC/ITC Liaison Meeting for review and input.

BACKGROUND:

Trust Council (TC)/ITC Liaison is required under [Islands Trust Bylaw 86](#) which states:

3.1 In order to foster and maintain communications between the Board and the Council, the Council and the Board will meet at least once each calendar year to discuss matters of mutual concern in light of their respective roles and responsibilities. The Council and the Board may also agree to meet more often.

Currently, the ITC meets with EC annually and presents information to Trust Council about programs of interest. The ITC and EC have a scheduled meeting on July 18, 2023. This meeting is hosted by ITC with EC members as invited guests. ITC members are able to put forward and vote on resolutions during the meeting and these become directions for the ITC Board and staff.

At its March 13, 2023 meeting, the ITC Board passed the following resolution directing staff to add an agenda item regarding Trust Council decisions that affect ITC work:

ITC-2023-014

It was MOVED and SECONDED,

that Islands Trust Conservancy (ITC) Board raise concerns to Executive Committee regarding Trust Council decisions on conservation that have an effect on ITC work about which ITC Board has not had an opportunity to comment.

Staff have included this item below as item 4.1.

ITC/EC Meeting Agenda

ITC staff have prepared a draft agenda, below, for review by the ITC Board. This proposed agenda will also be forwarded to the Executive Committee for review and discussion. Final review and approval of the agenda will occur at the meeting on July 18.

Draft Business Items for ITC/EC Liaison Meeting Agenda

1. Overview of ITC work since last meeting (20 mins)
 - 1.1. Slideshow of ITC work in 2022/2023; topics will include:
 - ITC Plan Updates
 - Regional Conservation Plan Updates
 - Species at Risk Program
 - Donor Engagement

2. Updates on current EC action items (20 mins)

2.1. As suggested by EC

3. Roundtable: Topic(s) to be determined (20 mins)

- [insert topics as desired – in 2022 the focus was on collaboration]

4. Items for Discussion (60 minutes)

4.1. Trust Council decisions that affect ITC work

- Amendments to website to remove donation buttons

4.2. Provincial Funding request: In September 2019, Trust Council passed the following resolution:

That Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.

ATTACHMENT(S):

Meeting Minutes, July 13, 2023 ITC/EC Liaison Meeting

[Agenda Package, ITC/EC Liaison Meeting July 13, 2022](#)

FOLLOW-UP: Staff will follow up as directed.

Prepared By: Kate Emmings, Islands Trust Conservancy Manager

Reviewed By/Date: Clare Frater, Director, Trust Area Services / May 24, 2023



Islands Trust Conservancy - Executive Committee Liaison Meeting Minutes of Regular Meeting



Date: Wednesday, July 13, 2022
Time: 1:00 p.m.
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

ITC Board Members Present Doug Fenton (attended in-person)
Kate-Louise Stamford, Chair (in-person)
Linda Adams (attended in-person)
Sue Ellen Fast, Vice Chair (attended electronically)

EC Members Present Dan Rogers, Vice-Chair (attended electronically)
Laura Patrick, Vice-Chair (attended in-person)
Peter Luckham, Chair (attended in-person)
Sue Ellen Fast, Vice Chair (attended electronically)

Regrets Risa Smith, ITC Board Member

Staff Present Aislyn King, Conservation & GIS Technician Co-op Student
Carmen Smith, Acting Communications Specialist
Corlynn Strachan, Administrative Assistant/Recorder
Heather Kauer, Regional Planning Manager, joined the meeting at 2:15 p.m.
Kate Emmings, ITC Manager
Kathryn Martell, Ecosystems Protection Specialist
Nuala Murphy, Property Management Specialist
David Marlor, Director, Local Planning Services
Russ Hotsenpiller, Chief Administrative Officer
Wendy Tyrrell, Species at Risk Coordinator

1. CALL TO ORDER

The meeting was called to order at 1:00 p.m. Chair Stamford acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

1.1 Introductions and Context for Annual Meeting

Chair Stamford welcomed the guests and initiated introductions.

2. APPROVAL OF AGENDA

By **general consent** the agenda was approved.

3. MINUTES

3.1 July 13, 2021 ITC-EC Liaison Meeting Minutes (Approved October 2021)

Received for information.

4. BUSINESS

4.1 Items for Information

4.1.1 ITC 2021/22 Year in Review (presentation)

Islands Trust Conservancy staff provided a presentation on the following topics:

- Regional Conservation Plan
- Property Management
- Reconciliation with First Nations
- Species at Risk Program
- Climate Change Project
- Communications and Engagement
- Fund Development
- Looking Ahead to 2022/23

Executive Committee members thanked staff for a professional and informative presentation. Discussion ensued on:

- invasive species management, including Japanese knotweed
- First Nations consideration of islands as family, marine protected area clusters around small islets, biodiversity protection priorities, and potential partnerships with other agencies for acquisition
- fallow deer management on Mayne Island and deer management in the Islands Trust area
- whether climate zones are moving north by 20 km per year

4.1.2 2021/22 Executive Committee Updates

Governance Report Follow Up

Trustee Luckham advised Trust Council (TC) created a standing governance committee consisting of seven elected members, including CAO Hotsenpiller.

CAO Hotsenpiller advised the first meeting is scheduled for July 29th where the committee will review current policy framework, develop questions and analysis, and consider funding. Islands Trust Conservancy (ITC) was not a part of the scope of the governance report. CAO Hotsenpiller recommends ITC track and provide input that informs the process due to potential impacts on ITC. There will be room for discussion and reflection on the nature of how IT governs.

Trustee Luckham noted TC has not yet discussed or debated the governance report and due to election timing, the committee will develop terms of reference to pass on to a future TC.

Trustee Luckham acknowledged it is not a good time globally/socially for TC to approach the Province for additional funding for ITC.

Trust Council Update

No update provided.

Policy Statement Update

Trustee Rogers advised that, after June Trust Council, there was a Special Meeting of the Trust Programs Committee to address issues raised through community consultation and First Nations engagement regarding the draft Islands Trust Policy Statement. Recommendations were put forward to staff on structure and policies contained within the draft policy statement. Another meeting of Trust Programs Committee is scheduled for August, but it is unlikely that there will be a revised draft policy statement and associated bylaw ready for first reading at the September Trust Council meeting.

4.2 Roundtable: Focus on Collaboration

4.3 Items for Collaboration

4.3.1 ITC Plan (2023-2025) – Briefing

The ITC Manager presented the briefing to Board and Executive members and provided background.

Discussion ensued on:

- bundling requests to First Nations together to make one approach, not overburdening nations
- support for the three-year plan
- using protocol agreements and letters of understanding and challenges associated with upholding agreements
- role of Crown Lands in the islands, First Nations interests and the use of “Crown Lands” colonial language
- using the Heron Newsletter as an information tool for ITC updates versus formal reports
- sharing social media updates with trustees to share ITC information
- ITC staff presentations at local trust committee meetings annually (as a delegation), in-person or over Zoom, using videos and or visual presentations to tell ITC stories
- adding the role of ITC Board members to elections communications

4.3.2 Communications with Trustees/LTCs

Discussed during item 4.3.1

4.3.3 Governance Review Opportunities

Chair Stamford advised she has been elected as a trustee on the standing Governance Committee and recommended ITC be included in the committee.

The ITC Manager suggested a formalized request through the committee for ITC participation, noting, due to limited staff resources, a formalized request would help determine how ITC staff time would be allocated for participation. Trustee Stamford will make the request to the Governance Committee to clarify ITC involvement.

4.3.4 Working with Crown Agencies to Protect Forests

The ITC Manager noted Executive Committee had met with the Ministry of Forests, Lands and Natural Resource Operations discussing topics on how to protect Coastal Douglas-fir Forests, tree protection bylaws, and Crown Land securement, which is currently not an active program for ITC due to limited resources for First Nations engagement.

Discussion ensued on use of “Crown Land” terminology and suggestion of use “Provincially Managed Lands”,

Trustee Patrick advised Salt Spring is building relationships with the Private Forest Landowners Association (PFLA) with biologists on staff.

4.3.5 Species at Risk Program Update – Briefing

The ITC Species at Risk Program Coordinator provided an update and overview of the Species at Risk Program.

Discussion ensued on cultural species, the abundance of camas fields this year, and adaptation of SAR to climate change.

4.3.6 Working with First Nations

Trustee Stamford is encouraged to note that First Nation engagement actions and opportunities and goals have been discussed throughout these agenda items and it is no longer a stand alone section. Trustee Stamford also noted that in the Howe Sound area, with respect to the Squamish Nation, there seems to be an intent by their staff to see initiatives through the framework of the Átl'ka7tsem / Howe Sound Regional Biosphere and data compatible with the Marine Stewardship Initiative (formally the Marine Reference Guide).

4.3.7 Biologist Support for Regional Planning Committee – Briefing

The ITC Manager welcomed Heather Kauer, Regional Planning Manager, and provided a background on available biologist support for planners over the last fifteen to twenty years.

Discussion ensued on strategic planning, creating management practices, better integration of land use planning with biodiversity goals, and the idea of having an expert panel of professionals to channel projects through.

Trustee Rogers commented this needs to be funded through Islands Trust, this is not an Islands Trust Conservancy issue, and that Trust Council should pick this up.

4.3.8 ITC Information for Ministry Staff

The ITC Manager advised this item came from the Executive Committee as an addition to the agenda and is related to moving funding requests forward as discussed earlier.

Trustee Patrick highlighted interest from Minister Cullen's office for Islands Trust to provide materials including Islands Trust area photos and publications, such as the ITC Impact Report. There is opportunity for Islands Trust to have a presence in ministry offices.

5. NEXT MEETING

To be determined in late 2022.

6. ADJOURNMENT

By general consent, the meeting adjourned at 3:06 p.m.

Kate-Louise Stamford, Chair

Certified Correct:

Corlynn Strachan, Administrative Assistant/Recorder



200-1627 Fort Street, Victoria BC V8R 1H8
Telephone **(250) 405-5151** Fax (250) 405-5155

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

Email information@islandstrust.bc.ca

Web www.islandstrust.bc.ca

April 13, 2023

File No.: 11-5020-30

Via email: LWRS.CoastMarine@gov.bc.ca

The Honourable Nathan Cullen
Minister of Water, Land and Resource Stewardship
PO Box 9012 Stn Prov. Govt.
Victoria, BC V8M 9L6

Dear Minister Cullen:

Re: Feedback on Coastal Marine Strategy Intentions Paper

Thank you for the opportunity to comment on the Coastal Marine Strategy Intentions Paper. We appreciated the special information session held for the Islands Trust Council on March 23, 2023.

We are pleased to see the provincial government working towards a Coastal and Marine Strategy, and that it is being co-developed with First Nations. We look forward to being involved in its eventual implementation. This topic is of great importance to the Islands Trust Area. In November 2020, I conveyed the following resolution by the Islands Trust Council to the Premier and all relevant Ministers of the BC government:

THAT Trust Council direct the Chair to write to the Premier and all relevant Ministers of the BC government on behalf of Trust Council to request that the BC Government develop and enact a Coastal Strategy and law to leverage and coordinate the work of provincial ministries, First Nations, local communities, and stakeholder groups to preserve coastal and ocean health, halt coastal habitat loss, accelerate the completion of a network of marine protected areas to benefit fisheries, biodiversity and the economy, set marine environmental quality objectives from upland activities, and help communities adopt ecosystem-based approaches to manage risks from flooding due to extreme weather events, sea level rise, climate change, and ocean acidification.

In March 2019, the Islands Trust Council declared a climate change emergency, committing to take urgent and fair climate action. As a federation of island governments, coastal and marine protection is central to our work and our response to the climate emergency.

The Islands Trust Act sets out that:

The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.

.../2

A key word in this Object statement is ‘cooperation’. We appreciate the cooperative approach proposed in the Strategy and ask that implications for the Islands Trust Act and the Trust’s mandate be considered throughout the Strategy development process and development of any subsequent legislation.

We also ask that the Province provide mapping resources, data visualization, and other supports to Islands Trust and local governments to support their work in protecting marine and coastal areas. For example, without investments in mapping and evidence-based communication products it can be hard to convey to the public how eelgrass health is connected to a healthy Southern Resident Killer Whale population or how a seawall can impact shoreline erosion further down a shoreline. It is not efficient for individual local governments to create these materials. Islands Trust has developed the following [shoreline mapping products](#) which may be of use to future work: 1) Distribution of shoreline type; 2) Energy and sediment movement; and 3) Shoreline values and vulnerabilities. The Trust has also developed [ecosystem inventory maps](#) for eelgrass beds, bull kelp beds and forage fish spawning habitat.

The Trust has also advocated to the federal government on coastal and marine topics and hopes that provincial-federal cooperation can be a key component of the Strategy. In particular, Trust Council has long advocated to the federal government to: 1) take all measures possible to reduce, and ultimately eliminate, the use of the 33 commercial freighter anchorage sites throughout the Southern Gulf Islands ([see attachment 1.](#)). In addition, the Trust has advocated to the federal government for:

- better regulation of vessel sewage dumping and vessel scrubbers ([see attachments 2, 3 and 4](#));
- regulation of aquaculture debris ([see attachment 5](#));
- an emergency towing vessel based in Sidney ([see attachment 6](#)); and
- a moratorium on the herring fishery in the Salish Sea ([see attachment 7](#)).

Provincial leadership to the federal government on these topics is needed. It would also seem appropriate for the Strategy to reference and support the federal government’s recently announced targets of conserving 25 percent of Canada’s oceans by 2025 and 30 percent by 2030. We are looking forward to hearing about progress on the proposed National Marine Conservation Area Reserve for the Southern Strait of Georgia.

We also encourage the Province to work closely with Washington State on coastal and marine protection measures for the Salish Sea.

We also ask that there be sufficient provincial staff resources dedicated to enforcing coastal laws and policies. The Islands Trust has asked for more provincial staff enforcement to prevent aquaculture industry debris ([see attachment 8](#)) and we have learned there are inadequate provincial staff to properly enforce the proliferation of unlawful private docks and marine infrastructure in the Salish Sea. The lack of provincial staff resources for enforcement puts pressure on our bylaw enforcement staff. The Trust also encourages coordination on the issue of liveaboards, as once again, this issue places a burden on our bylaw enforcement staff when a provincially-led coordinated strategy is needed ([see attachment 9](#)).

We also ask the Strategy include consideration of oil spill preparedness and response, and an update to the BC Marine Oil Spill Response Plan. The Islands Trust recently wrote to Trans Mountain with concerns about research on the fate and behaviour of bitumen ([see attachment 10](#)). Much of the work to protect coastal and marine values could be at risk with one oil spill. Island communities have voiced strong concerns about the impacts of an oil spill on their livelihoods and the ecology and cultural values of the region. BC’s coastal and marine values demand a world-class research standard and associated response preparedness.

We also hear ongoing concern about polystyrene foam pollution in the marine environment and encourage measures that prevent rigid foam pollution in the marine environment ([see attachment 11](#)). Leadership by the provincial and federal governments in cleaning up existing pollution of this type is needed.

We also support study of and provincial consideration of cumulative effects ([see attachment 12](#)). A topic of much contention in the Trust Area last year related to potential Islands Trust regulation of desalination plants in the Trust Area in response to concern about the cumulative impact of small systems ([see attachment 13](#)). Discussions revealed that the potential regulation of desalination plants and study of their cumulative effects is better addressed by the Province.

With regards to the drafting of the Strategy, I draw your attention to the following policies in the Islands Trust Policy Statement, approved by the BC Minister of Municipal Affairs in 1994, which set out the commitment (position or philosophy) of Trust Council:

Policy Statement Policy	Trust Council Policy	Applicability to Intention Paper Section
<i>Policy 3.4.1</i>	It is the position of Trust Council that development should not be allowed within a line drawn 300 metres offshore or mid-channel (whichever is less) of any island or islet in the Trust Area owned entirely by the Crown or affected by Order in Council 467.	
<i>Policy 3.4.2</i>	It is Trust Council's policy that marine areas be protected and coastal zone management principles be defined in consultation with agents of the government of British Columbia, the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers.	A4; E5; E6
<i>Policy 3.4.3</i>	Trust Council holds that artificial reefs should not be developed in the Trust Area. (Interpretation Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.)	A3
<i>Policy 4.5.1</i>	It is Trust Council's policy that aquaculture is a valuable activity in the Trust Area if compatible with maintenance of ecosystems and community character.	Section F
<i>Policy 4.5.2</i>	Trust Council holds that finfish farms should not be located in the marine waters of the Trust Area.	A1
<i>Policy 4.5.3</i>	It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.	B3

<i>Policy 4.5.4</i>	It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.	E6
<i>Policy 4.5.5</i>	It is Trust Council's policy that development should be directed to sites away from: • areas of environmental sensitivity, and • areas of naturally occurring stocks of clams or oysters.	B5
<i>Policy 4.5.6</i>	It is Trust Council's policy that aquaculture should be directed to sites away from: • areas of recreational significance, • areas where an aquaculture operation would conflict with established or designated upland land uses, and • areas where an aquaculture operation would conflict with established or designated anchorage or moorage.	C4-11; E5; F4
<i>Policy 4.5.7</i>	It is the position of Trust Council that aquaculture related development, activity, buildings or structures should not result in site alteration.	C4-11

The Islands Trust Policy Statement also includes the following recommendation policies which offer recommendations from Trust Council to government agencies and other decision-makers:

Policy Statement Policy	Trust Council Policy	Applicability to Intention Paper Section
<i>Policy 3.4.6</i>	Trust Council encourages the Provincial and Federal governments to develop existing and new programs such as "harvest refugia", which protect and enhance the populations of native marine species of the Trust Area.	E5
<i>Policy 3.4.7</i>	Trust Council encourages the Provincial and Federal governments to research the impacts of the introduction of new marine species into the marine water of the Trust Area before such species are introduced.	A2
<i>Policy 3.4.8</i>	Trust Council encourages the Federal and Provincial governments to develop and adopt legislation that regulates sewage discharge from shores and boats and addresses its detrimental impact on marine or coastal ecosystems.	A3
<i>Policy 3.1.7</i>	Trust Council encourages the Provincial government and the government of Washington State to proceed with their proposal for a joint environmental monitoring system for the Georgia Basin Region.	D4
<i>Policy 3.1.8</i>	Trust Council encourages the Provincial government to establish property tax incentives for conservation or habitat protection.	C3

Islands Trust is a special-purpose government representing over 30,000 people living within the Islands Trust Area and 10,000 non-resident property owners. The Islands Trust Area is located within Coast Salish territory and is the homeland of many Coast Salish Peoples who have called this place home since time immemorial. Islands Trust is responsible for preserving and protecting the Islands Trust Area's unique amenities and the environment through conservation-oriented land use planning and regulation, education, and cooperation with First Nations and other agencies. The Islands Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island. It includes 13 major islands and more than 450 smaller islands covering 5,200 square kilometres.

Thank you for considering this feedback. We look forward to seeing the draft Coastal and Marine Strategy.

Yours sincerely,



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

Attachments:

- 1) [January 19, 2021 Islands Trust Chair letter to Minister of Transport re anchorages](#)
- 2) [December 1, 2014 Islands Trust Chair letter to Minister of Transport re boat sewage restrictions](#)
- 3) [July 28, 2016 Islands Trust Chair letter to Chair of the House of Commons Standing Committee on Finance re budgeting to address marine pollution](#)
- 4) [March 30, 2022 Islands Trust Chair letter to Minister of Transport re ship scrubbers](#)
- 5) [December 9, 2022 Islands Trust Chair letter to Minister of Fisheries and Oceans, and the Canadian Coast Guard re resources for enforcement of shellfish aquaculture regulations](#)
- 6) [January 26, 2022 Joint Islands Trust/San Juan County letter to Minister of Fisheries, Oceans and the Canadian Coast Guard and Minister of Transport re request for an Emergency Towing Vessel in Sidney](#)
- 7) [October 25, 2019 Islands Trust Chair letter to Minister of Fisheries, Oceans, and the Canadian Coast Guard re Herring Fishery Moratorium](#)
- 8) [December 9, 2019 Islands Trust Chair letter to Minister of Forests, Lands, Natural Resource Operations and Rural Development re resources for enforcement of aquaculture tenure licences](#)
- 9) [Islands Trust 2020 resolution](#) to UBCM Convention re liveaboards
- 10) [January 30, 2023 Islands Trust Chair letter to Trans Mountain re Fate and Behaviour of Bitumen](#)
- 11) [Islands Trust 2017 resolution](#) to UBCM Convention re prevention foam pollution from marine structures
- 12) [Islands Trust 2019 resolution](#) to UBCM Convention re cumulative effects marine values
- 13) [Islands Trust –Islands 2050 project fact sheet](#) re docks, desalination and seawalls

cc:

Islands Trust Area MLAs
Bowen Island Municipal Council
San Juan County Council
Islands Trust Council
Islands Trust Website

From: Ken P Gurr [REDACTED]
Sent: Friday, May 12, 2023 4:57 PM
To: Kate Emmings <kemmings@islandstrust.bc.ca>; Susan Yates <syates@islandstrust.bc.ca>; Tobi Elliott <telliott@islandstrust.bc.ca>
Cc: Anne Landry [REDACTED]; Hugh Skinner [REDACTED]
Subject: RE: outcome of May 11 LTC meeting — Elder Cedar trees cut

Thank you Kate,

Yes, please, do send on to the Board as is. And please add this as an addendum. Much appreciated.

Again -- in looking at the reserve's ITF(C) management plan and the advance, published announcements about tree removal (which were message-centred on informing people to simply stay out of the reserve on given chop days, BUT, not to seek and get public feedback on trees flagged-for-cutting) – the trusting and natural assumption considering the conservation agencies involved and the published management plan – was this was to remove individual trees that were obviously dead AND clearly leaning over trails or already on trails.

I am stunned that this has happened. Again, I believe far too much emphasis and, inordinate time, is spent on litigious (legal counsel) fear-mongering as an organizational bias here, disguised as “due diligence”, without any rational consideration of the true, statistically infinitesimal risk to life from dead trees falling on a passerby -- in a rural island nature reserve!! The due diligence answer is simple: a sign “Nature Reserve – Natural hazards present. Users assume all risks of walking here”.

I would love to see the actuarial study on this one! And the cost of the contractor versus the insurance premium to cover public liability and likelihood of court settlements for trees murdering hikers that walk in a wind storm and then stand under the cracking tree to watch it, gape-mouthed, hit them. We better put hand-rails on the boardwalks and pave the trails to remove the risk of those pesky tree roots.

It's as if no one was watching on this one, the contractor (who is not of ecological-minded-repute of the known island contractors) was let loose unsupervised, and no one was ultimately in charge (like a pop fly ball coming down between 3 outfielders and no one calling it!!).

And perhaps that is the dire lesson that will need to be salvaged from this mess of conservation management. Someone must be the lead forest-focussed ecologist/the clear point person to make the call on how to manage a nature reserve with nature coming first as the default.

Yours truly,
Ken Gurr

.....
From: Kate Emmings
Sent: Friday, May 12, 2023 1:30 PM
To: Ken Gurr; Susan Yates; Tobi Elliott
Cc: Anne Landry; Hugh Skinner
Subject: RE: outcome of May 11 LTC meeting — Elder Cedar trees cut

Hi Ken,

Thank you for your email. ITC staff and Board care deeply about the natural values in ITC Nature Reserves and we have been reviewing the circumstances at Elder Cedar with our partners. The ITC Board will be discussing the matter at its meeting on May 30.

We did work with our friends at GaLTT to craft a message on the GaLTT Blog at <https://galtt.ca/nature-reserve-danger-tree-removal-complete/> and to share messaging on social media regarding the work; however, I understand the community's wish to have further answers. We will discuss further at the Board meeting and hope to have more information available once the ITC Board has a chance to discuss the matter further.

We value voices like yours as we move through these conversations. If you would like me to submit your correspondence to the Board, please let me know and I can add it to the agenda. Alternatively, if you would like to draft a different email for submission, we can do that too. Just send it along to me at this email or direct it to itcmail@islandstrust.bc.ca. ITC Board welcomes public voices at its meetings. Information about sharing your views is available at <https://islandstrust.bc.ca/contact-us/share-your-views/> (scroll down to see info for the ITC Board and click on the "+" sign for details).

Warm regards,
Kate

Kate Emmings (she, her, hers)
Manager
Islands Trust Conservancy | T 250.405.5191

.....

From: Ken Gurr [REDACTED]
Sent: Friday, May 12, 2023 1:05 PM
To: Kate Emmings <kemmings@islandstrust.bc.ca>; Susan Yates <syates@islandstrust.bc.ca>; Tobi Elliott <telliott@islandstrust.bc.ca>
Cc: Anne Landry [REDACTED]; Hugh Skinner [REDACTED]
Subject: Re: outcome of May 11 LTC meeting — Elder Cedar trees cut

Dear Susan, Tobi and Kate:

I am writing today as I couldn't be at the meeting yesterday.

Several of us known GaLTTers are getting earfuls from folks we run into who are so very deeply upset about the failure of judgement, conservancy principles, and contractor oversight at Elder Cedar.

Photos shown to me of the felled fir trees in the reserve from people's phones and in the Sounder show trunk bases along trail ways with very little to no heartwood rot. These trees were alive and standing!

I and others are asking for full accountability and reply to how this could happen? If the prevailing theme was fear of liability as seems to so often be the "go to" overzealous risk assessment of any notion of danger, than why instead, was not educational warning signage posted as due diligence for public

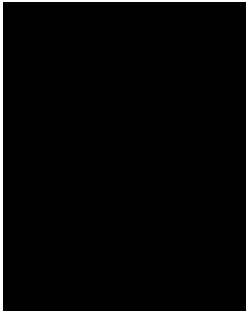
safety in a designated nature reserve — of all places! There is nothing at all in the reserve's 2008 ITF management plan (Haas & Associates) that cites removal of standing trees as a risk mitigation tool along trails.

So the questions are: How did this even get decided? And who exactly is involved and what is the role and responsibility and chain of command, contractor vetting and oversight, for all covenant-holders in making this horrible management call?

It is a tragic shame on so many levels, and a extremely significant community PR disaster for the integrity and management responsibility of all involved. It makes a farce out of nature reserve and covenant designations. I and others would like to have a full public explanation and revelation of accountability in a timely manner.

Thank you for your attention. This is a sorry state of affairs. I look forward to an answer in public media.

Sincerely
Ken Gurr



May 22 2023

Linda Adams, Chair
Islands Trust Conservancy Board
200-1627 Fort Street
Victoria, BC V9T 6N2

Linda Adams,

Re: Gabriola Land & Trails Trust Response to S'ul-hween X'pey (Elder Cedar) Nature Reserve Tree Cutting March 2023.

Tree cutting occurred in S'ul-hween X'pey (Elder Cedar) Nature Reserve in March 2023. It is our understanding that 40 to 45 trees were cut down as part of this work.

Many concerns have been expressed to me by Gabriola Land and Trails Trust (GaLTT) members and by the Gabriola community on the extensive nature of the tree cutting. It must be remembered that there are many current Gabriola residents who fought a long battle to preserve this forest from logging, and to sustain its ecological value as a nature reserve.

I became aware of the tree cutting on March 12, 2023, while working with a GaLTT boardwalk installation work party, shortly before becoming GaLTT President on March 14, 2023. I am personally devastated by the recent tree cutting in S'ul-hween X'pey (Elder Cedar) Nature Reserve. The southern portion of the trail loop, from the westerly creek crossing bridge to the parking lot was one of my favourite island trails. A remarkably serene environment where one felt truly at home with nature. I can remember GaLTT holding a introductory "Shinrin Yoku" (also known as forest bathing) session in this portion of the forest. It was a magical experience.

Public safety is an important factor. However, it is felt that appropriate signage at the three (3) entry points to S'ul-hween X'pey (Elder Cedar) Nature Reserve should be considered to forewarn visitors about potentially hazardous trail conditions, and to caution that people enter at their own risk. Some illustrative signages are attached. The nature reserve ecosystem should be allowed to naturally evolve.

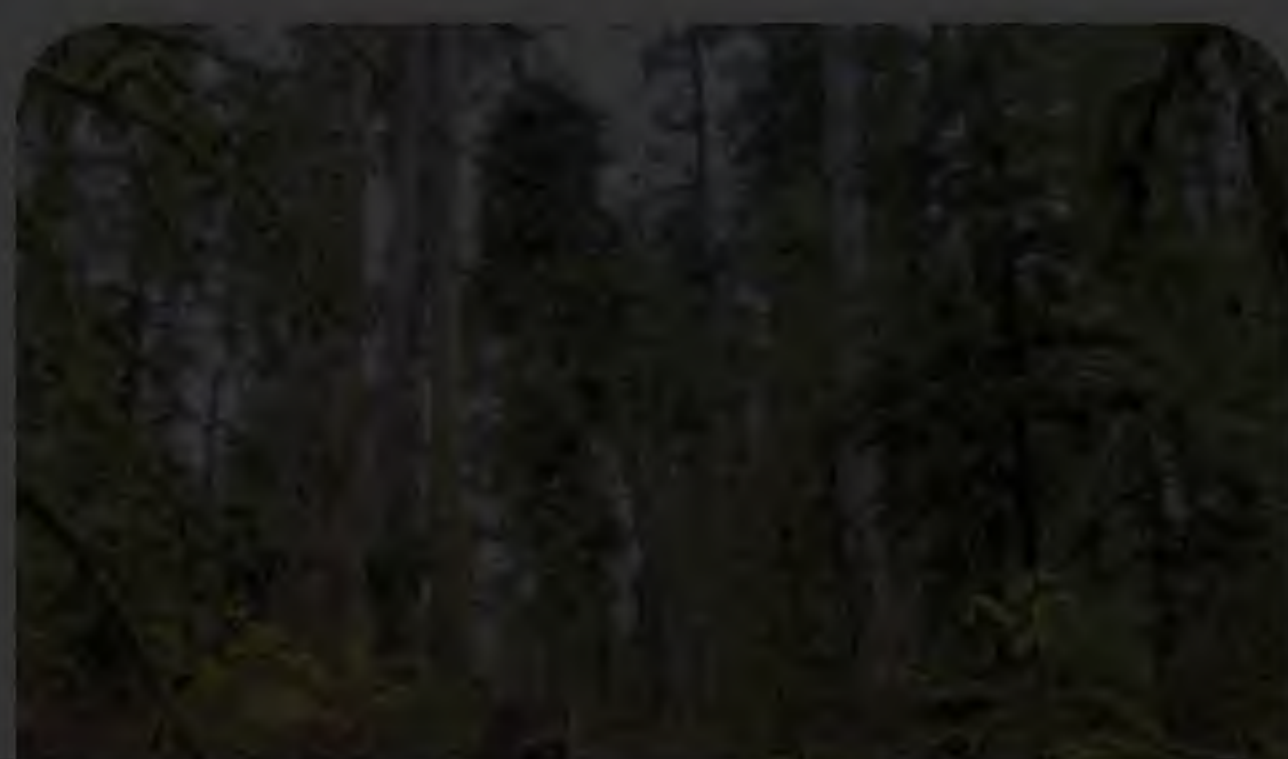
The purpose of the letter is not to assign fault, but rather to ensure that an event like the tree cutting that recently occurred never happens again. GaLTT greatly values our relationship with the Islands Trust Conservancy. We trust that we can learn from this experience, constructively review our agreements and communication protocols, and continue to grow our relationship.

Respectfully Submitted,



Hugh Skinner
President
Gabriola Land & Trails Trust

Cc: Board of Directors, Nanaimo and Area Land Trust.



Municipal Forest Reserve

You are entering the Municipal Forest Reserve.
Trails in this area are NOT maintained by North Cowichan.

**TRAILS MAY CONTAIN NATURAL
AND UNMARKED HAZARDS
USE AT YOUR OWN RISK**

The Municipality does not accept any responsibility
for injuries resulting from the use of these lands.



North Cowichan 746-3100





Public Acquisitions Update May 30, 2023

Property Name and Island	Date (yyyy/mm/dd)	Notes
PUBLICLY CONSIDERED PRIVATE LAND ACQUISITIONS		
Crystal Mountain (Galiano) 18.3 ha.	2017/11/21	ITC previously considered a conservation covenant proposal and land transfer proposal for this property.
	2017/11/21	TFB-2017-031: It was MOVED and SECONDED , that the Trust Fund Board accept the updated Conservation Proposal from the Crystal Mountain Society, agreeing to accept transfer of approximately 18.3 hectares of Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200, (PID 000-851-035) and part of Lot A, District Lots 88 and 89, Galiano Island, Cowichan District, Plan VIP68079, (PID 024-351-041), subject to: 1. The release of the rent charge and related easements on the title of Lot A and any other charges determined, through legal review, to be problematic for the Trust Fund Board; 2. Establishing legal access for the Trust Fund Board to the most eastern part of Lot A; 3. Receipt of \$30,000 upon transfer of the land, with at least \$15,000 to be held in a pooled Nature Reserve Management Fund, and \$10,000 to \$15,000 to be put towards the development of a management plan and management activities for the nature reserve; 4. Staff reaching mutual agreement with the water license holders to limit the impact of accessing and maintaining the permitted water works; 5. Agreement with the Society that the portion of the proposed Emergency Access over the nature reserve would be used only in the case of emergency; 6. Written agreement with the Society about the use and maintenance of the pagoda; 7. Installation of boundary and corner pin markers at the time of survey at the expense of the applicant (locations to be determined in consultation with ITF staff); and 8. Final approval of the Trust Fund Board of the final survey plan, transfer agreement and all other associated agreements.
	2019/07/24	Received subdivision proposal plan from the planning department.
	2020/09/08	Applicant provided a revised proposal to the Galiano Island Local Trust Committee.
	2020/12/10	File transferred to TAS Director Frater due to declared conflict of interest by ITC Manager, Kate Emmings.
	2021/01/28	ITC Staff met with applicant. An application update is anticipated for the May ITC Meeting.
	2021/05/25	Update provided to ITC Board.



Public Acquisitions Update May 30, 2023

Crystal Mountain (Galiano) 18.3 ha.	2021/05/25	ITC-2021-019: It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the updated approximate lot configuration proposed by the Crystal Mountain Society, subject to staff assessment that adjusted lot boundaries meet ITC conservation goals and policies, based upon a site visit and review of any necessary additional ecological information from the applicant. ITC-2021-020: It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the Crystal Mountain Society proposal to register a Statutory Right of Way across Lot A on the upper ridge, in favour of Islands Trust Conservancy, to provide legal access to the eastern part of Lot A via the legal easement across neighbouring Lots B and C. ITC-2021-021: It was MOVED and SECONDED, that the Islands Trust Conservancy Board express support for the Crystal Mountain Society proposal to alter the lot boundaries of Lot 9 and Lot 10, prior to land transfer to Islands Trust Conservancy, to remove the pagoda from the proposed nature reserve, subject to staff assessment that adjusted lot boundaries meet ITC conservation goals and policies, based upon a site visit and review of any necessary additional ecological information from the applicant ITC-2021-022: It was MOVED and SECONDED, that the Islands Trust Conservancy Board request that the Crystal Mountain Society update the Ecological Inventory report and other relevant documents to reflect the proposed boundary changes, prior to transfer of the land. ITC-2021-023: It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the Crystal Mountain Society proposal to register a Statutory Right of Way for emergency access on Lot A in favour of the Capital Regional District prior to subdivision, subject to Crystal Mountain Society's working with ITC staff to develop an appropriate agreement.
	2021/07/07	Staff site visit scheduled.
	2021/07/21	Follow-up staff visit to discuss lot boundary options.
	2022/02/09	Applicant and staff discuss coordinating a visit from a Cultural Knowledge Holder.
	2022/08/16	Meeting with applicant to discuss their meeting with Penelakut Elders and leadership.
	2022/11/24	Meeting with applicant's agent to discuss potential co-management relationship with Penelakut.
	2023/02/01	Applicant's agent provided update on process of fulfilling ITC Board's requirements; continuing discussion with staff about engagement with Penelakut FN and other Indigenous community members.
Current Total ITC Acquisitions:		34



PUBLIC COVENANTS UPDATE May 30, 2023

NAPTEP COVENANTS		
<i>27 NAPTEP Covenants on title, 3 NAPTEP covenants in progress, 1 new application</i>		
Property	Date	Notes
Koontz NAPTEP Covenant Gabriola Island (~2.5 ha)	2023/02/08	Application received. Staff report and RFD in this package.
Larmour NAPTEP Covenant Salt Spring Island (2.45 ha)	2021/10/15	Application received.
	2022/01/24	ITC-2022-003: It was MOVED and SECONDED , that the Islands Trust Conservancy Board approves the conservation proposal submitted by Rodney Polden, on behalf of Skye Larmour, to donate a 2.45 ha NAPTEP covenant on Salt Spring Island, over a portion of Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, PID: 000-138-452, to protect mature forests, wetlands, and connectivity to other protected areas, and advise the applicant that ITC will defer this securement project until late 2022/early 2023 due to staff capacity constraints.
	2022/02/04	Staff informed applicant of Board decision.
	2023/02/09	Staff initiated discussion with ALC about providing approval for placing NAPTEP covenant on non-ALR portion of the property.
	2023/04/21	Site visit to discuss next steps and details with landowner and applicant. Staff to begin negotiating covenant as soon as capacity permits, and submit application for Trust Council approval.
Nighthawk Hill NAPTEP Covenant expansion North Pender Island (~1ha)	2021/03/30	Application received.
	2021/11/23	ITC-2021-050: It was MOVED and SECONDED , that the Islands Trust Conservancy Board approve the conservation proposal submitted by Andreas Nowak and Mary Reher to add approximately 1 ha to the existing NAPTEP conservation covenant over a portion of the land described as Lot 38, Section 7, Pender Island, Cowichan District, Plan 32261, Except Part in Plan 35333, PID 001-081-110, to protect small seasonal wetlands and connectivity to the already-protected mature dry Douglas-fir forests.
	2021/12/01	TC-2021-119: It was MOVED by Trustee Stamford and SECONDED by Trustee Morrison , that the Islands Trust Council approves the amendment of the NAPTEP Certificate for the covenanted portion of the property described as PID 001-081-110, Lot 38, Section 7, Pender Island, Cowichan District, Plan 32261, Except Part in Plan 35333, to extend the Certificate to cover the increased protection area, and to reference the registration number of the new conservation covenant and survey plan that will be registered.



PUBLIC COVENANTS UPDATE May 30, 2023

	2021/12/04	Referred for information to North Pender LTC. No comments received.
	2021/12/15	Phase II next steps correspondence sent to landholder.
	2022/02/10	Phase II application fee received.
	2022/07/20	Landowner has hired surveyor.
	2022/09/06	Final survey received.
	2022/09/12	Draft covenant amendment and letter of permission sent for ITC legal review.
Nighthawk Hill NAPTEP Covenant expansion North Pender Island (~1ha)	2022/10/04	ITC-2022-045 It was MOVED and SECONDED, that the Islands Trust Conservancy Board approves the revised Nighthawk Hill NAPTEP Covenant (NIHN) and authorizes the Chair to sign the NIHN with Andreas Nowak and Mary Reher, over a portion of the land described as Lot 38, Section 7, Pender Island, Cowichan District, Plan 32261, Except Part in Plan 35333, PID 001-081-110, subject to receiving an updated Baseline Documentation Report that is acceptable to the Islands Trust Conservancy Manager, and directs staff to register the covenant. ITC-2022-046 It was MOVED and SECONDED, that the Islands Trust Conservancy Board authorizes the Chair to sign a discharge for covenant CA2826689 and directs staff to register the discharge subject to registration of a covenant over the expanded protected area.
	2022/10/13	ITC-IC-2022-029 It was MOVED and SECONDED, that the Islands Trust Conservancy Board rise and report that it has approved Andreas Nowak & Mary Reher's request for consent to use the man-made pond in the Covenant Area of the Islands Trust Conservancy covenant (the 'Covenant') over Parcel Identifier: 001-081-110, Lot 38, Section 7, Pender Island, Cowichan District, Plan 32261, Except Part in Plan 35333 (the 'Land') as provided for in section 4.2(c), 4.2(a)(ii), 4.2(a)(iii), 4.2 (a)(iv), 4.2(a)(vi) and 4.2 (a)(viii) of the Covenant, with significant conditions to protect the covenant area.
	2022/10/24	Board decision letter sent to landowner and to PICA.
	2022/10/31	Draft baseline report received; under review by staff.
	2023/01/30	Draft baseline report returned to contractor with required edits by ITC and PICA.
	2023/04/10	Contractor returned edited baseline report. Under review by ITC staff.
	2020/06/16	Application received.



PUBLIC COVENANTS UPDATE May 30, 2023

R. Leader NAPTEP Covenant Salt Spring Island (3.54 ha)	2020/11/24	ITC-2020-039: It was MOVED and SECONDED , that the Islands Trust Conservancy Board approve the conservation proposal submitted by Robert Leader to place a NAPTEP covenant on approximately 5 ha on Salt Spring Island, PID: 000-395-081, LOT 2, SECTION 72, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 36292 Except Plan 40974
	2020/12/02	TC-2020-112: It was MOVED and SECONDED , that the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for the covenanted portion of the property described as 'Lot 2, Section 72, South Salt Spring Island, Cowichan District, Plan 36292 Except Plan 40974, Parcel Identifier 000-395-081' subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.
	2020/12/15	Referred for information to the Salt Spring Island Local Trust Committee. No comments received.
	2021/04/08	Phase II application fee received
	2021/04/12	ITC staff discussion with TLC about discharging existing covenant on the property. Ongoing.
	2021/04/26	ITC staff approves contractor to conduct baseline inventory. Work underway.
	2021/05/04	ITC staff discussion with SSIC about discharging existing covenant on the property. Ongoing.
	2021/05/11	First covenant draft sent to landowner for review.
	2021/05/14	Draft covenant sent to TLC and SSIC for their Board to review as part of their discussions about discharging the existing covenant these organizations co-hold on the property. ITC staff to participate in upcoming Board meetings of these organizations to provide information about NAPTEP and this proposed covenant.
	2021/05/14	Request for legal advice about impact of clause in existing covenant, restricting ability to place additional easements on the property.
	2021/05/22	Staff participate in TLC Board meeting to provide background information about NAPTEP program and discuss details of this application for a NAPTEP covenant to replace or be placed in addition to existing TLC / SSIC covenant.
	2021/05/28	Received legal counsel that the existing covenant contains no restrictions on ability to place NAPTEP covenant on the property.
	2021/06/16	Discussion with landowner about rights and restrictions in the draft covenant. Ongoing.
	2021/07/05	SSIC and TLC agree to discharge existing covenant subject to registration of NAPTEP covenant. SSIC has requested becoming co-covenant holder for NAPTEP covenant.
	2021/07/29	Landowner begins discussions with mortgage provider about granting priority to the Covenant and Rent Charge. Ongoing.



PUBLIC COVENANTS UPDATE May 30, 2023

	2021/09/09	ITC received and accepted final baseline inventory report.
	2022/01/21	Staff called to discuss need to get mortgage provided to grant priority to the Covenant. Followed up with email to credit union representative.
R. Leader (cont.)	2022/02/21	No response from credit union, informed landowner and indicated that they will need to pursue this issue.
	2022/09/26	Staff emailed to remind landowner that NAPTEP application expires December 2nd and enquire about progress with mortgage provider. Landholder discussed issue with credit union account manager and forwarded request for ITC staff to follow-up.
	2022/09/28	Staff contacted credit union account manager via email and left phone message.
	2022/11/05	Staff left follow-up phone message for credit union account manager.
	2022/12/06	Trust Council passed the following resolution: It was Moved by Trustee Yates and Seconded by Trustee Patrick, That the Islands Trust Council extend the timeline for issuing the Natural Area Exemption Certificate for Natural Area Protection Tax Exemption Program application SS-NAP-2020.3 (Salt Spring Island) until December 2024.
	2023/01/01	Ongoing discussions with credit union and landowner about priority agreement.
REGULAR COVENANTS		
<i>52 regular covenants on title, 1 regular public covenant in progress, 2 in-camera covenants in progress.</i>		
Property	Date	Notes
Brooks Point Covenant South Pender Island (6.02 ha)	2014/03/23	It was MOVED and SECONDED , that the Trust Fund Board agrees to hold a covenant on the 2010 addition to Brooks Point Regional Park, South Pender Island, subject to agreement on the terms of the covenant and a satisfactory baseline report, and directs staff to continue working with CRD Parks and partners to determine the best way to covenant the three protected areas at Gowlland and Brooks Points.
	2014/04/08	Staff provide CRD staff with a template covenant for review.
	2014/04/15	Staff met with partners to discuss combining covenants for the Brooks Point and Gowlland Point properties.
	2014/05/22	Covenant Draft 1 sent to PICA, Friends of Brooks Point, HAT and CRD.
	2014/08/01	CRD response to Covenant Draft 1 received.
	2014/08/19	ITC/HAT/PICA express concerns to CRD with respect to Management Plan approval and other selected clauses.
	2014/08/20	Baseline Report completed.



PUBLIC COVENANTS UPDATE May 30, 2023

	2014/08/22	CRD respond to ITC/HAT/PICA concerns.
	2014/09/17	ITF/HAT/PICA response re draft covenant sent to CRD.
	2014/10/08	Kate Emmings appointed to the Brooks Point Management Plan advisory group by the CRD.
	2014/10/16	ITF staff attended CRD Parks Open House for public review of the Brooks Point Management Plan update.
	2014/12/03	CRD submit revised covenant draft to ITC and HAT.
Brooks Point Covenant (cont.)	2014/12/10	CRD Board approves revised Management Plan.
	2014/12/12	Covenant sent to legal counsel for review.
	2014/12/18	Covenant revisions and comments sent to CRD.
	2015/07/29	Met with the CRD to discuss the covenant. There are several unresolved clauses.
	2015/08/28	Met with PICA and HAT. Agreed that we were at an impasse and required more direction from PICA.
	2015/09/02	CRD returned a covenant draft for review, staff are concerned with several clauses, including the strength of restrictions and the enforcement mechanisms.
	2015/09/09	Staff provided a briefing to PICA requesting info about the type of covenant contemplated. Staff updated the CRD that a response to the covenant draft would be post-poned until further information is available from PICA.
	2015/09/24	Staff met with HAT, Friends of Brooks Point (Paul Petrie) and the CRD to discuss covenant concerns. CRD staff agreed to revise covenant and circulate.
	2015/10/28	Staff met with HAT and CRD staff to review revised covenant draft and CRD will do further revision and circulate.
	2015/12/18	CRD Staff provided revised covenant.
	2016/01/25	ITF/HAT responded to CRD revisions.
	2016/07/15	CRD Staff provide a revised version of the covenant for further review.
	2016/08/16	HAT/ITF/CRD staff meet to discuss CRD edits. HAT/ITC agree to add definition regarding the permitted activities and will forward legal edits. CRD to re-approach NCC and TLC regarding process for discharge of prior covenants.
	2016/11/28	ITF/HAT forwarded the draft list of restricted and permitted uses for CRD review.
	2016/01/11	CRD response received, ITF/HAT to forward revised covenant draft for CRD review. Conversations ongoing regarding details.
	2017/09/07	Brooks Point covenant revised and reviewed by ITF legal and HAT.
	2017/09/21	Revised Brooks Point covenant sent to CRD Parks for review



PUBLIC COVENANTS UPDATE May 30, 2023

	2018/06/14	Revised covenant received from the CRD, currently under review.
	2018/07/06	Legal review of covenant identifies ongoing concerns.
	2018/07/31	CRD notified of ITC covenant concerns and meeting of all parties with legal representatives requested.
	2019/05/01	ITC provided reviewed covenant to CRD with a request to meet with all parties and legal counsel.
	2020/12/23	Revised draft covenant received from CRD for review.
Brooks Point Covenant (cont.)	2021/02/08	HAT, PICA and ITC meet to discuss covenant revisions. HAT to follow up with CRD regarding ongoing concerns and PICA input.
	2022/01/17	Letter received from CRD with a request to approve the covenant.
	2022/01/31	HAT, PICA and ITC meet to discuss covenant revisions. HAT and ITC staff agree to forward covenant to respective boards subject to agreement from PICA that it meets their requirements.
	2022/02/04	Joint letter sent to CRD from HAT and ITC noting HAT and ITC staff agree to forward covenant to respective boards subject to agreement from PICA that it meets their requirements.
	2022/02/06	PICA provides a letter to the CRD outlining requested changes to the covenant.
	2022/02/17	CRD responds to PICA letter with amended covenant.
	2022/02/24	PICA provided a letter to the CRD indicating that the covenant edits are acceptable.



PUBLIC COVENANTS UPDATE May 30, 2023

	2022/03/15	ITC-2022-017: It was MOVED and SECONDED, that the Islands Trust Conservancy (ITC) Board authorizes the Chair to sign the covenant, dated February 17, 2022, with the Capital Regional District and Habitat Acquisition Trust, over the lands described as: i) Parcel Identifier 005-873-860, Lot 16, Section 1, Pender Island, Cowichan District, Plan 6670; ii) Parcel Identifier 005-873-894, Lot 17, Section 1, Pender Island, Cowichan District, Plan 6670; iii) Parcel Identifier 005-873-924, Lot 18, Section 1, Pender Island, Cowichan District, Plan 6670; iv) Parcel Identifier 005-873-975, Lot 19, Section 1, Pender Island, Cowichan District, Plan 6670; and, v) Parcel Identifier 003-977-188, Lot C, Section 1, Pender Island, Cowichan District, Plan 16049; and, directs staff to register the covenant subject to receiving an update to the Baseline Documentation Report that is acceptable to the ITC Manager. ITC-2022-018: It was MOVED and SECONDED, that the Islands Trust Conservancy Board authorizes the Chair to sign a discharge for covenant EP3182, subject to receiving approval from the Nature Conservancy of Canada to also discharge the covenant, and directs staff to register the discharge subject to registration of a covenant over the whole of Brooks Point Regional Park in favour of Islands Trust Conservancy and Habitat Acquisition Trust.
	2022/04/14	ITC/HAT board decisions conveyed to the CRD, with a copy to TLC and NCC.
	2022/04/29	CRD correspondence sent to NCC and TLC requesting agreement to release existing covenants.
	2022/07/14	ITC staff send correspondence to CRD regarding Intermim Strategic Plan as the designation of Brooks Point Regional Park is inconsistent with the negotiated covenant.
	2023/03/02	CRD Parks staff confirm that CRD Regional Parks intends to correct the park designation error when the Interim Strategic Plan goes back to the parks committee and CRD Board (scheduled for summer 2023)
	2023/05/15	CRD Parks sends covenant and related documents for final review and signature.
ITC NATURE RESERVES WITH COVENANTS OUTSTANDING		
<i>9 ITC Nature Reserves are without covenants, 2 ITC Nature Reserve covenants in progress.</i>		
Property	Date	Notes
Sandy Beach Nature Reserve Keats Island (3.3 ha)	2015/03/02	Consultant has indicated that the landowners would like a covenant registered on the land at the time of transfer. ITC has approached Gambier Island Conservancy (GIC) and Sunshine Coast Conservation Association (SCCA). GIC has declined, but SCCA is potentially interested.
	2015/05/07	SCCA agrees to hold covenant; suggests TLC as a co-holder as they have worked together before.



PUBLIC COVENANTS UPDATE May 30, 2023

	2015/08/18	Draft conservation covenant provided to ITC staff for review.
	2015/08/26	Edits to covenant provided to applicant and covenant holders for review.
	2015/12/15	Comments on covenant draft received from TLC.
	2015/01/12	Covenant revised with TLC edits and returned to TLC and SCCA for comment. TLC is happy with the draft. SCCA has sent the covenant for legal review, still awaiting SCCA comments.
	2016/02/10	SCCA comments received.
	2016/03/04	ITF responded to SCCA edits. SCCA reviewing with lawyer.
	2016/04/11	Requested that landowner contract development of baseline report for covenant.
	2016/06/05	SCCA comments received for covenant.
	2016/10/05	Draft 3 covenant sent to covenant holders for review. TLC and SCCA have agreed to the draft.
	2017/03/02	Covenant sent for legal review.
	2017/04/13	Revised covenant draft sent to TLC and SCCA. Comments received from both agencies.
	2017/08/31	Edits made to covenant and reviewed by legal. Draft 5 sent to TLC and SCCA for review. TLC has no further comment; awaiting SCCA comment. Both TLC and SCCA have requested a site visit.
	2017/09/07	Draft baseline report received from the applicant.
	2017/10/24	Feedback on baseline report submitted to applicant and revisions requested.
	2018/05/28	Site visit with ITC staff, trustees & SCCA
Sandy Beach Nature Reserve (cont.)	2018/07/19	Next draft of baseline received and provided to covenant holders for feedback.
	2018/08/28	Baseline report feedback provided to applicant and biologist for review and revision.
	2019/01/04	Applicant's biologist revised draft baseline report. Forwarded baseline to covenant holder for review.
	2019/11/18	Received survey from the Applicant. Also notified that a new trail has been developed to access the beach within the proposed Sandy Beach Nature Reserve.
	2019/12/19	Met on site with applicant to review the location of the newly developed beach access trail.
	2020/04/23	ITC Staff begin a conversation with BC Hydro regarding removal of BC Hydro Statutory Rights of Way.
	2020/06/24	BC Hydro staff respond with information about mechanisms for discharge of existing Statutory Rights of Way and reregistration of a revised Statutory Right of Way.



PUBLIC COVENANTS UPDATE May 30, 2023

	2020/07/06	Staff respond to BC Hydro process regarding Statutory Rights of Way and request further information from the landowners regarding cost recovery for required surveys and fees.
	2020/12/18	Land transfer complete. Covenant still to be finalized as per Transfer Agreement by Dec. 18, 2021.
	2021/02/01	ITC Staff renew covenant discussions with TLC and SCCA.
Sandy Beach Nature Reserve (cont.)	2021/11/01	ITC staff is including completion of baseline inventory in contract for Management Planning. Contract work is underway. Draft baseline inventory due November 15 th , and draft Management Plan due January 17 th .
	2021/11/09	Draft baseline report received and reviewed. Contractor will be conducting an additional site visit in mid- to late January to gather more data for updated baseline.
	2021/12/08	Management Plan Open House.
	2022/03/29	Final draft of Management Plan received from contractor. Reviewed and approved with amendments at May 24, 2022 Board meeting. Final Management Plan sent to proposed covenant holders for agreement.
	2022/04/29	Final baseline report and covenant sent to covenant co-holders for review and agreement.
	2022/05/24	ITC-2022-028: It was MOVED and SECONDED , that the Islands Trust Conservancy Board approve the Sandy Beach Nature Reserve Management Plan as amended.
	2022/06/16	Staff sent final covenant for legal review.
	2022/10/04	Final covenant reviewed and approved by covenant co-holders. RFD for ITC Board in this package.
	2022/10/04	ITC-2022-040: It was MOVED and SECONDED , that the Islands Trust Conservancy Board directs the Chair to sign the Conservation Covenant agreement among TLC The Land Conservancy of British Columbia, the Sunshine Coast Conservation Association, and the Islands Trust Conservancy, over the land identified as Lot 1 District Lot 696 Group 1 New Westminster District Plan EPP89532 (PID: 031-259-731) and known as Sandy Beach Nature Reserve.
	2022/11/08	Staff is preparing final documents and coordinating with applicant for conveyancing.
	2023/04/12	Covenant and forms signed by ITC Chair, sent to lawyer to arrange covenant holder signatures.
Fairyslipper Forest Nature Reserve Thetis Island (16.6 ha)	2018/03/20	ThINC Board approves resolution to hold a covenant on Fairyslipper Forest.
	2018/03/21	CCLT Board approves resolution to hold a covenant on Fairyslipper Forest.
	2018/04/03	TFB approves negotiation of conservation covenant in favour of ThINC and CCLT.
	2018/04/06	ITC template covenant sent to partners. Trail relocation is needed before finalizing baseline report.
	2018/10/13	Hosted Management Plan Open House on Thetis Island.
	2019/02/22	Draft management plan and baseline report sent to ThINC and CCLT staff for review.



PUBLIC COVENANTS UPDATE May 30, 2023

	2019/05/21	ITC Board approves management plan with minor revisions.
	2019/06/12	ThINC Board approves revised management plan.
	2019/09/26	CCLT Board approves revised management plan. Management Plan posted to the ITC website.
Fairyslipper Forest Nature Reserve (cont.)	2020/02/03	Trail relocation completed by contracted trail builder, Penelakut youth and volunteer labour. A Statutory Right of Way is required from the adjacent property where the trailhead and parking area are planned.
	2020/03/19	ThINC is working with the Thetis Island Residents and Ratepayers Association to obtain a trail license over adjacent private lands for access and parking for the Fairyslipper Forest Nature Reserve.
	2020/07/14	Adjacent landowner signs Trail Licence Agreement with TIRRA (Thetis Island Residents and Ratepayers Association). Staff continues to work with owner to develop permanent legal access.
	2022/04/25	Adjacent landowner extends Trail Licence Agreement with TIRRA.
	2022/06/06	Staff discussed proposed conservation covenant with ThINC, agreement to defer. Staff will reengage with adjacent landowner to discuss more formal access arrangement.
	2022/07/27	Adjacent landowner wishes to continue with informal access agreement. Staff will continue with current access and will consider varied trail options as part of the covenant negotiations.
	2022/10/04	ITC Board rescinds resolution directing staff to negotiate a statutory right of way and related section 219 covenant with adjacent landowner
Total	79 covenants registered	

Islands Trust Conservancy Expenditure Tracking 2023-2024									
GL	Description	Approved Budget	Islands Trust Contribution	SAR Grant	Total Available	Spent	Remaining	% Remaining	Committed Funds
50700-210	Admin. Support	\$ 326,086	\$ 326,086	\$ -	\$ 326,086	\$0	\$ 326,086	100%	
54500-210	Communications	\$18,000	\$11,700	\$6,300	\$ 18,000	\$0	\$ 18,000	100%	\$ 1,317
56500-210	Contract Services	\$2,500	\$2,500		\$2,500	\$0	\$ 2,500	100%	\$ 2,500
61100-210	Board Honoraria	\$ 7,000	\$ 7,000		\$ 7,000	\$0	\$ 7,000	100%	
61200-210	Board Meeting Expense	\$ 1,425	\$ 1,425		\$ 1,425	\$0	\$ 1,425	100%	
61210-210	Board Training & Conferences	\$ 1,600	\$ 1,600		\$ 1,600	\$0	\$ 1,600	100%	
61300-210	Property Management	\$159,930	\$102,430	\$57,500	\$ 159,930	\$0	\$ 159,930	100%	\$ 51,600
61500-210	Cons Planning / Land Securement	\$26,550	\$9,550	\$ 17,000	\$26,550	\$0	\$ 26,550	100%	\$ 1,500
61600-210	Ecosystem Mapping	\$ 18,000	\$ 13,800	\$ 4,200	\$ 18,000	\$0	\$ 18,000	100%	
63000-210	Legal	\$ 20,000	\$ 20,000	\$ -	\$ 20,000	\$0	\$ 20,000	100%	\$ 3,466
67500-210	Memberships	\$1,800	\$1,800		\$ 1,800	\$0	\$ 1,800	0%	
73001-210-8062	Project: ITC Plan First Nations Engagement	\$ 10,000	\$ 10,000		\$ 10,000	\$ -	\$ 10,000	0%	
75100-210	Salaries	\$ 578,225	\$ 448,225	\$ 130,000	\$ 578,225	\$0	\$ 578,225	100%	
75110-210	Benefits	\$ 146,869	\$ 146,869		\$ 146,869	\$0	\$ 146,869	100%	
79500-210	Subscriptions	\$400	\$400		\$ 400	\$0	\$ 400	100%	
80300-210	Mobile Devices	\$ 3,290	\$ 3,290		\$ 3,290	\$0	\$ 3,290	100%	
81300-210	Training & Conferences	\$ 4,200	\$ 4,200		\$ 4,200	\$0	\$ 4,200	100%	
81305-210	Travel for Training	\$ 2,500	\$ 2,500		\$ 2,500	\$0	\$ 2,500	100%	\$ 43
82300-210	Travel	\$ 20,000	\$ 15,000	\$ 5,000	\$ 20,000	\$0	\$ 20,000	100%	\$ 3,023
		\$ 1,348,375	\$ 1,128,375	\$ 220,000	\$ 1,348,375	\$0	\$ 1,348,375	100%	\$ 63,448
Restricted Funds			Opening Balance	Revenue	Total Available	Spent	Remaining	Committed Funds	
	Alton Maintenance Account		\$ 107,798	\$ 1,895	\$ 109,693	\$ 4,175	\$ 105,519	\$	1,065
	Ruby Alton Endowment Fund		\$ 139,760		\$ 139,760		\$ 139,760		
	Opportunity Fund		\$ 100,216	\$ 19,164	\$ 119,380		\$ 119,380	\$	14,350
	Covenant Mgmt and Defence Fund		\$ 115,667		\$ 115,667		\$ 115,667		
	Property Management Fund		\$ 10,936		\$ 10,936		\$ 10,936		
	Lasqueti Island Acq Fund		\$ 30,465	\$ 10	\$ 30,475		\$ 30,475		
	Link Island Removal Fund		\$ 36,708		\$ 36,708		\$ 36,708		
	Western Screech Owl Project		\$ 25,049		\$ 25,049		\$ 25,049	\$	14,486
	Gambier Island Acq Fund		\$ 127,190	\$ 668	\$ 127,858		\$ 127,858		
	Morrison Waxler Legacy Fund		\$ 15,081		\$ 15,081		\$ 15,081	\$	4,615
	Thetis Island Acq Fund		\$ 1,335		\$ 1,335		\$ 1,335		
	McFadden Creek		\$ 21,886	\$ 13	\$ 21,899	\$ 1,260	\$ 20,639		

Integrated Housing Framework for Salt Spring Island

EXECUTIVE SUMMARY

We are alarmed by the critical lack of housing options in our community for working class and vulnerable residents. The unhindered development of larger resource-intensive single-family homes is having multiple adverse impacts on our island.



Deforestation and soil erosion, loss of green space and wildlife corridors, stressed freshwater resources, increased vehicle trips and greenhouse gas emissions, the prevalence of unregulated housing, and the destabilizing of our island economy and social fabric are some of the existing impacts we anticipate will worsen without proactive, coordinated intervention and persistent leadership on housing.

Publication of our Integrated Housing Framework, and dialogue with key stakeholders is the first step in what we hope will be an ongoing and inclusive discussion about addressing a key challenge that is eating away at the core of our community well-being.

Countless reports have been written on housing needs and housing strategies, however none of them has sufficiently stepped out of their organizational silos to consider the big picture, or to examine the complexities of inter-agency cooperation and problem-solving. Our framework pulls together and articulates the various threads of responsibility, and advocates for housing solutions that have been implemented with success in other rural communities.

We are interested in solutions that have been shown to minimize environmental impacts and GHG emissions, maximize forest and farmland preservation, make efficient use of existing infrastructure and resources, and improve the diversity, availability, and affordability of long-term homes for local community members.

We are providing recommendations for a housing framework that increases long-term housing options through a combination of local strategic actions. Instead of being an exhaustive list of all possible solutions, we have focused on areas where local leadership is necessary and possible.

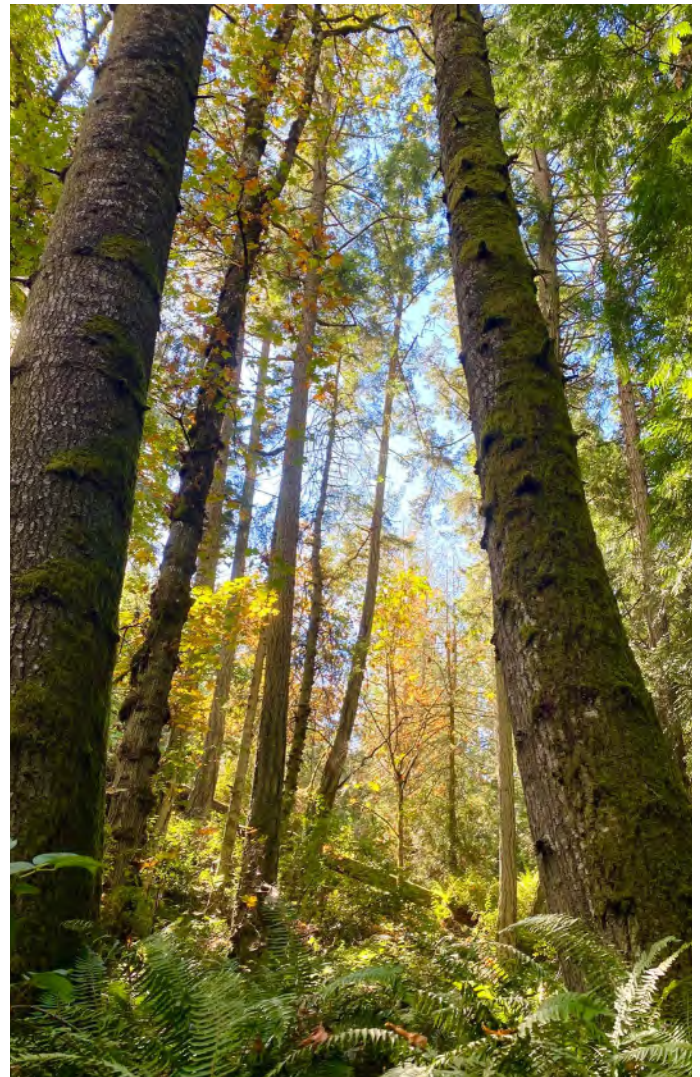
We envision a resilient Salt Spring Island community that works together to equitably care for the ecology and the community as one.

THE FRAMEWORK HAS FIVE KEY STRATEGIES

- Strategy 1:** Coordinated and Properly Resourced Local Approach to Housing
- Strategy 2:** Effective Public Education, Engagement, and Dialogue on Housing
- Strategy 3:** Preservation of Rural Areas and Nature Space through Clustered Housing
- Strategy 4:** Ready Ganges Village for More Housing
- Strategy 5:** Accessory Dwellings for Housing, in the Right Places

Our strategies begin to address the environmental, economic, and social issues integral to housing solutions by:

- Being achievable within the existing local, regional, and provincial regulatory context
- Supporting smaller scale housing types that are known to have less adverse impacts on the natural environment than typical single-family development
- Supporting efficient use of land, water services and infrastructure
- Not requiring large-scale land clearing of existing forests or harm to sensitive ecosystems
- Being financially viable to develop and operate
- Improving the availability and/or affordability of long-term housing options for a range of household types (single person, couples, families with children, etc.) and incomes
- Being compatible with and/or enhancing island community characteristics, such as self-sufficiency, interdependence, neighbourliness, and low-impact living
- Supporting increased uptake of transit and/or active transportation



Who has responsibility and who are the essential partners in each strategy?

STRATEGY 1	
Coordinated and Properly Resourced Local Approach to Housing	
Responsibility	Capital Regional District (CRD)
Essential Partners	SSI Local Trust Committee (SSI LTC), Local First Nations, Local Non-Profit Housing Organizations, North Salt Spring Waterworks District (NSSWD), Island Health, BC Housing
STRATEGY 2	
Effective Public Education, Engagement, and Dialogue on Housing	
Responsibility	Islands Trust, CRD and NSSWD
Essential Partners	Salt Spring Residents of all demographics, Salt Spring Businesses, Local Indigenous Elders, Interested Community Groups, Professional External Communications & Engagement Advisors
STRATEGY 3	
Preservation of Rural Areas & Nature Space through Clustered Housing	
Responsibility	Islands Trust, CRD, NSSWD, Conservancies, Land Trusts and Interested Organizations
Essential Partners	SSI LTC, Salt Spring Island Watershed Protection Alliance (SSIWPA), Local First Nations, NSSWD, and Other Relevant Water Systems, SSI Conservancy, Islands Trust Conservancy, SSI Farmland Trust
STRATEGY 4	
Readying Ganges Village For More Housing	
Responsibility	CRD, Islands Trust, NSSWD, Ministry of Transportation & Infrastructure (MOTI), Agricultural Land Commission (ALC), Community Groups
Essential Partners	SSI LTC, Local First Nations, Provincial Government
STRATEGY 5	
Accessory Dwellings for Housing, in the Right Places	
Responsibility	Islands Trust, CRD, SSIWPA, NSSWD
Essential Partners	Private Property Owners

HOMES FOR ISLANDERS

An Integrated Housing Solutions
Framework for Salt Spring Island





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2023

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Salt Spring Island is our home. Like most islanders, we care deeply about the land and community. We are compelled to share what we are learning and promote actions that can strengthen our community and protect this special place.



ABOUT THIS REPORT

Who We Are

Salt Spring Solutions Society is a registered non-profit volunteer-run community organization composed of islanders who care about protecting the remarkable natural environment of our island home while at the same time ensuring we maintain a vibrant, diverse, and equitable community for all. We collaborate on developing agile solutions to the interconnected issues of ecosystem protection, social equity, and climate action within our rural island context.

Why We Created This Framework

In our journey to learn about the existing housing challenges and possible solutions on Salt Spring Island (SSI), we discovered that there are shelves of reports full of local housing recommendations that for one reason or another have never been implemented. One of the striking similarities across the research and reporting is that the issues and solutions are presented in isolated, silo-like fashion by our local governments, with each organization only looking at its own area of responsibility. As far as we can determine, no one has taken an integrated approach that pulls the various threads together—from the organizations that each have some responsibility in the housing portfolio—to weave a comprehensive set of solutions. This report is our best effort to provide an integrated set of recommendations that reaches across those silos.

Our island has unique housing challenges that are important to understand and address. We seek to precisely explain these challenges as baseline information, and then provide a clear set of actions to be taken by the housing organizations that can increase housing equity for our community while better protecting the natural environment and advancing climate action.

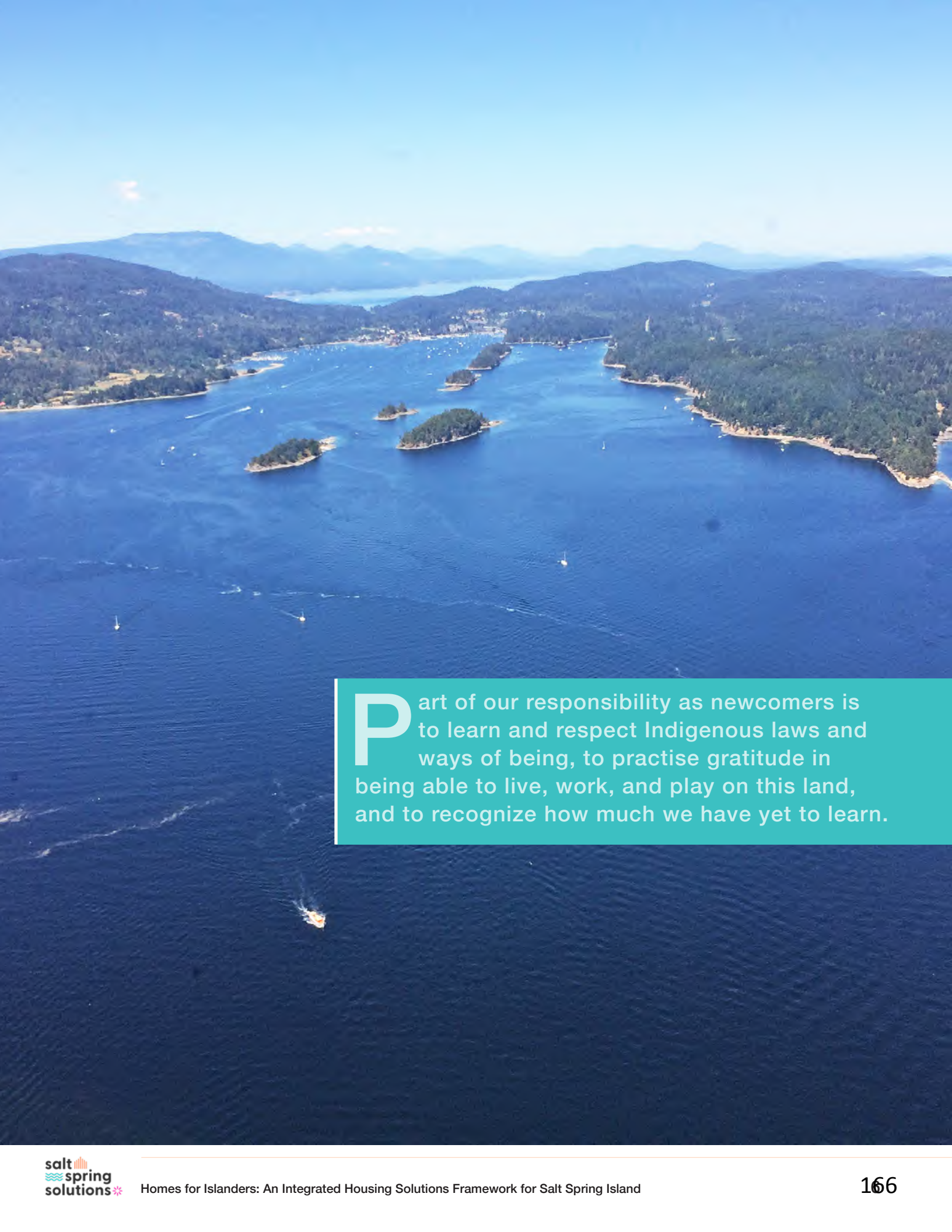
Salt Spring Island is our home. Like most islanders, we care deeply about the land and community. We are compelled to share what we are learning and promote actions that can strengthen our community and protect this special place.

How We Did It

This framework is informed by interviews and discussions with local, regional, and provincial professionals as well as advocates with expertise in rural planning, conservation, growth management, housing, governance, and climate action. We also reviewed locally relevant planning documents and reports, including several created by local governments on SSI, the recently released recommendations report (2022) from the Salt Spring Housing Action Program Task Force, and emerging and best practices for rural planning and housing solutions in British Columbia. See page 58 for a list of references.

Acknowledgements

We are grateful to the many interviewees and subject matter experts from our island, and across the region, province and country, who volunteered their time to share ideas, provide input, and review drafts. We would also like to extend a special thank-you to landscape architect Jessica Gemella and the Regional District of Nanaimo (RDN) for permission to reprint the wonderful illustrations from *Alternative Forms of Rural Development: An Implementation Project for the Regional District of Nanaimo's Regional Growth Strategy* (2012), and to Dexter Robson for his assistance with mapping and analyzing geospatial data.



Part of our responsibility as newcomers is to learn and respect Indigenous laws and ways of being, to practise gratitude in being able to live, work, and play on this land, and to recognize how much we have yet to learn.

TERRITORIAL ACKNOWLEDGEMENT

Salt Spring Solutions respectfully acknowledges that we work and live on the ancestral, traditional, and unceded lands of the SENĆOTEN-speaking and Hul'q'umi'num'-speaking **Coast Salish Peoples**.

Reflections as Newcomers to This Land

In the past five millennia, there were as many as 17 village sites on Salt Spring Island. These villages were likely used in conjunction with seasonal food production, as each family migrated annually through a larger region. The ancient relationship between Indigenous Peoples and the islands was altered significantly by the smallpox epidemic in 1782 and by non-Indigenous settlement. The destructive impacts of these and other colonial activities on the traditional economies and wellbeing of Indigenous communities is particularly evident after 1871 when British Columbia joined the Confederation.

To create effective housing solutions as settlers on this land, we must first acknowledge that Eurocentric models of land use cause far-reaching, harmful impacts on Indigenous communities. From first contact, colonial settlement patterns have been developed in tandem with mercantilism and then capitalism, focused on natural resource extraction and export, and based on values of exclusive ownership and capital (i.e., “this is mine to take”), as opposed to traditional laws of relational reciprocity and viewing land as a relative (i.e., “give more than you take”).

Colonial settlement patterns and policy have also displaced Indigenous communities from their homelands, cutting them off from a life that was highly integrated with the environment and featured a familial connection to land. Today, each First Nation has its own philosophy of land; however, a common understanding passed down from Creation stories is that everything—people, plants, animals, waters, and land—is connected and in constant relationship.

Part of our responsibility as newcomers is to learn and respect Indigenous laws and ways of being, to practise gratitude in being able to live, work, and play on this land, and to recognize how much we have yet to learn.

We recommend two key approaches be taken by land-use planning professionals and policy makers:

1. Prioritize stewardship rather than ownership.
2. Apply a critical lens to which laws or governing bodies can be removed, created, or changed to improve equity and incorporate the Indigenous world-view into land-use planning.



The Next Generation of Stewards

Local children eat their lunch during an outdoor learning day at Xwaaqw'um (Burgoyne Bay Provincial Park).

A group of children are hiking on a dirt trail through a dense forest. The trail is surrounded by lush green ferns and other vegetation. In the foreground, a boy in a green shirt and blue pants is bending over, looking at the plants. Behind him, a girl in a red shirt with the word 'PATIENCE' on it is walking. Further back, other children are visible, some wearing backpacks. The background is filled with tall trees and sunlight filtering through the canopy.

We are interested in solutions that have been shown to minimize environmental impacts and greenhouse gas emissions, maximize forest and farmland preservation, make efficient use of existing infrastructure and resources, and improve the diversity, availability, and affordability of long-term homes for local community members.



EXECUTIVE SUMMARY

In 2022 the housing crisis reached critical proportions on Salt Spring Island. And, while we recognize that housing is in crisis across British Columbia, our island faces unique challenges in addressing the problem.

Facing Our Challenges

Our first challenge is that we live, work, and play in a place that is “preserved and protected” by provincial mandate via the *Islands Trust Act*. [1] However, exactly what that means depends entirely on who you ask. But islanders do agree that the local ecosystems and landscape are unique and worth protecting, as is our rural character and small community culture.

Our second challenge is the splintered and siloed nature of the entities that each have partial responsibility for solving the housing crisis. Salt Spring Island is not incorporated as a municipality and Ganges Village is not incorporated as a township. On Salt Spring Island, Islands Trust has land-use planning authority, the Capital Regional District (CRD) is responsible for “affordable housing,” and the ratepayer-funded North Salt Spring Waterworks District (NSSWD) controls potable water supply in and around Ganges Village.

Until these three organizations find ways to work together effectively there will be no improvement to the housing crisis.

Countless reports have been written on housing needs and housing strategies, but none has sufficiently stepped out of its organizational silo to consider the big picture or to examine the complexities of interagency cooperation and problem solving.

This report pulls together and articulates the various threads of responsibility and advocates for housing solutions that

have been implemented with success in other rural communities. We are interested in solutions that have been shown to minimize environmental impacts and greenhouse gas (GHG) emissions, maximize forest and farmland preservation, make efficient use of existing infrastructure and resources, and improve the diversity, availability, and affordability of long-term homes for local community members.

Proposing Solutions

This report is the first step in what we at Salt Spring Solutions hope will be an ongoing and inclusive discussion about addressing a key challenge that is eating away at the core of our community wellbeing. In it we provide recommendations for a housing framework—one that increases long-term housing options through a combination of local actions organized into five strategies:

Strategy 1: Coordinated and Properly Resourced Local Approach to Housing

Strategy 2: Effective Public Education, Engagement, and Dialogue on Housing

Strategy 3: Preservation of Rural Areas and Nature Space through Clustered Housing

Strategy 4: Readying Ganges Village for More Housing

Strategy 5: Accessory Dwellings for Housing, in the Right Places



Instead of being an exhaustive list of all possible solutions, we have focused on areas where local leadership is necessary and possible.

We are alarmed by the critical lack of housing options in our community for working-class and vulnerable residents. The unhindered development of larger resource-intensive single-family homes is having multiple adverse impacts on our island. Deforestation and soil erosion, loss of green space and wildlife corridors, stressed freshwater resources, increased vehicle trips and greenhouse gas emissions, prevalence of unregulated housing, and destabilization of our island economy and social fabric are some of the existing impacts we anticipate will worsen without proactive, coordinated intervention and persistent leadership on housing.

The above five strategies begin to address these environmental, economic, and social issues by

- being achievable within the existing local, regional and provincial regulatory context;
- supporting smaller-scale housing types that are known to have fewer adverse impacts on the natural environment than typical single-family development;
- supporting efficient use of land, water services and infrastructure;
- not requiring large-scale land clearing of existing forests or harm to sensitive ecosystems;
- being economically viable;
- improving the availability and/or affordability of long-term housing options for a range of household types (single person, couples, families with children, etc.) and incomes;
- being compatible with and/or enhancing island community characteristics, such as self-sufficiency, interdependence, neighbourliness, and low-impact living; and
- supporting increased uptake of transit and/or active transportation.

The opportunity to address the housing crisis on Salt Spring Island has never been more available or likely. Local elections were held in the fall of 2022 and the BC Government (the Province) appointed a new premier shortly thereafter. The candidates who were elected to local office all based their campaigns on addressing the housing crisis, and Premier Eby has stated that the housing crisis is his primary focus. With all three levels of government finally aligned on the issue, now is the time for action.

We believe that Salt Spring Island has the capacity, creativity, and strength of community to take action on local housing issues and to do this in ways that support an inclusive society and healthy island ecosystems. We encourage other islanders and decision makers not to let the scale of the global crisis obscure the power and potential of local solutions that are already at hand.



Salt Spring Island has some unique local considerations that complicate implementation of commonly understood best practices for rural and small-scale housing. This means that our community must employ a greater level of effort, collaboration, and advocacy than places without these complexities to our meet housing goals.

LOCAL CONSIDERATIONS FOR HOUSING

Salt Spring Island (SSI) shares many of the same characteristics and challenges as other small- and medium-size communities in our region that are dealing with the combined housing and climate crises. This is especially true when comparing our community to others within the Islands Trust Area, Sunshine Coast, Desolation Sound, San Juan Islands, and West Coast of Vancouver Island. In this respect, we can learn from comparable communities that have made progress on housing.

However, Salt Spring Island also has some unique local considerations that complicate implementation of commonly understood best practices for rural and small-scale housing. This means that our community must employ a greater level of effort, collaboration, and advocacy than places without these complexities to meet housing goals. The strategies presented in this report are designed to specifically address the unique housing challenges on Salt Spring Island.

Governance Is a Key Issue

The Islands Trust was formed through provincial legislation in 1974 with a mandate to “preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia in cooperation with [other branches and levels of government].” [1] There has been much debate but little agreement on the interpretation of the mandate over the past 49 years.

Some islanders interpret the mandate as a directive to prioritize preserving and protecting the natural environment by curtailing all or most development. Other islanders interpret the mandate to include the human connections to the land and community as part of what makes the islands unique and therefore also deserving of preservation and protection from undermining forces like soaring real estate prices, gentrification, and displacement.

This lack of clarity on the Islands Trust mandate is embodied at the Islands Trust Council and acts as a barrier in addressing other pressing issues. The Islands Trust’s own governance review, completed in 2022, identified this lack of agreement on the mandate as a fundamental problem that must be resolved before other important work can



What's the Plan?

A hand-drawn placard rests against an Islands Trust sign during a 2019 housing rally outside the Trust's SSI office.



successfully proceed. [2] Trust Council subsequently voted unanimously to request clarification of its mandate from the provincial government, including a review of the existing governance structure—a request that is currently still unaddressed by the Province. [3]

In 1974, the *Islands Trust Act* intentionally partitioned the local government functions of land-use planning and servicing as a means of slowing and limiting development in the region. [1] Land-use planning is the responsibility of the Islands Trust. The responsibility for servicing is distributed between the Province, multiple regional districts, and various improvement districts. The exact composition of this governance structure and its effectiveness at meeting the needs of island communities varies depending on location.

Salt Spring Island, at 11,798 people, is the largest community within the Trust Area, more than double that of the next most populous community (Gabriola Island at 4,500 people), and accounts for over 30 percent of the total Trust Area population. It is also the largest unincorporated community in British Columbia. [4]

The Islands Trust governance model is not one of representation by population, but rather provides two elected trustees per island, regardless of population. [5] This model means that SSI, with nearly 12,000 residents, has the same political representation at Trust Council as the very small island communities, such as Gambier Island (at 430 people), that don't have year-round local businesses, public schools, a hospital, or numerous other complexities that are integral to SSI's economy, society, and sense of place. This often means that issues that are experienced acutely on SSI, such as the housing crisis, are not approached with the same level of urgency or importance by the majority of Trust Council's 26 elected representatives. This mismatch creates tension on Trust Council and within the local community, and it is further exacerbated by other governance and coordination issues.

Calls for municipal incorporation or other changes to the governance model on SSI occur with regularity, about every five to 10 years. A 2017 referendum on incorporation was unsuccessful. While the vote resolved the incorporation question for the time being, it did not resolve the dysfunction and frustration that inspired the referendum in the first place.

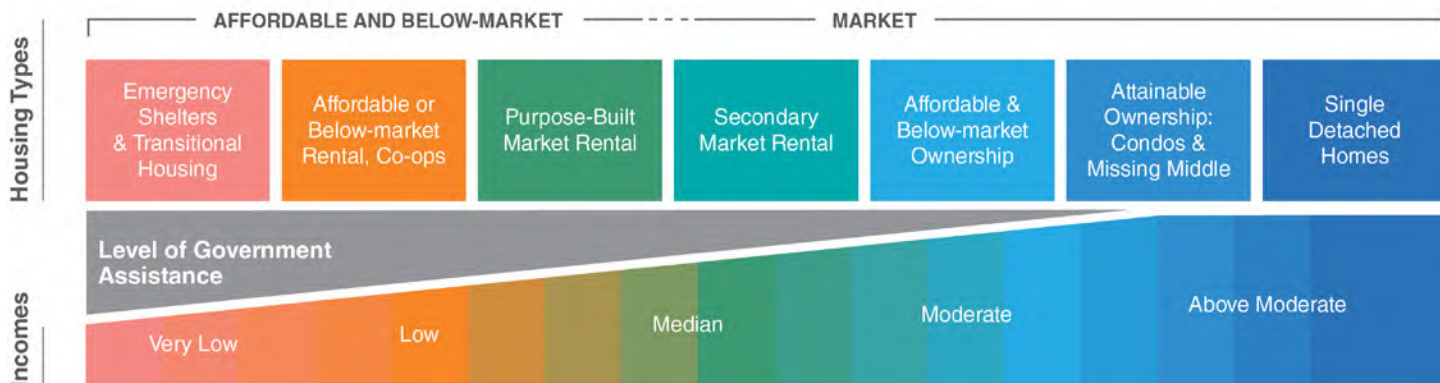
In 2022, islanders voted in favour of creating a Local Community Commission on Salt Spring Island, which will restructure local representation and decision making at the Capital Regional District (CRD) but will not increase local representation at the CRD Board, address governance issues within the Islands Trust, or improve interagency coordination. [6]

Undetermined Leader on Local Housing

Local incorporated governments in communities of similar size to Salt Spring Island usually take on a leadership role in creating and implementing housing solutions. Many jurisdictions engage directly by acquiring, donating, leasing, leveraging, and developing public land for community housing. The Islands Trust, by comparison, cannot own or develop land for housing. Combined with an inconsistent interpretation of its own mandate to guide residential growth, this restriction on land ownership and development significantly limits the Islands Trust's ability to mimic municipal leadership. Nonetheless, the Islands Trust is empowered with significant land-use tools and a mandate to coordinate with other government agencies, which could be more fully exercised to enable creative housing solutions. [1]

The CRD can and does own public land on SSI. Its local assets are limited and rarely leveraged for new community housing development. The CRD also operates important infrastructure, such as the Ganges Harbour Wastewater Treatment Plant and Fulford Water District, but does not have a comprehensive or cohesive servicing reach across the island. Services and infrastructure are managed by a patchwork of improvement districts, private systems, provincial agencies, and the CRD. Servicing, standards, and investments can vary dramatically from one part of the island to another. [7,8]

While the CRD does advocate for subsidized housing projects and has contributed funding to such projects, there continues to be a need for a local housing leader that can strategize and oversee implementation of a coordinated approach that includes land use, servicing, and funding, and that can address needs across the entire housing continuum. [9]



Housing Continuum

The housing continuum describes the spectrum of housing types, from emergency shelter to home ownership, and level of government subsidy typically required for each type of housing. Communities should strive to provide housing options along the entire continuum in step with community needs. The 2020 *Capital Regional District Housing Needs Assessment: Salt Spring Island* identified many gaps and housing needs, including rental housing at all income levels, family housing, seniors' housing, and housing for people at risk of or experiencing homelessness. It is important to note that "affordable housing" refers to the proportion of household income spent on housing (30 percent or less), not housing type. Illustration: City of Victoria (amended)

Rural Subdivision Leads to Sprawl

Private residential development is continuing in the same places where it has been allowed on SSI for the past century—in forested and rural areas away from services. Through the continued subdivision of rural land, the land-use pattern on SSI is characterized increasingly by low-density, car-dependent, single-family home development—otherwise known as "rural sprawl." The percentage of single-detached homes on SSI (81% of all housing) is twice that of the region, even though we have a very similar high percentage of one- and two-person households. [9,10]

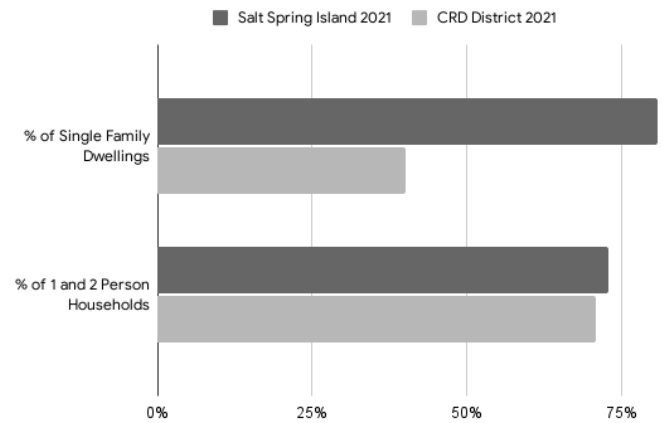
This type of rural housing has the highest impact in terms of land clearing and soil erosion, deforestation and ecosystems loss, water use, stress on servicing (including emergency response), and GHG emissions. This is also the most expensive rural housing type and has become mostly unattainable to members of the local workforce. Although the 2008 *Salt Spring Island Official Community Plan (OCP)* contemplates transferring rural density closer to Ganges Village, this has not been implemented in a significant way since the plan's adoption 15 years ago. [11]



Subdivision Development on SSI

Land clearing and grading for a subdivision development on Salt Spring Island. Photo: Polaris Land Surveying

Salt Spring Island 2021 and CRD District 2021



(right) Detached Dwellings and Household Size

(below) Traditional vs. Clustered Rural Development

This visualization depicts how status quo rural development varies from the clustered rural development advocated for in this report. The former results in sprawl. The latter protects greater amounts of open space and nature space. Illustration: IPS and Gemella Design, 2012



Moratorium on New Water Connections

North Salt Spring Waterworks District (NSSWD) is the largest of numerous water districts on SSI. NSSWD is responsible for the delivery of potable water and the management of the infrastructure that carries it to over 2,100 properties in the north and central areas of the island, including Ganges Village. [12] The NSSWD Board of Trustees, which is elected from among its ratepayers, established a moratorium in 2014 on new connections to its system in response to studies that showed the system did not have enough water supply to service the existing and potential development allowed under the existing standards and land-use regulations. [13]

The implication for community housing solutions is severe: Only one dwelling per property can be connected to the community water system, secondary suites are not allowed, [13] and all other dwellings must be supplied through alternative sources such as groundwater, rainwater catchment, and recycled water. While alternative water systems can be costly for detached homes and accessory dwelling units (ADUs), they are often entirely non-viable as potable water sources for denser housing such as townhomes and apartments due to: limiting site conditions; prohibitive provincial requirements for establishing water utilities; lack of qualified professionals to design, build, and maintain the systems; and cost.

Since 2014 the NSSWD has not provided any alternatives to the moratorium for consideration by the public or its ratepayers. The absence of a proposal for a solution-oriented process to find alternatives highlights the challenge of having a ratepayer-managed water improvement district effectively determining the housing potential of the north half of the island and Ganges Village. The community's social and economic centre serves a multitude of islanders, businesses, and stakeholders who are not represented by the NSSWD Board of Trustees. The negative impacts of prohibiting new housing in and around the village are experienced island-wide, including the continued outward development pressure and perpetuation of sprawl as articulated in the previous section. [14,15]

There is a compounding issue of how much water is required for new housing across the entire island. The *Salt Spring Island Land Use Bylaw 355 (Land Use Bylaw)* establishes a residential water requirement of 1,600 litres per day per dwelling unit, regardless of housing size or type,



Housing for Families

The Salt Spring Commons neighbourhood was completed in 2021 and houses 24 island families, including dozens of school-age children. On SSI, multi-unit townhomes, like those in the Commons, generally use 25 percent less water than detached homes. These water savings can be further increased when conservation measures like rainwater catchment and shared garden space are designed into the development.

and an additional 1,200 litres per day for secondary suites. [16] However, a recent survey of local water systems found that the average daily use on SSI was much lower, at 195 litres per day per household for groundwater users and 436 litres per day for surface water users. [8] This suggests that the regulatory requirement far exceeds actual demand and conservative usage projections. The exceedance could instead be reallocated to supply much needed additional homes.

Lack of Public Education, Community Dialogue, and Justice

One of the greatest barriers to implementing alternative housing solutions on SSI is community opposition led by residents who are concerned about the potential negative impacts of housing and increased population on infrastructure, ecosystems, water resources, and community character. These concerns warrant informed discussions that are seldom resourced or facilitated by local government. [17] In the absence of healthy dialogue and good fact-based public education, community discussion is reduced to passionate opinion articles in the local media and formal delegations at Islands Trust meetings (held during weekday working hours) that only serve to polarize public dialogue and stall important initiatives rather than solve problems.

The specific and limited opportunities for public input on housing solutions also disproportionately elevates the concerns of more affluent home owners and disempowers renters, IBPOC¹ residents, working-class islanders, youth, unhoused community members, and other islanders whose lives are more directly impacted by the housing crisis. [17] This highlights the reality that local decision-making processes are not grounded in either social justice or climate justice. [17,18,19,20]

1 IBPOC: Indigenous Peoples, Black Peoples, and Peoples of Colour. This order is often used to recognize the presence of Indigenous Peoples in a place prior to occupation by non-Indigenous Peoples.

2 The 2008 OCP review was a targeted update of Volume 1 largely focused on integrating climate change and revising policies related to suites and cottages. Most of Volume 1 and the entirety of Volume 2, which contains the Development Permit Area Guidelines, has not been comprehensively reviewed since the 1990s.

Backlog of Inaction Has Increased the Problem

Salt Spring Island last reviewed its OCP in 2008² and, 15 years on, the Islands Trust has chosen to not update the *Land Use Bylaw* to implement most of the plan's approved housing-related policies. Only one of the actions (updating a local Housing Needs Assessment) in the subsequent 2011 *Salt Spring Island Community Affordable Housing Strategy* [21] has been implemented and only because the Province mandated it in 2019.

The more recent housing recommendations provided in the Islands Trust's own 2019 *Affordable Housing in the Islands Trust Area: Strategic Actions for the Islands Trust* [22] have not seen any significant integration into the planning tools on Salt Spring Island. The Salt Spring Island Local Trust Committee's current Housing Action Program appears to be in danger of suffering the same plight if more isn't done to educate and engage with the community and NSSWD to create solutions that will be publicly supported and implemented.

The years of inaction on housing has had significant consequences:

- **Valuable funds, staff and volunteer time, and community expectations were expended on plans that were not implemented and are now out of date.** Updating or replacing them will take more (and increasingly hard-to-find) funding, time, and energy. Such planning efforts would absorb resources that could instead be directed to implementation or other community priorities.
- **The housing needs that previous reports and plans sought to address persist and, in fact, have worsened.** The cost of land and development has increased more substantially than incomes, widening the gap between income and housing. The actual cost of buying and building homes has grown over the last 10 years, even when adjusted for inflation. [4,23,24,25,26] There is greater need and the solutions for meeting those needs are now more expensive.
- **Islands Trust, CRD, and NSSWD's combined failure to act at a sufficient scale and pace has exacerbated the widespread construction and leasing of unregulated housing.** Paired with the real hardship experienced by islanders struggling to find secure housing, this failure has led to public frustration and disillusionment. [14,25,27]

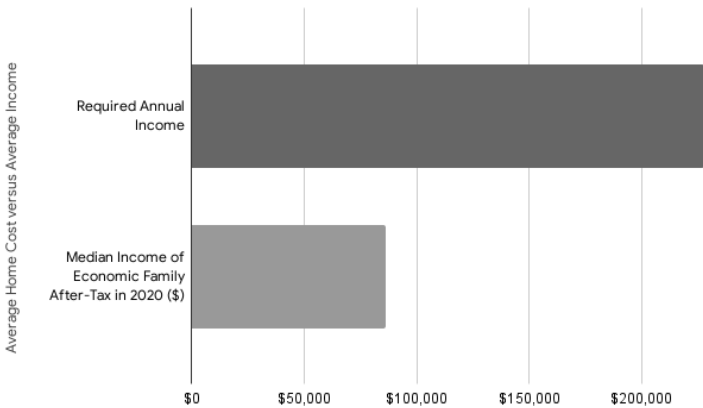


The primary rental market³ is exceptionally limited. [10] The secondary rental market⁴ is more robust but is mostly a shadow market where islanders from a broad range of incomes, occupations, and household compositions are living in homes that do not comply with the zoning and are therefore technically illegal and are undocumented by the government.

Islanders will find ways to shelter themselves, or they will leave or become homeless.

There are serious environmental, safety, justice, and economic implications of not supporting enough legal housing options. And it is important to remember that housing is a human right. [28]

Average Home Cost in 2021 \$1,081,286



The Income–Housing Gap

The Income–Housing Gap is used to describe the difference between housing costs and what a household can afford to spend on housing (usually defined as 30 percent of gross annual household income). In 2021 a household would have typically needed to earn more than \$200,000 annually to afford to purchase a home on SSI. This was way out of reach for most islanders considering the median household income that year was less than \$100,000. This is a massive gap of over \$100,000. Data source: Stats Canada, Census and SSI Foundation.

3 The primary or conventional rental market consists mainly of purpose-built rentals, such as apartments and townhomes usually operated by a non-profit organization or business.

4 The secondary rental market consists mainly of privately owned houses and accessory dwelling units that are rented out by the owners. Over the past several decades, the secondary rental sector has played an increasingly important role in meeting rental housing demand in BC due to a multi-decade decline in the construction of new purpose-built rentals and the conversion of primary rental housing into ownership housing. Secondary rentals can also be a source of income or “mortgage helper” to property owners who may be challenged to afford mortgage payments solely with their vocational incomes.

Growing Senior Population, Declining Workforce, and Unsustainable Solutions

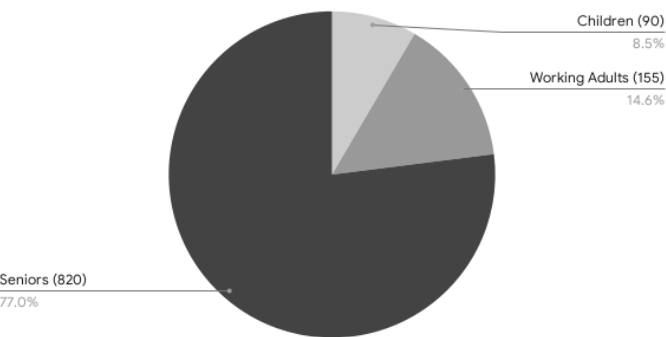
The most recent Census (2016–2021) shows that SSI’s population grew by 1,065 people: approximately eight percent were children, 15 percent were working-age adults, and 77 percent were seniors. This represents a significant difference in demographic proportions from the total population and shows that SSI’s demographic split is trending—quickly—in an unsustainable direction. The decline in working age adults has been trending downward for some time; the total working-age population dropped from 65 percent to 54 percent between 2011 and 2021.

SSI has one of the highest proportional populations of seniors in BC. [4] One of every three people on SSI is a senior, compared to one of every five across the province, and in the last Census SSI’s new resident seniors represented three of every four new residents. A large and growing senior population increases demand on local health care, home support, and transportation and hospitality services. Providing for the needs of one cohort over others is unsustainable, especially with a decreasing working-age population. Many local businesses and organizations have supplemented their workforce by hiring off-island employees or introducing automation and online services. [15] These solutions are not meeting the demand and raise concerns about reduced social interactions, increased loneliness, and increased GHG emissions from more employee commuting.

Also of note is the continued lack of diversity in our housing supply, with few options available that are sized to small households or designed to support aging-in-place and multigenerational living. [10] Most of the island’s senior population lives in car-dependent, detached homes well away from the village centre.

Growing Retired Population, Declining Workforce

Population Growth 2016-2020



A Changing Demographic

To be a sustainable community, our population growth should be balanced across all age groups. Data Source: Stats Canada, Census

An aerial photograph of a landscape on Salt Spring Island. The top half shows a dense forest of tall, thin evergreen trees. Below the forest, a large area of land has been cleared, showing brown soil and some sparse green vegetation. A winding dirt road or path cuts through the cleared area, leading from the forest down towards the bottom of the frame. The bottom half of the image shows a more developed area with several small buildings and a larger cleared area, possibly a construction site or a cleared field. The overall scene illustrates the challenges of land-use planning in a natural environment.

One of the biggest challenges for land-use planning in the twenty-first century is finding ways to repair the harm that was done and continues to occur when land, nature, people, and economy are considered in isolation of each other, and when the protection of private property interests comes before ensuring everyone's basic needs are met.



LAND USE AND HOUSING

Land-use planning plays a significant role in determining where, how much, and which type of housing can be constructed in a community, and it contributes to whether a housing development is financially feasible. BC's *Local Government Act* requires that local governments identify “the approximate location, amount, type and density of residential development required to meet anticipated housing needs,” along with special direction on affordable, rental, and special-needs housing. [29]

Additionally, land-use planning agencies such as the Islands Trust are empowered to establish controls for affordability and tenure and provide incentives for housing development, such as waived fees, accelerated application reviews, relaxed regulations, and increased density. Many local governments proactively initiate, incentivize, and support new housing developments with these and other tools. Indeed, many community housing funders expect local governments to assist with creating “shovel ready” projects by pre-zoning land and removing regulatory barriers as a condition of funding. [30]

Land-use planning on Salt Spring Island began with the dividing and granting of land to non-Indigenous settlers without land sales agreements in the mid-nineteenth century. The subdivision, sale, and development of land continued more or less without regulation until the creation of the Islands Trust and the first issue of the *Land Use Bylaw* in the 1970s. [32] That bylaw effectively enshrined most of the already-developed land uses and set out to reduce real estate speculation and over-development by prohibiting most small-lot (less than one acre) subdivisions and multi-unit housing. The bylaw continued to allow large-lot (usually five or more acres) subdivisions and small-scale tourist accommodations.

Repairing the Damage of Land-Use Planning

Land-use planning is used by local governments in Canada to determine where, how much, and what kind of human development and activities can occur in their communities. This means deciding things like where businesses can operate, how much land should be set aside for schools and housing, how many structures can be built on a given lot, what the maximum building heights should be, and so on.

While land-use planning can be presented as a science that uses consultation and data to inform decisions in order to fulfill community goals, such as reduced GHG emissions or greater protection of nature space, real experiences and history demonstrate that the practice is fraught with limitations, politics, private interests, and inequity. Land-use planning

is a colonial practice introduced by the same governments and institutions that stole Indigenous land and upended Indigenous ways of life to create the British colony of Canada. Land-use planning of the nineteenth and twentieth centuries sought not only to divide the land for individualized ownership and resource extraction by settlers but also to control specific uses and ownership structures of that land into the future.

The ongoing commodification of land as a private asset for wealth instead of as a shared community resource underpins much of the inequity in our society, including the housing crisis. One of the biggest challenges for land-use planning in the twenty-first century is finding ways to repair the harm that was done and continues to occur when land, nature, people, and economy are considered in isolation of each other, and when the protection of private property interests comes before ensuring everyone's basic needs are met.



Official Community Plans and Land-Use Bylaws

An official community plan is a visionary document that establishes a community's objectives and policies for guiding planning and land-use management over a long period (usually 20 or so years). Bylaws and other policy work that happens after adoption of the plan is expected to be consistent with the plan. [33] Best practice is to review and update an official community plan every five to 10 years to ensure it meets evolving community needs and priorities and incorporates new legislation and best practices. The last comprehensive update of SSI's *OCP* was completed in 2008.

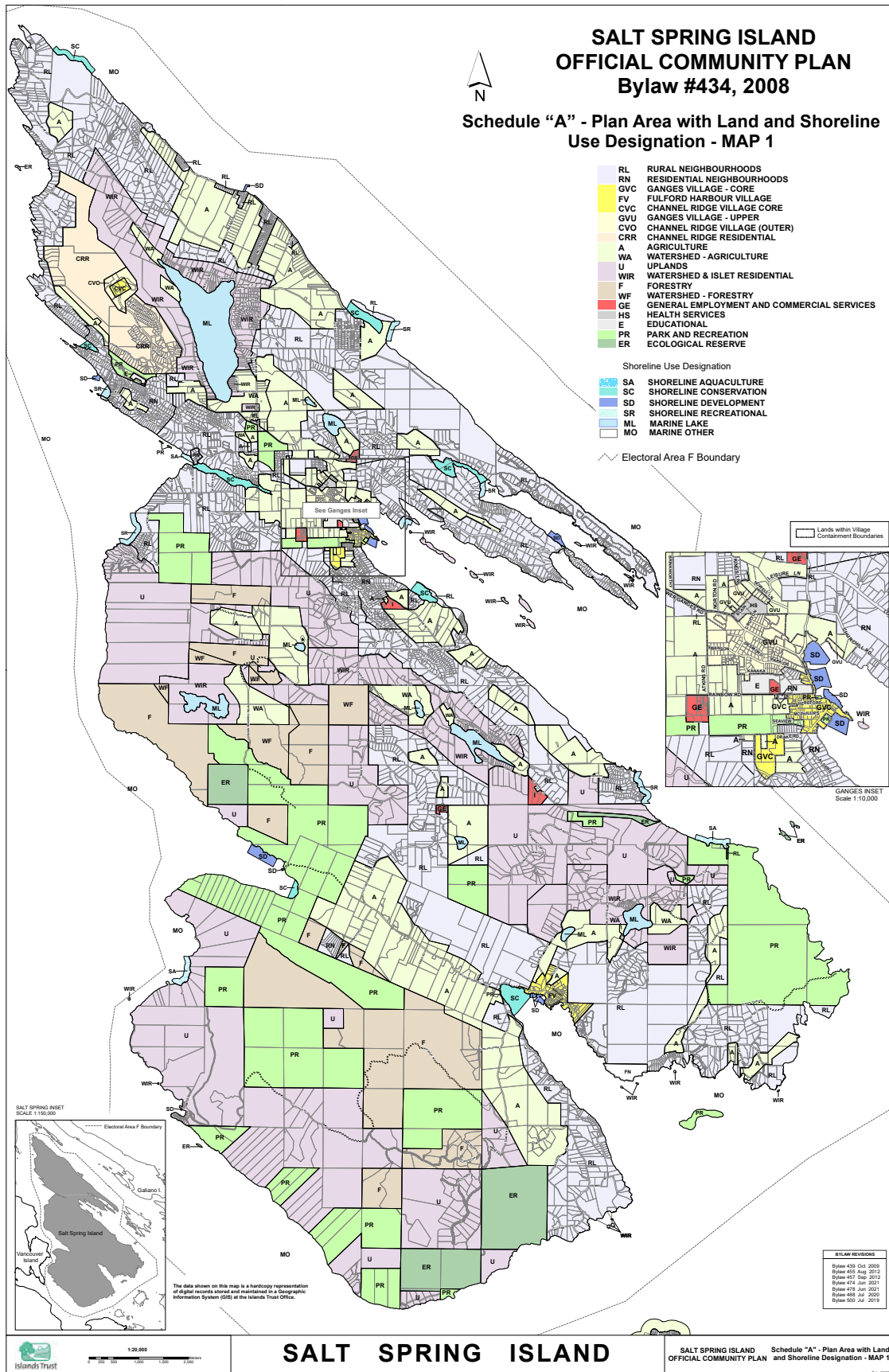
A land-use bylaw, or zoning bylaw, implements a community's official community plan through the establishment of regulations for how land, buildings, and other structures may be used. This can include allowing or prohibiting specific uses and dictating siting, design, and servicing standards and exemptions. [34] The bylaw can be enforced with penalties such as fines and legal notices. Best practice is to review and update land-use bylaws every five to 10 years and to amend them as often as necessary to be consistent with the official community plan.

The last comprehensive update of SSI's *Land Use Bylaw* was in 1999. Although numerous amendments have been adopted since then, the bylaw does not implement a substantial portion of the *OCP*'s housing policies and does not incorporate the advances and best practices in zoning that have come forward in the first quarter of this century.

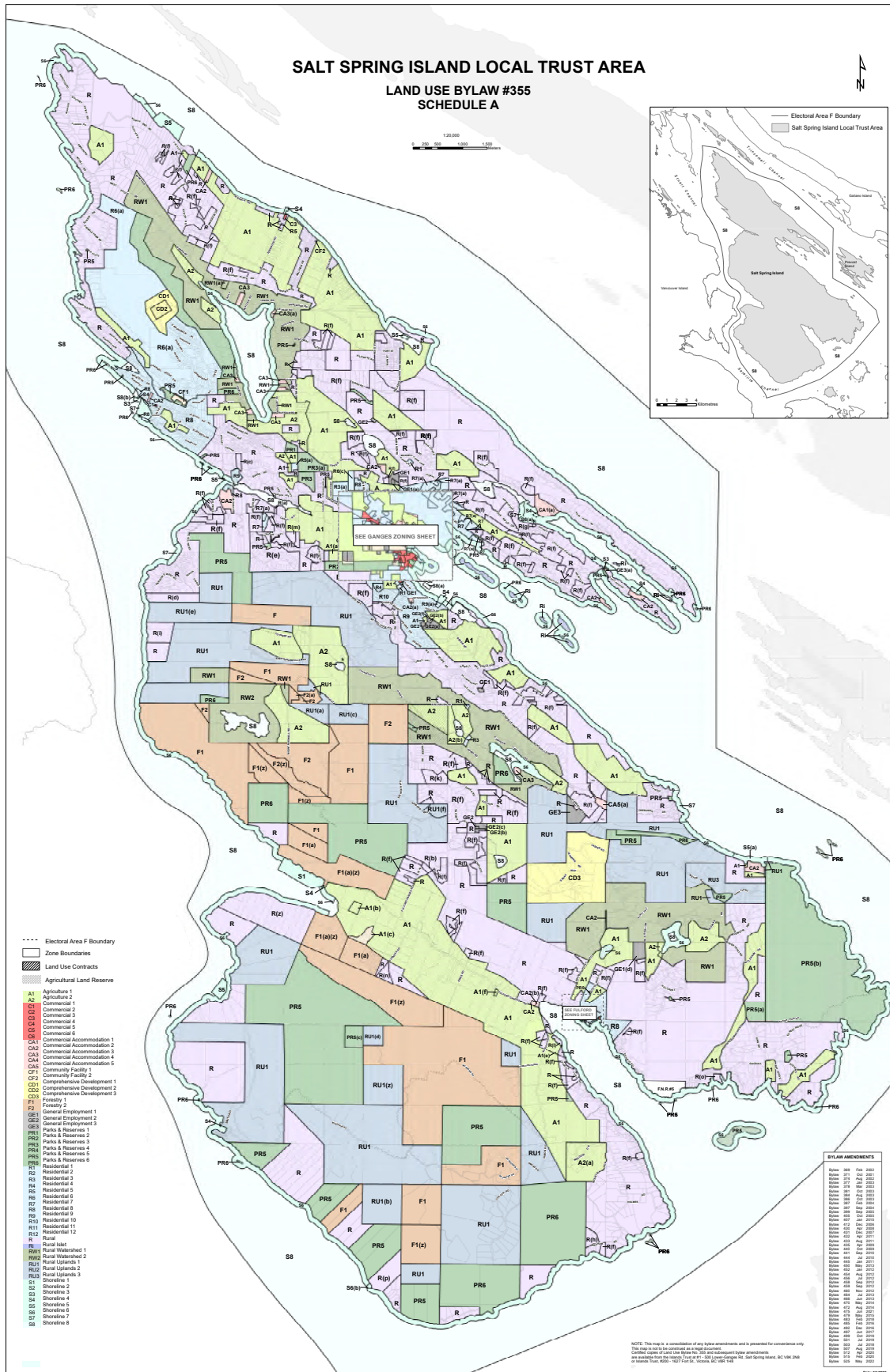
Despite the 2008 *OCP*'s support of more density and housing options [11] and the many revisions and amendments to the *Land Use Bylaw* over the decades, local zoning continues to prohibit most compact and multi-unit housing and instead allows larger-lot rural subdivision and development away from the village areas and servicing. The result is that there is actually quite a bit of residential development capacity on Salt Spring Island; it is just in the wrong places and of the wrong type to support inclusive housing options, forest protection, reduced GHG emissions, and other community goals.

We are essentially allowing the opposite of what our community needs and prohibiting what it needs most critically.

SSI Official Community Plan Land and Shoreline Use Designations (2008)

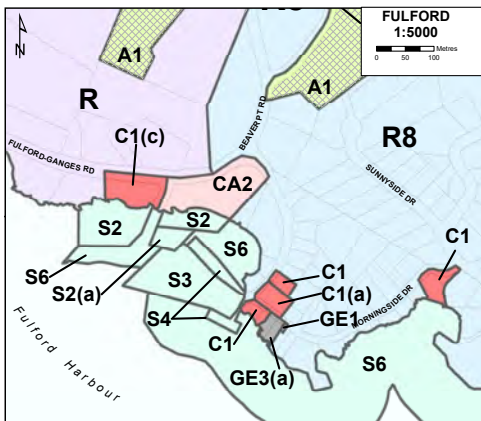
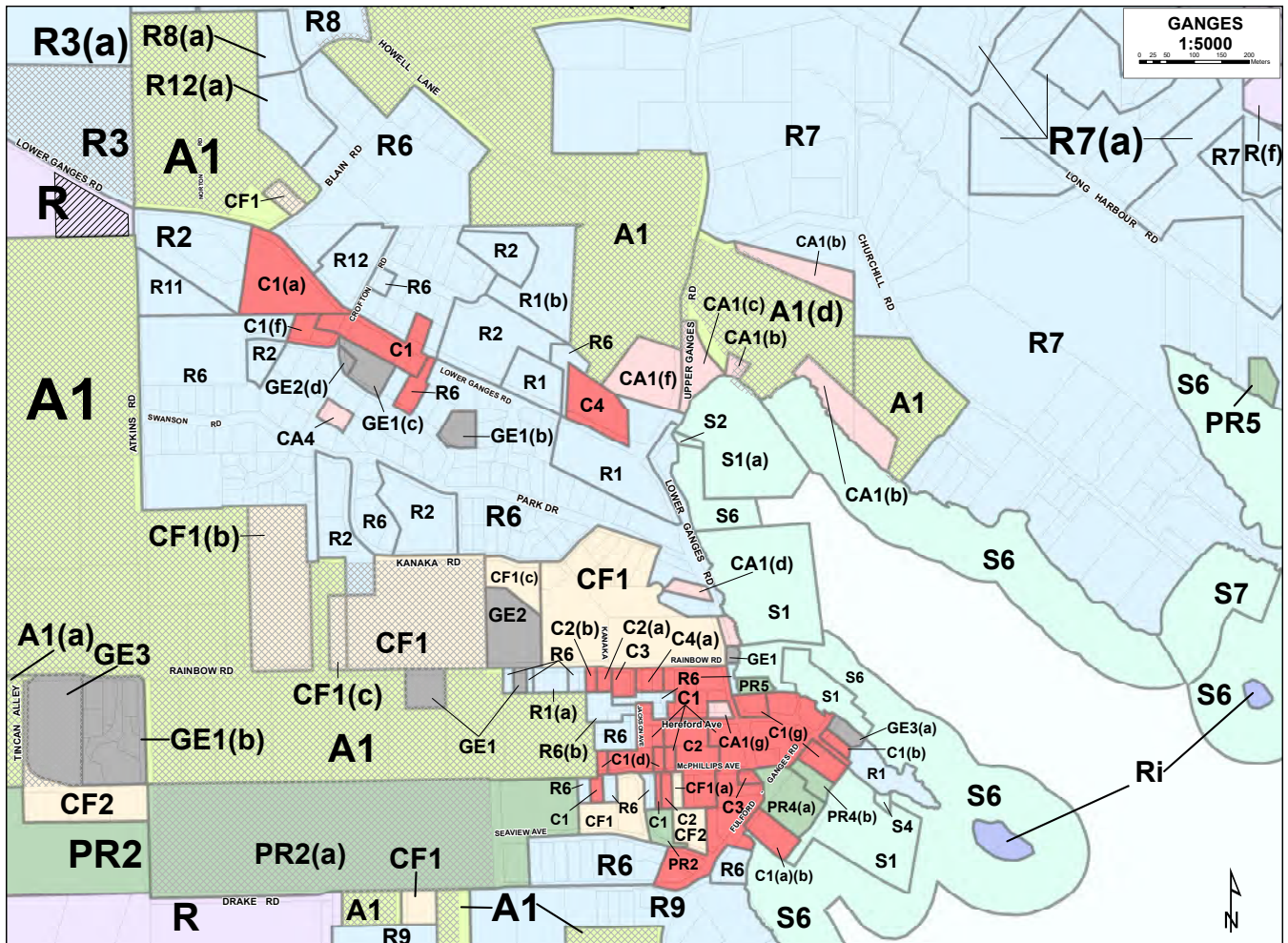


SSI Land Use Bylaw 355 Zoning (1999)



SSI Land Use Bylaw 355 Zoning (1999) Ganges and Fulford

SALT SPRING ISLAND LAND USE BYLAW #355 GANGES & FULFORD ZONING



NOTE: This map is a consolidation of any bylaw amendments and is presented for convenience only. This map is not to be construed as a legal document. Certified copies of Land Use Bylaw No. 355 and subsequent bylaw amendments are available from the Islands Trust at #1 - 500 Lower-Ganges Rd, Salt Spring Island, BC V8K 2N8 or Islands Trust, #200 - 1627 Fort St., Victoria, BC V8R 1H8

BYLAW AMENDMENTS

Bylaw	371	Oct	2001
Bylaw	377	Jan	2003
Bylaw	378	Mar	2003
Bylaw	384	Aug	2003
Bylaw	386	Oct	2003
Bylaw	397	Sep	2004
Bylaw	412	Dec	2006
Bylaw	430	Apr	2008
Bylaw	431	Dec	2007
Bylaw	440	Oct	2009
Bylaw	444	Jul	2010
Bylaw	450	May	2013
Bylaw	452	Jan	2012
Bylaw	454	Aug	2012
Bylaw	456	Jul	2012
Bylaw	464	Jul	2013
Bylaw	475	Jun	2021
Bylaw	497	Jun	2017
Bylaw	507	Aug	2019
Bylaw	512	Apr	2020
Bylaw	515	Feb	2020
Bylaw	519	May	2020

A1	Agriculture 1
A2	Agriculture 2
C1	Commercial 1
C2	Commercial 2
C3	Commercial 3
C4	Commercial 4
C5	Commercial 5
C6	Commercial 6
CA1	Commercial Accommodation 1
CA2	Commercial Accommodation 2
CA3	Commercial Accommodation 3
CA4	Commercial Accommodation 4
CA5	Commercial Accommodation 5
CF1	Community Facility 1
CF2	Community Facility 2
CD1	Comprehensive Development 1
CD2	Comprehensive Development 2
CD3	Comprehensive Development 3
F1	Forestry 1
F2	Forestry 2
GE1	General Employment 1
GE2	General Employment 2
GE3	General Employment 3
PR1	Parks & Reserves 1
PR2	Parks & Reserves 2
PR3	Parks & Reserves 3
PR4	Parks & Reserves 4
PR5	Parks & Reserves 5
PR6	Parks & Reserves 6

R1	Residential 1
R2	Residential 2
R3	Residential 3
R4	Residential 4
R5	Residential 5
R6	Residential 6
R7	Residential 7
R8	Residential 8
R9	Residential 9
R10	Residential 10
R11	Residential 11
R12	Residential 12
R	Rural
Ri	Rural Islet
RW1	Rural Watershed 1
RW2	Rural Watershed 2
RU1	Rural Uplands 1
RU2	Rural Uplands 2
RU3	Rural Uplands 3
S1	Shoreline 1
S2	Shoreline 2
S3	Shoreline 3
S4	Shoreline 4
S5	Shoreline 5
S6	Shoreline 6
S7	Shoreline 7
S8	Shoreline 8
	Agricultural Land Reserve
	Land Use Contract

Date: 7/6/2022

Map: Islands Trust



Many comparable rural communities in BC are actively pivoting to settlement patterns that better protect nature space, make efficient use of infrastructure, and prioritize housing diversity.



MAKING CHOICES FOR HOUSING

The current land-use framework on Salt Spring Island supports large-lot detached home development in rural, forested, and farmland areas away from Ganges Village centre as its primary housing form and defining land-use characteristic. This settlement pattern is well-documented as counter-productive to many commonly held community aspirations: reducing GHG emissions; supporting active transportation; broadening housing equity, choice and affordability; protecting nature space and farmland; reducing wildfire risk; fostering social inclusion and aging-in-place approaches to housing; and many others. [35, 36]

Many comparable rural communities in BC are actively pivoting to settlement patterns that better protect nature space, make efficient use of infrastructure, and prioritize housing diversity. The alternative framework presented in this report recommends an approach for Salt Spring Island that incentivizes clustering compact housing instead of supporting large homes, and protecting more land for habitat, nature space, farming, and wildfire buffering.

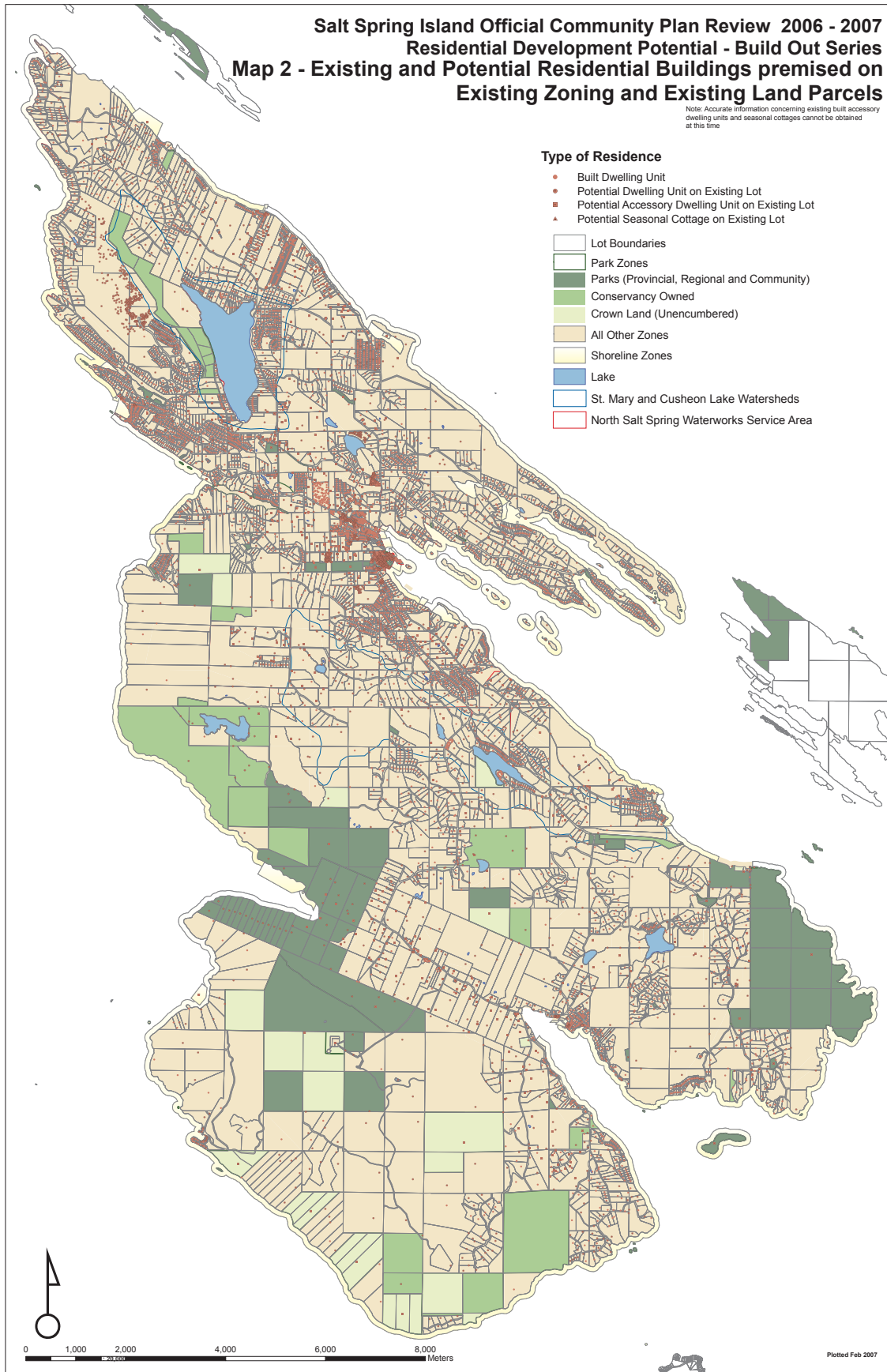
Option 1: Status Quo – Rural Sprawl

If Salt Spring Island continues to grow and develop under the existing regulations, we can expect to see the status quo continue: increased subdivision of land away from village areas, more fragmentation of farmland, and further deforestation, especially in the Rural and Forestry zones. Most of the new housing will be detached homes on large (two-acre and larger) rural lots. This type of housing is financially unattainable to most of the local workforce.

Option 2: Alternative – Clustered Housing

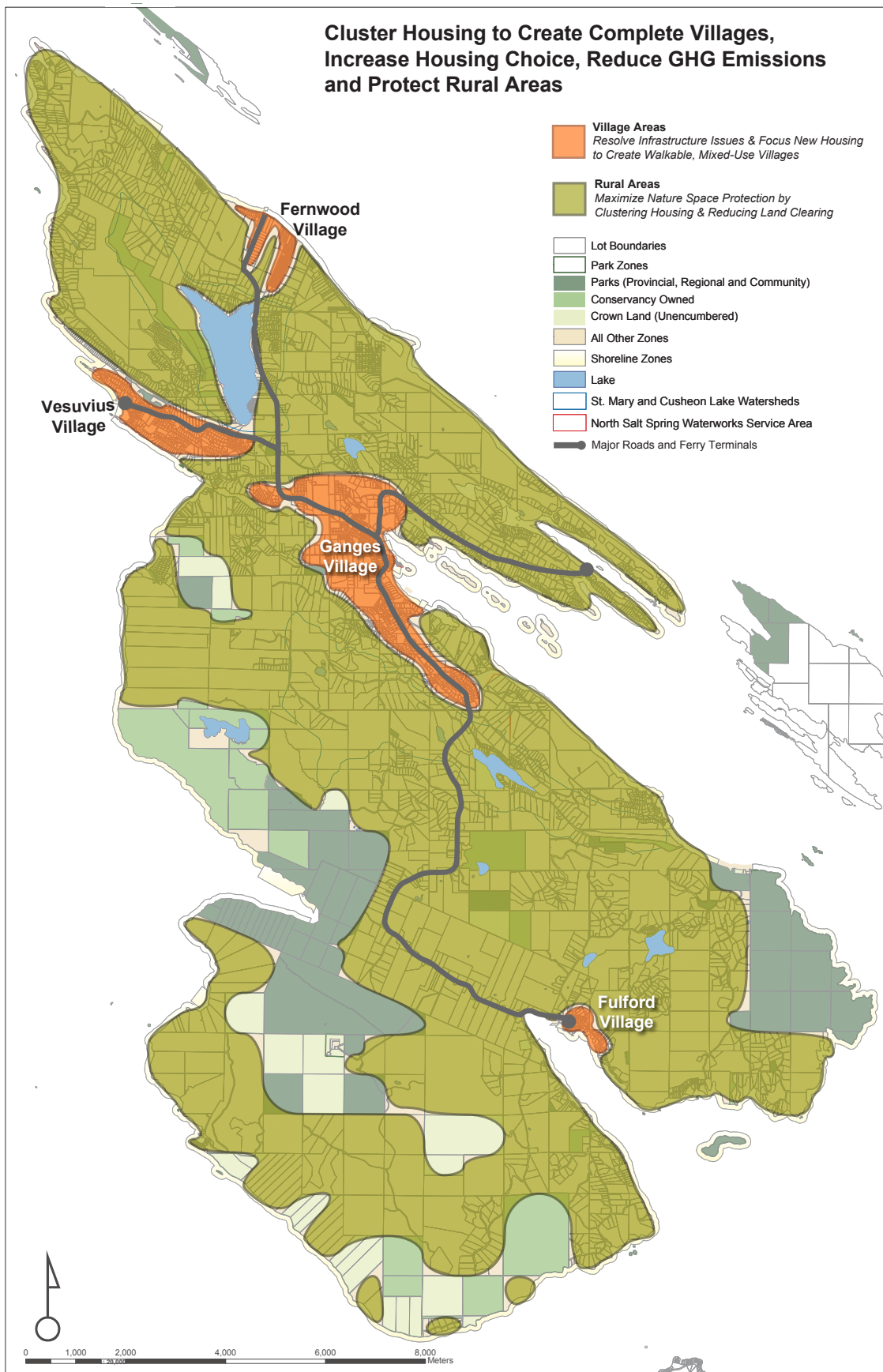
An alternative future land-use pattern for Salt Spring Island is possible if strategies are implemented to cluster housing and enable more residential density in and around village nodes. This would allow for permanent protection of large tracts of nature space and farmland, greater supply and diversity of housing, and more-efficient use of limited infrastructure and services, such as water systems and supply and transit. The strategies in the following section suggest how to shift away from the status quo to this more appropriate land-use approach.

Rural Sprawl: Projected Development under Existing Regulations



This map was created by the Islands Trust during the last OCP update to illustrate the build-out potential under the adopted *Land Use Bylaw*. While amendments to the bylaw in the past 15 years have altered some of the development potential in rural areas—mostly through the acquisition of new park and conservation lands—most of it remains as shown on this map. A comprehensive update of the *Land Use Bylaw* has not been undertaken since the adoption of the OCP. Map: Islands Trust

Clustered Housing: Projected Development Using Recommended Strategies





We encourage other islanders and decision makers not to let the scale of the global crisis obscure the power and potential of local solutions that are already at hand.

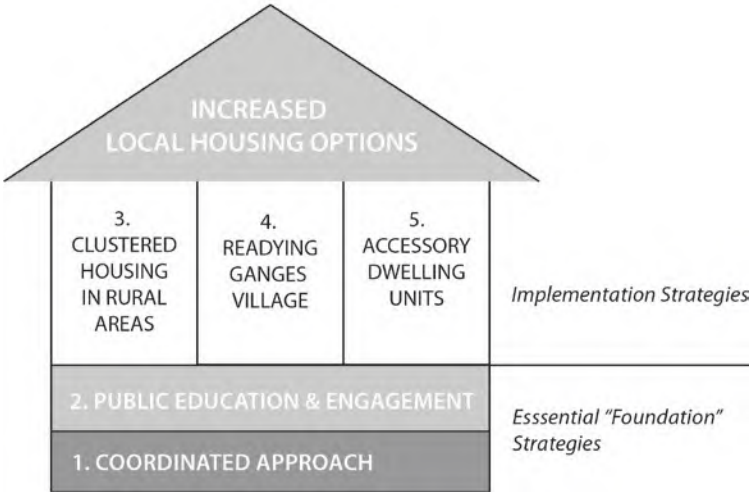
PROPOSED STRATEGIES FOR A NEW HOUSING FRAMEWORK

The following strategies are based on our research of best practices and proven successes in other small, rural communities, along with our understanding of the unique issues that are present on Salt Spring Island. Combined, these key local strategies provide an updated framework for rural development on SSI.

Importantly, this is a framework grounded in and dependent on genuine coordination, public education, and community engagement. These three elements are absolutely foundational in building a strong community and have been absent or minimally realized in recent efforts to address the housing crisis and other complex issues on SSI. By identifying these as key strategies in themselves, and as essential to the implementation of other key strategies, we seek to underscore the importance of prioritizing inclusive and informed community conversations, earning and building trust, and ensuring transparent decision making.

Five Strategies to Increase Long-Term Local Housing Options

- 1. Coordinated and Properly Resourced Local Approach to Housing
- 2. Effective Public Education, Engagement, and Dialogue on Housing
- 3. Preservation of Rural Areas and Nature Space through Clustered Housing
- 4. Readying Ganges Village for More Housing
- 5. Accessory Dwellings for Housing, in the Right Places



Relationship of Strategies
These five strategies fit together to build a solid and integrated framework for solving our housing crisis.



Inside the Strategies

The five strategies are outlined in the following sections.

Objectives describe the need for and intentions of the strategy.

Context provides additional information to detail the conditions that make action necessary and possible.

Actions are listed as recommendations assigned to a specific organization best suited to lead their implementation.

Essential Partners are other organizations whose participation is necessary for success. These partners should be engaged early on by the lead organization to ensure genuine collaboration, commitment, and coordination.

Local Solutions to a Global Housing Crisis

The housing crisis is a global crisis affecting communities large and small around the world. Population growth, income disparity, the concentration of land ownership and wealth, corporate influence, resource depletion, and mass migration caused by violence, poverty, and climate change are some of the factors influencing the global scarcity and rising cost of housing.

In Canada and British Columbia, comprehensive reforms to building codes, taxation rules, and the financial, insurance, and real estate sectors are desperately needed to slow down the escalating cost of housing and exclusivity of home ownership and to incentivize the creation of less expensive and more ecologically sound alternatives. [28,34,37]

While most of the challenges listed above must be addressed systemically on a scale beyond the influence of one small community, there are numerous local actions that can be implemented to make securing a long-term home attainable for more islanders. [21,22,29,30,36,38,39,40,41]

We believe that Salt Spring Island has the capacity, creativity, and strength of community to do this in ways that support an inclusive society and healthy island ecosystems.

We encourage other islanders and decision makers not to let the scale of the global crisis obscure the power and potential of local solutions that are already at hand.

STRATEGY 1

Coordinated and Properly Resourced Local Approach to Housing

Objectives

Salt Spring Island requires a housing strategy and an entity that is resourced and clearly designated as responsible for overseeing a focused and coordinated interagency approach for housing. This is needed to overcome the substantial challenges of our siloed governance and long tradition of creating housing plans that are not implemented, and to direct a solution to the complex servicing issues in Ganges Village.

Context

The implementation of the 2011 *Salt Spring Island Community Affordable Housing Strategy* relied on the creation of a Housing Council that would lead the strategic actions. [21] The majority of the strategic actions, however, were under the authority of the Islands Trust. So, while a non-profit society was created for this purpose, it has no authority to take action or compel government agencies to collaborate, and it is not resourced to find solutions to this limitation. Voluntary implementation of the strategy by the Islands Trust, Capital Regional District (CRD), and other partners has not happened over the 12 years since the strategy was completed. The Islands Trust has also failed to implement most of its own internally developed housing policies and recommendations that are within its legislated powers.

These examples point to a need for a new implementation-focused approach that is properly authorized and resourced, and is both strategic and collaborative. The approach must direct participation and accountability from the Islands Trust, CRD, NSSWD, Island Health, and BC Housing, and cultivate a meaningful, appropriate and ongoing way of engaging with local First Nations to be effective at addressing the housing crisis on SSI.

The CRD's Southern Gulf Islands (SGI) Electoral Area office, which manages CRD services and priorities for Mayne Island, Galiano Island, Saturna Island, and North and South Pender Islands, recently completed the *Southern Gulf Islands Housing Strategy* (2022) and a plan for a Rural



The Big Picture

Stepping back and taking a wider view of the situation on Salt Spring Island has shown that overall coordination and strategy is vital to solving the housing crisis.

Housing Program to implement island-specific housing solutions. [39] The SGI Electoral Area office also engages a local non-profit (through the Community Economic Sustainability Commission) to implement housing actions. A strategy, program, and implementation approach of this nature is sorely needed on SSI and would elevate the long-term effectiveness of the CRD in addressing a broad range of local housing needs. Sharing resources and ideas and



combining advocacy with the CRD's housing efforts in the Southern Gulf Islands could provide mutual benefits for both electoral areas, including more engagement on rural island solutions with BC Housing and other provincial agencies.

Another relevant example of leading practice for housing coordination is in the Cowichan Valley where the Cowichan Valley Regional District (CVRD) created a special tax with voter support to fund a housing strategy and housing coordination service. The CVRD contracts the Cowichan Housing Association to implement the *Cowichan Valley Attainable Housing Strategy*, conduct policy research, strengthen the secondary rental market, support non-profit developers, attract funding for local housing initiatives, advocate to senior governments, and provide other critical housing services that were previously under-resourced or falling through the cracks entirely.

The Islands Trust has a specific mandate to coordinate with other agencies to ensure land use and servicing are planned together. This is another instance of an existing legislative power that could be more fully leveraged to advance housing solutions that require interjurisdictional cooperation.

ACTIONS: CRD

1.1 Establish and resource a local housing entity, with firm commitment from essential partners through a memorandum of understanding or another binding agreement that establishes goals, funding sources, and timelines.

The entity must be sustainability resourced through a new service (tax) or another properly scaled and reliable funding stream.

1.2 Expand the scope of the CRD's proposed Rural Housing Program for the Southern Gulf Islands to include SSI.

While there are differences in the scale and complexity of housing needs between island communities, there are numerous strategic reasons for the SGI and SSI electoral areas to formally collaborate, such as leveraging limited staff expertise, increasing competitiveness for large-scale programmatic funding, and coordinating sustained advocacy to senior levels of government on matters of shared interest.

1.3 Develop a new implementation-focused SSI housing strategy, formally adopted by the essential partners and integrated into their respective plans and priorities, which clearly identifies how implementation will be resourced, phased, monitored, and reported to the community.

The new housing strategy should include an inventory of current and potential housing development sites and specifically identify how new land acquisitions and housing development will be facilitated to provide the number and types of housing units specified in the current (2020) *Capital Regional District Housing Needs Assessment: Salt Spring Island*. The strategy development process should include genuine and inclusive community engagement carried out by external communications and public engagement professionals.

ACTION: Islands Trust

1.4 Hire or identify an experienced housing planner who can coordinate directly with the CRD on the actions above and strategically advance internal Islands Trust policies and regulations to overcome previous implementation barriers.

Essential Partners:

BC Housing
Capital Regional District
Island Health
Islands Trust
Local First Nations
Local non-profit housing organizations
North Salt Spring Waterworks District

Housing Affordability Requires Coordination and Advocacy at Every Level of Government

Coordination is required across all levels of government and the private sector to apply an affordability lens to all legislation and work that impacts housing, real estate, and community development. Major reforms are needed to the financial and insurance sectors, building codes, and provincial and federal government taxation—all of which currently allow for and incentivize the development of single-family homes and conventional home ownership but present major barriers that penalize or prohibit the creation of smaller housing (under 600 square feet), rentals, and innovative ownership structures. Better affordability controls that are less complicated and costly to administer than third-party housing agreements are overdue, as are more sophisticated tools for managing short-term vacation rentals like AirBnB accommodations and funding programs specific to rural housing. [18,28,39]

All of these province-wide changes and innovations require advocacy that is best led by organizations with demonstrated influence, such as the Union of British Columbia Municipalities and professional associations and advocacy groups working at this scale. Coordinated and sustained regional advocacy from the regional CRD Board and Trust Council will reinforce other efforts and ensure the challenges of island communities are understood and considered.

Some examples of suggested major reforms:

- Establish predevelopment and capital funding programs that are tailored to smaller community housing projects (fewer than 24 units) and rural contexts where development costs are often higher and increased density is less feasible.
- Amend the national and provincial building codes and remove financing barriers to constructing homes under 600 square feet.
- Use appropriate legislative and taxation tools for creating and protecting workforce housing and tempering private real estate speculation in tourism destinations.
- Include SSI in the provincial *Speculation and Vacancy Tax Regulation* or in an adapted version of the tax that accounts for unique conditions in the Trust Area.
- Revise provincial water legislation to enable, incentivize, and reduce the cost of alternative potable water systems and small rural water utilities.

A recently formed Southern Gulf Islands Housing Coalition representing non-profit housing providers from the five Southern Gulf Islands (including SSI) spent several months in 2022 exploring how a regional housing entity could bolster non-market housing projects. It is advisable that the Islands Trust and CRD support this type of regional collaboration between island communities while also pursuing improved means for local housing coordination and implementation on SSI.

STRATEGY 2

Effective Public Education, Engagement, and Dialogue on Housing

Objectives

The Salt Spring Island community needs better ways to learn about and discuss important, complex, and controversial issues. History demonstrates that our local government processes fall short in facilitating informed, inclusive, and constructive community engagement. At worst, this can create barriers to making progress on many important issues, including housing. It is imperative that we find ways to redirect, reform, or supplement the current public process to improve our community's capacity to problem-solve together.

Context

Good community planning prioritizes fact finding and solid research, information sharing, public education, and meaningful engagement. [17,18,44] Without all of these components, efforts to change regulations affecting housing or review housing projects are likely to be hampered by inaccurate or incomplete information and public opposition.

Opposition to housing solutions is often based on valid concerns, such as environmental and infrastructure impacts and neighbourhood compatibility. Leaving these concerns unaddressed and not providing the public with opportunities for information sharing and conversation until late in the process is an oft-repeated mistake by our local governments. Instead of an informed and inclusive community dialogue process that builds a better understanding of the facts and the real-world trade-offs involved in addressing a problem, we experience an opaque and inaccessible public input process that is usually dominated by hearsay, misinformation, and a few very vocal interest groups. [17,18]

A recent example of the hazards of skipping public education and engagement is the roll-out of the Salt Spring Island Local Trust Committee's Housing Action Program (HAP). While the HAP's terms of reference specify early and extensive public education and engagement with multiple stakeholders including local First Nations, no funding was invested by the Islands Trust for these activities. The public was mostly unaware of the program, and useful research that could have helped alleviate community concerns or identify best practices was not shared. There were no



Inclusive Engagement

This age-friendly engagement event was hosted by the CRD and designed for local and visiting families. It was held on a weekend in Centennial Park where families usually gather and had fun activities to engage young children and solicit input from participants of all ages. Dozens of families and children participated and had fun!

meaningful opportunities for exchanging ideas, and the public discourse around proposed Bylaw 530 for accessory dwelling units (ADUs) was, in the end, dominated by polarized and warring narratives. The outcomes are that significant staff and volunteer time have been expended, the community has been divided unnecessarily and, as a result, many relationships have been damaged, the process continues to be protracted, and little progress has been made to address the worsening housing crisis. This feeds a continued decline of public faith in government.

While research, information sharing, and community engagement may be perceived by some as expensive and time-consuming endeavours, skipping these essential steps actually decreases public trust and results in more work and cost. It is demonstrable that best practice public engagement investments, when properly scoped and resourced, result in more constructive processes and timely outcomes. Improving the public process on SSI will require our local governments to identify adequate resources and shuffle priorities, and require interested community groups to show up as partners and participate in dialogue.

ACTIONS: Islands Trust, CRD, and NSSWD

2.1 Educate elected officials and staff on public education and engagement best practices and current methods.

2.2 Develop and resource a Public Education and Engagement Policy.

Essential Partners:

Businesses

Capital Regional District

Community groups

Islands Trust

Local First Nations

North Salt Spring Waterworks District

Professional external communications and engagement advisors

Residents of all demographics

Developing a Policy for Public Education and Engagement

Without a policy to standardize local government's approach to public education and engagement, the various efforts come across as randomly chosen, the process is unclear, and the results are not trusted by the public. Inconsistent processes are easily derailed and undermined.

A consistent policy-based approach allows community members and decision makers to hear a variety of perspectives, manage differences, build understanding regarding trade-offs, and establish direction for moving forward on complex issues. It fosters confidence and trust in local government, builds a stronger community through common understanding and shared aspirations, and allows local government to correct misinformation and address hidden obstacles or unknown consequences early in the process.

Key considerations for policy development:

- Use external professional communications and engagement assistance to develop a Public Education and Engagement Policy, which will include direction on best practices and appropriate resourcing. Many local governments in BC have already done this work and could provide examples of policies to draw from.
- Use external professional communications and engagement assistance to inform the community that policy development is underway, what the policy is expected to achieve, that the public will be asked for their opinion, and to set a target date for completion.
- It will be important during policy development to ask the public as well as the local Indigenous communities for their opinions on how they want to be engaged in the future on community issues and projects so that the policy can also reflect these desires.
- The Islands Trust and CRD must ensure that voices from all demographics and communities are heard when developing the policy. This will mean using unconventional ways to engage the different microcosms of our community when and where they can most effectively participate. For example, members of the workforce are usually best engaged outside of standard business hours.
- Once a policy is developed it must be shared with the community. It will guide all future public education and engagement and should be reviewed and updated every three to five years to keep pace with technology and other changes.

STRATEGY 3

Preservation of Rural Areas and Nature Space through Clustered Housing

Objectives

Unchecked residential sprawl is changing Salt Spring Island from a rural community characterized by farms, forests, homesteads, village nodes, and diverse households into a subdivided patchwork of private, affluent estates. Private residential development typically maximizes private views and interests without equal consideration of natural systems or broader community needs, including attainable housing. Instead of continuing to accept the status quo as an entitlement, Salt Spring Island must limit this kind of growth on undeveloped land and incentivize investment that protects nature space, water resources, and farmland, and allows households of varying incomes to live across the island.

Context

Due to zoning that was established soon after the formation of the Islands Trust, the easiest properties to subdivide and develop on SSI are in rural areas. Most of this land is located away from services and was traditionally farmland or forest. As population growth and development pressure continue, a massive generational transfer of wealth as real estate is underway, and without adequate growth management strategies in place, residential sprawl is accelerating.

The impacts allowable under our existing regulations are devastating: increased deforestation and ecosystem destruction, loss of large agricultural properties, huge amounts of potable water being used for landscaping and other non-essential amenities rather than sustaining people, new road building, large home construction, increasing GHG emissions, escalating real estate prices, and further strain on services. This is the most expensive, environmentally detrimental and socially exclusive form of housing we can build. It also breaks from historical rural development where structures were clustered on large parcels for economic efficiency and social benefit, allowing for the remaining acreage to be left as contiguous nature space or farmland. As residential subdivisions of rural land multiply, forests and farmland shrink and become fragmented.

[41,44]



Forest or Ocean View?

This is one of several large lots on Mount Erskine recently clear-cut and marketed as view lots for single-family homes. Previously, lots on Trustee's Way were entirely forested and contiguous with protected park and conservations lands. Conservation-minded development standards and clustered housing principals seek to prevent this kind of incremental deforestation while allowing for compact and diverse housing forms such as small detached homes and accessory dwellings.

Fortunately, there are regulatory and legal tools available to manage and incentivize responsible rural development that supports smaller-scale clustered housing, along with long-term protection of nature space and farmland. *Conservation communities* and *homeplate zoning*⁵ are terms used to describe some of these tools or, more accurately, suites of tools.

5 A development type called *eco-village* has frequently been discussed at local housing meetings and forums as a desirable approach for living more lightly on the land while housing more people. Both conservation communities and homeplate zoning could support this type of development along with other clustered housing approaches.

Regulatory Tools for Conservation-Oriented Housing

A Salt Spring Island-specific toolkit for responsible rural development could include:

- **Land stewardship zoning and conservation communities:** Smaller parcel size and/or additional density is granted if all of the permitted density on the parent parcel is combined on a smaller portion of the land (usually 40 percent or less) in the form of low-impact development and the remainder of the land (usually 60 percent or more) stays contiguous and is protected in perpetuity through covenants, inclusion in the Agricultural Land Reserve, or other mechanisms. This is a good way of protecting nature space and farmland protection on large rural parcels (more than 20 acres). [40,41,44,36]



Roberts Creek Cohousing

Compact homes on small lots are clustered together at the Roberts Creek Cohousing community on the Sunshine Coast to reduce costs, increase opportunities for social interaction, and protect large areas of the site for nature space. Photo: Mobius Architecture

Existing Conditions Plan: Existing Farm(not in the ALR).



Large Home Option: Zoning allows for 2 residences.



The siting and large footprint of the new development increases costs, can conflict with adjacent agriculture practices, fragments the natural landscape and reduces the potential for agriculture.

Homestead Cluster Option: 2 residences - original farm house and new home.

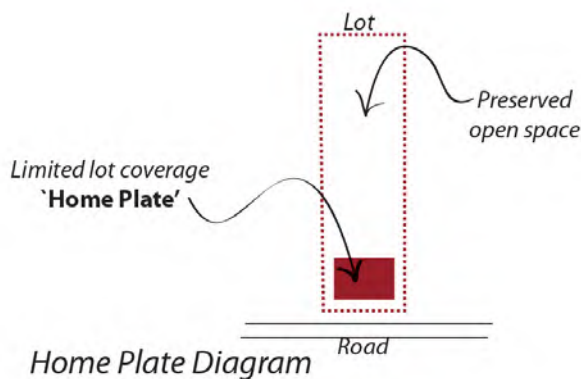


Residential buildings are located in an efficient arrangement near the road so that impacts to surrounding working landscapes and open space are limited.

Large Homes vs. Clustered Housing

Illustration: IPS and Gemella Design, 2012

- **Homeplate zoning:** Flexibility of dwelling type and size within compact, maximum total floor area on a singular parcel is allowed in exchange for a land covenant on a large portion of the land (more than 50 percent) allowing only eco-forestry, permaculture, organic farming, or conservation. This achieves similar outcomes as a conservation community without subdividing the land and is a good way of incentivizing land protection on smaller rural parcels (less than 20 acres) although it could also be applied to larger lots. [40,41,42,44]



Homeplate Zoning

Illustration: IPS and Gemella Design, 2012



Lopez Island Community Land Trust

This award-winning land trust neighbourhood on Lopez Island employs homeplate principles where higher-density housing is clustered on a smaller portion of a single lot instead of spreading a similar amount of density across the entire site. Additional measures such as passive solar design, photo-voltaic solar power, bioswales, and shared food gardens further reduce the ecological footprint of the development and improve the quality of life for residents. Photo: Lopez Island Community Land Trust

- **Rural development permit areas:** These provide guidelines for the form and character of development on individual rural properties with important nature space where more intense housing is proposed. Guidelines can address considerations such as building siting, maximum buildable area of structures, landscape buffers and setbacks from sensitive areas, and tree protection. [36] A development permit area for wildfire should also be considered as a tool for reducing wildfire risk and damage associated with rural development at the wildland-human interface.

- **Eco-density bonuses:** Additional density is granted on rural properties where water supply and environmental conditions are met and a covenant granted to ensure the affordability of the additional units. This is a good way to incentivize affordability in perpetuity and create permanent rental homes island-wide. [22,30,31,40,42,44]

- **Density transfers:** These allow for density to be moved from areas of the island where development would have more adverse impacts (such as on forested mountain sides or away from emergency services) to areas where it could be better supported (such as closer to transit and schools). The art of a successful density transfer program is to make it financially and politically viable by pre-zoning the recipient areas, offering incentives, and allowing easy inclusion of new donor and recipient areas into the program. [41,44]

- **Maximum house size:** Limit the size of private, detached homes to less than 2,000 square feet to encourage efficient use of resources and compact living and limit land clearing. The size cap should include exceptions for shared housing solutions, such as rooming houses and multi-unit dwellings.

- **Proof of potable water:** Proof of a sustainable, potable water supply that is sufficient for the planned use is essential for all rural housing solutions.

ACTIONS: Islands Trust

3.1 Create a public education and engagement program to educate islanders and other stakeholders about the impacts of SSI's current land-use pattern and the benefits of compact development alternatives in rural areas.

3.2 Update the *OCP* and *Land Use Bylaw* to enable and incentivize more compact, clustered development, increase contiguous land protection in rural areas, and cap detached housing size.

Policies and zoning regulations should support feasible implementation of conservation communities and homeplate zoning and create new rural development permit areas, density bonusing, and density transfer mechanisms. The revisions should be based on best practices, clearly articulate the criteria for allowance, and remove barriers to implementation inherent in the current rezoning-centric model. Simplicity and adaptability are often the key to ensuring that policies and bylaws remain useful over time as needs and circumstances change.

3.3 Engage with the CRD, SSI Conservancy, Islands Trust Conservancy, SSI Farmland Trust, and other interested organizations to inform best practices and establish a coordinated approach for negotiating and administering covenants for housing affordability and land protection.

ACTIONS: CRD

3.4 Create agency capacity to negotiate and administer housing agreements.

3.5 Update priorities and policies for acquiring new local and regional parks to be ready for opportunities that may become available through conservation communities. The CRD should also develop a clear policy for how to use or transfer density from all CRD-owned properties (including parkland) on SSI to support more community housing in appropriate locations.

3.6 Allocate resources from the Regional Housing Trust Fund to support the development of rural-scale, covenant-restricted affordable housing on private and non-profit owned land.

ACTIONS: Islands Trust and NSSWD

3.7 Make water supply research, mapping, and recommendations from the SSI Watershed Protection Alliance Technical Working Group publicly available as a means of informing public discussion and land-use policy development. Provide clear direction and public education on which areas of the island can accommodate more density based on the latest mapping of water supply and best available data.

3.8 Proactively share research on actual domestic water use and non-revenue water use (system leaks) with the public.

3.9 Provide sustained advocacy to the Province to lower proof-of-water requirements to reflect actual usage and provide support for more housing.

ACTION: Conservancies, Land Trusts, and Interested Organizations

3.10 Create agency capacity and external partnerships to participate in the design and implementation of homeplate zoning and conservation community regulations in alignment with missions such as the protection of watersheds and farmland and/or the provision of community housing.

Essential Partners:

Capital Regional District

Islands Trust

Islands Trust Conservancy

Local First Nations

North Salt Spring Waterworks District

Other relevant water systems

Residents and property owners in rural areas

Salt Spring Island Conservancy

Salt Spring Island Farmland Trust

Salt Spring Island Watershed Protection Alliance

Conservation Community on Cortes Island

Weyerhaeuser (formerly MacMillan Bloedel) owned 250 acres of land located at the heart of one of Cortes Island's residential areas. The forest was slated to be logged. A group of local residents and business owners joined together to acquire the land in order to transform it into a residential conservation community. The group identified three key priorities for Siskin Lane: conservation, public access, and community building.

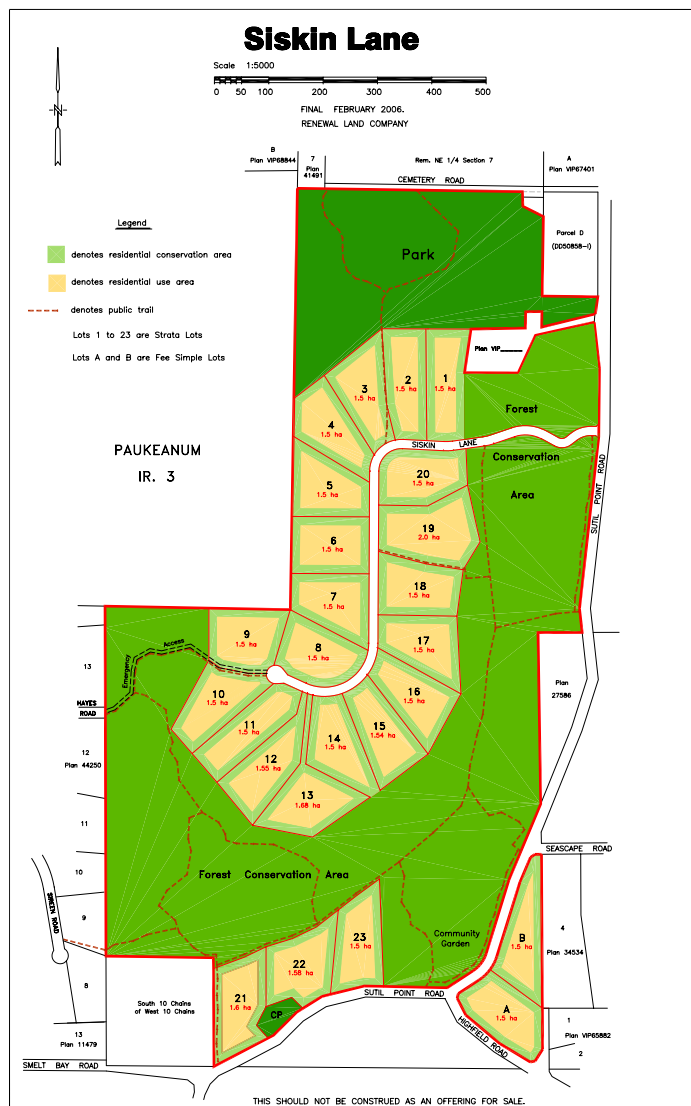
Siskin Lane was developed on 250 acres, originally zoned to be divided into 25 equal parcels of 10 acres each. Using Cortes Island's Forest Land Stewardship zoning, which allows properties of this kind to be reconfigured to preserve the majority of the nature lands and concentrate development in one area, the project team reduced the size of the lots to 2.5 acres and clustered them in one corner of the property.

As the land situated along the main road was determined to be of high value for conservation, a new road was created into the subdivision. The land surrounding the development was placed into trust with The Land Conservancy of BC.

Further conservation requirements were placed on the development of individual lots. Each residential lot had a conservation ring of forest designated around its perimeter, with up to a maximum of 25 percent permitted to be taken down. In the centre of the lots, up to 75 percent may be removed for residential use. This preserved a conservation buffer between lots and prevented owners from clear-cutting their properties. The maximum size for all buildings was limited to 5,000 square feet.

A significant goal of the project was creating public access with a network of trails. These were not all new; many were already in use by the community, while others were added based on community feedback. In addition, a portion of the land was donated to the community to become Cemetery Road Park. The trails outside the public park were granted a statutory right-of-way to guarantee public access in perpetuity with no risk of land owner liability.

In response to concerns about rising housing costs, affordability, and lack of housing options for local residents, the project team prioritized the lots for full-time, local residents.



Siskin Lane Neighbourhood on Cortes Island

Illustration: The Renewable Land Company

STRATEGY 4

Readying Ganges Village for More Housing

Objectives

There are many reasons why more housing and higher-density, mixed-use development on Salt Spring Island should be focused near the social and economic heart of our community, Ganges Village. There are also a multitude of challenges to implementing what initially appears as a common-sense solution. Nonetheless, the eventual benefits of having a walkable, socially inclusive and economically vital village should compel local government agencies to prioritize this work as an intergovernmental collaboration and address the challenges proactively.

Context

Research and lived experience from around the world and throughout human history shows that directing growth and higher-density housing closer to services and infrastructure is one of the best ways to efficiently use land and public assets, protect nature space and farmland, reduce car travel and GHG emissions, promote social inclusion and vibrancy, support local businesses, and so on.

Best practices for rural community planning in North America [44] provide a template for making this happen:

- Establish a growth boundary around the town centre area within which infrastructure investment is then prioritized to support higher-density housing and businesses.
- Identify areas outside the village boundary for nature space and farmland protection and limit residential uses to those areas that are designed to safeguard ecosystems and watersheds and constrain infrastructure.
- Create rules and incentives, and secure funding, to focus development within the growth boundary and protect nature space and farmland in perpetuity outside of the growth boundary.

Unfortunately, this proven template doesn't work for Ganges Village in today's context. There are five overarching issues that must be attended to before parcel-specific planning practices such as zoning and development permit areas



Friday Harbor

Friday Harbor on San Juan Island shares many characteristics with Ganges Village, including being the largest town and economic centre of its region. Urban growth boundaries around every town in the San Juan Islands focus residential density and infrastructure investment into the existing populated areas and protect the rural areas outside the boundary from overdevelopment.

should be contemplated. These issues are summarized below along with recommended actions.

Aspirations for “more density” or “more apartments” in Ganges Village need to be tempered with a realistic understanding and proactive approach to address the fundamental challenges that underlay planning the village area. This work can and should be done.

Issue 1: Outdated Planning Processes and Reconciliation

Many local First Nations have strong connections to the unceded territory that is Shiya'hwt in the Hul'q'umi'num' language, or SYOWT in the SENĆOŦEN language, and locally known as Ganges Village. These connections to the village site and the adjacent land and waters predate the arrival of non-Indigenous settlers. The establishment of the settler village was a colonial act that displaced Indigenous communities, destroyed well-established Indigenous food systems, and significantly disrupted their ways of life.

[32] Very little has been done in the past century to fully acknowledge this displacement and build new, respectful relationships between local First Nations and non-Indigenous islanders.

In 2022, the Islands Trust's Ganges Village planning effort was put on hold after requests from local First Nations to be included in the planning process were not responded to in a timely and respectful way. This underscores the need for the Islands Trust and other groups involved in land-use planning, management, and development activities to revisit and improve how, when, and why they engage with First Nations.

To foster the much-needed transformative change in these relationships, local government will have to reshape SSI planning processes with reconciliation at the core. [45] Planning the future of Ganges Village is an opportunity to invite dialogue and explore how to do things differently. Part of this requires letting go of any predetermined outcomes and welcoming new and less familiar ways of planning.

ACTION: Islands Trust and CRD

4.1 Proactively and respectfully engage with local First Nations to explore how to work better together, with the goal of centring reconciliation in all community planning work, and understanding that this is transformative work that will require time and new resources.

This process and its outcomes should be accessible to all community members to foster understanding and build trust and public support for change.

Issue 2: No Community Water Service for Multi-unit Housing

The 2014 North Salt Spring Waterworks District (NSSWD) moratorium on new water connections only allows for one detached home per lot to connect to the community water system. [12] This effectively prohibits the development of suites, apartments, townhomes, and any other multi-unit housing in and around Ganges Village. NSSWD's own data shows that existing multi-unit housing in the district (mostly townhomes) consumes 25 percent less water than detached housing. [8] The moratorium also inadvertently incentivizes the development of detached single-family homes as the nearly singular housing form within the district and increases pressure for more housing development into rural areas outside the district.

While there is public enthusiasm and proven systems for using rainwater harvesting as a potable water supply for multi-unit housing, and while recent changes to provincial guidelines have removed some regulatory barriers, this approach is not logically or financially feasible on a project-by-project basis within the village. Further changes to provincial legislation and regulations and the creation of a community approach to collecting and managing rainwater as a potable supply is required to make this a realistic solution for multi-unit housing. [46,47]

Groundwater can be an option for some multi-unit housing projects in the village but this approach presents many challenges, including the ability of wells to meet projected demand, potential salt water intrusion and long-term overdraw on aquifers, and the often prohibitive expenses and logistics of meeting provincially legislated water utility requirements. [46] Dragonfly Commons is a local workforce housing proposal that was stalled for many years due to the challenges of establishing a groundwater utility despite having a well that performs above the projected demand of the project.

Recycled greywater is another water solution that is easy to champion but harder to implement. Current provincial rules only allow recycled greywater to be used for "low-risk purposes" such as irrigating lawns and flushing toilets. Integrating this solution for some non-potable indoor uses, as was accomplished locally for the Croftonbrook affordable housing projects, can reduce demand on the potable water supply but cannot replace it. As an emerging water solution, recycled greywater systems for multi-unit housing are costly and require specialized professionals to design, build, and maintain the systems.

From a climate action perspective, it is prudent that our local leaders and government agencies advocate for

legislation changes and new standards that remove barriers to alternative water solutions and reduce the cost of these systems, especially for much-needed community housing.

In the meantime, the local responsibility for resolving the water servicing issue in Ganges Village rests largely with NSSWD. The organization's inability to find alternatives to the moratorium points to the inadequacy of the improvement district model to resolve this predicament on its own. NSSWD has reported substantial non-metered use (operational uses and leaks in the system that are not on individually metered properties) [8] and participated in a provincially funded study that recommended consolidating NSSWD and CRD systems to create a more effective island-wide system that would be eligible for infrastructure funding, among other benefits. [48]

Addressing aging infrastructure and the moratorium that is exacerbating the housing crisis are clearly in the public interest. It is imperative that the Islands Trust, CRD, and NSSWD work together to shift our community from paralysis to problem-solving on these water infrastructure and management issues.



Shifting the Burden

The recently completed Croftonbrook neighbourhood in Ganges Village provides much-needed subsidized homes to islanders. Potable water for the project is supplied by groundwater. Other water needs are supplied by recycled greywater, rainwater, and a connection to a community system for fire suppression purposes only. Implementing this multi-source system was expensive and challenging for the small non-profit developer and ultimately increased the cost of the project. Future non-market, multi-unit housing will be similarly burdened or entirely impossible if on-site groundwater is not viable or other actions are not taken. Photo: Saywell Contracting Ltd.

ACTIONS: NSSWD

4.2 Actively pursue alternatives to the water moratorium for community housing in Ganges Villages and for non-market housing and ADUs district-wide, with a goal of enabling changes before April 2024 (the 10-year anniversary of the moratorium).

The process should be transparent and accessible to rate-payers and the public and undertaken in collaboration with the CRD and Islands Trust to ensure the best outcomes for the community. Given the complexity of this work, it is expected that NSSWD will need to do the following:

- Secure funding through innovation, housing, or infrastructure funding programs and retain qualified professional support.
- Create or strengthen partnerships with the CRD, Islands Trust, Province, and community groups.
- Embrace new approaches such as a “Solutions Lab” to reframe and problem-solve the water supply issue for community housing, looking at all the options currently available to NSSWD along with options that have not yet been identified.

4.3 Properly resource the replacement of decaying infrastructure and allocate resources for better leak monitoring, resolution, and reporting to significantly reduce system leaks and increase public confidence in system management.

A leak reduction plan and scheduled progress reporting should be made available for ratepayer and public review and discussion. Water saved through leak reduction and operational improvements should be reallocated to support accessory dwelling units, non-market housing, and multi-unit community housing.

ACTION: NSSWD and CRD

4.4 Hold a joint public meeting to share the findings of the 2020 *Salt Spring Island Water Service Optimization Study* and clarify what steps each organization has taken since the completion of the study to address the issues it identified. Provide opportunities for ratepayers and the general public to learn, ask questions, and weigh in. Outline the process ahead, including how the organizations intend to work together to consolidate servicing or alternative approaches that address NSSWD's significant funding and governance issues.

ACTION: NSSWD and Islands Trust

4.5 Coordinate to revise and adopt proof-of-water requirements and system capacity assumptions based on actual use to support more compact housing, and prioritize water services for ADUs, non-market housing, and multi-unit community housing in and near Ganges Village.

ACTION: NSSWD, CRD, and Islands Trust

4.6 Create and implement a regional interagency strategy for sustained advocacy to Vancouver Island Health Authority and the Province to revise requirements and standards to remove the barriers for rainwater harvesting for multi-unit potable supply, multi-unit water utilities, composting toilets, and greywater recycling as standard practices.

Issue 3: Sewer System Capacity

Multi-unit housing projects in the Ganges Village area are required to connect to a community sewer service that conveys, treats, and disposes of liquid waste. These developments are primarily serviced by the Ganges Village Sewer District operated by the CRD. The capacity of the existing system is limited. Solutions such as prioritizing service for non-market housing and expanding the treatment capacity should be actively pursued to allow for more housing within the village area.

ACTIONS: CRD

4.7 Prioritize remaining sewer service capacity for non-market housing, ADUs, and multi-unit community housing in and near Ganges Village.

4.8 Expand the treatment capacity of the Ganges Harbour Wastewater Treatment Plant and associated infrastructure, and develop infrastructure for repurposing treated greywater for non-potable uses in Ganges Village.

The plan should include a financial strategy that does not unfairly place the financial burden on existing ratepayers.

Issue 4: Sea-Level Rise

The *Salt Spring Island Climate Action Plan 2.0 (CAP 2.0)* identifies areas of Ganges Village that will be impacted by sea-level rise and storm-related flooding within the coming decades. These climate change impacts will initially affect the business district closest to the waterfront and Centennial Park but are expected to affect other low-lying areas within the village area. [49] New climate modelling since the release of *CAP 2.0* indicates that these impacts will be experienced sooner than previously anticipated. [50]

How we mitigate these impacts on existing development and where we locate new development to minimize future impacts should be a major planning consideration—especially for housing. Common-sense thinking of “seek higher ground” means we should consider directing growth towards Rainbow Road, Drake Road, Upper Ganges Road, and near the schools.

ACTION: Islands Trust, CRD, and Transition Salt Spring Society

4.9 Map projected sea-level rise in Ganges Village and the alternative development areas for future village growth. Facilitate public education and dialogue to inform a revised village boundary and incremental phasing plan that can be implemented with available planning and financial tools and public support.

ACTION: Islands Trust, CRD, and Ministry of Transportation and Infrastructure

4.10 Coordinate planning and prioritize infrastructure investments to support residential development in future village growth areas located outside the projected sea-level rise zone, such as Drake Road.

Issue 5: Agricultural Land Reserve

Many of the parcels best suited for multi-unit development in and near Ganges Village are within the Agricultural Land Reserve (ALR) and cannot be developed for multi-unit housing or mixed-use projects. Their inclusion in the ALR is a legacy of the farming operations that existed in these locations when the ALR was created rather than a reflection of the best use of this land for our community today. Salt Spring Island has an abundance of uncultivated farmland in areas and on properties that are more appropriate for farm use.

The ALR properties near Ganges Village are discontinuous, relatively small, expensive to purchase, and unlikely to be transitioned back into active farm use. These properties are more likely to be purchased and developed into private single-family estates. With limited available and undeveloped land outside of the projected sea-level rise zone, these properties are valuable locations for higher-density community housing. Removing these properties from the ALR and including other arable properties in the ALR, or establishing a special non-farm use agreement for ALR lands within Ganges Village, should be pursued by local government.



ALR Land in Ganges Village

This six-acre property on Jackson Avenue is located in Ganges Village. Neighbouring properties include a gas station, office complex, medical clinic, and our community's performing arts centre. The property is adjacent to a park and across the street from multiple schools. While it is an ideal location for multi-unit community housing, ALR regulations only permit one primary home.

ACTIONS: Islands Trust

4.11 Catalogue all ALR properties in Ganges Village to accurately document their size, location, adjacencies, historical and current uses, soil and terrain types, market, and multi-unit housing potential.

Use this information to compare the benefits of retaining these parcels for agriculture or multi-unit housing.

4.12 Engage the Agricultural Land Commission in developing an approach for removing all or most ALR lands in Ganges Village from the reserve, potentially in exchange for designating new ALR lands outside of the village area, or conditionally allowing multi-unit housing as a special non-farm use.

4.13 Establish a comprehensive and innovative interagency planning process for Ganges Village.

The process will be unlike those previously undertaken within the Islands Trust region. It will require long-term engagement and investment from all local governments and others, including CRD and Islands Trust, First Nations, NSSWD, community groups, and the Province.

Essential Partners:

Capital Regional District

Community groups

Islands Trust

Local First Nations

North Salt Spring Waterworks District

Province of BC

Residents, property owners, and businesses in and near Ganges

STRATEGY 5

Accessory Dwellings for Housing, in the Right Places

Objectives

Although Salt Spring Island is widely known as an idyllic place to spend a weekend in a cozy cabin, a yurt in the forest, or a tiny home on an agricultural property, these and other types of accessory dwelling units (ADUs) are mostly prohibited as long-term residences. The well-documented benefits of ADUs as a private-sector housing solution, coupled with the common knowledge that many islanders live full time in illegal ADUs, provides a strong case for legalizing and guiding this type of rural infill housing.

Context

Many early homesteads and family properties had one or more small dwellings in addition to a larger “primary” house. Islanders have lived in cabins, above barns and garages, and in secondary suites for generations. These accessory dwellings housed adult children or elderly family members, farmworkers or other employees, or were leased for rental income. All of these housing needs still exist today on SSI and could be met, at least in part, with legal ADUs.

ADUs are a unique housing solution because they are funded, built, and managed by individual property owners, usually home owners who reside on the same property. The property owner is motivated by a beneficial exchange, such as generating income to help pay their mortgage or housing extended family or community members. For others, the motivation is being able to grow old on their property (“age in place”) by moving into the smaller dwelling and renting out the larger house, or by housing an on-site caregiver in the ADU. [30,39,42,44,51,52]

There are many other benefits of ADUs:

- Allow private property owners to participate in addressing the housing crisis with islanders helping islanders; no new land or government funding is required.
- Maintain the existing character of the neighbourhood while gradually increasing density, and reduce sprawl by making use of already developed residential land, infrastructure, and services.
- Require fewer resources to build and maintain than larger detached homes, and are easier to finance and less expensive to build than multi-unit housing like townhomes and apartments.



Part of the Solution

Cabins and small clustered homes have a long history of being used to affordably house working class residents and their families. Many rural and resource towns relied entirely on this type of housing for their workforce. Although Salt Spring Island shares this history, most of the island’s cabins are no longer legally available for year-round occupancy while short-term rentals and seasonal occupancy is widely allowed.

- Respond to decreasing household size and increasing demand for small dwellings; smaller dwellings tend to rent for less than larger dwellings.
- Allow empty nesters and those with inadequate incomes who have large homes to trade surplus space for income or on-site support that could help them remain in their homes, and provides prospective home owners with income that could help them qualify for a mortgage.
- Support multi-generational and communal living, informal companionship and child care, increased safety, and shared maintenance.

Anecdotal information suggests that illegal ADUs occupied as full-time dwellings are pervasive on Salt Spring Island. [25,27] Everyone seems to know several people who live in illegal ADUs. Those who own or rent illegal ADUs often do so with the knowledge that a bylaw infraction notice could result in a forced eviction. This creates housing insecurity

—a precarious situation that discourages tenants from advocating for their rights as they don’t want to be “found out” and lose their homes.

Long-term rental of most ADUs became illegal through zoning changes several decades ago, while at the same time the development of seasonal cottages and other tourist accommodations continued as an allowed use. Several attempts to reprioritize suites, cottages, and other ADUs for long-term rentals have been made in the past 20 years. [22,40,42] Many policies in the *OCP* support suites and ADUs as long-term rental housing. A secondary suites bylaw was approved in 2013 but was undermined almost entirely by the 2014 NSSWD moratorium that considers new suites or ADUs additional density—equating them with new single-family homes. The most recent effort to legalize ADUs was initiated in 2021 as part of the Salt Spring Local Trust Committee’s Housing Action Program. Proposed Bylaw 530 contemplated permitting ADUs for long-term housing across the island.

Addressing Community Concerns

Many islanders have expressed concerns that legalizing ADUs on Salt Spring Island will contribute to overpopulation, stress freshwater resources, negatively impact the natural environment, create unaffordable rents, and be misused as short-term rentals. While these are legitimate concerns, the experience of other small communities where ADUs are legalized for long-term housing demonstrates there are more benefits than detriments and that concerns can be addressed.

Overpopulation

In BC communities that are comparable to SSI, the uptake of ADUs on properties where they are allowed is under 10 percent. [51] Given the high cost of construction, legalizing ADUs for long-term occupancy is more about creating a path for legalizing existing ADUs and allowing modest unit increases, especially for multi-generational living, than for creating a lot of new housing stock. It is an important home owner-initiated and -funded solution.⁶

Water and Wastewater

The permit process requires that potable water and wastewater are addressed prior to the issuance of a building permit for an ADU. ADUs will only be permitted if an applicant can demonstrate provision of enough potable water and proper wastewater treatment. In addition to this safeguard, data gathered by Salt Spring Island Watershed Protection Alliance shows that we are requiring that substantially more quantity is available on each residential property than is typically being used. [8]

Sensitive Ecosystems

The same setbacks, development permit area guidelines, and provincial and federal regulations that safeguard ecologically sensitive areas—like wetlands, shorelines, and community well capture areas—from potential impacts from single-family homes also apply to ADUs.

⁶ Many communities in BC are actively trying to increase the uptake and development of ADUs by permitting strata conversion for individual ownership. This provides a higher financial return to the property owner, removes the potential deterrent of rental management, and increases entry-level home ownership opportunities.

Affordability of Rental Housing

The rental vacancy rate on SSI has been less than one percent for many years. Scarcity is as much an issue as cost. Rental housing is needed for people of all income levels who cannot afford the \$1,081,286 average price tag for local home ownership.⁷

The cost of renting is also escalating exponentially. The scarcity of rental and entry-level home ownership options on SSI means that landlords can charge ever-higher rents when higher-income earners are competing with lower-income earners for the few available rental units.

While privately owned ADUs can be rented at any rate someone is willing to pay, there are two factors that help to regulate that amount:

1. The compact size of an ADU usually means the market rent will be lower than for a larger home in the same area.
2. The Province regulates rent increases. If a renter began renting an ADU in 2018 for a market price of \$850 per month, the maximum rent they could charge

in 2023 is \$925 if all permitted annual rent increases were realized. [53] This is lower than if the rent had increased at the rate of inflation (resulting in \$1044 per month) [24] or matched the rent escalation documented on SSI (resulting in \$1147 per month) [54] over the same time period. While this is an imperfect affordability control, renters with stable, long-term housing will eventually pay below-market rent, whereas renters who do not have stable housing will confront market pricing every time they move.

Short-Term Rentals

Currently, short-term rentals in ADUs are widely enabled on SSI by zoning regulations while long-term occupancy is not. This needs to be flipped to allow more legal long-term homes for locals. Zoning and business licensing can be used to better regulate short-term rentals (STRs) without preventing long-term occupancy. [55] Best practices from comparable communities should be shared with local government staff, the public, and accommodation operators and be integrated into a local approach to curb nightly rentals and promote housing for islanders.

ACTIONS: Islands Trust

5.1 Provide public education on the impacts and benefits of rental and strata-titled ADUs and best practices for addressing community concerns like proof-of-water availability and unsanctioned short-term rentals.

Facilitate additional community meetings and consultation with First Nations to share information, discuss concerns and solutions, and identify areas of agreement and compromise.

5.2 Integrate recommendations from the Housing Action Program Task Force⁸ into proposed Bylaw 530 or an equivalent ADU bylaw, and renew effort to permit long-term occupancy of ADUs and tourist accommodations in all residential zones.

Consider phasing in the bylaw or limiting the number of ADUs to garner broad community support. Monitor and report annually on ADU uptake.

5.3 Explore creating a density bonus program to conditionally allow through a housing agreement additional ADUs that achieve high ecological or energy standards or that maintain affordability.

5.4 Update zoning regulations to modernize and limit short-term accommodation uses in line with best practices from comparable communities and the 2020 STR Toolkit (*Regulating Short Term Rentals: A Toolkit for Local Canadian Governments*) [55].

This should be done in tandem with a new CRD-led business licensing system for short-term rentals.

⁷ On SSI, to afford the average 2021 sale price for a non-waterfront, single-family home (\$1,081,286), a household requires a gross annual income of \$228,000. [25] This is \$158,500 more than—or over three times—the 2020 median household income of \$69,500. [4]

⁸ Recommendations from August 30, 2022.

ACTIONS: CRD

5.5 Resource a business licensing system for short-term rentals in line with best practices from comparable communities and the 2020 STR Toolkit.

Include early consultation with short-term rental operators and the public. This should be done in tandem with a new Islands Trust-led zoning update to modernize and limit short-term rentals.

5.6 Resource internal capacity for managing private housing agreements for ADUs with affordability controls.

Include early consultation with potential agreement holders and the public to confirm interest, issues, and incentives for uptake.

5.7 Identify funding for capital grants and other incentives for private development of ADUs under housing agreements.

ACTION: Salt Spring Island Watershed Protection Alliance

5.8 Provide recommendations for where ADUs can be best located based on available water supply information.

ACTIONS: NSSWD

5.9 Revise policies to define ADUs, including secondary suites, as an intensification of an existing water service instead of a new hook-up. Include measures to ensure quantity thresholds are not exceeded.

5.10 Remove barriers to legalizing ADUs, including secondary suites, within the NSSWD.

5.11 Explore innovative policies and practices for encouraging water conservation, developing alternative sources of non-potable water, and restricting treated domestic water for interior uses only.

Essential Partners:

Capital Regional District

Islands Trust

North Salt Spring Waterworks District

Residents and property owners

Salt Spring Island Watershed Protection Alliance

Summary of Strategies

Strategy 1: Coordinated and Properly Resourced Local Approach to Housing

Actions	Initiator
1.1 Establish and resource a local housing entity.	CRD
1.2 Expand the scope of the CRD's proposed Rural Housing Program for the Southern Gulf Islands to include SSI.	CRD
1.3 Develop an implementation-focused SSI housing strategy.	CRD
1.4 Hire or identify an experienced housing planner to overview housing work and coordinate with the CRD and other partners.	Islands Trust

Strategy 2: Effective Public Education, Engagement, and Dialogue on Housing

Actions	Initiator
2.1 Educate elected officials and staff on public education and engagement best practices and current methods.	Islands Trust, CRD, NSSWD
2.2 Develop and resource a Public Education and Engagement Policy.	Islands Trust, CRD, NSSWD

Strategy 3: Preservation of Rural Areas and Nature Space through Clustered Housing

Actions	Initiator
3.1 Create a public education and engagement program about the benefits of compact development.	Islands Trust
3.2 Update the <i>OCP</i> and <i>Land Use Bylaw</i> to enable and incentivize more compact, clustered development, increase contiguous land protection in rural areas, and cap detached housing size.	Islands Trust
3.3 Engage with appropriate partners to establish a coordinated approach for covenants for housing affordability and land protection.	Islands Trust
3.4 Create agency capacity to negotiate and administer housing agreements.	CRD
3.5 Update priorities and policies for acquiring new local and regional parks to be ready for opportunities that may become available through conservation communities and to clarify how to use or transfer densities from CRD-owned properties.	CRD
3.6 Allocate resources from the Regional Housing Trust Fund to support the development of rural-scale, covenant-restricted affordable housing.	CRD
3.7 Make water supply research and mapping publicly available and provide clear direction on where density can best be accommodated by water resources.	Islands Trust and NSSWD
3.8 Proactively share research on actual domestic water use and non-revenue water use (system leaks) with the public.	Islands Trust and NSSWD
3.9 Provide sustained advocate to the Province to lower proof-of-water requirements to reflect actual usage and provide support for more housing.	Islands Trust and NSSWD
3.10 Create agency capacity and external partnerships to participate in design and implementation of homeplate zoning and conservation community regulations.	Conservancies, Land Trusts, and Interested Organizations

Strategy 4: Readyng Ganges Village for More Housing

Actions	Initiator
4.1 Proactively and respectfully engage with local First Nations to explore how to work better together.	Islands Trust and CRD
4.2 Actively pursue alternatives to the water moratorium for community housing in Ganges Villages and for non-market housing and ADUs district-wide.	NSSWD
4.3 Allocate resources for better leak monitoring, resolution, and reporting to significantly reduce system leaks and increase public confidence in system management.	NSSWD
4.4 Hold a joint public meeting to share the findings of the 2020 Water Service Optimization Study and outline the process ahead.	NSSWD and CRD
4.5 Coordinate to revise and adopt proof-of-water requirements and system capacity assumptions based on actual use and prioritize water services for compact and non-market housing in and near Ganges Village.	NSSWD and Islands Trust
4.6 Create and implement a regional interagency strategy for sustained advocacy to revise requirements and standards for alternative water supply and conservation practices.	NSSWD, CRD, and Islands Trust
4.7 Prioritize remaining sewer service capacity for non-market housing, ADUs, and multi-unit community housing in and near Ganges Village.	CRD
4.8 Expand the processing capacity of the Ganges Wastewater Treatment Plant and associated infrastructure, and develop infrastructure for repurposing treated grey-water for non-potable uses in Ganges Village.	CRD
4.9 Map and plan for projected sea level rise in Ganges Village and alternative development areas for future village growth.	Islands Trust, CRD, and Transition Salt Spring
4.10 Coordinate planning and prioritize infrastructure investments to support residential development in future village growth areas located outside the projected sea-level rise zone.	Islands Trust, CRD, and MOTI
4.11 Catalogue all ALR properties in Ganges Village.	Islands Trust
4.12 Engage the Agricultural Land Commission in developing an approach for removing all or most ALR in Ganges Village from the reserve.	Islands Trust
4.13 Establish a comprehensive and innovative interagency planning process for Ganges Village.	Islands Trust

Strategy 5: Accessory Dwellings for Housing, in the Right Places

Actions	Initiator
5.1 Provide public information and education on the impacts and benefits of ADUs.	Islands Trust
5.2 Integrate recommendations from the Housing Action Program Task Force in the proposed Bylaw 530 for ADUs or equivalent, and renew effort to permit long-term occupancy of ADUs and tourist accommodations in all residential zones.	Islands Trust
5.3 Explore creating a density bonus program to conditionally allow through a housing agreement additional ADUs that achieve high ecological or energy standards or that maintain affordability.	Islands Trust
5.4 Update zoning regulations to modernize and limit short-term accommodation uses.	Islands Trust
5.5 Resource a business licensing system for short-term rentals in line with best practices.	CRD
5.6 Resource internal capacity for managing private housing agreements for ADUs with affordability controls.	CRD
5.7 Identify funding for capital grants and other incentives for private development of ADUs under housing agreements.	CRD
5.8 Provide recommendations for where ADUs can be best located based on available water supply information.	SSIWPA
5.9 Revise policies to define ADUs as an intensification of an existing water service instead of a new hook-up.	NSSWD
5.10 Remove barriers to legalizing ADUs within the NSSWD.	NSSWD
5.11 Explore innovative policies and practices for encouraging water conservation, developing alternative sources of non-potable water, and restricting treated domestic water for interior uses only.	NSSWD



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