Islands Trust Conservancy
Regular Meeting Agenda

Date: Tuesday, October 6, 2020

Time: 10:00 am

Location: Electronic Zoom Meeting

Pages

Islands Trust Conservancy

DRAFT Minutes of Regular Meeting

Date: Tuesday, July 14, 2020
Time: 10:04 am
Location: Electronic Zoom Meeting

Board Members Present:
Kate-Louise Stamford, Chair
Sue Ellen Fast, Vice Chair
Linda Adams
Donald Clarke
Doug Fenton (joined the meeting at 10:08 am)
Susan Hannon

Staff Present:
Kate Emmings, Islands Trust Conservancy (ITC) Acting Manager
Carla Funk, Acting Communications and Fundraising Specialist
Jemma Green, Covenant Management and Outreach Specialist
Kathryn Martell, Acting Ecosystems Protection Specialist
Dilani Hippola, Acting Senior Policy Advisor (joined the meeting at 11:20 am)
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Alexandra Trifonidis, Recorder

1. CALL TO ORDER

Chair Stamford called the meeting to order at 10:04 am and acknowledged that the meeting was being held in Coast Salish First Nations territory.

2. APPROVAL OF AGENDA

By general consent, the Islands Trust Conservancy Board approved the agenda as presented.

3. MINUTES/COORDINATION

3.1 Minutes of Meetings/Resolutions without Meetings

3.1.1 Approval of May 26, 2020 Meeting Minutes

By general consent, the Islands Trust Conservancy Board meeting minutes of May 26, 2020 were adopted.

3.2 Follow-up Action List

The Islands Trust Conservancy Acting Manager provided an update on the items in the Follow-up Action List.

4. BUSINESS

4.1 Items for Approval

4.1.1 Winter Wren Management Plan

ITC Covenant Management and Outreach Specialist presented the first update of the Winter Wren Management Plan. This management plan is for a nature reserve owned and managed by the Denman Conservancy Association and covenanted by the ITC. Of concern the management plan has no mention of climate change or First Nations.

Discussion ensued on the following:

- Invasive species (Reed canary grass)
- Sharing information with other local conservancies
- A need to address First Nations engagement and reconciliation within the management plan

ITC-2020-016
It was MOVED and SECONDED,
that the Islands Trust Conservancy Board approve the Denman Conservancy Association's update of the Management Plan for Winter Wren Wood dated April 18, 2020 and that the board recommend that the Denman Conservancy seek assistance from ITC staff or First Nations such that the property management becomes inclusive of climate change and reconciliation.

By general consent, the Islands Trust Conservancy Board paused discussion on this motion and continued on with the agenda to return at a later time.

The question on the motion was then called,

CARRIED

4.1.2 Earl Batista Covenant

ITC Acting Ecosystems Protection Specialist presented the Earl Batista Covenant application noting the small parcel size is unusual for a typical application that ITC would accept however this parcel is adjacent to Mt. Erskine Nature Reserve which is owned by ITC.

Discussion ensued on the following:

- Logistics of accepting a small covenant (it would provide a buffer to a nature reserve that we already hold and manage, therefor would have minimal additional monitoring costs)
- Risk factor of legal costs – fairly low
- Type of application (development), rent charges

ITC-2020-017
It was MOVED and SECONDED,
that the Islands Trust Conservancy Board authorizes the Chair to sign a covenant with Manuel and Cynthia Batista, over the Land described as

PID 009-595-694, Section 3, Range 2 West, North Salt Spring Island, Cowichan District, Except part in Plan 3955, subject to confirmation of the removal of any vehicles or garbage inside the Covenant Area near the eastern boundary.

CARRIED

4.1.3 Sandy Beach Transfer Agreement

ITC Acting Manager provided a lengthy background on the multi-year project that is known as Sandy Beach. Staff have devoted a significant amount of time to this application and will need to continue to do so in the near future. Acknowledgment of the possibility that this could be the ITC's 30th nature reserve completed in the 30th year of the ITC would be a significant milestone. First Nations, including the Squamish Nation will be contacted regarding land management. Certain aspects of the transfer agreement need to be addressed before the covenant can be registered such as the modification to trails that need to be reflected in the baseline report. Time was spent on explaining the zoning of the parcel of land and the number of charges on the land title. Staff have been in talks with BC Hydro to take off the charges but there will be additional costs associated with that (approximately $6200).

Discussion ensued on the following:

- District 696 (Sandy Beach) as it's called by locals, started in the 1970's and is the oldest open rezoning application in the Islands Trust; largest public facility in the Islands trust on one of the smaller islands; 110 small lots being proposed
- Sandy Beach is very important to islanders in addition to preserving Salmon Rock
- Risks of BC Hydro Rights of Way
- Timeline – applicant hopes for completion of application by end of July 2020
- First Nations (Squamish) and other Nations engagement if/when it moves forward
- Tax payer interests – beneficial to protect and preserve the land and to finalize the long application

ITC-2020-018
It was MOVED and SECONDED,
that the Islands Trust Conservancy Board direct the Chair to sign the Transfer Agreement, between the Convention of Baptist Churches of British Columbia and the Islands Trust Conservancy, dated July 14, 2020, for the land identified as Lot 1 on Subdivision Plan EPP89532 and that the Islands Trust Conservancy Board direct staff to bring recommendations to the Board regarding the use of the $12,000 contribution from the Convention of Baptist Churches.

CARRIED
Trustee Clarke Opposed

4.1.4 2020 Land Monitoring Plan

ITC Covenant Management and Outreach Specialist gave a brief overview of the adjustments to the 2020 annual monitoring program due to the COVID-19 pandemic.

ITC-2020-019
It was MOVED and SECONDED,
that the Islands Trust Conservancy Board endorse the proposed adjustments to the 2020 annual monitoring program for nature reserves and conservation covenants due to the COVID-19 pandemic.

CARRIED

Dilani Hippola, Acting Islands Trust Senior Policy Advisor, joined the meeting at 11:20 am.

4.2 Items for Discussion/Direction

4.2.1 Climate Change Working Group Update

Islands Trust Acting Senior Policy Advisor presented a brief overview of the Climate Action Plan (CAP) currently in development by the Climate Policy Working Group (CPWG). The CPWG supports joint collaboration and communication between Trust Area Services, Local Planning Services and ITC for incorporating climate change into policy guidance. Resources will be used from both Trust Area Services and Islands Trust Conservancy.

4.2.2 ITC\EC Liaison Meeting Agenda

Islands Trust Conservancy Board members reviewed the ITC\Executive Committee liaison meeting agenda. Of note, the Executive Committee requested two additions to the agenda: Provincial Funding Request and Ecosystems Based Management Request.

4.3 Correspondence

4.3.1 Islands Trust Support Letter for the CDFCP

The Islands Trust Conservancy Board received the letter for information.

4.4 Updates for Information

4.4.1 Executive Committee Updates - None.

4.4.2 Public Acquisitions Report

The Islands Trust Conservancy Board reviewed the Public Acquisitions Report for information. ITC Acting Manager informed the Board that the Crystal Mountain rezoning application was recently brought before the Galiano Island Local Trust Committee and that possible movement on that application file might be coming soon.

4.4.3 Public Covenants Report

The Islands Trust Conservancy Board reviewed the Public Covenants Report for information. ITC Acting Manager brought to the Board's attention that another NAPTEP application will be coming to the Board at the next meeting.

ITC-2020-020
It was MOVED and SECONDED,
that the Islands Trust Conservancy Board direct staff to prepare a histogram showing the size of Island Trust Conservancy nature reserves and covenants and that the two be plotted separately.

CARRIED

4.4.4 Regional Conservation Plan Progress Report

The Islands Trust Conservancy Board reviewed the Regional Conservation Plan Progress Report for information.

4.4.5 Budget Report

The Islands Trust Conservancy Board reviewed the Budget Report for information.

5. NEW BUSINESS

There was no new business.

6. NEXT MEETING

The next meeting will take place on October 6th at 10:00 am.

7. CLOSED MEETING

ITC-2020-021
It was MOVED and SECONDED,
that the meeting be closed to the public pursuant 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 board if they were held in public; and that Kate Emmings, Kathryn Martell, Jemma Green, Carla Funk, Alexandra Trifonidis and Lisa Wilcox be invited to remain in the meeting.

CARRIED

The Islands Trust Conservancy Board convened the closed portion of the meeting at 11:52 am and resumed in open meeting at 12:31 pm.

There were no items to rise and report on.

8. ADJOURNMENT

By general consent, the meeting adjourned at 12:32 pm.

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Kate-Louise Stamford, Chair

Certified Correct:

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Alexandra Trifonidis, Recorder

Islands Trust Conservancy - Executive Committee

Liaison Meeting

DRAFT Minutes of Regular Meeting

Date:	**Tuesday, July 14, 2020**
Time:	**1:05 pm**
Location:	**Electronic Zoom Meeting**
Islands Trust Conservancy (ITC) Board Members Present:	**Kate-Louise Stamford, Chair** **Sue Ellen Fast, Vice Chair and EC Member** **Linda Adams** **Donald Clarke (left the meeting at 2:01 pm)** **Doug Fenton** **Susan Hannon**
Executive Committee (EC) Members Present:	**Peter Luckham, Chair** **Laura Patrick** **Dan Rogers**
Staff Present:	**Kate Emmings, ITC Acting Manager** **Russ Hotsenpiller, Chief Administrative Officer** **Clare Frater, Director, Trust Area Services** **David Marlor, Director, Local Planning Services** **Carla Funk, ITC Acting Communication and Fundraising Specialist** **Dilani Hippola, Acting Senior Policy Advisor (left the meeting at 2:45 pm)** **Kathryn Martell, ITC Acting Ecosystems Protection Specialist** **Alexandra Trifonidis, Acting Administrative Assistant**

1. CALL TO ORDER

The meeting was called to order at 1:05 pm. 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 Executive Committee guests and initiated introductions. Trustee Clarke introduced himself as a new member of the ITC Board. Trustee Hannon introduced herself as an appointed Trustee to the ITC Board.

The Executive Committee warmly welcomed the new ITC Board members and individually introduced themselves.

Staff were introduced as meeting attendees.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

2.1 Agenda Context Notes

The Agenda Context Notes were received for information.

3. MINUTES/COORDINATION

3.1 Review of the July 16, 2019 Meeting Minutes

The Islands Trust Conservancy Board received the July 16, 2019 meeting minutes for information.

4. BUSINESS

4.1 Items for Information

4.1.1 Introductions:

- Islands Trust Conservancy (ITC)

  See item 1.1

- Executive Committee (EC)

  See item 1.1

- Review of ITC\EC roles

  ITC Acting Manager gave a brief overview about the logistics of the EC\ITC liaison meeting and their structures.

4.2 Items for Discussion/Direction

4.2.1 Working with the Province

- Trust Council Strategic Plan Item

  ITC Acting Manager gave a background overview of the NAPTEP program. In September 2019, the ITC Board requested that Trust Council increase the property tax exemption rate for NAPTEP. Trust Council included amendment of the exemption rate in its strategic plan as a means of protecting forest cover.

  Islands Trust Chief Administrative Officer updated the group that there has been very little conversation about this item between senior management and the Executive Committee, noting that the COVID-19 pandemic has delayed this item from moving forward.

  Discussion ensued on the following:

  ➢ Amending NAPTEP legislation to be compliant with UNDRIP (apple orchards, colonial history are optional cultural areas for protection, but

First Nations cultural sites are not eligible – with the exception of culturally modified trees)

➢ Target goal of 100% tax exemption

- Provincial Funding Request

  Islands Trust Chief Administrative Officer update – this item is delayed due to COVID-19. Specific strategies will be developed soon. The conversation with ministry staff will be initiated.

4.2.2 <u>Working with Trust Council</u>

- COVID-19 Updates (verbal)

  ITC has modified its annual property monitoring due to COVID 19 and the newly developed *Islands Trust Recovery and Safety Plan for COVID-19*. No ITC Nature Reserves were closed due to COVID. Assisted by its island partners, ITC was able to monitor the safety of visitors to lands that it manages.

  The ITC is following the *Islands Trust Recovery and Safety Plan for COVID-19* for all its work, including monitoring and site visits on islands.

- Strategic Planned Giving

  ITC fund development planning started in the 1990's. One approach to fund development that ITC is pursuing is Strategic Planned Giving. The Acting Communications and Fundraising Specialist described the ITC's approach to planned giving noting building relationships is key which has been hard due to social distancing.

  Trust Council Chair Luckham spoke about community and conservation aspects of living on the islands. Community centers and other island initiatives also need funding. Giving is significant on islands in different ways. Raising the profile of ITC is needed.

  Discussion ensued on the following:

  ➢ How can we expand the strategic planned giving more broadly? For example, beyond island residents and landowners to groups such as island visitors.
  ➢ The ability to have a planned giving program that is not in competition with island conservancies; ways of developing mutual supports.

- Climate Change Emergency Declaration

  1. FireSmart and Ecology / Fire Risk Management
  2. Climate Change Projections Report
  3. Climate Action Plan

  The ITC Acting Manager spoke to the context notes provided.

Discussion ensued on the following:

- Scientific reports within the Trust Area – Of note, there are different reports for climate change within certain areas of the Trust but not one covered the whole of the Trust Area which is why ITC commissioned the CCPR.
- Bringing awareness about the CCPR – There is value in bringing the CCPR to Local Trust Committees (LTC) as useful information for locals (for example, farmers could possibly benefit from the information providing how projected growing days could change into the future)

* Referrals and communication

1. Between TC and ITC
2. Between Committees and ITC

Discussion ensued on the following:

- Overall communications between Islands Trust and ITC have been streamlined over the last few years. There are still possibilities for bringing more items to the attention of the ITC.
- Land use planning – planned preservation. Reconsider how things are done. What mechanisms do we have in place now and should there be new ones added? Major shift in thinking.
- ITC's response to LTC referrals – How does ITC respond? What is the capacity of the ITC to respond to these referrals? There are set procedures on how ITC responds to LTC referrals outlined in IT and ITC policy. ITC is typically brought in on Official Community Plan reviews.
- More ITC resources will be needed if an increase in referrals is considered
- Ecological awareness
- LTC's supportive to preserve and protect mechanism
- Co-management with First Nations in the Trust Area

* Budget:

1. Fire Risk Assessment
2. Property Management Formula

Discussion ensued on the following:

- ITC is currently working on new budget formula for property management.
- ITC is exploring a possible budget request for Fire Risk Assessment on ITC lands; alternatives for partnerships with external agencies are also being explored to keep costs low.
- ITC revenue reporting –Highlight the donation side of the Conservancies revenue rather than just expenditures in Islands Trust budget reporting.

- Canada Nature Fund (verbal)

  The ITC Acting Manager gave an update on the status of the Canada Nature Fund request, submitted by ITC, stating the request for funding is still active but no news has been received.

- Regional Conservation Plan Update

  The ITC Acting Manager gave an update on the ITC Regional Conservation Plan noting that the first three-year work plan will come to an end in December 2020. The RCP is a 10-year plan broken down into three, three year increments, with a final year for assessment and planning of the next RCP. The plan is designed this way so staff are able to adjust work items if needed.

- Ecosystem Based Management

  1. Ecological Research Network (ERN)

     Dr. Hannon, a member of the ERN, provided insight into who is involved, why it was created and what the network does. The ERN is a Salt Spring based group comprised of many talented islanders with a broad range of expertise in the field. The group is volunteer run and provides information such as environmental reports, brings forward climate change awareness, and has access to cutting edge information and research.

     Discussion ensued on ecosystem-based management and the Ecological Research Network. The following topics arose:

     - Do we need to do things differently?
     - Review of how land planning is done
     - Next meeting - discuss ecology of gulf islands (fire)
     - Should the ERN be available to all of the Trust Area?
     - Ways to manage properly/co manage/be responsive in a timely manner

4.2.3 <u>Working with Local Trust Committees</u>

- LPS\ITC policy
- CDF Tool Kit

The ITC Acting Manager shared that ITC has processed 6 referrals from Local Trust Committees in the last year. See agenda item *Referrals and Communication* for more detailed discussion points on referral communications between ITC and LTC's.

4.2.4 <u>Working with First Nations</u>

- Reconciliation Declaration and Action Plan

- Crown Land Policy

Staff noted that reconciliation action is outlined for the Trust Council in the Reconciliation Action Plan and the ITC is contemplating development of its own Reconciliation Action Plan. ITC's current reconciliation actions are described in its Regional Conservation Plan and through associated staff work programs. The ITC staff have recently participated in two retreats with the Island Trusts Senior Intergovernmental Policy Advisor to educate and reflect on how ITC can include reconciliation into ITC work.

Staff continue to have a work item to review Trust Council Procedure 2.1.12, Administration of the Crown Land Acquisition Initiative to better reflect engagement with First Nations. The program is a Trust Council Program that is administered in collaboration with the ITC. ITC continues to receive interest from the islands to move forward with Crown land acquisition, but has currently paused actions while awaiting procedure review.

4.2.5 Working with the Public

- Website (verbal)

  The Director of Trust Area Services updated the meeting attendees on the progress of the website. The new website will be merging three existing sites: MapIT, ITC and IT. The design work is done. Training sessions have been provided to staff; however, more training will be needed in the future to better equip staff on how to use the new software to its full potential. Prior to the launch of the site, a user testing experience will be offered to multiple groups that are known to use the site often: trustees, real estate professionals and landowners to name a few.

5. NEXT MEETING

To be determined in late 2020; in Victoria.

Of note, there was mention of the possible need for ITC and EC to meet more often. Specific items on today's agenda will likely need to be addressed before the next annual liaison meeting.

6. ADJOURNMENT

By **general consent**, the meeting was adjourned at 2:56 pm.

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Kate-Louise Stamford, Chair

Certified Correct:

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Recorder

Print Date: September 16, 2020

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 regarding vegetation removal, while maintaining conservation as a priority.	Jemma Green Kate Emmings	Target: 31-Dec-2020	In Progress

31-Mar-2015

Activity	Responsibility	Dates	Status
1 Staff to prepare possible revisions to the Trust Council Procedure 2.1.xxi Administration of the Crown Land Acquisition Initiative.	Clare Frater Kate Emmings	Target: 21-Mar-2019	In Progress

27-Nov-2018

Activity	Responsibility	Dates	Status
1 Staff to continue to pursue the following options and report back to the ITC board regarding their status at future board meetings until they are complete: ... 3. Integrate reminders into planning processes that provide opportunities for the RCP to inform the work of the LTCs and BIM such as integration of RCP consideration into LTC Staff Report and Site Context Report templates and investigate with BIM to see if they can be integrated into BIM templates...	David Marlor Kate Emmings	Target: 15-Nov-2019	In Progress

ISLANDS TRUST CONSERVANCY

Follow Up Action Report

Trust Conservancy Board

27-Nov-2018

Activity	Responsibility	Dates	Status
2 Staff to continue to pursue the following options and report back to the ITC board regarding their status at future board meetings until they are complete: ... 4. Coordinate with Islands Trust Council to ensure that RCP goals are recognized in the Islands Trust Policy Statement and the Islands Trust Strategic Plan; ...	Clare Frater Kate Emmings	Target: 18-Dec-2020	In Progress

29-Jan-2019

Activity	Responsibility	Dates	Status
1 Staff to work with the Comox Valley Regional District and the Denman Conservancy Association on the location and design of the Lindsay Dickson Nature Reserve portion of the Denman Cross-island Trail and return to the Board for approval of the trail location and design prior to dedicating resources to developing the associated legal agreements.	Nuala Murphy	Target: 31-Dec-2020	In Progress

01-Oct-2019

Activity	Responsibility	Dates	Status
1 Staff to review the Islands Trust Reconciliation Action Plan and provide feedback to the Board prior to the ITC Board / Executive Committee Liaison Meeting for possible discussion at the 2020 Liaison Meeting.	Kate Emmings Lisa Wilcox	Target: 30-Jun-2020	In Progress

ISLANDS TRUST CONSERVANCY

Print Date: September 16, 2020

Follow Up Action Report

Trust Conservancy Board

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, Lot 20, Section 23, Pender Island, Cowichan District, Plan 23051 PID 003-201-937; and, b) allow for maintenance of the septic field in the Woodwinds NAPTEP Covenant, Lot 20, Section 23, Pender Island, Cowichan District, Plan 23051 PID 003-201-937; 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: 30-Jun-2020	In Progress

13-Feb-2020

Activity	Responsibility	Dates	Status
1 Staff to create an action plan that addresses the recommendations in the Fund Development Strategy for Islands Trust Conservancy Board review by the end of 2020.	Carla Funk Kate Emmings	Target: 31-Dec-2020	In Progress

26-May-2020

Activity	Responsibility	Dates	Status

Follow Up Action Report

Trust Conservancy Board

26-May-2020

Activity	Responsibility	Dates	Status
1 Staff to prepare a budget request for the 2021-2022 fiscal year for a report with options and recommendations for managing wildfire risks on ITC conservation properties.	Kate Emmings Nuala Murphy	Target: 14-Sep-2020	In Progress
2 Staff to complete the approved actions regarding the Morrison Waxler Biodiversity Protection Legacy Fund and to return to the ITC Board for approval. *See IC minutes of May 26, 2020 meeting.	Kate Emmings	Target: 14-Sep-2020	In Progress
3 Determine and develop access for Fairyslipper Forest Nature Reserve. *See IC minutes of May 26, 2020 meeting.	Kathryn Martell Nuala Murphy	Target: 30-Oct-2020	In Progress
4 Staff to bring further revisions of the vision statement to the Board at a future meeting for consideration concurrently with the mission statement.	Carla Funk Kate Emmings	Target: 14-Sep-2020	Completed

14-Jul-2020

Activity	Responsibility	Dates	Status
1 The ITC Board recommends that the Denman Conservancy seek assistance from ITC staff or First Nations such that the property management, with regards to the Winter Wren Wood, becomes inclusive of climate change and reconciliation.	Jemma Green	Target: 31-Aug-2020	Completed

ISLANDS TRUST CONSERVANCY

Follow Up Action Report

Trust Conservancy Board

14-Jul-2020

	Activity	Responsibility	Dates	Status
2	The Islands Trust Conservancy Board authorizes the Chair to sign a covenant with Manuel and Cynthia Batista, over the Land described as PID 009-595-694, Section 3, Range 2 West, North Salt Spring Island, Cowichan District, Except part in Plan 3955, subject to confirmation of the removal of any vehicles or garbage inside the Covenant Area near the eastern boundary.	Kathryn Martell	Target: 31-Dec-2020	In Progress
3	The Islands Trust Conservancy Board direct the Chair to sign the Transfer Agreement, between the Convention of Baptist Churches of British Columbia and the Islands Trust Conservancy, dated July 14, 2020, for the land identified as Lot 1 on Subdivision Plan EPP89532 and that the Islands Trust Conservancy Board direct staff to bring recommendations to the Board regarding the use of the $12,000 contribution from the Convention of Baptist Churches.	Kate Emmings	Target: 18-Aug-2020	In Progress
4	The Islands Trust Conservancy Board endorse the proposed adjustments to the 2020 annual monitoring program for nature reserves and conservation covenants due to the COVID-19 pandemic.	Jemma Green Nuala Murphy	Target: 06-Oct-2020	Completed
5	Staff to prepare a histogram showing the size of Island Trust Conservancy nature reserves and covenants and that the two be plotted separately.	Carla Funk Kathryn Martell	Target: 06-Oct-2020	Completed

Follow Up Action Report

Trust Conservancy Board

14-Jul-2020

	Activity	Responsibility	Dates	Status
6	Staff to draft a Fundraising and Acquisition Agreement for review and approval by the ITC Board. *See IC meeting minutes of July 14 for more information.	Kate Emmings	Target: 06-Oct-2020	In Progress
7	Staff to draft a Transfer Agreement for Board review. *See IC meeting minutes of July 14,2020 for more information.	Kate Emmings Kathryn Martell	Target: 06-Oct-2020	In Progress

REQUEST FOR DECISION

To:	ITC Board	**For the Meeting of:**	October 6, 2020
From:	Staff	**Date Prepared:**	September 29, 2020

SUBJECT: Sandy Beach Financial Contribution

RECOMMENDATION: That the Islands Trust Conservancy (ITC) Board direct staff to:

1) use $10,000 of the contribution provided as part of the Sandy Beach Nature Reserve transfer to create a Property Management Fund with the purpose of providing for long term management of ITC Nature Reserves;
2) use the remaining $2,000 of the contribution provided as part of the Sandy Beach Nature Reserve transfer to revise and finalize the conservation covenant and baseline report for the Sandy Beach Nature Reserve; and,
3) direct any remaining funds to the newly created Property Management Fund.

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1 **PURPOSE:** To direct staff regarding the use of the $12,000 Contribution from the Sandy Beach land transfer.

2 **BACKGROUND:** Under current policy, the ITC Board may require financial contributions from applicants that submit Conservation Proposals associated with development applications. The ITC Board required a contribution of $10,000 from the Convention of Baptist Churches for their Keats Island, Sandy Beach Nature Reserve Conservation Proposal. This amount was increased to $12,000 to offset additional costs associated with the required conservation covenant.

The ITC has signed an agreement for the Sandy Beach Nature Reserve land transfer. As part of the agreement, the ITC will receive a financial contribution of $12,000. Under the transfer agreement, the contribution must be used, “in accordance with ITC policy which may include the costs of land management on lands held by the ITC.”

At its July 2020 meeting the ITC Board passed the following resolution:

ITC-2020-018
It was MOVED and SECONDED, that the Islands Trust Conservancy Board direct the Chair to sign the Transfer Agreement, between the Convention of Baptist Churches of British Columbia and the Islands Trust Conservancy, dated July 14, 2020, for the land identified as Lot 1 on Subdivision Plan EPP89532; and,
that the Islands Trust Conservancy Board direct staff to bring recommendations to the Board regarding the use of the $12,000 contribution from the Convention of Baptist Churches.

Staff have reviewed ITC Policy and are recommending the contribution be used to create a Property Management Fund. Funds created by the ITC are subject to fund guidelines. Should the ITC Board direct staff to create a Property Management Fund, staff will propose draft guidelines for approval by the board at a later meeting.

3 **IMPLICATIONS OF RECOMMENDATION**

ORGANIZATIONAL: Guidelines will be developed by the Communications and Fundraising Specialist in consultation with the ITC Manager. Due to work, staff will likely delay work on these guidelines until the Fund Development Action Plan is complete. In the meantime, staff will set up separate tracking for the $10,000 contribution, possible through a separate account.

FINANCIAL: Establishing a Property Management Fund will help to mitigate budget shortfalls and address property management needs that may be in excess of regular ITC Budget items.

POLICY: The creation of a Property Management Fund will require the creation of Fund Guidelines. The ITC does not have any policy regarding acceptance and use of financial contributions through development proposals. The ITC may wish to develop policy to assist future boards with acceptance of these contributions.

IMPLEMENTATION/COMMUNICATIONS: Staff will set up financial tracking for the Property Management Fund and begin drafting the associated guidelines.

FIRST NATIONS: Engagement and working with First Nations is part of managing lands. The Property Management Fund will be available to fund cultural knowledge holders, First Nations engagement processes and archaeological work.

CLIMATE CHANGE: Funding provided through a Property Management Fund will help the ITC to manage lands for carbon storage and sequestration as well as to mitigate impacts of climate change on lands management by the ITC.

4 **RELEVANT POLICY(S):**
2.2 Assessing Conservation Proposals
2.3 – Acquisition and Management of Land

5 **ATTACHMENT(S):** None.

RESPONSE OPTIONS

Recommendation: That the Islands Trust Conservancy (ITC) Board direct staff to:

1) use $10,000 of the contribution provided as part of the Sandy Beach Nature Reserve transfer to create a Property Management Fund with the purpose of providing for long term management of ITC Nature Reserves;
2) use the remaining $2,000 of the contribution provided as part of the Sandy Beach Nature Reserve transfer to revise and finalize the conservation covenant and baseline report for the Sandy Beach Nature Reserve; and,
3) direct any remaining funds to the newly created Property Management Fund.

Alternative:

1) That the Islands Trust Conservancy (ITC) Board direct staff to use the full $12,000 of the contribution provided as part of the Sandy Beach Nature Reserve transfer to create a Property Management Fund with the purpose of providing for long term management of ITC Nature Reserves; or,
2) That the Islands Trust Conservancy (ITC) Board direct staff to use the full $12,000 of the contribution provided as part of the Sandy Beach Nature Reserve transfer to create a Management Plan and to complete the conservation covenant for the Sandy Beach Nature Reserve.

Prepared By: Kate Emmings, A/Manager, Islands Trust Conservancy

REQUEST FOR DECISION

To:	ITC Board	**For the Meeting of:**	October 6, 2020
From:	Staff	**Date Prepared:**	September 28, 2020

SUBJECT: Species at Risk Program

RECOMMENDATION: that the Islands Trust Conservancy Board direct staff to sign a contribution agreement for $597,000 with Environment and Climate Change Canada for a Species at Risk Program that will last until March 31, 2023 and will include the following work:

- Conduct surveys and monitoring
- Restore critical habitat
- Provide outreach materials and events
- Assist with costs associated with land securement
- Engage and work with First Nations

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1 **PURPOSE:** To expand the work of the ITC to include a Species at Risk Program that is partially funding by Environment and Climate Change Canada (ECCC).

2 **BACKGROUND:**

At the June 2017 meeting of the Islands Trust Council, Environment and Climate Change Canada (ECCC) and Islands Trust staff presented information on the *Species at Risk Act* (SARA) and local government/local trust committee/island municipality responsibilities in the Islands Trust Area. ECCC Staff described federal government responsibilities on private and public lands under SARA (attached presentation).

In September 2017, Trust Council passed the following resolution:

TC-2017-029
that Trust Council request that the [Islands Trust Conservancy] Board investigate options for increased use of federal or provincial stewardship agreements for species at risk in the Islands Trust Area.

Trust Council also expressed a desire to inspire a passion for species at risk conservation (June 2017, Trust Council minutes).

Through ensuing discussions with ECCC staff, the Islands Trust Conservancy (ITC) has been awarded $597,000, payable up until March 31, 2023. The ITC Board was informed of the financial contribution in August and received information through an in camera special vote on an urgent matter (resolution without meeting). The ITC Board provided the following information for its rise and report:

ITC-IC-2020-020
that the Islands Trust Conservancy Board rise and report:
a) on the content of the letter dated July 22, 2020 from Environment and Climate Change Canada (ECCC); and
b) that it is in negotiation with ECCC on a Contribution Agreement for an Islands Trust Conservancy Species at Risk Program.

Trust Council was informed about the funding award at its meeting in September. A news release regarding the announcement went out on September 18, 2020 and is available at http://www.islandstrustconservancy.ca/news/news-releases/. The letter from ECCC confirming the funding is attached.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The addition of the SAR Program will increase the work required of ITC staff and will require added resources, including additional staff and contract resources. Staff are proposing that a SAR Program Coordinator position as well as a Summer Co-op position be added to the ITC Team (see ITC Budget Request item). The intent is to defray any added responsibilities for existing staff; however, these added positions will increase the responsibilities of the ITC Manager and the support requirements from Islands Trust Administrative Services.

FINANCIAL: The SAR Program will increase the ITC Budget by $597,000 over the current and next two fiscal years (see ITC Budget Request item). This influx of funding will increase the impact of the ITC and the ability to carry out the goals and objectives of the Regional Conservation Plan. Staff will set up accounting procedures to assist with financial reporting.

Legal review of the Contribution Agreement with ECCC is anticipated to cost $500 to $1,000. Additionally, the Contribution Agreement will require that ITC match the ECCC funding either through in kind contribution or matching dollars at a 1: 1 ratio.

POLICY: None. The SAR Program is consistent with goals and objectives of the Regional Conservation Plan.

IMPLEMENTATION/COMMUNICATIONS: Staff have issued a news release in collaboration with ECCC and have provided background information to Trust Council. Staff will finalize the contribution agreement with ECCC and will initiate the SAR Program.

FIRST NATIONS: No First Nations engagement has occurred for this project to date and the Islands Trust Senior Intergovernmental Policy Advisor has not been consulted at this time. The SAR Program will plan to engage and work with First Nations and the mechanisms for this work will be determined in the preliminary stages of the project.

CLIMATE CHANGE: The contribution agreement with ECCC will result in additional funding for land conservation which will also provide for increased carbon sequestration and storage. Management activities on ITC lands will also contemplate climate change mitigation and adaptation strategies.

OTHER: As part of the SAR Program, staff have begun negotiations with the University of British Columbia, Martin Conservation Decisions Lab, on a Memorandum of Understanding to facilitate data sharing and analysis. This work will likely include Species at Risk data sharing, management, analysis and modelling.

4 **RELEVANT POLICY(S):**
ITC Policy 2.1: Board Approval of Projects and Transactions
ITC Regional Conservation Plan

5 **ATTACHMENT(S):**
Letter from Environment and Climate Change Canada (ECCC), dated July 22, 2020

RESPONSE OPTIONS

Recommendation: that the Islands Trust Conservancy Board direct staff to draft and sign a contribution agreement for $597,000 with Environment and Climate Change Canada for a Species at Risk Program that will last until March 31, 2023 and will include the following work:

- Conduct surveys and monitoring
- Restore critical habitat
- Provide outreach materials and events
- Assist with costs associated with land securement
- Engage and working with First Nations

Alternative: that the Islands Trust Conservancy Board authorize the ITC Manager to negotiate a contribution agreement for $597,000 with Environment and Climate Change Canada for a Species at Risk Program and bring the draft agreement back to the ITC Board for approval by special meeting or at its next available meeting.

Prepared By: Kate Emmings, A/ Manager

Ministre de l'Environnement et
du Changement climatique

Minister of Environment
and Climate Change

Ottawa, Canada K1A 0H3

JUL 2 2 2020

Ms. Kate Emmings
Acting Manager
Islands Trust Conservancy
1627 Fort Street, Suite 200
Victoria BC V8R 1H8

Dear Ms. Emmings:

I am pleased to inform you of the approval of funding for your organization's project "Islands Trust Conservancy Species at Risk Program." This funding has been approved for a total value of up to $597,000, payable up until March 31, 2023.

As Minister of Environment and Climate Change, I seek the highest level of environmental quality in order to enhance the well-being of Canadians. In this regard, one of my priorities is to advance conservation of biodiversity and sustainable development.

Please note that this offer of funding is conditional on the successful negotiation of the project details and the signature of a contribution agreement by your organization and Environment and Climate Change Canada. Departmental officials will contact you to advise on the next steps and to work out the agreement details. If you have any questions about this letter, please contact Ms. Sue Milburn-Hopwood, Assistant Deputy Minister for the Department's Canadian Wildlife Service, at *sue.milburn-hopwood@canada.ca* or 819-938-3908.

Specific administrative information associated with this contribution is enclosed.

I wish you every success in carrying out this important initiative for a healthy environment. Please accept my best regards.

Sincerely,

The Honourable Jonathan Wilkinson, P.C., M.P.

Enclosure

ADMINISTRATIVE INFORMATION RELATED TO AN APPROVED CONTRIBUTION

It is important to note that no payments will be made by Environment and Climate Change Canada (ECCC) prior to the signature of the agreement by both parties. Furthermore, payments may be made only if your organization meets all of the terms and conditions set out in the agreement.

Expenditures made by your organization for the project after the date of this letter and before an agreement is signed may be considered for reimbursement by ECCC. However, only those expenditures described in an agreement will be considered for reimbursement by ECCC.

REQUEST FOR DECISION

To:	ITC Board	**For the Meeting of:**	October 6, 2020
From:	Staff	**Date Prepared:**	September 20, 2020

SUBJECT: 2021/22 ITC Budget Request

RECOMMENDATION: That the Board approve the draft 2021/22 ITC Budget as presented and direct staff to provide it to the Director of Administrative Services and the Director of Trust Area Services for inclusion in the Islands Trust draft 2021/22 budget.

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1 **PURPOSE:** To provide the ITC Board with a proposed 2021/22 budget to assist in making a budget request to Trust Council.

2 **BACKGROUND:**

ITC Policy 1.6 requires that the ITC Manager prepare a proposed ITC budget for ITC Board approval. In general, the budget will see an increase of approximately $200,000 due to an influx of funding from Environment and Climate Change Canada for a new ITC Species at Risk Program. This grant may or may not reduce the amount of required tax requisition for the ITC. Final tax requisition amount will depend on final budget needs, in particular those associated with administrative allocation and final salary/benefit numbers. The proposed budget will include funding for increased capacity, assisting the ITC to better meet the object of the Islands Trust.

The following items have been considered in the proposed ITC budget:

1. The addition of a new Species at Risk Program, including the influx of $205,000 for program costs from Environment and Climate Change Canada. The anticipated use of these funds is detailed in Table 1 below and includes additional staff positions as follows:
    a. A Species at Risk Program Coordinator: approximate cost of $74,993, plus travel and training; and
    b. A Summer Co-op position: approximate cost of $17,343, plus travel.

   Both positions would be temporary positions and subject to available funding.

2. The addition of $5,810 for property management of two new nature reserves and one new conservation covenant, plus an addition of $450 for travel by water taxi to the Sandy Beach Nature Reserve to allow for annual monitoring. Increases to the property management budget are due to additions of ITC conservation land with an average annual maintenance cost of $2,325/nature reserve and $1,160/covenant. The formula used for property management is as follows and will be reevaluated on an annual basis to account for inflation costs:

Average Annual Cost	Nature Reserve	Covenant
Management Plan Renewal	$600	
Recreation Management	$400	
Habitat Restoration	$675	$675
Signage	$65	$65
Species/Ecosystem Inventory and Surveys	$250	$250
First Nations engagement and cultural site management	$335	$170
TOTAL	**$2,325**	**$1,160**

Additional Costs as determined by property:

Cost Item	Description
Travel	Water taxi requirements or added days requiring additional ferry fares or overnight stays.
Special Items	Dependent on special needs of the site. For example, dog waste collection or an increase in recreational management needs for a well-used site.
Special Start Up Costs	ITC works hard to pay for expenses associated with land securement but may in some instances require additional budget for costs anticipated to be in excess of its current budget. For example, the current property management budget anticipates signage and management planning needs for one new nature reserve each year. If the ITC were to take on multiple nature reserves in a given year, it may need to request additional budget.

3. An increase in the ITC legal budget to an amount consistent with prior years. The ITC legal budget was reduced from $15,000 in 2019/20 to $8,000 in 2020/21. At the beginning of the 2020/21 fiscal year, ITC changed legal counsel and legal costs have increased. ITC staff anticipate the legal expenses for the 2020/21 fiscal year will exceed $15,000 and are recommending that the legal budget return to its prior amount and include an additional amount of $3,000 for the Species at Risk Program as noted in item 1 above.

4. The assumption that the CoViD-19 pandemic will not affect staff and board travel and meeting expenses. As the final budget approval gets closer, the ITC Manager, in collaboration with the Director of Administrative Services, will reassess the status of the pandemic and its effect on ITC budgets. The ITC Board may wish to discuss its wishes with respect to continued use of electronic meetings as a means of keeping costs lower.

Table 1. Proposed 2021/22 ITC Budget. Final numbers may alter, particularly as salaries/ benefits are finalized and administrative allocations are calculated.

Fiscal Year	2021/22		2020/21
Budget Item	**ITC Budget**	**SAR Program funds***	
Salaries and Benefits	570,128	133,257	508,555
Communications	13,000		13,000
Board Honoraria	6,600		6,600
Board Meeting Expense	13,850		13,850
Board Training and Conferences	4,000		4,000
Property Management	102,810	25,000	72,000
Conservation Planning and Land Securement	30,000	15,000	15,000
Ecosystem Mapping	20,000	5,000	15,000
Legal	18,000	3,000	8,000
Mobile Devices	2,400		2,400
Training and Conferences	5,250	750	4,169
Travel for Training	2,750		2,750
Travel	15,950	5,000	6,245
Photo Management	-		2,750
Summer Co-op Student	17,343	17,343	
TOTAL Direct ITC Costs	**822,081**	**204,350**	**674,319**
Admin Allocation	271,128	650	217,060
TOTAL	**1,093,209**	**205,000**	**891,379**
Funded by SAR monies	(205,000)		-
Total for Tax Requisition	**888,208**		**891,379**

* SAR Program budget amounts may change during the negotiation of the Contribution Agreement with Environment and Climate Change Canada. The amounts presented in this budget are an approximation. The total grant of $205,000 will remain the same.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: If the budget is approved by Trust Council it will form the basis for the ITC work program in 2021/22. The influx of funding from Environment and Climate Change Canada will increase the work program of the ITC and require new staff positions and contractors among other expenses.

FINANCIAL: None.

POLICY: None. The Board my wish to revise its meeting procedure bylaw if it elects to allow for fully electronic meetings on a permanent basis.

IMPLEMENTATION/COMMUNICATIONS: The ITC Manager will provide the ITC budget request to the Director of Trust Area Service and the Director of Administrative Services at the Islands Trust with explanatory notes for the requested changes. The Director of Administrative Services will prepare the budget for review by the Financial Planning Committee and approval by Trust Council. The ITC Chair may make representations to the Financial Planning Committee regarding the ITC budget request.

FIRST NATIONS: The budget includes funds for archaeological assessments and funds to engage First Nations knowledge holders, particularly to assist staff in assessing conservation proposals and in land management.

CLIMATE CHANGE: The budget increases anticipate an increase in travel which will increase the carbon emissions of the ITC work. It is hoped that these emissions will be balanced by an increase in habitat conservation which will result in ensured carbon storage and sequestration. At this time, staff are not able to predict these tradeoffs in a meaningful way.

OTHER: At its May 2019 meeting, the ITC Board passed the following resolution:
ITC-2020-011
It was MOVED and SECONDED, that Islands Trust Conservancy Board direct staff to prepare a budget request for the 2021-2022 fiscal year for a report with options and recommendations for managing wildfire risks on ITC conservation properties.

Staff are exploring a memorandum of understanding with the Martin Conservation Decisions Lab (CDL) at the University of British Columbia and believe that this need may be met through work with the CDL and that existing budgets will be sufficient for the desired report. If this understanding should change, budget requests can be altered up to early March 2021.

4 **RELEVANT POLICY(S):**
ITC Policy 1.6: Annual Budget Submissions Policy
Islands Trust Policy 6.3.1: Budget Process

5 **ATTACHMENT(S):** None.

RESPONSE OPTIONS

Recommendation: That the Board approve the draft 2021/22 ITC Budget as presented and direct staff to provide it to the Director of Administrative Services and the Director of Trust Area Services for inclusion in the Islands Trust draft 2021/22 budget.

Alternative: That the Board approve the 2021/22 ITC Budget as presented with the following amendments:

- *[insert amendments]*

and direct staff to provide it to the Director of Administrative Services and the Director of Trust Area Services for inclusion in the Islands Trust draft 2021/22 budget.

Prepared By: Kate Emmings, A/Manager

Reviewed By/Date: Clare Frater, Director, Trust Area Services / September 21, 2020
Julia Mobbs, Director, Administrative Services / September 24, 2020

REQUEST FOR DECISION

To:	ITC Board	**For the Meeting of:**	October 6, 2020
From:	Staff	**Date Prepared:**	August 26, 2020

SUBJECT: Islands Trust Conservancy Vision Statement revision

RECOMMENDATION:

1) That the Islands Trust Conservancy Board revise its vision statement as follows:

   The Islands Trust Conservancy vision is for a network of protected areas that preserve in perpetuity the natural systems of the islands in the Salish Sea.

   Or

   The islands and waters of the Salish Sea is a vibrant tapestry of culture and ecology where humans live and work in harmony with the natural world. This special place will have a network of protected areas that preserve in perpetuity natural systems of the islands. People will work together to protect large natural areas and key wildlife habitat. Viable ecosystems will flourish alongside healthy communities.

2) That the Islands Trust Conservancy Board approve the removal of "Canada's" from the ITC tagline so that the tagline reads "Protecting islands in the Salish Sea".

1 **PURPOSE:** to assist the Islands Trust Conservancy (ITC) Board to decide on a revised vision statement that reflects the ITC Reconciliation Declaration of July 16, 2019.

BACKGROUND: The ITC is guided by its vision and mission statements, which were developed in 2013:

ITC vision statement:

The islands and waters of Canada's Salish Sea will be a vibrant tapestry of culture and ecology where humans live and work in harmony with the natural world. This special place will have a network of protected areas that preserve in perpetuity the native species and natural systems of the islands. Engaged residents and conservation partners will work together to protect large natural areas and key wildlife habitat. Viable ecosystems will flourish alongside healthy island communities.

ITC mission statement:

The mission of the Islands Trust Conservancy is to protect special places by encouraging, undertaking, and assisting in voluntary conservation initiatives within the Islands Trust Area.

Through its Reconciliation Declaration the Islands Trust Conservancy acknowledges that the lands and waters that encompass the Salish Sea have been home to Indigenous Peoples since time immemorial. The current ITC vision statement use of the words/phrases “Canada’s”, “Engaged residents and conservation partners”, and “island communities” do not reflect the ITC commitment to respect and honour Indigenous Peoples’ long standing relationship with the land.

At its February 2020 meeting the ITC Board passed the following resolution:

It was MOVED and SECONDED, that the Islands Trust Conservancy Board direct staff to bring the Board recommendations for a revised Vision Statement that is inclusive of Indigenous Peoples.

Staff returned to the ITC Board with a suggested revision in May 2020:

The vision of the Islands Trust Conservancy is that the islands and waters of the Salish Sea weave together culture and ecology; this place will be one where people aspire to live and work in harmony with nature.

The Board was unable to reach a consensus regarding the vision statement provided and asked staff to bring further revisions to the Board. The Board also asked to look at the vision statement alongside the ITC Mission (see attached).

Based on ITC Board feedback, staff are proposing two optional revisions to the vision statement: the first is a vastly abbreviated version of the vision statement which is designed to be inclusive and short; the second, is the existing vision statement, edited to be more compatible with the Reconciliation Declaration.

Option 1:

The Islands Trust Conservancy vision is for a network of protected areas that preserve in perpetuity the natural systems of the islands in the Salish Sea.*

* The Islands Trust Conservancy recognizes that the cultures of Indigenous Peoples in the region have been intricately and inextricable woven through the natural systems of the Islands Trust Area and intends the preservation of natural systems to be respectful of this connection.

Option 2:

The islands and waters of the Salish Sea is a vibrant tapestry of culture and ecology where humans live and work in harmony with the natural world. This special place will have a network of protected areas that preserve in perpetuity the natural systems of the islands. People will work together to protect large natural areas and key wildlife habitat. Viable ecosystems will flourish alongside healthy communities.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: At this time, there is no Board direction to completely revisit the vision statement. Discussion beyond minor edits to the options presented has not been contemplated and would require significant investment of staff and board time. Due to other priority programs and projects, staff are not recommending that the Board pursue a more rigorous revision of the vision statement at this time and recommend that the Board state a preference for Option 1 or Option 2.

In addition to making changes to the vision statement, staff will also amend the ITC tagline to remove the word “Canada’s”.

Staff time will be required to replace the ITC Vision statement in ITC documents and on the website with the revised ITC Vision.

FINANCIAL: Staff have reviewed ITC print materials to look for required updates. The letterhead and the ITC rack card require reprinting to update the vision and tagline. As a new order is required for ITC letterhead, there is no added cost for that item. A reprint of the rack card is anticipated to be under $300 inclusive of design update and printing costs. This cost is available in existing ITC budgets.

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: ITC staff will update the website and relevant ITC documents. ITC staff will update email taglines and letterhead. ITC staff will also provide the revised vision statement to the Islands Trust Executive Committee and will update Islands Trust trustees and staff.

FIRST NATIONS: The ITC vision statement revision is intended to be reflective of the ITC Reconciliation Declaration and staff have worked to make language more inclusive.

CLIMATE CHANGE: None

OTHER: The Islands Trust recently reviewed its tagline and made the following change:

Previous tagline: Preserving Island Communities, Culture and Environment
New tagline: Preserving and Protecting Over 450 Islands in the Salish Sea

3 **RELEVANT POLICY(S):** None.

4 **ATTACHMENT(S):** None.

RESPONSE OPTIONS

Recommendation:

1) That the Islands Trust Conservancy Board revise its vision statement as follows:
   [insert chosen Vision Statement]

2) That the Islands Trust Conservancy Board approve the removal of “Canada’s” from the ITC tagline so that the tagline reads “Protecting islands in the Salish Sea”.

Alternative: None recommended.

Prepared By: Carla Funk, A/Communications and Fundraising Specialist

Reviewed By/Date: Kate Emmings, A/Manager, Islands Trust Conservancy / September 14, 2020
Lisa Wilcox, Senior Intergovernmental Policy Advisor / September 18, 2020

ISLANDS TRUST CONSERVANCY

REQUEST FOR DECISION

To:	ITC Board	**For the Meeting of:**	October 6, 2020
From:	Staff	**Date Prepared:**	September 23, 2020

SUBJECT: ITC Reconciliation Action Plan

RECOMMENDATION: That the ITC Board direct staff to complete an ITC Reconciliation Action Plan that incorporates actions in Goal 2 of the Regional Conservation Plan.

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1 PURPOSE: To provide direction to staff regarding an ITC Reconciliation Action Plan.

BACKGROUND: The Islands Trust Council adopted a Reconciliation Declaration in March 2019 and a Reconciliation Action Plan (RAP) in June 2019. The actions in the Trust Council RAP directed some of the work of the ITC, including ITC staff and board members being part of education and training initiatives, and providing guidance on policy and principles that could be incorporated into the work of ITC.

At its July 2019 meeting, the ITC Board approved a Reconciliation Declaration as follows:

ITC-2019-021
It was MOVED and SECONDED, that the Islands Trust Conservancy Board adopt a Reconciliation Declaration as follows:

The 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.

The 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.

The 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.

At its October 1, 2019 meeting, the ITC Board discussed whether or not to request inclusion of the ITC in the Islands Trust RAP and passed the following resolution:

ITC-2019-034
It was MOVED and SECONDED, that the Islands Trust Conservancy Board direct staff to review the Islands Trust Reconciliation Action Plan and provide feedback to the Board prior to the ITC Board / Executive Committee Liaison Meeting for possible discussion at the 2020 Liaison Meeting.

Staff were unable to do the necessary background work to support a recommendation at the 2020 ITC Board / Executive Committee Liaison Meeting, but have been working with the Islands Trust Senior Intergovernmental Policy Advisor to provide advice to the ITC Board for its October meeting. At this time, staff are recommending that the ITC Board draft a Reconciliation Action Plan that is reflective of Goal 2 of the Regional Conservation Plan:

GOAL 2: Strengthen relationships with First Nations to identify and collaborate on shared conservation goals.

Objectives:

1) *Amend or redraft policies, procedures, plans, document templates and reports to include acknowledgement and consideration of First Nations*
2) *Include First Nations place names and/or Traditional Ecological Knowledge (TEK) on property signage where appropriate*
3) *Integrate Traditional Ecological Knowledge (TEK) into existing programs as appropriate*
4) *In consultation with the Islands Trust, source funds and determine mechanisms to support First Nations collaboration (financial and capacity)*
5) *Continue to share information and engage with new conservation projects in partnership with First Nations*
6) *Research options for protection of cultural sites and culturally important species*

Staff believe that creation of a RAP for the ITC will clearly demonstrate a commitment to reconciliation.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Board and staff will continue to be guided by the foundation documents (TRC Calls to Action, UNDRIP, DRIPA, and the MMIWG Calls for Justice) toward reconciliation with First Nations. This is set out as a priority in the Regional Conservation Plan and we will seek assistance from internal staff resources (e.g. the Senior Intergovernmental Policy Advisor). Staff will work to draft a RAP for Board consideration and approval.

FINANCIAL: None.

POLICY: None, although the current Regional Conservation Plan does provide direction to staff to amend and redraft policies, procedures, plans, document templates and reports to include acknowledgement and consideration of First Nations. The RAP will contain similar language.

IMPLEMENTATION/COMMUNICATIONS: Staff will communicate the Board's decision to Trust Council and local trust committees via regular ITC reports. Staff will draft the RAP and return to the ITC Board for approval.

FIRST NATIONS: Staff and ITC Board will continue to work towards reconciliation, guided by the ITC Reconciliation Declaration and the Regional Conservation Plan.

CLIMATE CHANGE: None.

OTHER: The ITC Board Chair has communicated the ITC Reconciliation Declaration to First Nations of the Islands Trust Area by letter.

3 RELEVANT POLICY(S):

Trust Council Policy 6.1.1: First Nations Engagement Principles
Islands Trust Reconciliation Action Plan 2019-2022

[Islands Trust Reconciliation Declaration](#)
[Islands Trust Conservancy Reconciliation Declaration](#)
[2018-2027 Regional Conservation Plan](#)

4 **ATTACHMENT(S):** None

RESPONSE OPTIONS

Recommendation: That the ITC Board direct staff to complete an ITC Reconciliation Action Plan that incorporates actions in Goal 2 of the Regional Conservation Plan.

Alternative: None recommended.

Prepared By: Kate Emmings, A/ITC Manager

Reviewed By/Date: Lisa Wilcox, Senior Intergovernmental Policy Analyst / September 29, 2020

REQUEST FOR DECISION

To:	ITC Board	**For the Meeting of:**	October 6, 2020
From:	Staff	**Date Prepared:**	September 22, 2020

SUBJECT: Referral – Thetis Island Bylaws 108 and 109

RECOMMENDATION: that the Islands Trust Conservancy Board direct the A/Islands Trust Conservancy Manager to indicate to the Thetis Island Local Trust Committee that the Islands Trust Conservancy interests are unaffected by bylaws 108 and 109.

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1 **PURPOSE:** To respond to the referral from the Thetis Island Local Trust Committee regarding bylaws 108 and 109.

2 **BACKGROUND:** The ITC has received a referral from the Thetis Island Local Trust Committee regarding bylaws 108 and 109. The ITC's Meadow Valley Covenant Area is on land impacted by these bylaws.

As noted in the referral:

The purpose of the bylaws is to create a new Development Permit Area (DPA) No. 1: Riparian Areas to bring in protection measures applicable to Ralston Creek, in accordance with the Riparian Areas Protection Regulation (RAPR), formerly Riparian Areas Regulation (RAR).

***Proposed Bylaw No. 108**, if adopted, would introduce new Development Permit Area No. 1: Riparian Areas in the OCP by:*

- *Designating an area of applicability along Ralston Creek in accordance with RAPR;*
- *describing the importance of protecting streams, lakes/ponds and wetlands and their associated riparian areas, which have been identified as potential fish habitat;*
- *amending text to reflect legislative changes to RAPR and to update Local Government Act references; and*
- *updating the Development Approval Information to include the new development permit area.*

***Proposed Bylaw No. 109,** if adopted, would introduce a new Part 11 Development Permit Area Guidelines in the LUB by:*

- *describing activities requiring a development permit and activities exempted in accordance with RAPR; and*
- *setting out the guidelines that must be met before any development activities can take place, including subdivision.*

Staff have reviewed the bylaws and found the ITC interests to be unaffected. The Development Permit Area created in Bylaw 108 and the associated Development Permit Area Guidelines created in Bylaw 109 do not apply to the ITC covenant area. Generally, the intent of the bylaws is compatible with the ITC Regional Conservation Plan.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will provide the Bylaw Referral Form to the Thetis Local Trust Committee as directed.

FIRST NATIONS: The ITC has not contacted First Nations regarding this referral. The Thetis Island Local Trust Committee has referred the bylaws to:

- Halalt First Nation,
- Lake Cowichan First Nation,
- Stz'uminus First Nation
- Lyackson First Nation,
- Penelakut Tribe,
- Cowichan Tribes,
- Semiahmoo First Nation

CLIMATE CHANGE: None.

4 RELEVANT POLICY(S):

ITC Policy 3.1 - Islands Trust Conservancy and Local Planning Services Coordination
Memorandum of Agreement between the Thetis Island Local Trust Committee and the [Islands Trust Conservancy] concerning the coordination of activities

5 ATTACHMENT(S):

1. Bylaw Referral Form
2. Thetis Island Local Trust Committee Bylaw 108 (Official Community Plan), full, current OCP available at http://www.islandstrust.bc.ca/islands/local-trust-areas/thetis/bylaws/
3. Thetis Island Local Trust Committee Bylaw 109 (Land Use Bylaw), full, current LUB available at http://www.islandstrust.bc.ca/islands/local-trust-areas/thetis/bylaws/

RESPONSE OPTIONS

Recommendation: that the Islands Trust Conservancy Board direct the A/Islands Trust Conservancy Manager to indicate to the Thetis Island Local Trust Committee that the Islands Trust Conservancy interests are unaffected by bylaws 108 and 109.

Alternative: None recommended.

Prepared By: Kate Emmings, A/Manager

BYLAW REFERRAL FORM

Island: Thetis Island Local Trust Area - Thetis Island **Bylaw Nos.:** 108 (OCP) and 109 (LUB) **Date:** July 29, 2020

You are requested to comment on the attached Bylaws for potential effect on your agency's/organization's interests. We would appreciate your response by **September 28 2020 (or 60 days from date that referrals are sent out)**. If no response is received by that date, it will be assumed that your agency's/organization's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Thetis Local Trust Committee

PURPOSE OF BYLAWS:

The purpose of the bylaws is to create a new Development Permit Area (DPA) No. 1: Riparian Areas to bring in protection measures applicable to Ralston Creek, in accordance with the Riparian Areas Protection Regulation (RAPR), formerly Riparian Areas Regulation (RAR).

Proposed Bylaw No. 108, if adopted, would introduce new Development Permit Area No. 1: Riparian Areas in the OCP by:

- Designating an area of applicability along Ralston Creek in accordance with RAPR;
- describing the importance of protecting streams, lakes/ponds and wetlands and their associated riparian areas, which have been identified as potential fish habitat;
- amending text to reflect legislative changes to RAPR and to update Local Government Act references; and
- updating the Development Approval Information to include the new development permit area.

Proposed Bylaw No. 109, if adopted, would introduce a new Part 11 Development Permit Area Guidelines in the LUB by:

- describing activities requiring a development permit and activities exempted in accordance with RAPR; and
- setting out the guidelines that must be met before any development activities can take place, including subdivision.

GENERAL LOCATION:

Ralston Creek, Thetis Island

OTHER INFORMATION:

Please direct any communications regarding this referral to Becky McErlean, Legislative Clerk, at (250) 247-2206 or by email to bmcerlean@islandstrust.bc.ca.

Please fill out the *Response Summary* attached to this form. If your agency'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.

M. Eggen

(Signature)

Name: **Marnie Eggen**

Title **Island Planner**

PLEASE TURN OVER ➔

This referral has been sent to the following First Nations and agencies:

First Nations
Halalt First Nation,
Lake Cowichan First Nation,
Stz'uminus First Nation
Lyackson First Nation,
Penelakut Tribe,
Cowichan Tribes,
Semiahmoo First Nation

Provincial Agencies
Islands Trust Conservancy
Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Ministry of Transportation and Infrastructure
Fisheries and Oceans Canada

Regional Agencies
Cowichan Valley Regional District
School District #79

Adjacent Local Trust Committees and Municipalities
Gabriola Local Trust Committee
Salt Spring Island Local Trust Committee

Non-Agency Referrals
Thetis Advisory Planning Commission

BYLAW REFERRAL FORM
RESPONSE SUMMARY

[ ] **Approval Recommended for Reasons Outlined Below**

[ ] **Approval Recommended Subject to Conditions Outlined Below**

[X] **Interests Unaffected by Bylaw**

[ ] **Approval Not Recommended Due to Reason Outlined Below**

Thetis Island Local Trust Area – Thetis Island	**Bylaw No. 108 (OCP Amendment)**
(Island)	(Bylaw Number)
	Kate Emmings, A/Manager
(Signature)	(Title)
October 6, 2020	Islands Trust Conservancy
(Date)	(Agency)

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐	**Approval Recommended for Reasons Outlined Below**
☐	**Approval Recommended Subject to Conditions Outlined Below**
X	**Interests Unaffected by Bylaw**
☐	**Approval Not Recommended Due to Reason Outlined Below**

Thetis Island Local Trust Area – Thetis Island	**Bylaw No. 109 (LUB Amendment)**
(Island)	(Bylaw Number)
	Kate Emmings, A/Manager
(Signature)	(Title)
October 6, 2020	Islands Trust Conservancy
(Date)	(Agency)

PROPOSED

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 108

A BYLAW TO AMEND THETIS ISLAND OFFICIAL COMMUNITY PLAN BYLAW, 2011

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

1. Citation
   This bylaw may be cited for all purposes as "Thetis Island Official Community Plan, 2011, Amendment No. 1, 2020".

2. Thetis Island Local Trust Committee Bylaw No. 88, cited as "Thetis Island Official Community Plan Bylaw, 2011," is amended as per Schedules "1" and "2" attached to and forming part of this bylaw.

READ A FIRST TIME THIS	21ST	DAY OF	JULY	,2020
PUBLIC HEARING HELD THIS	______	DAY OF	_________	,202X
READ A SECOND TIME THIS	______	DAY OF	_________	,202X
READ A THIRD TIME THIS	______	DAY OF	_________	,202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

	______	DAY OF	_________	,202X

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

	______	DAY OF	_________	,202X
ADOPTED THIS	______	DAY OF	_________	,202X

____________________________ ____________________________
Chair **Secretary**

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 108
Schedule "1"

1. Page i of Thetis Island Official Community Plan Bylaw, 2011 is amended as follows:

   1.1 Section "3" is amended by inserting "I" after "H".

   1.2 Section "4" is amended by adding "Schedule "I" – Development Permit Area" after "Schedule "H" – Shoreline Classification".

2. **SCHEDULE A – POLICY DOCUMENT** is amended as follows:

   2.1 **SECTION 4 – NATURAL AND HERITAGE RESOURCES**, subsection 4.1 NATURAL RESOURCES, NATURAL RESOURCES POLICIES, Surface Water Resources Policies, 8 is amended by replacing "Schedule I which are applicable to the Riparian Areas Regulation of the Fish Protection Act." with "Schedule G, including those applicable to the provincial *Riparian Areas Protection Regulation* of the *Riparian Areas Protection Act*."

   2.2 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.1 DEVELOPMENT PERMIT AREAS, Background is amended by replacing "Section 919.1" with "Section 488".

   2.3 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.1 DEVELOPMENT PERMIT AREAS is amended by adding the following after "Development Permit Area Policy 1…":

   "Development Permit Designations

   1. Development Permit Area No. 1: Riparian Areas

   Development Permit Area No. 1 is established pursuant to Section 488 of the *Local Government Act,* for the protection of the natural environment, its ecosystems and biological diversity.

   Terms used in this section that are defined in the provincial *Riparian Areas Protection Regulation (RAPR), Riparian Areas Protection Act* are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time.

   Location
   The Riparian Areas Development Permit Area includes all land designated on Schedule I of this plan, which includes any of the following that provides potential fish habitat, as defined as a stream in accordance with *RAPR*:

   a) a watercourse or body of water, whether or not usually containing water; and
   b) any of the following that is connected by surface flow to a watercourse or body of water referred to in (a):
      (i) a ditch, whether or not usually containing water;
      (ii) a spring, whether or not usually containing water;
      (iii) wetland.

For a stream that is not located in a ravine, the development permit area is a 30 metre strip on each side of the stream, measured from the stream boundary.

For a stream located within a ravine less than 60 metres wide, the development permit area is a 30 metre strip on each side of the stream, measured from the stream boundary to a point that is 30 metres beyond the top of the ravine bank.

For a stream located within a ravine that is 60 or more metres wide, the development permit area is a 10 metre strip on each side of the stream, measured from the stream boundary to a point that is 10 metres beyond the top of the ravine bank.

The designation and delineation of Development Permit Area 1 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust. The actual location of the streams and water bodies and the actual extent of the Development Permit Area may need to be determined on a site-specific basis by a qualified environmental professional or surveyor.

Justification
This development permit area contains streams, lakes/ponds and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Riparian areas are necessary for stream and watershed health.

Riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Thetis Island.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Furthermore, the *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas. This designation is intended to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

The objectives of this designation are:
1. To protect the biological diversity and habitat values of riparian and aquatic ecosystems;
2. To protect the natural environment necessary to provide productive fish habitat, including streams and the adjacent land and vegetation; and
3. To direct their restoration and enhancement so that they can provide natural features, functions and conditions that support fish life processes."

2.4 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.3 DEVELOPMENT APPROVAL INFORMATION, 6.3.1 Circumstances is amended by inserting "a) development permit areas;" after "Applicants for:" and renumbering subsequent listings to affect the change.

2.5 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.3 DEVELOPMENT APPROVAL INFORMATION, 6.3.1 Circumstances is amended by replacing "pursuant to a development approval information bylaw adopted under section 920.01 of the *Local Government Act*" with "pursuant to section 487 of the *Local Government Act*".

2.6 **SECTION 6 – DEVELOPMENT PERMIT AREAS AND TEMPORARY USE PERMITS**, subsection 6.3 DEVELOPMENT APPROVAL INFORMATION, 6.3.2 Special Conditions is amended by inserting the following before "1. Temporary use permits…" and renumbering subsequent listings to affect the change:

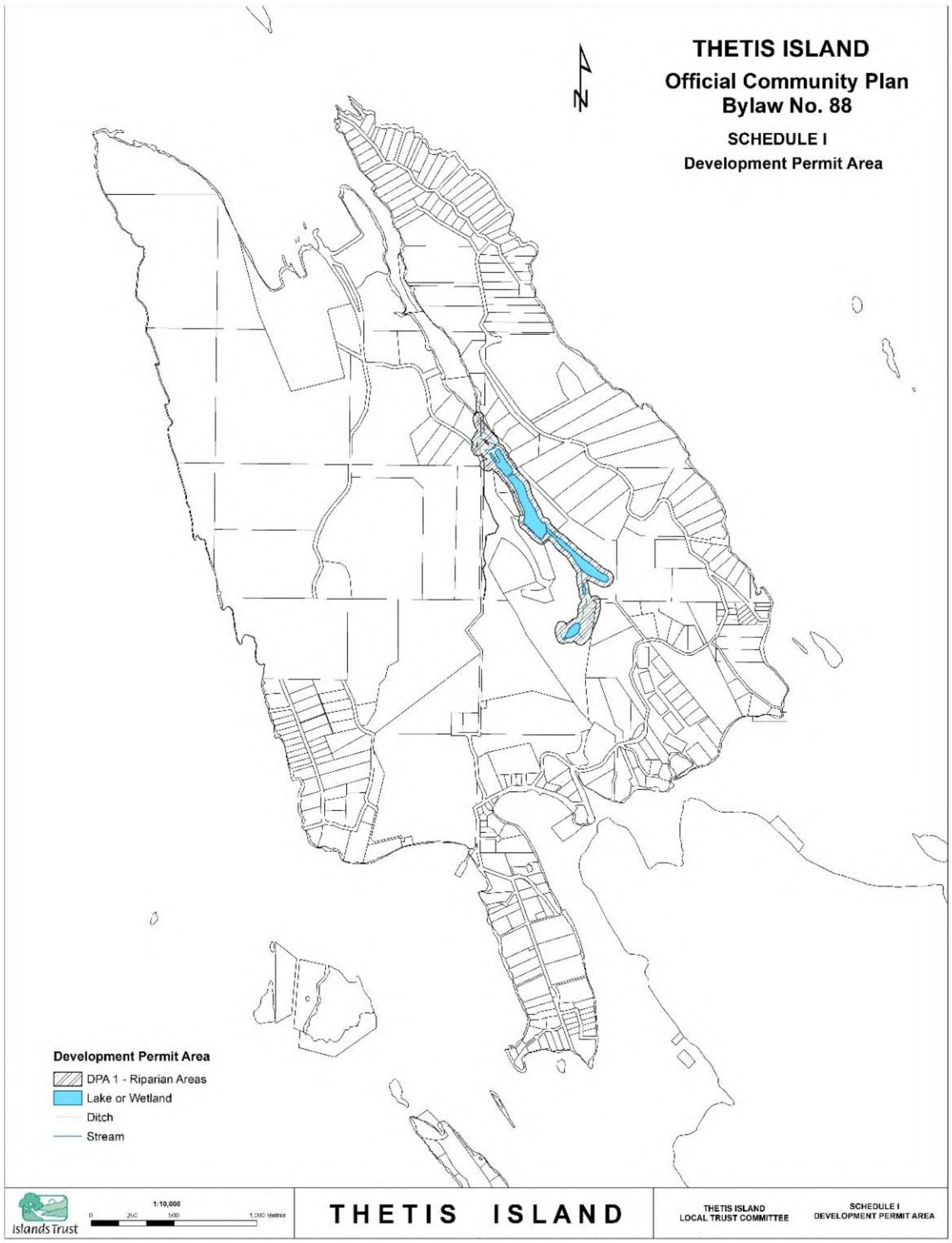
"1. Development Permit Area 1 is designated as an area for which development approval information may be required as authorized by Section 485 of the *Local Government Act*. Development approval information in the form of a report submitted by a Qualified Environmental Professional (QEP) may be required for applicable development activities. Development Permit Area 1 protects the natural environment, specifically streams, lakes/ponds and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Development approval information is required to determine under what circumstances and conditions development permits may be issued to manage development that potentially has a significant impact on aquatic and adjacent riparian ecosystems."

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 108
Schedule "2"

1. Thetis Island Local Trust Committee Bylaw No. 88, cited as "Thetis Island Official Community Plan Bylaw, 2011," is amended by adding "Schedule "I" – Development Permit Area" as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "A" of Bylaw No. 88 as are required to effect this change.

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 108

Plan No. 1



PROPOSED

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 109

A BYLAW TO AMEND THETIS ISLAND LAND USE BYLAW, 2011

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

1. Citation
   This bylaw may be cited for all purposes as "Thetis Island Land Use Bylaw, 2011, Amendment No. 1, 2020".

2. Thetis Island Local Trust Committee Bylaw No. 89, cited as "Thetis Island Land Use Bylaw, 2011," is amended as per Schedule "1" attached to and forming part of this bylaw.

READ A FIRST TIME THIS	21ST	DAY OF	JULY	,2020
PUBLIC HEARING HELD THIS	______	DAY OF	_________	,202X
READ A SECOND TIME THIS	______	DAY OF	_________	,202X
READ A THIRD TIME THIS	______	DAY OF	_________	,202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

	______	DAY OF	_________	,202X
ADOPTED THIS	______	DAY OF	_________	,202X

___________________________ ___________________________

Chair **Secretary**

THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 109
Schedule "1"

1. Schedule "A" of Thetis Island Land Use Bylaw No. 89, 2011 is amended as follows:

1.1 **PART 1. ADMINISTRATION,** 1.1 DEFINITIONS, is amended by adding the following definition in alphabetical order:

"*watercourse* means a creek, pond, lake, river, stream, or brook, whether usually containing water or not and any spring or wetland that is integral to a watercourse."

1.2 Add a new **PART 11**. **DEVELOPMENT PERMIT AREA GUIDELINES** immediately following "**PART 10. WATER ZONES**" as follows and renumber subsequent parts chronologically:

"**PART 11. DEVELOPMENT PERMIT AREA GUIDELINES**

11.1 Development Permit Area No. 1 – Riparian Areas

11.1.1 Definitions

Unless otherwise defined in this bylaw, Terms used in Section 11.1 that are defined in the *Riparian Areas Protection Regulation (RAPR)* of the *Riparian Areas Protection Act* have the same meaning as the definition given in the Regulation (e.g. stream, stream boundary, area of human disturbance), as it may be amended from time to time. Italicized terms (other than legislation) are defined in this bylaw.

11.1.2 Applicability

The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 11.1.3:

(a) The addition, removal or alteration of soil, vegetation or *building* or other *structure*;
(b) Creation of non-structural, impervious or semi-impervious surfaces;
(c) Without limiting paragraph (a), the addition, removal or alteration of works and services described in section 506 (1) *[subdivision servicing requirements]* of the *Local Government Act;*
(d) Subdivision as defined in section 455 of the *Local Government Act*;
(e) Application of artificial fertilizer, pesticides or herbicides;
(f) Any other development, as that term is defined under the *Riparian Areas Protection Regulation*.

11.1.3 Exempted Activities

The following activities are exempt from any requirement for a development permit in Development Permit Area No. 1:

(a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;

(b) work authorized by Fisheries and Oceans Canada under section 35 of the *Fisheries Act*;

(c) repairs or other non-structural alterations or additions to a pre-existing *building* or other *structure* to the extent that it remains on its existing foundation and does not alter, extend or otherwise increase the footprint, and that it is not damaged or destroyed to the extent described in section 532 of the *Local Government Act*;

(d) the maintenance of an area of human disturbance, other than a *building* or other *structure*, if the area is not extended and the type of disturbance is not changed and does not involve the application of artificial fertilizer, pesticides or herbicides;

(e) repair or replacement of a septic field within the same area of land as the existing septic field;

(f) the removal of trees that have been examined by an International Society of Arboriculture Certified Arborist and certified in writing to pose a threat to life or property;

(g) manual removal of invasive species and manual planting of native vegetation in accordance with a restoration plan prepared by Qualified Environmental Professional;

(h) pruning of not more than two trees in one growing season which does not involve the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;

(i) emergency procedures to prevent, control or reduce immediate threats to life or property including:

   (i) emergency actions for flood-protection and erosion protection;
   (ii) clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow;
   (iii) repairs to bridges and safety fences carried out in accordance with the *Water Act*; and
   (iv) creation of a fire break in accordance with the *Wildfire Act*;

(j) The construction of a trail if all of the following apply:
   (i) The trail is 1 metre wide or less;
   (ii) No trees are removed;
   (iii) The surface of the trail is pervious;
   (iv) The trail is designed and constructed to prevent soil erosion where slopes occur; and

(v) Where the trail parallels the stream, the trail is more than 5 metres away from the stream boundary;

11.1.4 Guidelines

Prior to undertaking any non-exempt development activities within the Development Permit Area No. 1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

(a) Applications for development permits must include an assessment report prepared by a Qualified Environmental Professional (QEP) in accordance with the assessment methods described in the *Riparian Areas Protection Regulation* (RAPR) and submitted to the responsible BC ministry. The report must include the QEP's recommendations regarding development approval conditions including the monitoring of development activities and subsequent reporting by the QEP to the applicant and the Local Trust Committee.

(b) Applications for development permits received after site works are complete should include a condition and impact assessment report prepared by a QEP in accordance with *Professional Practice Guidelines – Legislated Riparian Assessments in BC* and the *Riparian Areas Regulation Assessment Methods*, as they may be amended from time to time.

(c) In general, all development in this Development Permit Area should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a QEP has, as part of the assessment report or condition and impact assessment report, made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, or monitoring and reporting, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the QEP's report.

(d) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified in the QEP's report and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term, which measures should be included as conditions of the development permit.

(e) Where a QEP report describes an area within the DPA as suitable for development, the development permit should only allow the development to occur in that area.

(f) If the nature of the proposed project within the DPA changes after the assessment report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.

(g) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in accordance with the recommendations in the QEP's report.

(h) Land should not be subdivided so as to create new parcel boundaries intersecting or within 30 m of the stream boundary, unless the parcel boundary is being created for an ecological reserve under the *Ecological Reserve Act* for dedication to the Crown, or the subdivision complies with the recommendations of a QEP.

(i) A development permit may designate areas of land within a subdivision that must remain free of development in accordance with the recommendations of a QEP.

(j) No subdivision plan should indicate the dedication or construction of a highway, driveway, access route or utility corridor of any kind within 30 metres of a stream, except in accordance with the recommendations of a QEP.

(k) No subdivision plan should be designed in such a way that activities described in 11.1.2 would be likely to occur within 30 metres of the stream boundary, unless the development will comply with the recommendations of the QEP who assessed the impact of the subdivision on the riparian area. In such situations, the development permit may stipulate the extent of the area in which development may occur, in accordance with the QEP's report.

BRIEFING

To: Trust Conservancy Board **For the Meeting of:** October 6, 2020

From: Staff **Date Prepared:** September 18, 2020

SUBJECT: **Distribution of ITC Protected Areas**

PURPOSE: To provide the Board with information showing size distribution of ITC Nature Reserves and Covenants.

BACKGROUND:

At its July 2020 meeting, the ITC Board resolved:

> It was MOVED and SECONDED, that the Islands Trust Conservancy Board direct staff to prepare a histogram showing the size of Island Trust Conservancy nature reserves and covenants and that the two be plotted separately.

RESULT:

From 1990 to 2020, Islands Trust Conservancy has acquired 29 Nature Reserves and 76 Conservation Covenants; note that adjacent properties are often grouped in these counts. For the purposes of this analysis, adjacent protected areas have not been grouped and 29 Nature Reserves and 77 covenants are plotted in Figures 1 and 2 below. These range in size from less than 1 ha to over 100 ha (Table 1).

Table 1. Largest and smallest protected areas acquired by Islands Trust Conservancy

Protected Area Name	Year Acquired	Size (ha)	ITA	Type
Sharp-tailed Snake Covenant	2004	0.032	North Pender	Covenant
Tate Covenant	1990	72.2	Salt Spring	Covenant
Coats Millstone Nature Reserve	1993	0.25	Gabriola	Nature Reserve
Mt. Artaban Nature Reserve	2008	107	Gambier	Nature Reserve

Staff have created simple scatterplots showing the size of Nature Reserves (Figure 1) and of Conservation Covenants (Figure 2) over time. Given the small sample sizes, staff decided that scatterplots would be more informative than histograms.

Figure 1. Size of ITC Nature Reserves acquired over time

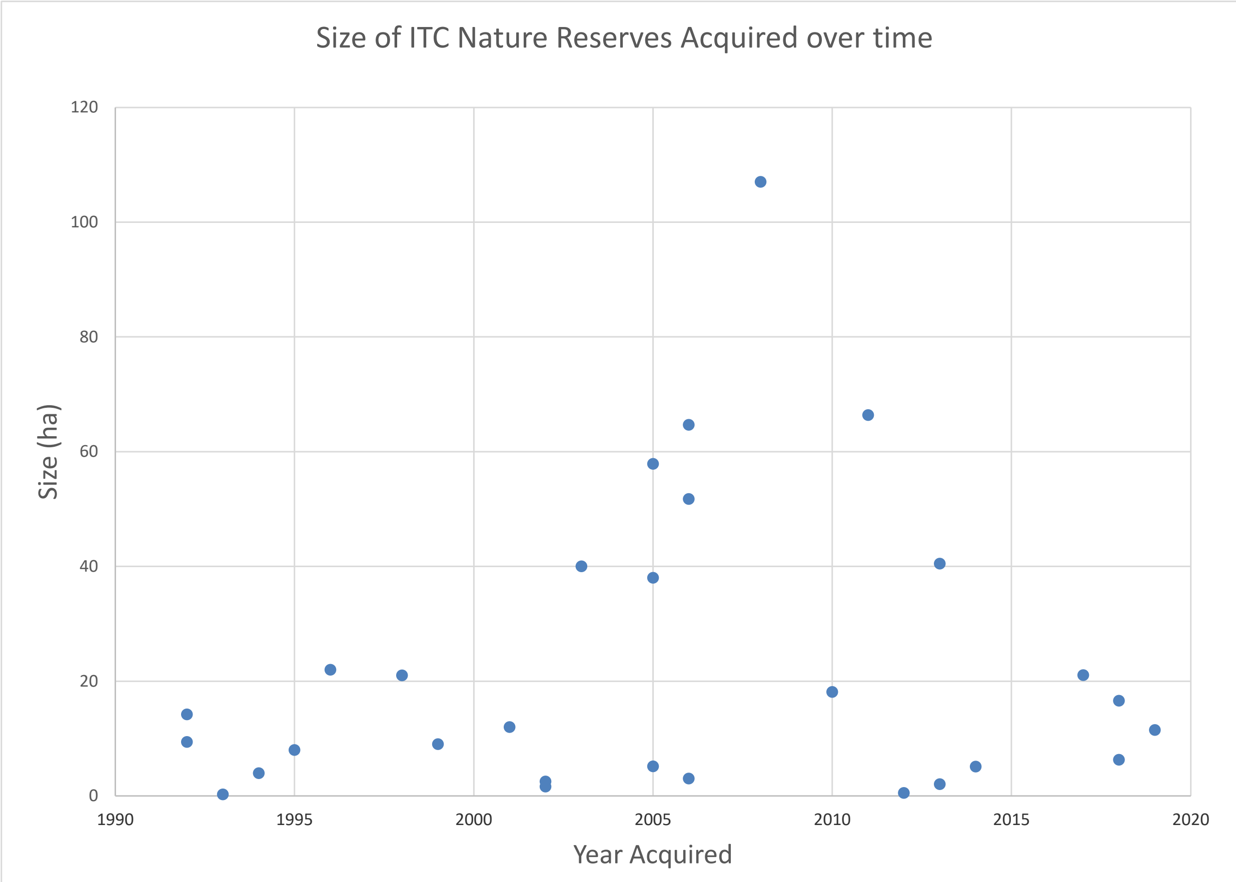
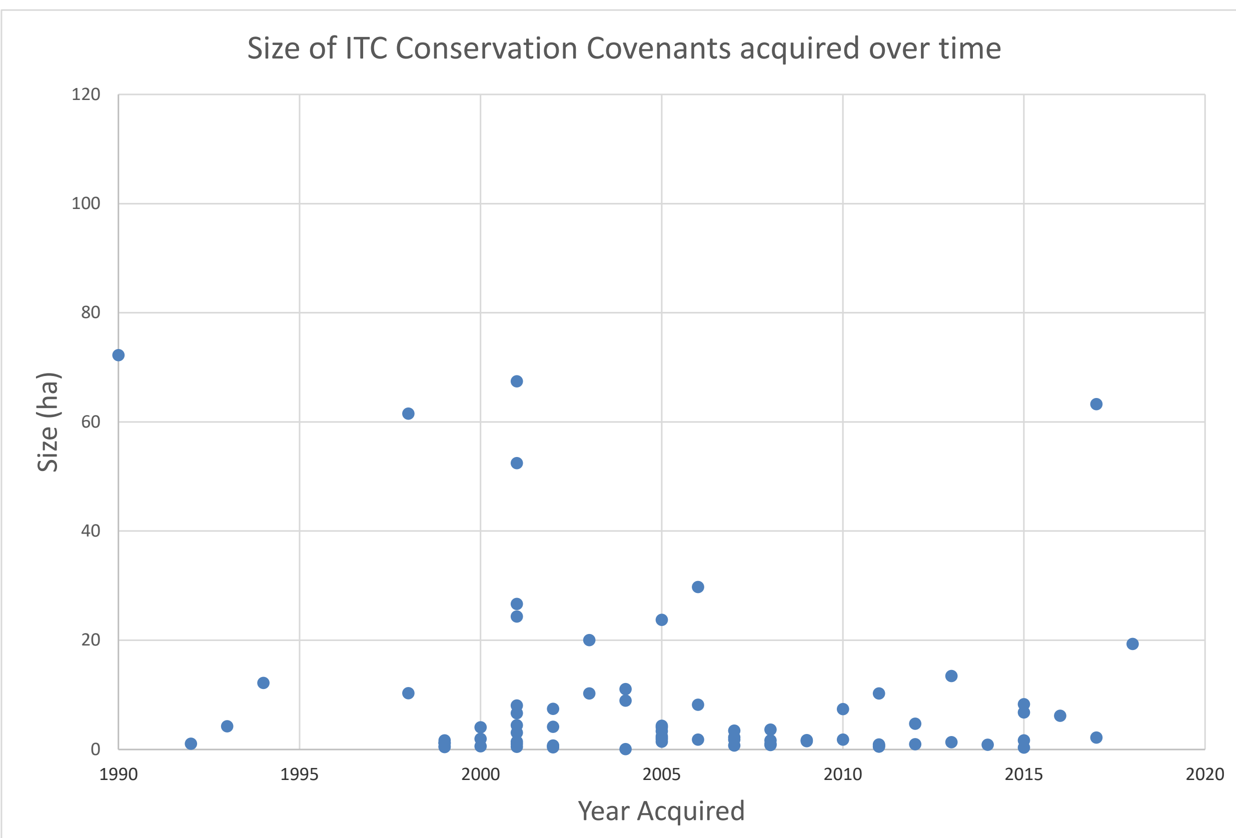


Figure 2. Size of ITC Conservation Covenants acquired over time



ANALYSIS:

Staff's understanding is that the Board was interested in examining whether or not the size of ITC protected areas was changing over time, and whether any change could be linked to policy changes such as implementation of NAPTEP, changes to ITC policy, or changes to Ecological Gifts Program. There are numerous confounding factors that must be considered before drawing any conclusions from these data.

- Both nature reserves and conservation covenants can take many years to negotiate and acquire making it very challenging to link policy changes or other factors to the date an agreement is finalized.
- Protected areas are acquired for a variety of reasons and there are often extenuating circumstances, for example, adjacency to existing protected areas, which lead to exemptions to policy.
- Nature reserves and covenants may be part of protected area complexes, and the adjacent properties may or may not be owned or protected by ITC.

Fundamentally, an informative analysis of changes to the size of protected areas ITC has acquired over time should involve more in-depth analysis and inclusion of other factors such as context within a protected area complex, landowner motivation for protection,

FOLLOW-UP:

An informative analysis may take considerable staff time. The Board should consider whether they wish staff to dedicate further time to providing this analysis and if so provide more direction to staff regarding specific questions they would like to try to answer. Because of current workloads, staff are not recommending further work at this time.

Prepared By: **Kathryn Martell, A/Ecosystem Protection Specialist**

Reviewed By/Date: **Kate Emmings, A/Manager / September 21, 2020**

ISLANDS TRUST CONSERVANCY

BRIEFING

To:	ITC Board	**For the Meeting of:**	October 6, 2020
From:	Staff	**Date Prepared:**	September 18, 2020

SUBJECT: **2020 Forest Conservation Outreach Campaign Completion**

PURPOSE: To inform the ITC Board of the completion of the 2020 forest conservation outreach campaign.

BACKGROUND: In January 2020 ITC staff initiated an outreach campaign to encourage voluntary forest conservation and stewardship on private lands in the Islands Trust Area. This campaign was a response to Trust Council Resolution 2019-24, which directed staff to:

- create a strong communications program that will support Islands Trust Conservancy conservation initiatives for Coastal Douglas-fir protection as well as support the land use planning process, with a special focus on communicating the role of Development Permit Areas as a tool for Coastal Douglas-fir protection that permits development; and
- bring recommendations for how the Natural Areas Protection Tax Exemption Program (NAPTEP) can be tailored to highlight and prioritise contiguous tracks of the Coastal Douglas Fir zone in the outreach, communications, and approval of NAPTEP covenants by the Islands Trust Conservancy; and also helps to address objective 1.5 of the Islands Trust Conservancy Regional Conservation Plan; and
- seek opportunities to provide information to landholders to support voluntary conservation initiatives.

Forest conservation outreach packages were developed by ITC staff in consultation with Islands Trust Directors of Trust Area Services and Local Planning Services, and included the following:

1. Personalized cover letter from the Covenant Management & Outreach Specialist
2. Customized forest ecosystem information sheets: Coastal Douglas-fir forest information and mapping for Gulf Islands LTAs, and Coastal Western Hemlock forest information and mapping for Gambier LTA and Bowen Island Municipality
3. Forest Conservation Checklist
4. NAPTEP rack card

The 2020 forest conservation outreach campaign focused on landholders with over five hectares of old-growth or mature forest on their property. Mapping identified 348 properties as meeting this criteria, with over 400 associated landholders (households). Outreach packages were mailed to these landholders on August 13th and 18th.

The immediate response to the mailout has been positive, and to date has included two NAPTEP covenant inquiries and two forest stewardship discussions.

ATTACHMENT(S):

1. Cover letter template

2. Sample Coastal Douglas-fir Forests information sheet
3. Sample Coastal Western Hemlock Forests information sheet
4. Forest Conservation Checklist

FOLLOW-UP: The Covenant Management & Outreach Specialist will track responses to the forest conservation outreach letter in the CRM database, connect respondents with other ITC specialists as needed, and assess the overall response to the campaign to inform future outreach activities.

Prepared By: Jemma Green, Covenant Management & Outreach Specialist

Reviewed By/Date: Kate Emmings, A/Manager / September 21, 2020

September 29, 2020

[first name] [last name]
[address]
[address]

Dear [first name],

I invite you to take action to care for rare and endangered forests on your land.

Did you know that the forest that characterizes our region, the same forest that grows in **your backyard**, is a rare and endangered ecosystem? This unique combination of plants and animals is adapted to the drier, more Mediterranean climate of the Salish Sea bioregion. It is found only on the southwest coast of BC, where mature and old-growth forests are most at risk. Despite the ecological significance and community benefits of the Salish Sea's Coastal Western Hemlock forests, **less than 10% are protected**, highlighting the importance of forest protection on private land like yours.

Much stands to be lost if remaining mature and old-growth forests disappear. These forests support high biodiversity, including **many species-at-risk**. Trees like western hemlock, cedar and Douglas-fir dominate the canopy, sheltering unique shrubs, ferns, mosses and other plants that provide habitat for wildlife—such as owls, songbirds, reptiles, and amphibians—and act as a protective buffer for streams that support fish. Coastal Western Hemlock forests also provide a number of services that our communities depend on: water purification, removal of greenhouse gasses from the air, slope stabilization, and flood prevention.

In 2019, the Islands Trust and the Islands Trust Conservancy committed to protecting the health of island forests. I am writing to you and more than 350 other island landowners with significant tracts of forest to let you know the importance of the forests on your land, and to offer support to help you protect Coastal Western Hemlock forests where you live. You can start by taking **simple measures to care for your land**, such as protecting living trees, leaving standing dead trees for wildlife, and removing invasive species. The enclosed checklist can help you take these and other meaningful actions to protect your forest.

Forest protection has never been more important. By caring for your forest, you can provide vital habitat to species under stress and support ecosystem services, some of which could **ease the impacts of a changing climate** on your community. For 30 years, the Islands Trust Conservancy has helped islanders protect their land and has been a trusted source of information about caring for nature. If you are interested in learning about how you can care for and protect your forests, or about land conservation in general, contact me at jgreen@islandstrust.bc.ca or by phone at 250-405-5182. If you would like to receive e-mail notices from the Islands Trust Conservancy you can subscribe at www.islandstrustconservancy.ca/subscription.

Sincerely,

Jemma Green
Covenant Management & Outreach Specialist

Encl.

THETIS ISLAND LOCAL TRUST AREA

Coastal Douglas-fir Forests

What are Coastal Douglas-fir Ecosystems?

The Coastal Douglas-fir (CDF) zone describes a unique set of ecosystems found only on southeast Vancouver Island, the Gulf Islands, and the southwest coast of BC. CDF ecosystems are rare and highly endangered. These ecosystems include Douglas-fir forests, as well as Garry oak woodlands, wetlands, estuaries, and other unique communities of plant, animal, and fungi found nowhere else in the world.

Why are CDF Ecosystems Important?

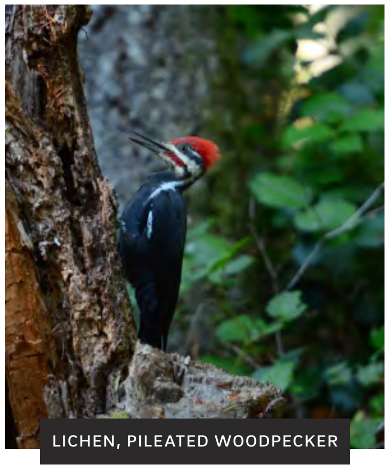
CDF ecosystems have:

- The highest diversity of plant species in BC
- The highest diversity of overwintering bird species in Canada
- The highest density of species at risk in BC, including 24 globally imperiled species

Yet 98% of the 45 ecological communities in the CDF zone are at risk of being lost.

In addition to supporting biodiversity, CDF forests benefit our communities by:

- Mitigating climate change by capturing and storing carbon from the atmosphere
- Supporting cultural and spiritual values of First Nations that have lived in the region since time immemorial
- Reducing pollution by removing dust, pollen, and smoke from the air
- Controlling and filtering stormwater runoff into lakes and streams, which protects drinking water and reduces flood risk
- Supporting resilient food systems by providing habitat for native pollinators
- Increasing property values
- Providing recreational opportunities and spaces for relaxation



LICHEN, PILEATED WOODPECKER

This resource was developed by:

ISLANDS TRUST CONSERVANCY

COASTAL DOUGLAS-FIR & ASSOCIATED ECOSYSTEMS CONSERVATION PARTNERSHIP

RAINCOAST CONSERVATION FOUNDATION

Photos by Kristine Mayes except lichen photo by Ken Lertzman, header and footer photos by Alex Harris for Raincoast. Map produced by Islands Trust.

Why are CDF Forests at Risk?

Since European settlement, almost half of the historically forested land in the CDF zone has been lost due to land uses such as forestry and development. Most old-growth forests have been replaced by second-growth forests that are not as biodiverse or resilient. Remaining CDF forests are in a hotspot of urban and rural development, and under increasing pressure from a growing population.

Climate change will have significant impacts on CDF forests as intensifying summer droughts stress trees. Islander observations indicate that climate change has already impacted western redcedar and other species. It is likely that drought is the primary cause of increased stress, but work needs to be done to understand these changes and adapt conservation of CDF habitats.

CDF forests and associated ecosystems are among the most endangered in Canada, yet only 11% of land in this zone is protected. Eighty percent of the land in the CDF zone is privately owned, highlighting the importance of voluntary conservation actions by individuals to protect what's left.


DOUGLAS-FIR CONES

Only 11% of land in the CDF zone is under some form of protection

What You Can Do

Become a land steward:

- ☐ Protect living trees
- ☐ Leave large patches of natural forest intact
- ☐ Leave standing dead trees (snags) and fallen trees to decay in place to provide shelter and food for wildlife
- ☐ Restrict vehicle and livestock access into forests
- ☐ Control invasive species, like ivy, holly, daphne, and broom
- ☐ Keep cats indoors as much as possible
- ☐ Garden with native species
- ☐ Keep forest health in mind while managing fire risk. Focus on fire-proofing your home and planting a buffer of fire-resistant native plants like salal and Oregon-grape. Help protect your community by protecting older forests: their high moisture-holding capacity makes them a natural fire break.
- ☐ Become a citizen scientist — add your observations to a growing global database using the iNaturalist app, or keep a nature journal

Consider how your community can protect forests through Environmental Development Permit Areas and conservation guidelines in your Official Community Plan and Land Use Bylaw.

Permanently protect your land with conservation covenant. A covenant is a voluntary, legal agreement between you and a conservancy that protects your land from development — not just while you own and live on the land, but even after your property is sold or transferred to new owners. Covenants registered through the Islands Trust's **Natural Areas Protection Tax Exemption Program (NAPTEP)** are eligible for a 65% reduction in property taxes on the portion of land protected.

Create a nature reserve through a donation of land to a conservancy or parks agency. If you donate land with significant ecological value, you may be eligible for additional tax benefits through the federal Ecological Gifts Program.

Opportunity Fund grants can help cover costs associated with protecting land. Contact Islands Trust Conservancy to learn more at 250-405-5186 or itcmail@islandstrust.bc.ca

Resources

For information on conservation covenants, land donations, and stewardship programs, contact:
Islands Trust Conservancy: visit islandstrustconservancy.ca, email itcmail@islandstrust.bc.ca, or phone 250-405-5186

Thetis Island Nature Conservancy: visit thetisislandnatureconservancy.org or email ThINC@thetisisland.net

For information on CDF ecosystems at risk, contact:
Coastal Douglas-fir Conservation Partnership: visit cdfcp.ca or email info@cdfcp.ca

For information about Raincoast Conservation Foundation's Gulf Islands Forest Project, visit: raincoast.org/gulf-islands

NEXWLÉLEXWM (BOWEN ISLAND)

Coastal Western Hemlock Forests

What are Coastal Western Hemlock Ecosystems?

The Coastal Western Hemlock (CWH) zone describes a unique set of ecosystems that stretch along the north Pacific coast of North America, encompassing most of coastal BC. The wet, temperate rainforests that characterize the CWH zone are still widespread in BC; however, a number of rare CWH ecosystems adapted to the dry, Mediterranean conditions found in and around the Salish Sea are under threat and under-protected.

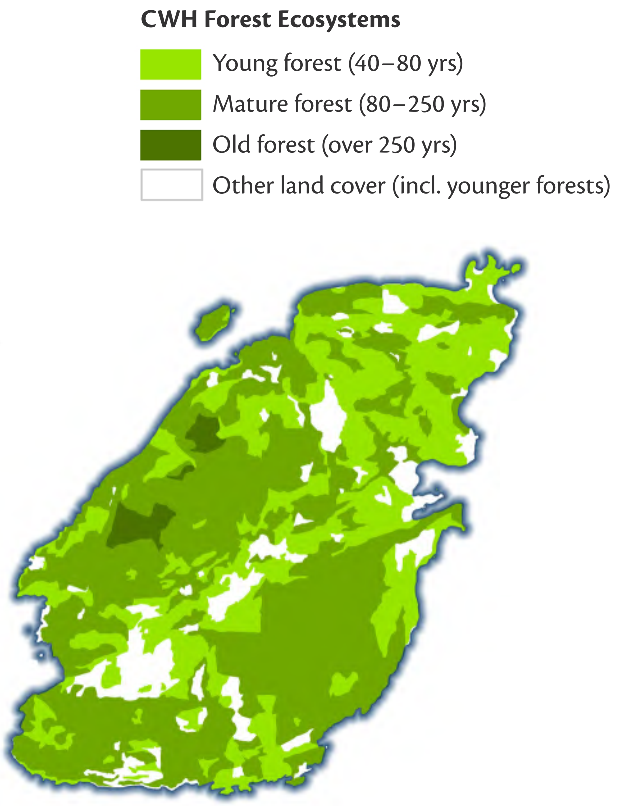
Why are CWH Forests Important?

Extending from sea level to 1000 metres, the CWH zone may support the greatest diversity and abundance of wildlife habitat in BC. Large, old-growth trees provide critical habitat for species-at-risk like the Marbled Murrelet and Northern Goshawk. Snags provide nesting and foraging habitat for birds and small mammals. Fallen trees support amphibians, fungi and mosses, and act as nurse logs for seedlings. Root systems control and filter rainwater runoff into streams, protecting salmon habitat.

In addition to supporting biodiversity, CWH forests benefit our communities by:

- Providing cultural and spiritual places for First Nations that have lived in the region since time immemorial
- Mitigating climate change by capturing and storing carbon from the atmosphere
- Capturing rainwater and controlling and filtering runoff into lakes and streams, protecting drinking water and mitigating risk of flooding and drought
- Reducing pollution by removing dust, pollen, and smoke from the air
- Increasing property values
- Providing recreational opportunities and spaces for relaxation

THE PILEATED WOODPECKER, NORTHERN RED-LEGGED FROG, AND MARBLED MURRELET ARE AMONG THE MANY SPECIES THAT DEPEND ON CWH FORESTS



ISLANDS TRUST CONSERVANCY

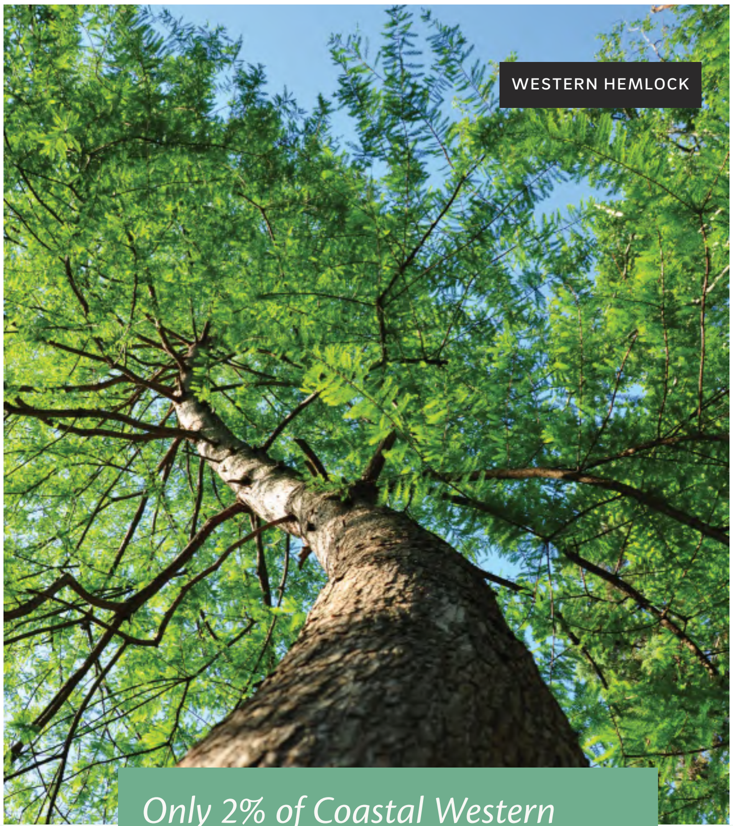
Learn more at islandstrustconservancy.ca

Pileated woodpecker, frog and tree photos by Kristine Mayes; header photo by Erika Rathje; Marbled Murrelet by U.S. Department of Agriculture, licensed under CC BY 2.0. Map produced by Islands Trust.

Why are CWH Forests at Risk?

As a result of past logging and development, 13 unique CWH ecosystems are at risk. While unsustainable logging remains one of the greatest threats to forests, the rarest CWH ecosystems occur in the Lower Mainland, Sunshine Coast, Howe Sound islands, and eastern Vancouver Island, where they also face widespread urban and rural development and other pressures from a growing human population. Climate change is expected to add to impacts on CWH forests. Intensifying summer drought will stress trees (as already seen in western redcedar die-offs), which will have cascading effects throughout the forest ecosystem.

The CWH ecosystems of the Salish Sea are among the rarest and most threatened in BC. Two thirds of historic forests in this region have been logged in the last 120 years while another 25% have been permanently converted to other land uses. Only 2% of CWH ecosystems in the Salish Sea region are protected, highlighting the urgent need to conserve remaining mature and old-growth forests.



Only 2% of Coastal Western Hemlock ecosystems in the Salish Sea region are protected

What You Can Do

Become a forest steward:

- ☐ Protect living trees and large patches of natural forest
- ☐ Leave standing dead trees (snags) and fallen trees to decay in place to provide shelter and food for wildlife
- ☐ Restrict vehicle and livestock access into forests
- ☐ Control invasive species, like ivy, holly, daphne, and broom
- ☐ Keep cats indoors as much as possible
- ☐ Garden with native species
- ☐ Keep forest health in mind while managing fire risk. Focus on fire-proofing your home and planting a buffer of fire-resistant native plants like salal and Oregon grape. Help protect your community by protecting older forests: their high moisture-holding capacity makes them a natural fire break.
- ☐ Become a citizen scientist—add your observations to a growing global database using the iNaturalist app, or keep a nature journal

Consider how your community can protect forests through Environmental Development Permit Areas and conservation guidelines in your Official Community Plan and Land Use Bylaw.

Permanently protect land with conservation covenant. A covenant is a voluntary, legal agreement between you and a conservancy that protects land from development—not just while you live on the land, but also for future caretakers of the land. Covenants registered through the Islands Trust's **Natural Areas Protection Tax Exemption Program (NAPTEP)** are eligible for a 65% reduction in property taxes on the portion of land protected.

Create a nature reserve through a donation of land to a conservancy or parks agency. If you donate land with significant ecological value, you may be eligible for additional tax benefits through the federal Ecological Gifts Program.

Opportunity Fund grants can help cover costs associated with protecting land. Contact Islands Trust Conservancy to learn more at 250-405-5186 or itcmail@islandstrust.bc.ca.

For information on conservation covenants, land donations, and stewardship programs, contact:

Islands Trust Conservancy
islandstrustconservancy.ca
itcmail@islandstrust.bc.ca
250-405-5186

Bowen Island Conservancy
bowenislandconservancy.org
info@bowenislandconservancy.org
604-612-6572

This resource is adapted from material developed by Islands Trust Conservancy in collaboration with the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership and Raincoast Conservation Foundation.

Forest Conservation Checklist

Level of commitment	Impact	Action
Low ↓ High	Moderate to high, immediate	Become a land steward: ☐ Protect living trees ☐ Leave standing dead trees (snags) and fallen trees to decay in place to provide shelter and food for wildlife ☐ Become a citizen scientist—add your observations to a growing global database using the iNaturalist app, or keep a nature journal ☐ Garden with native species ☐ Keep cats indoors as much as possible ☐ Control invasive species, like ivy, holly, daphne and broom ☐ Restrict vehicle and livestock access into forests ☐ Remember that fire is a natural and important part of forest ecosystems. Protect your home from fire through FireSmart home maintenance and by creating a 10-metre protective buffer of fire-resistant native plants. Help protect your community from fire by protecting old-growth forests: their high moisture-holding capacity makes them a natural fire break. ☐ Leave large patches of natural forests intact
Moderate	Potentially high, medium-term	Consider how your community can protect forests through inclusion of Environmental Development Permit Areas and conservation guidelines in your Official Community Plan.
High	High, long-term	Permanently protect your land with conservation covenant. A covenant is a voluntary, legal agreement between you and a Conservancy that protects your land from development not just while you own and live on the land, but even after your property is sold or transferred to new owners. Covenants registered through the Natural Area Protection Tax Exemption Program (NAPTEP) are eligible for a 65% reduction in property taxes on the portion of land protected.
High	High, long-term	Donate land to the Islands Trust Conservancy or another conservation agency. The land will be permanently cared for and protected to achieve your conservation vision. If you donate land with significant ecological value, you may be eligible for additional capital gains tax exemptions through the federal Ecological Gifts Program.

ISLANDS TRUST CONSERVANCY

BRIEFING

To:	Islands Trust Conservancy Board	**For the Meeting of:**	October 6, 2020
From:	Staff	**Date Prepared:**	September 15, 2020

SUBJECT: REQUEST FOR ISLANDS TRUST CONSERVANCY BOARD APPOINTMENT

PURPOSE: To review the process for appointments to the Islands Trust Conservancy Board, consider the competency matrix, and provide direction to staff on request for appointment materials.

BACKGROUND: The Islands Trust Conservancy Board (ITC Board) has up to three appointed members. The ITC Board has one vacant appointed position following the resignation of Dr. Susan Hannon.

The Minister of Municipal Affairs and Housing makes appointments with assistance from the Crown Agencies and Board Resourcing Office (CABRO). CABRO has advised of the following steps to fill ITC Board vacancies:

1) The Board should update the competency matrix (attached) to help illustrate the skills/knowledge/diversity attributes, etc. that the candidates being recommended for re-appointment bring to the Board. If the Board is recommending a change and would like to seek new candidate(s) to fill vacancies, then the competency matrix is useful to illustrate what skills/knowledge/diversity attributes are being sought.
2) ITC Staff will complete a request for appointment checklist (attached) and notice of position (attached) and will submit these items with the competency matrix to CABRO staff.

Once all the forms are received, CABRO will consider appointments and existing pool of candidates and will either recommend to the Minister to use existing candidate or recommend to proceed with a Notice of Position. A Notice of Position process will take 4-8 weeks to conclude.

OTHER: On September 21, the Provincial Government announced that an election is planned for October 24. The timing of the election may impact the ITC Board appointment process.

ATTACHMENT(S):

1. Request for Appointment Checklist (partially completed)
2. Competency Matrix (partially completed)
3. Notice of Position (Draft)

FOLLOW-UP: Staff will complete the required forms based on ITC Board input and will submit the completed package to CABRO.

Prepared By: **Kate Emmings, A/Manager, Islands Trust Conservancy**

BRITISH COLUMBIA | Ministry of Finance

Crown Agencies and
Board Resourcing Office (CABRO)
gov.bc.ca/cabro

REQUEST FOR APPOINTMENT (RFA) CHECKLIST

INSTRUCTIONS

- Complete the parts of this checklist that apply to your situation and send it to your ministry appointment co-ordinator and cc the Crown Agencies and Board Resourcing Office (CABRO).

Freedom of Information and Protection of Privacy Act (FOIPPA) – The personal information on this form is collected for the purpose of administering a variety of statutes that authorize the appointment of individuals to public sector organizations under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Crown Agencies and Board Resourcing Office by email at abc@gov.bc.ca or by telephone at 604 660-0465.

PART A – GENERAL INFORMATION

Name of Board or Public Sector Organization:	Name and title of individual and title completing this form:	Date Completed: DD/MM/YYYY
Ministry Responsible:	Governing Legislation:	Type of Appointment: (OIC/MO/ ML/SR, etc.)

PART B – RECOMMENDED REAPPOINTMENTS (due to upcoming expiries)

Member Name (Include first, middle and last name)	Position (Eg. Chair, Vice-Chair, Member, Director, etc.)	Initial Appointment Date (DD/MM/YYYY)	Term Expiry Date (DD/MM/YYYY)	Is the Performance Appraisal (PA) form attached? (Y/N)	Suggested Term
1.					
2.					
3.					
4.					
5.					

PART C – RECOMMENDED RECRUITMENT AND EVALUATION

Describe competencies sought for vacant position(s) and/or reappointments **including: gender, diversity and regional/geographic representation on the Board.**

PART D – VACANCIES (Vacating member due to members not recommended for reappointment, served maximum term, resignations or legislation requirements)				
Member Name (Include first, middle and last name of outgoing member)	Position (Eg. Chair, Vice-Chair, Member, Director, etc.)	Current/Upcoming date of vacancy (DD/MM/YYYY)	Is the Notice of Position (NOP) form attached? (Y/N)	Notes (eg. not seeking Reappointment (RE), not recommended for RE, Resignation or Retired)
1.				
2.				
3.				
4.				
5.				

PART E – NEW CANDIDATES FOR APPOINTMENT CONSIDERATION (OPTIONAL)				
Candidate Name (Include first, middle and last name)*rank by priority	Position (Eg. Chair, Vice-Chair, Member, Director, etc.)	Is a resume attached? (Y/N)	Is a Candidate Profile and Declaration (CPD) form attached? (Y/N)	Suggested Term
1.				
2.				
3.				
4.				
5.				

BRITISH COLUMBIA | Ministry of Finance

Crown Agencies and
Board Resourcing Office (CABRO)
gov.bc.ca/cabro

COMPETENCY MATRIX
for Governing Boards

INSTRUCTIONS
- Complete the matrix below. Leave the field blank if it does not apply.
- If you require more space, attach a separate sheet.

Freedom of Information and Protection of Privacy Act (FOIPPA) – The personal information on this form is collected for the purpose of administering a variety of statutes that authorize the appointment of individuals to public sector organizations under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Crown Agencies and Board Resourcing Office by email at **abc@gov.bc.ca** or by telephone at 604 660-0465.

PART A – GENERAL INFORMATION

NAME OF BOARD OR PUBLIC SECTOR ORGANIZATION	DATE COMPLETED DD / MMM / YYYY
Islands Trust Conservancy Board	

PART B – COMPETENCIES [*enter the name of each board member and check (✓) the competencies that apply* in the bottom three rows]

NAME OF COMPETENCY	Kate-Louise Stamford	Doug Fenton	Sue-Ellen Fast	Linda Adams	Donald-Fraser Clarke								NOTES
Accounting	✔	✔											
Communications	✔	✔	✔	✔	✔								
Cyber Security / Privacy													
Enterprise Risk Management		✔			✔								
Finance / Investment Management					✔								
Governance	✔		✔	✔	✔								
Human Resources / Recruitment	✔	✔	✔	✔	✔								
Information Technology													
Labour Relations					✔								

NAME OF BOARD OR PUBLIC SECTOR ORGANIZATION	DATE COMPLETED DD / MMM / YYYY
Islands Trust Conservancy Board	

PART B – COMPETENCIES CONTINUED [*enter the name of each board member and check (✓) and add in the competencies that apply* in the bottom three rows]

NAME OF COMPETENCY	Kate-Louise Stamford	Doug Fenton	Sue-Ellen Fast	Linda Adams	Donald-Fraser Clarke								NOTES
Leadership Experience	✔	✔	✔	✔	✔								
Legal		✔		✔									
Public Sector Knowledge		✔	✔	✔	✔								
Real Estate Development													
Strategic Planning Experience		✔	✔	✔	✔								
Knowledge of community served	✔	✔	✔	✔									
Land Conservation Experience			✔										
Fundraising/Donor Development			✔		✔								

PART C – DIVERSITY

Describe how diversity is incorporated on the board (i.e. gender balance, ethnicity, geographic representation and/or other diversity requirement).

Male and female genders are well represented on the Islands Trust Conservancy Board, but there is little ethnic diversity represented. There is representation from across the Islands Trust Area - Bowen, Gambier, Salt Spring and Thetis Islands - as well as the nearby city of Victoria.

The Islands Trust has adopted a reconciliation declaration and is working to better understand and incorporate First Nations reconciliation into its work. The Islands Trust Conservancy has identified expertise in First Nations engagement as a growth area for its Board and would welcome a new member with this competency.

BRITISH COLUMBIA | Ministry of Finance

Crown Agencies and
Board Resourcing Office
(CABRO)

gov.bc.ca/cabro

NOTICE OF POSITION

ISLANDS TRUST CONSERVANCY

October, 2020

Freedom of Information and Protection of Privacy Act (FOIPPA) – The personal information on this form is collected for the purpose of administering a variety of statutes that authorize the appointment of individuals to public sector organizations under the authority of section 26(c) of the FOIPPA. Questions about the collection or use of this information can be directed to the Crown Agencies and Board Resourcing Office by email at **abc@gov.bc.ca** or by telephone at 604 660-0465.

Please insert your organization's information according to the instructions highlighted in grey. Please delete the instructions.

Business and Structure

In 1974 the Province of British Columbia recognized the islands between Vancouver Island and the mainland as a special place within the province where the unique beauty, rural character and diverse ecosystems should be protected for future generations. Through the *Islands Trust Act*, the province established the Islands Trust, a local government, with the following 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 generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.

In 1990, through the enactment of a section of *Islands Trust Act*, the Islands Trust Conservancy (previously the Islands Trust Fund) was established 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 Conservancy is a separate corporate entity within the Islands Trust, empowered to acquire and hold money, land and interest in land within the trust area and to administer and manage the Islands Trust Conservancy. The Islands Trust Conservancy has six staff and a regular annual budget of over $850,000 and manages funds for property management, land acquisition, covenant defense and grants in excess of $575,000. It also applies for and manages grant funds and currently has an annual grant of approximately $200,000 per year over three fiscal years for species at risk work. The main office of the Islands Trust Conservancy is in Victoria and it serves constituents in the Islands Trust Area. During the CoViD-19 pandemic most staff are working remotely and meetings are occurring digitally. More information about the Islands Trust Conservancy is available at www.islandstrustconservancy.ca, including the Annual Report which is available at http://www.islandstrustconservancy.ca/media/85010/islandstrustconservancy-2020-annual-report-web.pdf.

Strategic Direction

The Conservancy's work is directed by a five-year *"Trust Fund Plan"* (see http://www.islandstrustconservancy.ca/media/84795/itc_2018-07-18_5-year-plan_web_fnl.pdf) approved by the Minister of Municipal Affairs and Housing, and its goals are set by a *"Regional Conservation Plan"* (see http://www.islandstrustconservancy.ca/initiatives/planning-for-conservation/). Based on scientific information and local knowledge, the Regional Conservation Plan identifies priorities for conservation within the Islands Trust Area and sets goals and objectives for achieving better levels of land conservation. To protect biodiversity in the islands, the 2018-2027 Regional Conservation Plan focuses the Islands Trust Conservancy's future conservation efforts on these priorities:

- Sensitive ecosystems such as cliffs, wetlands, old forests, woodlands, riparian, herbaceous, and freshwater ecosystems
- Healthy forests
- Species and ecosystems at risk
- Marine shorelines and nearshore areas
- Islets and small islands
- Size, connectivity and corridors

The 2018-2027 Regional Conservation Plan sets out four long-term goals that reflect the enduring aspirations of the Islands Trust Conservancy to work with First Nations, island landholders and partner organizations to protect the rich biodiversity of the Islands Trust Area:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities
2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals
3. Continue to secure and manage Islands Trust Conservancy lands and conservation covenants to maximize ecological integrity
4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

There are many challenges to reaching these goals, including the high land values in the Gulf/Howe Sound Islands and the high costs of managing protected areas, whether they are protected by conservation covenants or fee simple ownership. These challenges mean that each board decision requires sophisticated analysis of complex ecological, legal, financial and political variables. Board members are also encouraged to assist with fundraising strategies to help address high cost of land and land management.

Vacant Position(s)

Experience and Qualifications

While previous experience as a director is not required, it is important that candidates for positions understand the roles and responsibilities of a member of a board and have the necessary experience and demonstrated skills to enable them to contribute to board decision-making and oversight.

Part of the organization's commitment to good governance includes the provision of a comprehensive orientation for new board members and ongoing professional development for new members.

Diversity and Inclusion

People from all regions of our province are invited to help renew B.C.'s public sector boards. Consideration will be given to qualified individuals with a broad range of backgrounds in community, labour and business environments. The selection process will recognize lived experience and volunteer roles as well as paid employment and academic achievements.

To support strong boards that reflect the diversity of our province, women, visible minorities, Indigenous Peoples, persons with disabilities, persons of diverse sexual orientation, gender identity or expression (LGBTQ2S+), and others who may contribute to diversity in public sector board appointments are encouraged to put their names forward for appointments.

Competencies/Attributes

There is currently one vacancy on the Board. The following are the attributes sought for the position(s) currently under consideration:

- *First Nations relations and engagement*
- *Fundraising and donor development*
- *Biology/ecology of coastal British Columbia, a focus on species at risk is an asset*

Time Commitment

The Board typically meets 6 times per year, generally on a weekday between Tuesday and Thursday from approximately 10 am to 3 pm. Meetings take place at Suite 200, 1627 Fort Street, Victoria, B.C or via electronic means. Access to high-speed internet is required.

The Board is a decision making Board and Board Members must review Board packages of between 300 and 600 pages prior to attending meetings. These packages are provide a week in advance of the meeting. To view sample Board packages please visit

http://www.islandstrustconservancy.ca/about-us/meetings/.
In addition, board members may serve on board committees. There are currently no board committees. Board members also attend various functions such as:

- Training events;
- Annual conferences, such as the Lands Trust Alliance of BC Seminar Series;
- Board retreats and strategic sessions;
- Celebration events for land acquisitions and conservation covenant registrations;
- Events to promote Islands Trust Conservancy work, such as the Salt Spring Island Fall Fair; and,
- Events held by funding agencies and community partners.

Term

The Minister sets the term of appointment for Islands Trust Conservancy board members and shall be consistent with CABRO guidelines.

Compensation

Travel expenses are reimbursed and an honorarium of $150 per meeting is provided ($250 for the chair).

Governance Structure

The Islands Trust Conservancy is composed of one member elected by and from the Islands Trust Executive Committee; two members elected by and from Trust Council; and up to three persons appointed by the Minister to represent the public interest. Board members are individuals with an interest in or knowledge of the Islands Trust region and conservation of natural ecosystems. The Board currently has one committee – the Fund Development Advisory Committee.

Board Responsibilities and Accountabilities

Role

The Board's role is that of:

Leader - set the strategic direction, and empowering senior management to implement Board direction;

Overseer - evaluate performance measures and hold senior management accountable;

Steward - provide stewardship for the effective delivery of the organization's mandate;

and;

Reporter - report to government, stakeholders, public, and others.

Responsibilities

Board responsibilities fall into the following general categories:

Managing Board Affairs: Establish the processes and structures necessary to ensure the effective functioning and renewal of the board. This includes: monitoring and improving the quality of the board and ensuring appropriate board committees are in place; ensuring appropriate board orientation and ongoing professional development; articulating roles and responsibilities for the board, committees, and chair individual governors; defining board process and guidelines; evaluating the board, committees, directors and chair; and identifying potential director candidates.

Organization's Mandate: Fully understand the organization's mandate set by government, review, and make recommendations to government regarding the mandate to reflect changing circumstances.

Strategy and Plans: Participate in the development, review and approval of the organization's strategic plan to ensure consistency with the organization's mandate as set by government.

Human Resources: Subject to government legislation and guidelines, select, appoint, compensate, evaluate and terminate the Chief Executive Officer (the President); oversee management succession and development.

Financial and Corporate Issues: Review financial, accounting and control systems to ensure appropriate risk management systems, code of ethical conduct and conflict of interest guidelines are set in place.

Monitor and Report: Monitor organizational performance against strategic plans and compliance with applicable legislation and government direction; account to government and stakeholders through appropriate reporting.

Communications: Oversee organization's communications policy.

Accountabilities

In carrying out its work, the Board operates within the broad policy direction and budget set by the Ministry of Municipal Affairs and Housing. The board must also adhere to policies and bylaws of the Islands Trust Conservancy and Islands Trust (see http://www.islandstrustconservancy.ca/about-us/our-policies-and-agreements/ and http://www.islandstrust.bc.ca/trust-council/policies-and-procedures/ respectively).

Board Composition

The individuals who make up the Board should, collectively, have the necessary personal attributes and competencies required to:

- add value and provide support for management in establishing strategy and reviewing risks and opportunities;
- effectively monitor the performance of management and the organization; and
- account for the performance of the organization.

Personal Attributes

All directors should possess the following personal attributes:

- high ethical standards and integrity in professional and personal dealings;
- appreciation of the responsibilities to the public;
- able and willing to raise potentially controversial issues in a manner that encourages dialogue;
- flexible, responsive and willing to consider others' opinions;
- capable of a wide perspective on issues;
- ability to listen and work as a team member;
- no direct or indirect conflict of interest with the member's responsibility to the organization;

- strong reasoning skills;
- able and willing to fulfill time commitment required to carry out responsibilities;
- may include personal attributes relevant to organization; and
- commitment to continuous learning about the organization and the relevant sector or industry.

Competencies

Collectively, the Board should comprise the following core competencies:

- operational or technical expertise relevant to the operation of the organization including:
  - strategic management and organizational change,
  - operations,
  - internal control and accounting,
  - technology,
  - communications,
  - public sector administration,
  - human resources,
  - labour relations, and
  - risk management.
- financial expertise;
- legal expertise;
- knowledge of government and the public sector environment;
- knowledge of current and emerging issues affecting the organization and its industry or sector; and
- knowledge of the community served by the organization.

List of Current Governors and Senior Executives

	First Appointed	Term Ends	Occupation
Appointed:			
Linda Adams	August 27, 2018	August 27, 2021	Local Government Consultant and Educator
Donald-Fraser Clarke	December 31, 2019	August 27, 2021	
Elected:			
Sue-Ellen Fast	November 9, 2018	November 2022	Island trustee
Kate-Louise Stamford	November 9, 2018	November 2022	Island trustee
Doug Fenton	November 9, 2018	November 2022	Island trustee

Senior Executives:

Russ Hotsenpiller, CAO, Islands Trust

Clare Frater, Director, Trust Area Services, Islands Trust

Kate Emmings, A/Manager, Islands Trust Conservancy

Process for Submitting Expressions of Interest

You may submit an Expression of Interest in serving on this board by clicking on the "Apply Online Now" button at the bottom of this page. For more information on the board, refer to the **Directory of Agencies** website.

British Columbia Appointment Guidelines

Appointments to British Columbia's public sector organizations are governed by written appointment guidelines.

ISLANDS TRUST CONSERVANCY

Islands Trust Conservancy
2021 Meeting Schedule
DRAFT

DATE	TIME	LOCATION
Tuesday, January 26th	10:00 am – 2:30 pm	Victoria
Tuesday, March 23rd or **Tuesday, March 30th**	10:00 am – 2:30 pm	Victoria
Tuesday, May 18th or **Tuesday, May 25th *preferred to accommodate audit**	10:00 am – 2:30 pm	Victoria
Tuesday, July 13th **Annual Meeting with the Executive Committee (EC meet July 14th)*	10:00 am – 12:30 pm 1:00 pm – 2:30 pm	Victoria
Tuesday, September 28th or **Tuesday, October 5th**	10:00 am – 2:30 pm	Victoria
Tuesday, November 23rd	10:00 am – 2:30 pm	Victoria

Unless approved otherwise, meetings are held in the boardroom at:
Islands Trust
Suite 200 – 1627 Fort Street
Victoria, BC V8R 1H8

The proposed meeting agenda is available one week prior to the meeting date

z:\08 governance\3010 itc - meetings\20 meetings - open (p)\06 agenda items\2021\itc_2021_trust-conservancy-board-meeting-notice_draft.docx and may be obtained through the Islands Trust Conservancy:

Website: www.islandstrustconservancy.ca
Email: itcmail@islandstrust.bc.ca
Phone: 250-405-5186

From: Paul McNair
Sent: Monday, July 27, 2020 1:02 PM
To: 'Paul McNair'
Subject: Renewing commitment to Canadian Land Trust Standards & Practices
Attachments: LTABCS&Pboardresolution2020.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear members

In 2005 when the original Canadian Land Trust Standards & Practices were developed, LTABC required all members to accept the S&P as guidelines for the sound management and operations of your land trust.

In 2019, CLTA (Now the Centre for Land Conservation) undertook updating the S&P. As a result, LTABC is joining with the Ontario and Quebec Alliances asking members to renew their commitment to use the Standards & Practices as **guidelines** for your organization.

<u>Neither LTABC or CLC are making the S&P mandatory</u>. By having your Board endorse making progress in areas related to the program, LTABC will continue to organize its conference around topics that advance the S&P and provide materials such as our recent Conservation Planning document to assist land trusts in their operations.

Given the ongoing COVID-19 issue please feel free to circulate this to your Board for approval and return it at your convenience.

Many thanks

Paul

Paul D. McNair
Executive Director | **Land Trust Alliance of British Columbia**

201-569 Johnson Street | Victoria | BC | V8W 1M2
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The land trusts of British Columbia: Together conserving BC's future

Land Trust Alliance of British Columbia (LTABC)

"Canadian Land Trust - Standards and Practices"

Resolution for Board Adoption

The Land Trust Alliance of British Columbia (LTABC) requires that all members of LTABC accept the *Canadian Land Trust Standards and Practices* as their guiding principles for operations of the organization. Some public or private funders also ask for this confirmation by formal resolution or statement.

Members also agree to engage in learning and assessment programs as part of their ongoing commitment to growth in competence and excellence with the *Standards and Practices (S&Ps).* A sample resolution is provided for adoption by the Board of the organization.

WHEREAS, the [organization] has reviewed the *Canadian Land Trust Standards and Practices* as currently published by the Centre for Land Conservation (previously Canadian Land Trust Alliance) in 2019,

and WHEREAS, the [organization] agrees the *Canadian Land Trust Standards and Practices* are the ethical and technical guidelines for the responsible operation of a land trust;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of the [organization], hereby accepts the *Canadian Land Trust Standards and Practices* as guidelines for operations of the organization and commits to making continual progress toward implementation of the *Standards and Practices by* participating in learning and assessment programs in co-operation with LTABC leadership and support as part of this ongoing commitment to LTABC membership and to growing its professional competence and excellence in the *Standards and Practices*.

____________________ Date Adopted

____________________ Board Member ____________________ Position

____________________ Board Member / Executive Director ____________________ Position

Please return to;

paul@ltabc.ca

Or by mail: LTABC 201-569 Johnsons St VICTORIA BC V8W1M2

ISLANDS TRUST CONSERVANCY

Public Acquisitions Update
October 06, 2020

Property Name and Island	Date (yyyy/mm/dd)	Notes
		PUBLICLY CONSIDERED PRIVATE LAND ACQUISITIONS
Crystal Mountain (Galiano) 18.3 ha.	2017/11/21	ITF has 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.
	2018/03/01	Contacted by CMS re: next steps, and confirmed importance of having preliminary survey completed, and ensuring proposed layout is registrable.
	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. The revised proposal is consistent with the conservation proposal submitted to the ITC Board.

Sandy Beach (Area E) (Keats) 3.3 ha.	2014/09/18	It was MOVED and SECONDED, that the Trust Fund Board approve the conservation proposal submitted by the Convention of Baptist Churches of British Columbia to transfer Area E (Sandy Beach), approximately 3.3 hectares of DL 696, Group 1 NWD, Keats Island (PID: 014-385-694) to the Trust Fund Board for protection as a nature reserve.
	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.
	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.
	2016/02/10	Draft Bylaws for DL 696 received.
	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.
	2018/03/13	Email from Island Planner indicates that the rezoning application will move to a community information meeting and public hearing for bylaw 143 on April 18, 2018. The Island Planner has requested that the applicant contact ITC staff regarding requirements for land transfer and covenant prior to April 18.
	2018/04/24	Notice received from GM Planner that GM LTC gave third reading to Proposed Bylaw No. 143 and that applicant is now finalizing plans to subdivide/transfer the Sandy Beach Nature Reserve.
	2018/05/28	Site visit with ITC staff, trustees & SCCA

	2018/06/14	Staff requested applicant provide legal access to Sandy Beach through private land from the proposed Sandy Beach Nature Reserve (to utilize exising trail).
	2018/07/19	Next draft of baseline received and provided to covenant holders for feedback.
	2018/08/01	Applicant confirms that they are willing to provide a Statutory Right of Way for Sandy Beach access.
	2018/08/28	Baseline report feedback provided to applicant and biologist for review and revision.
	2018/09/12	ITC lawyer drafting Statutory Right of Way.
	2019/01/04	Applicant's biologist revised draft baseline report. Forwarded baseline to covenant holder for review.
	2019/02/22	Statutory Right of Way reviewed by legal council and forwarded to covenant holder for review
	2019/04/08	Applicant advised Statutory Right of Way and Survey are pending review by their legal council
	2019/05/10	Applicant attended the site with TLC staff and subsequently advised there may be an exisiting trail that provides access to the beach and a Statutory Right of Way may not be required.
	2019/05/21	Staff from TLC confirmed the viability of the trail, but could not confirm if the trail is on the proposed nature reserve or on the adjacent hydro right of way.
	2019/06/18	The applicant was requested to confirm the location of the recently identified trail, and if possible to identify the trail on the pending land survey.
	2019/07/05	The applicant asked the surveyors to include the location of the trail and has provided pictures of the trail.
	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.
	2019/11/20	Received a draft Transfer Agreement from the applicant.
	2019/12/19	Met on site with applicant to review the location of the newly developed beach access trail.
	2019/12/30	Transfer Agreement reviewed and sent for legal advice. Issues identified with charges registered on the land title and the applicant notified of concerns.
	2020/01/08	Legal review of Transfer Agreement completed and edits provided to the Applicant.
	2020/01/21	Applicant has requested a meeting to go over edits to the Transfer agreement, response sent Jan 28. Ongoing communications occurring regarding the agreement and charges on the land title.
	2020/04/23	ITC Staff begin a conversation with BC Hydro regarding removal of BC Hydro Statutory Rights of Way.
	2020/06/04	Staff met with applicant by conference call to discuss outstanding Transfer Agreement issues.
	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.
	2020/06/29	Final agreement reached on the Transfer Agreement. ITC staff to add it to the July ITC meeting agenda. Agreement from all parties to finalize the conservation covenant within a year of transferring the land.

	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.
	2020/07/14	**ITC-2020-018** **It was MOVED and SECONDED,** that the Islands Trust Conservancy Board direct the Chair to sign the Transfer Agreement, between the Convention of Baptist Churches of British Columbia and the Islands Trust Conservancy, dated July 14, 2020, for the land identified as Lot 1 on Subdivision Plan EPP89532 and that the Islands Trust Conservancy Board direct staff to bring recommendations to the Board regarding the use of the $12,000 contribution from the Convention of Baptist Churches.
	2020/09/16	Applicant is awaiting subdivision approval fromMinsitry of Transportation and Infrastructure which is required to transfer the land to the ITC. The approving officer is away until September 21.
Current Total ITC Acquisitions:		**29 (note Valens Brook Nature Reserve is 2 parcels, but counted as 1 Nature Reserve)**

ISLANDS TRUST CONSERVANCY

PUBLIC COVENANTS UPDATE
October 06, 2020

Property Name and Island	Date (yyyy/mm/dd)	Notes
NAPTEP COVENANTS		
25 NAPTEP Covenants on title, 0 current applications.		
REGULAR COVENANTS UPDATE		
(51 regular covenants on title, 1 regular public covenants in progress, 3 in-camera covenants in progress.)		
Brooks Point Covenant South Pender Island (1.17 ha, 6.02 ha if combined with surrounding covenants)	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.
	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.
	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.

Property Name and Island	Date (yyyy/mm/dd)	Notes
	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
	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 represenatives requested.
	2019/05/01	ITC provided reviewed covenant to CRD with a request to meet with all parties and legal counsel.
Earl Batista Covenant Salt Spring Island	2019/07/16	It was moved and seconded that the Islands Trust Conservancy Board approve the conservation proposal submitted by Jordan Litke on behalf of Manuel and Cythia Batista, approximately 0.85 ha on Collins Road, Salt Spring Island: PID 009-595-694, Section 3, Range 2 West, North Salt Spring Island, Cowichan District, Except part in plan 3985, subject to the removal of any vehicles or equipment that are located in the covenant area.
Property size:	2019/07/25	Staff provided applicant with a covenant template for review.
(0.85 Ha) (previously 200 Collins Rd)	2019/08/27	Development Variance Permit approved by Salt Spring Local Trust Committee
	2019/10/01	Comments received on Draft 1 of the covenant.
	2019/10/04	Draft 2 of the covenant sent to Applicant for review.
	2019/11/05	Baseline Report received. Comments provided Nov. 7, 2019.

Property Name and Island	Date (yyyy/mm/dd)	Notes
	2019/11/25	Revised, Final Baseline Report received.
	2019/12/16	Phone call with landholder regarding covenant terms.
	2020/01/20	Continuing discussion regarding landholder's concerns with the terms and definitions in the covenant.
	2020/03/12	Land holder has decided to go ahead with the covenant as drafted. Staff is awaiting final survey and then will proceed with legal review.
	2020/03/31	Survey plan of covenant area received.
	2020/03/21	Draft covenant updated and sent for legal review.
	2020/06/18	Staff and legal agree on final covenant draft, sent to applicant for review. Applicant confirms that they would like to call this the 'Earl Batista Covenant'.
	2020/06/25	ITC staff and applicant agree on final covenant. Covenant provided to ITC Board for approval, July 14.
	2020/07/14	ITC Board approved signing covenant upon confirmation that garbage noted in the Baseline Report had been removed from the covenant area, and corollary updating of Baseline Report.
	2020/07/29	Landowner indicated that garbage had been removed and staff agreed to conduct site visit to confirm.
	2020/08/21	EPS and CMOS visited the property and found that the boundary lines had been misinterpreted by the landowner, and the garbage (abandoned tent camp) remains in the covenant area. Landowner will now coordinate removal, and confirmation / updated Baseline Report using independent contractor.
ITC NATURE RESERVES WITH COVENANTS OUTSTANDING		
22 Nature Reserves have covenants, 6 Nature Reserves are without covenants, 2 ITC Nature Reserve covenants in progress (1 is under negotiation).		
Sandy Beach Nature Reserve (Proposed) Keats Island (3.3 ha.)	2017/01/10	ITC staff are currently negotiating a conservation covenant concurrently with the Sandy Beach Conservation Proposal (see Public Acquisitions Updates).

PUBLIC COVENANTS UPDATE
October 06, 2020

Property Name and Island	Date (yyyy/mm/dd)	Notes
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	First draft of 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.
	2019/03/11	Contractor and ITC complete ThINC and CCLT's requested revisions to management plan and baseline report. The baseline report will be finalized once the trail is relocated.
	2019/03/19	ITC consults with Islands Trust's Senior Intergovernmental Policy Advisor on opportunities to introduce First Nations content throughout management plan.
	2019/03/20	Further revisions completed by ITC and contractor to address additional edits from ThINC.
	2019/05/08	ITC completes addition of First Nations content throughout management plan and content is reviewed by Islands Trust's Senior Intergovernmental Policy Advisor.
	2019/05/12	Contractor approves First Nations content added to management plan by ITC.
	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. Staff posted Management Plan to the website.
	2020/02/03	Trail recolation 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.
	2020/05/08	ThINC informed ITC that the trail license is not proceeding.
	2020/05/26	ITC Board directs staff to work with ThINC on an appropriate trail access.
	2020/07/14	Landowner signs Trail Licence Agreement with TIRRA (Thetis Island Residents and Ratepayers Association). Staff continues to work with owner to develop permanent legal access.

PUBLIC COVENANTS UPDATE
October 06, 2020

Property Name and Island	Date (yyyy/mm/dd)	Notes
Total	**76 covenants registered**	

GL	Description	Budget	Revenue	Total Available	Spent	Remaining	% Remaining	Additional Commited Funds
	Islands Trust Conservancy Expenditure Tracking 2020-2021							
54500-210	Communications	$ 13,000		$ 13,000	$2,261	$ 10,739	83%	*$ 1,889*
61100-210	Board Honoraria	$ 6,600		$ 6,600	$2,000	$ 4,600	70%	
61200-210	Board Meeting Expense	$ 13,850		$ 13,850	$11	$ 13,839	100%	
61210-210	Board Training & Conferences	$ 4,000		$ 4,000		$ 4,000	100%	
61300-210	Property Management	$ 72,000		$ 72,000	$2,817	$ 69,183	96%	*$ 16,915*
61500-210	Cons Planning / Land Securement	$ 15,000		$ 15,000	$1,170	$ 13,830	92%	*$ 9,000*
63000-210	Legal	$ 8,000		$ 8,000	$7,803	$ 197	2%	*$ 2,783*
61600-210	Ecosystem Mapping	$ 15,000		$ 15,000		$ 15,000	100%	
73001-210-8040	Photo Management	$ 2,750		$ 2,750	$456	$ 2,294	83%	
80300-210	Mobile Devices	$ 2,400		$ 2,400	$1,006	$ 1,394	58%	
81300-210	Training & Conferences	$ 4,168		$ 4,168		$ 4,168	100%	*$ 998*
81305-210	Travel for Training	$ 2,750		$ 2,750		$ 2,750	100%	
82300-210	Travel	$ 6,245		$ 6,245	$3,069	$ 3,176	51%	
8053	Species at Risk Program	$ 187,000		$ 187,000	$2,625	$ 184,375	99%	*$ 35,357*
		$ 352,763	$ -	$ 352,763	$ 23,218	$ 329,545	93%	*$ 66,941*
	Restricted Funds	**Opening Balance**						
	Alton Maintenance Account	$ 91,665.57	$ 9,734	$ 101,400	$ 558	$ 100,842		*$ 425*
	Ruby Alton Endowment Fund	$ 125,191	$ 8,132	$ 133,323		$ 133,323		
	Opportunity Fund	$ 23,974	$ 316	$ 24,290	$ 3,510	$ 20,780		*$ 5,000*
	Covenant Mgmt and Defence Fund	$ 111,786	$ 1,000	$ 112,787		$ 112,787		
	Lasqueti Island Acq Fund	$ 33,069	$ 184	$ 33,253		$ 33,253		
	Gambier Island Acq Fund	$ 124,243	$ 4,805	$ 129,048		$ 129,048		
	Morrison Waxler Legacy Fund	$ 20,262	$ 11	$ 20,273		$ 20,273		
	Thetis Island Acq Fund	$ 1,293	$ 1	$ 1,294		$ 1,294		
	McFadden Creek	$ 23,628	$ 13	$ 23,641		$ 23,641		

Updated: September 16, 2020

ISLANDS TRUST CONSERVANCY

Annual Report

2019/20

Conservation land trust for islands in the Salish Sea

COVER Douglas-fir; ABOVE Phacelia and bee. CREDIT: CARLA FUNK

Message from the Islands Trust Conservancy Board Chair

Working together to protect land and waters of the Salish Sea

Over the years Islands Trust Conservancy (ITC) has focused on **building resilience** for a solid future of conservation in the Islands Trust Area. Little did we know that at the end of this fiscal year we would find ourselves navigating unexpected turbulence with the onset of a global pandemic.

Had we predicted extreme change at a global level we would have guessed that it would stem from climate instability. So much so, this year we completed a synthesis of local **climate change projections** for the Trust Area. We used a suite of relevant indicators that help us understand how conditions will change in our region's land, waters, and surrounding ocean. Of importance to management of protected areas in the Islands Trust Area, we conducted an introductory review of impacts of those changes on local ecosystems and species.

Understanding the impacts of climate projections will only be strengthened by listening to and respecting **multiple kinds of knowledge**. Islands Trust Conservancy is working to review current processes and policies to ensure that the work we do is reflective of the Truth and Reconciliation (TRC) Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the Province of BC Declaration on the Rights of Indigenous Peoples Act (DRIPA). This important work brings together the long-standing work of the ITC mandate of conservation, protection, and preservation of the lands and waters with the foundational principles of recognition, reconciliation, and history.

Expanding our ways of knowing, we have welcomed two new Board members to our **leadership team**—Don Clarke is a member of the Black River First Nation, with more than 25 years of experience working in community development and education in over 50 First Nations communities, and Dr. Susan Hannon is a former Ecology Professor with research expertise in forest ecology and conservation. We are working hard to bring together science-based knowledge with traditional ecological knowledge, knowing that this will strengthen our understanding of how to best preserve and protect these special places.

2019 brought an addition to special places protected: Lasqueti Island welcomed the Salish View Nature Reserve. In addition to supporting several rare and endangered species, Salish View is stunningly beautiful with a 160-metre high ridgetop on the coast and 270 degree views of the Salish Sea. This exceptional place will be preserved and protected for **future generations**.

To keep pace with the number of properties under our care, this year we welcomed the addition of a Covenant Management & Outreach Specialist to the Islands Trust Conservancy team. This **increase in capacity** will enable us to bring our annual monitoring work in-house, better support current covenant landowners to achieve their conservation goals, and be proactive with outreach to prospective covenant donors. Also, with the approval of a new Fund Development Plan, we look forward to further increasing our capacity to conserve natural lands.

The impacts and pressures on natural systems and habitats today are extreme. Islands Trust Conservancy understands that we can't preserve and protect the islands and waters of the Salish Sea alone. The work of securing and leaving a legacy for future generations has never been more urgent. Inspiring conservation in the land and waters of the Salish Sea through **compelling storytelling** is critical to the work we all do. That is why we worked so hard on creating a more engaging and inclusive Islands Trust Conservancy website, to be merged with the Islands Trust website this coming fall.

CREDIT: CARLA FUNK

During our response to the COVID-19 pandemic, Islands Trust and Islands Trust Conservancy demonstrated a **flexibility** that we didn't even know we had. We swiftly and, for the most part, seamlessly shifted from a regular office to home-based offices. Daily work carried on despite the changes to the very fabric of society. All the while we found we were asking each other "is this the new normal?" and perhaps more fundamentally, "what will the new normal be"?

In times of uncertainty we all turn to touchstones of calm, beauty and timelessness. Islanders have those touchstones in their **natural spaces**. Parks, nature reserves and conservation covenants are islands of safe company in a world of physical distancing.

If we have learned anything from this chaotic time, it is that it is not just the waters and islands of the Salish Sea that are fragile—as biodiversity declines, global human health is also vulnerable. Is it an exaggeration to say that **our very lives depend on preserving and protecting** rare and sensitive ecosystems?

We think not.

Kate-Louise Stamford
Chair, Islands Trust Conservancy

Harbour seals, Mayne Island. CREDIT: KRISTINE MAYES

Acknowledgement

The Islands Trust Conservancy acknowledges that we work within the treaty lands and territories of the BOḰEĆEN, Cowichan Tribes, Halalt, Homalco, Kómoks, Klahoose, Ts'uubaa-asatx, Ləkʷ̓əŋən (SXIMEŁEŁ, Songhees, T'Sou-ke), Lyackson, MÁLEXEŁ, Penelakut, Qualicum, Scianew, səl̓ilwətaʔɬ, SEMYOME, shíshálh, Snaw-naw-as, Snuneymuxw, Sk̲wx̲wú7mesh, SȾÁUTW̱, Stzuminus, Tlaamin, scəẃaθən məsteyəxʷ, We Wai Kai, Wei Wai Kum, W̱JOŁEŁP, W̱SIK̲EM, and xʷməθkʷəy̓əm.

Reconciliation Declaration

The 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.

The 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.

The 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)

Leather star, Hornby Island. CREDIT: KRISTINE MAYES

Islands Trust Conservancy

Role

Islands Trust Conservancy was established April 1, 1990 by the *Islands Trust Act* to preserve natural landscapes, cultural heritage, and ecosystems in the Islands Trust Area. The area is nestled within the Salish Sea and includes most of the Gulf Islands and Atl'ka7tsem/Howe Sound. As the regional land trust for the Islands Trust Area, Islands Trust Conservancy works with landholders, local conservancies, and communities to protect places of natural significance in perpetuity. Islands Trust Conservancy receives donations of land, conservation covenants, and cash; monitors and manages land to conserve and restore biodiversity; and works with islanders on private land stewardship. As a qualified donee, Islands Trust Conservancy provides receipts for income tax purposes for all eligible donations.

This year Islands Trust Conservancy affirmed its commitment to respect and honour Reconciliation with First Nations, and to develop mutually respectful relationships with Coast Salish Indigenous Peoples, through a formally adopted Reconciliation Declaration.

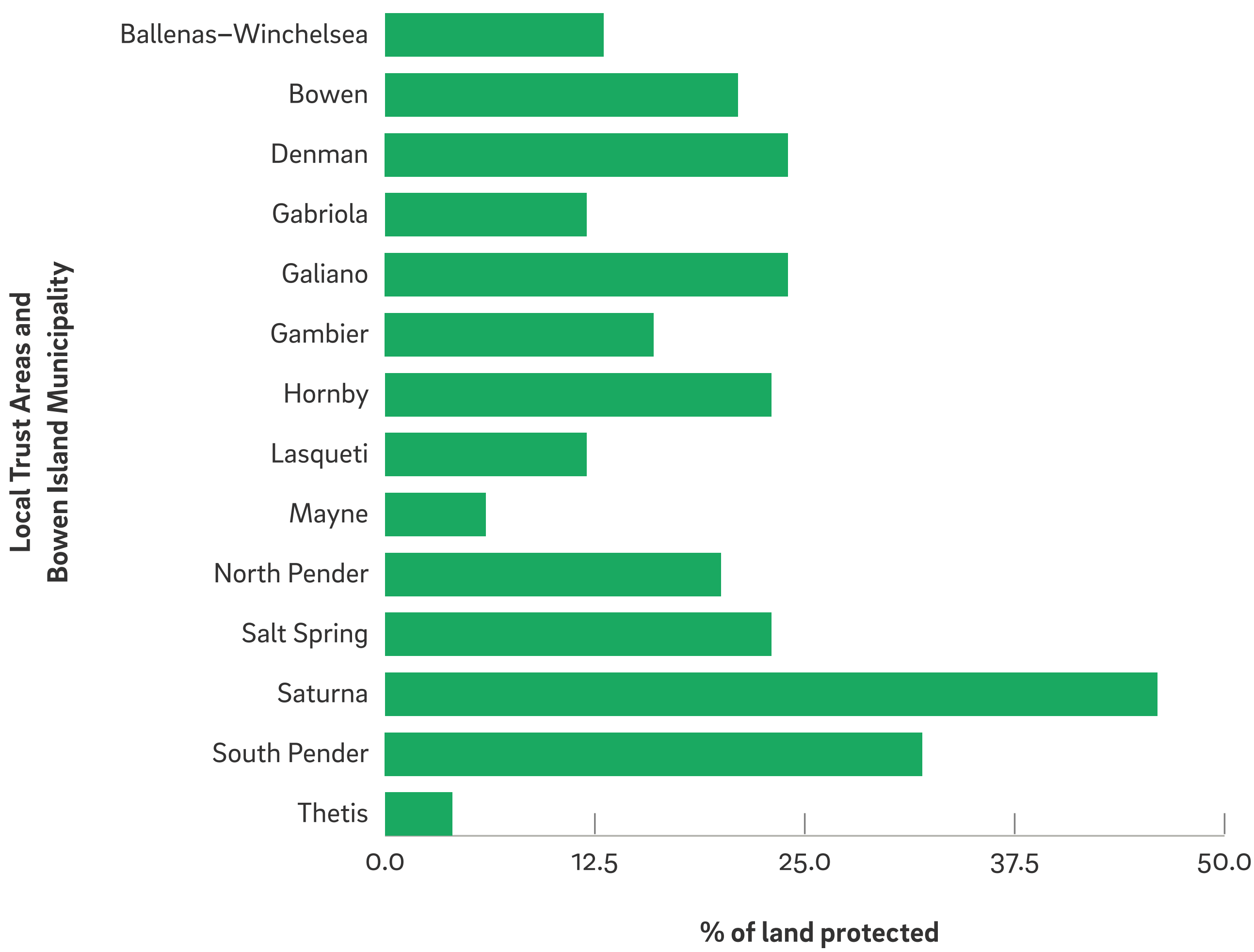
Board Members

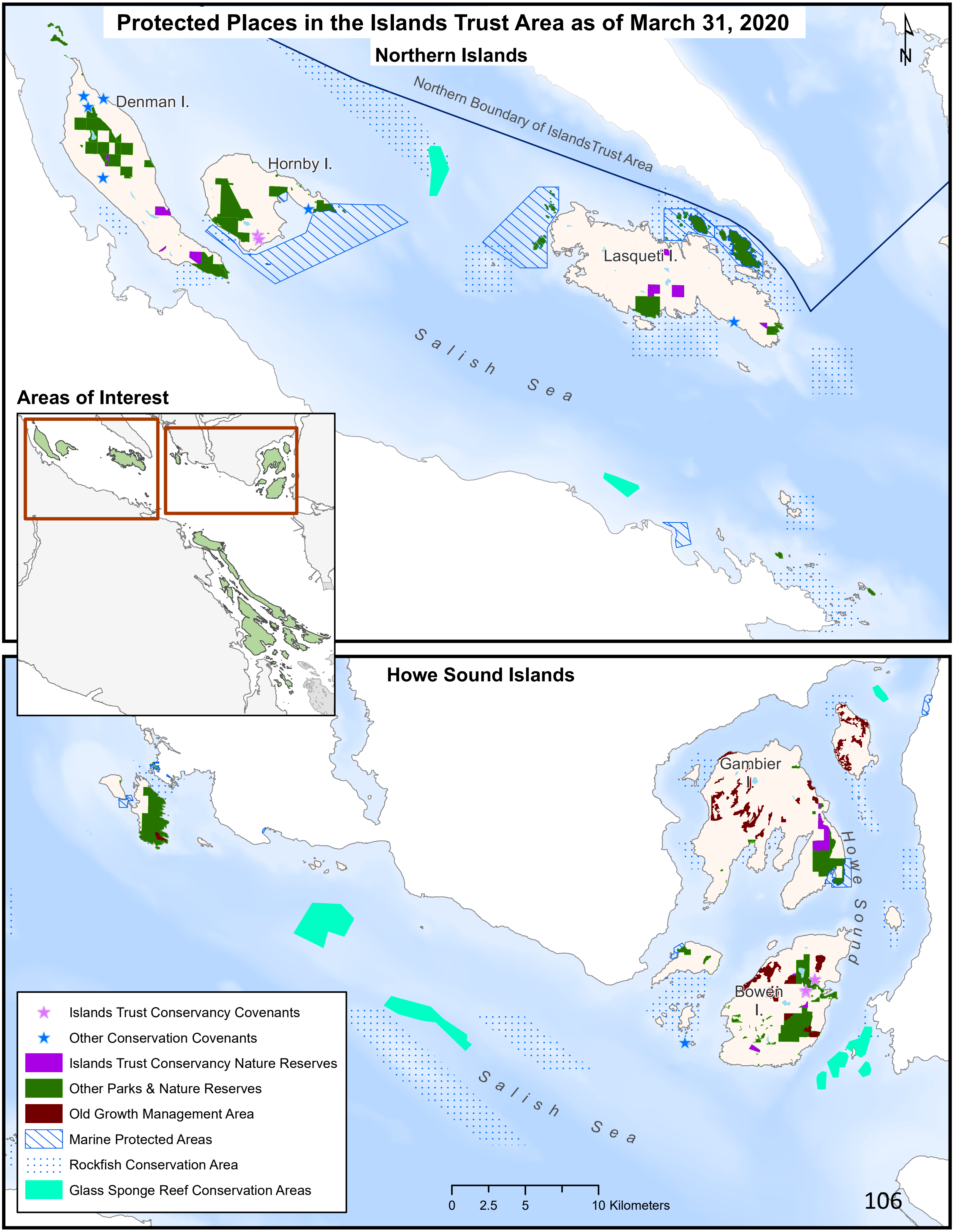
Kate-Louise Stamford, Gambier Island (2014–2018, Chair, 2018–present)
Sue Ellen Fast, Bowen Island Municipality (2018–present)
Doug Fenton, Thetis Island (2018–present)
Linda Adams, Salt Spring Island
(Appointed Member, August 2018–August 2019, August 2019-present)
Susan Hannon, Salt Spring Island
(Appointed Member, November 2019–present)
Donald Clarke, Victoria (Appointed Member, January 2020–present)
Hoops Harrison, Vancouver and Saturna Island
(Appointed Member, August 2016–August 2019)
Robin Williams, Salt Spring Island (Appointed Member, 2017, 2018–2019)

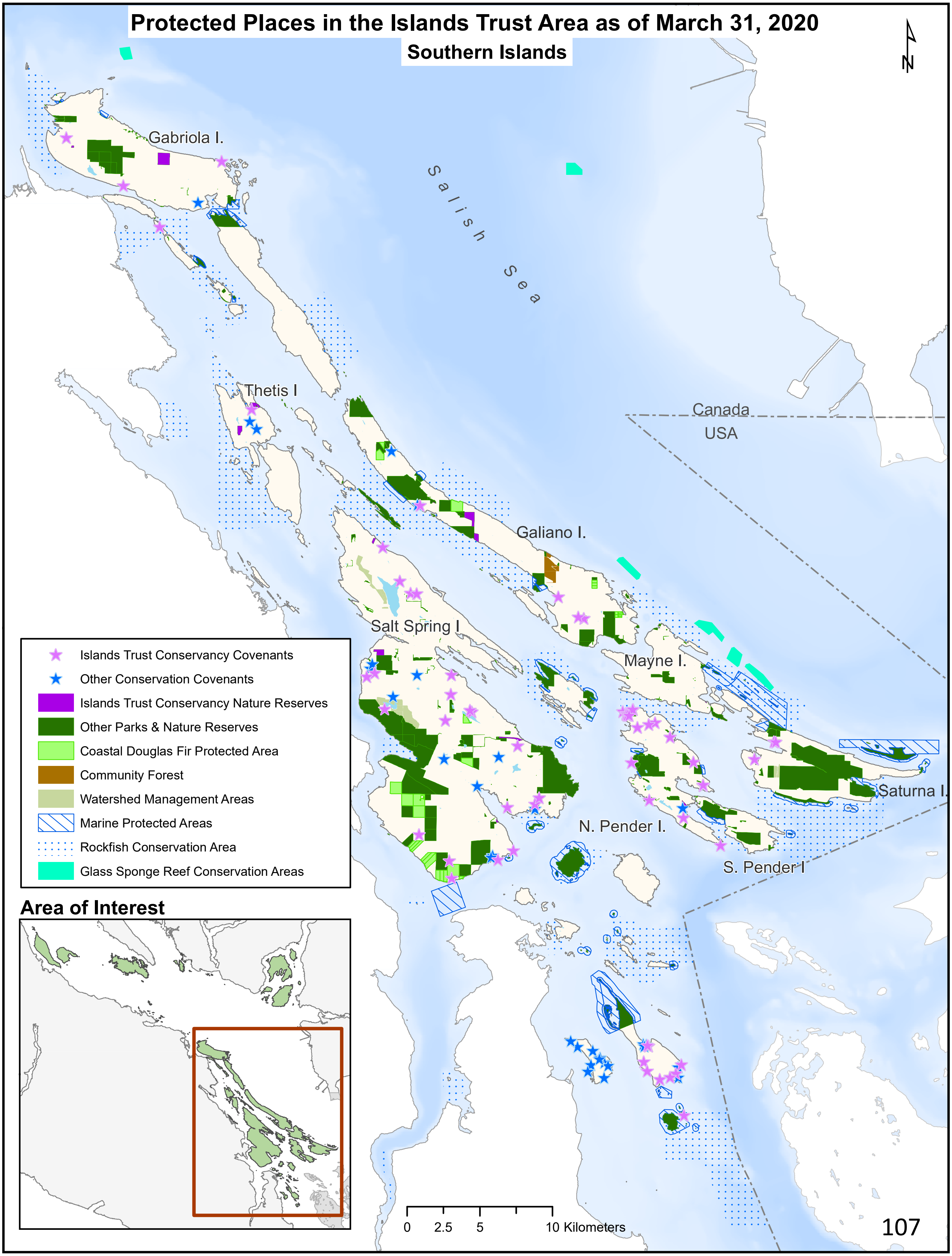
Protected Places in the Islands Trust Area

Over 1300 hectares of natural and historic values, including 12,533 metres of shoreline, on 106 properties have been protected by Islands Trust Conservancy as of March 2020. When combining the numbers with those protected by public and non-profit conservation organizations (including Islands Trust Conservancy), there is a total of 15,477.13 hectares (20 per cent) protected land in the Islands Trust Area.

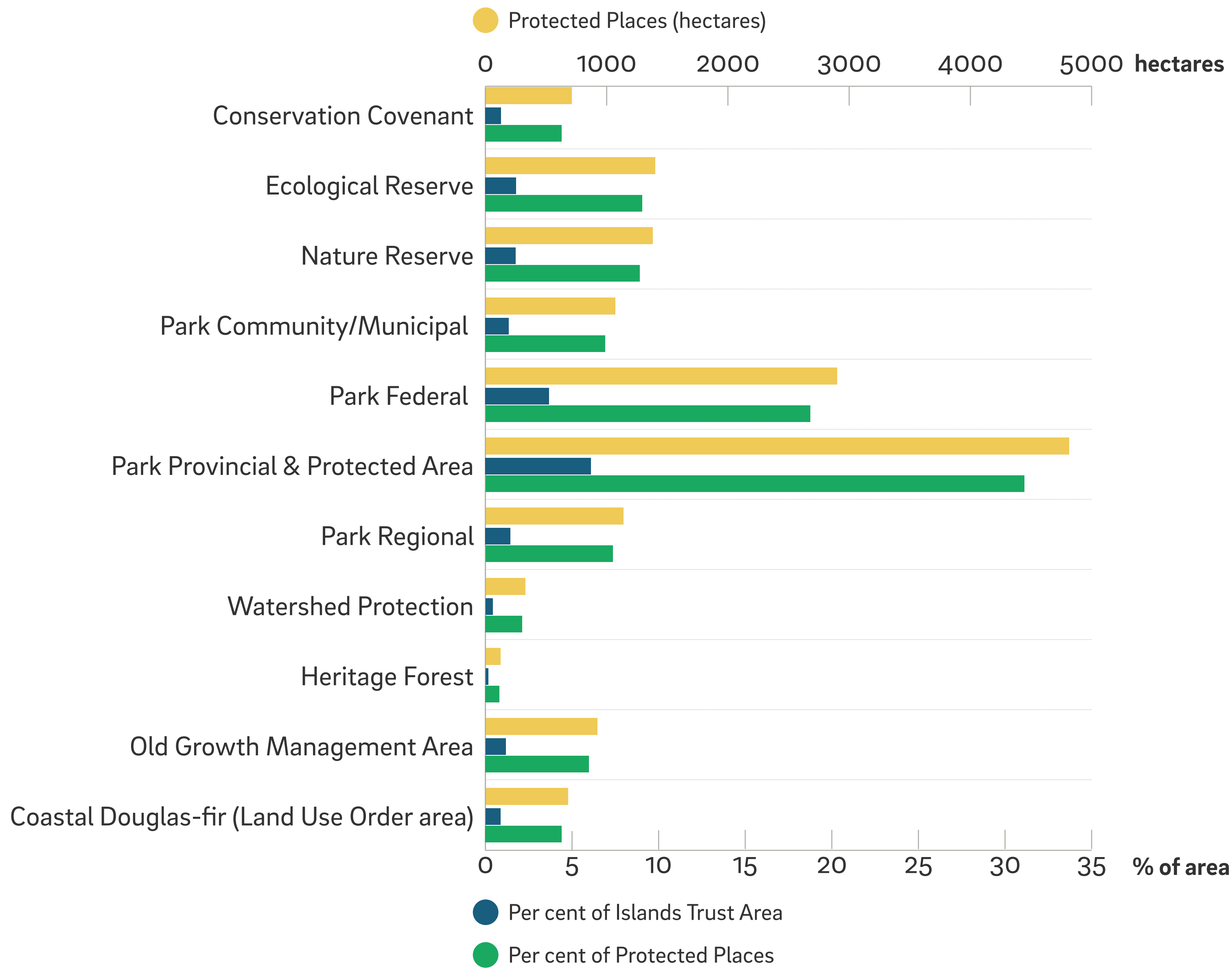
Protected Places in Each Local Trust Area and Bowen Island Municipality as of March 31, 2020




Protected Places in the Islands Trust Area as of March 31, 2020
Northern Islands
N
Denman I.
Hornby I.
Lasqueti I.
Northern Boundary of Islands Trust Area
Salish Sea
Areas of Interest
Howe Sound Islands
Gambier I.
Bowen I.
Howe Sound
Salish Sea
Islands Trust Conservancy Covenants
Other Conservation Covenants
Islands Trust Conservancy Nature Reserves
Other Parks & Nature Reserves
Old Growth Management Area
Marine Protected Areas
Rockfish Conservation Area
Glass Sponge Reef Conservation Areas
0
2.5
5
10 Kilometers


Protected Places in the Islands Trust Area as of March 31, 2020
Southern Islands
N
Gabriola I.
Salish Sea
Thetis I
Canada
USA
Galiano I.
Salt Spring I
Mayne I.
Saturna I.
N. Pender I.
S. Pender I
Islands Trust Conservancy Covenants
Other Conservation Covenants
Islands Trust Conservancy Nature Reserves
Other Parks & Nature Reserves
Coastal Douglas Fir Protected Area
Community Forest
Watershed Management Areas
Marine Protected Areas
Rockfish Conservation Area
Glass Sponge Reef Conservation Areas
Area of Interest
0
2.5
5
10 Kilometers

Types of Protected Places in the Island Trust Area



Regional Conservation Plan

The Regional Conservation Plan 2018–2027 guides the work of Islands Trust Conservancy to protect ecosystems in the islands in the Salish Sea. This ten-year plan is science-based and community-informed, and included valuable input from six Coast Salish Nations.

The Regional Conservation Plan 2018–2027 has four long-term goals to focus its efforts and resources on the species and habitats most urgently in need of conservation. The following is a summary of the activities and accomplishments as assessed through the lens of the four long-term goals identified in the Regional Conservation Plan:

Goal 1: Knowledge-based Conservation Planning

Identify, investigate, and communicate about important natural areas to generate action on conservation priorities

In order to contribute to effective conservation of biological diversity and ecological integrity in the Islands Trust Area, Islands Trust Conservancy seeks to increase its understanding of ecosystems and species in the region. Islands Trust Conservancy uses a variety of information to support careful decisions on how to manage and care for land.

Mapping and Data Analysis

Islands Trust Conservancy acquires and analyzes data and shares it with others. In 2019/20, the Islands Trust Conservancy:

- Updated protected area mapping for the region and contributed to the British Columbia Non-Governmental Organization Conservation Areas Database.
- Coordinated updates of species-at-risk data with federal and provincial governments.
- Shared data with seven non-profit organizations, government partners, and community members.

- Developed a synthesis and analysis of climate change projections and likely impacts to natural areas across the Islands Trust Area.
- Worked with the Islands Trust to map contiguous forest, and rated impacts to them from roads and structures.

Planning and Adapting for Climate Change

Islands Trust Conservancy is developing practical and feasible actions to ensure that our work includes both adaptation and mitigation in response to climate change. In 2019/20 Islands Trust Conservancy:

- Completed a synthesis of local climate change projections for the Trust Area. We used a suite of relevant indicators that help us understand how conditions will change in our region's land, waters, and surrounding ocean.
- Conducted an analysis of impacts of those changes on local ecosystems and species.

Red alder. CREDIT: CARLA FUNK

Goal 2: Collaboration with First Nations

Strengthen relationships with First Nations to identify and collaborate on shared conservation goals

Islands Trust Conservancy passed a Reconciliation Declaration in July 2019, and in January 2020, Islands Trust Conservancy welcomed its first Indigenous Board member.

As part of our commitment to the TRC Calls to Action and reconciliation, Islands Trust Conservancy staff and Board members participated in cultural competency training in 2019. This training has been incorporated into our orientation for new staff and Board members.

Islands Trust Conservancy is working to review current processes and policies to ensure that the work we do is reflective of the Truth and Reconciliation (TRC) Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the Province of BC's Declaration on the Rights of Indigenous Peoples Act (DRIPA). We have created a template for a Cultural Management Plan for nature reserves that can be used alongside ecological plans, and have begun the important work of engaging with First Nations regarding land management. We have also broadened the intent of our conservation covenant template to reflect the important work needed to protect cultural sites. We anticipate that these standards will evolve over time as we work to implement UNDRIP.

This important work brings together the Islands Trust Conservancy mandate of conservation, protection, and preservation of the lands and waters around us with the foundational principles of recognition, reconciliation, and history.

Islands Trust Conservancy looks forward to working closely with First Nations governments to ensure that conservation is reflective of Indigenous ways of knowing, cultural history and heritage, sustainability and stewardship, and management.

Goal 3: Protect Core Conservation Areas

Continue to secure and manage Islands Trust Conservancy lands and conservation covenants to maximize ecological integrity

The core of Islands Trust Conservancy's work is to secure conservation areas that conserve biodiversity within the Islands Trust Area. We have developed systematic approaches rooted in science and best practices to determine which areas are most in need of conservation and focus our outreach, land securement and property management efforts in these areas.

2019/20 Conservation Covenants

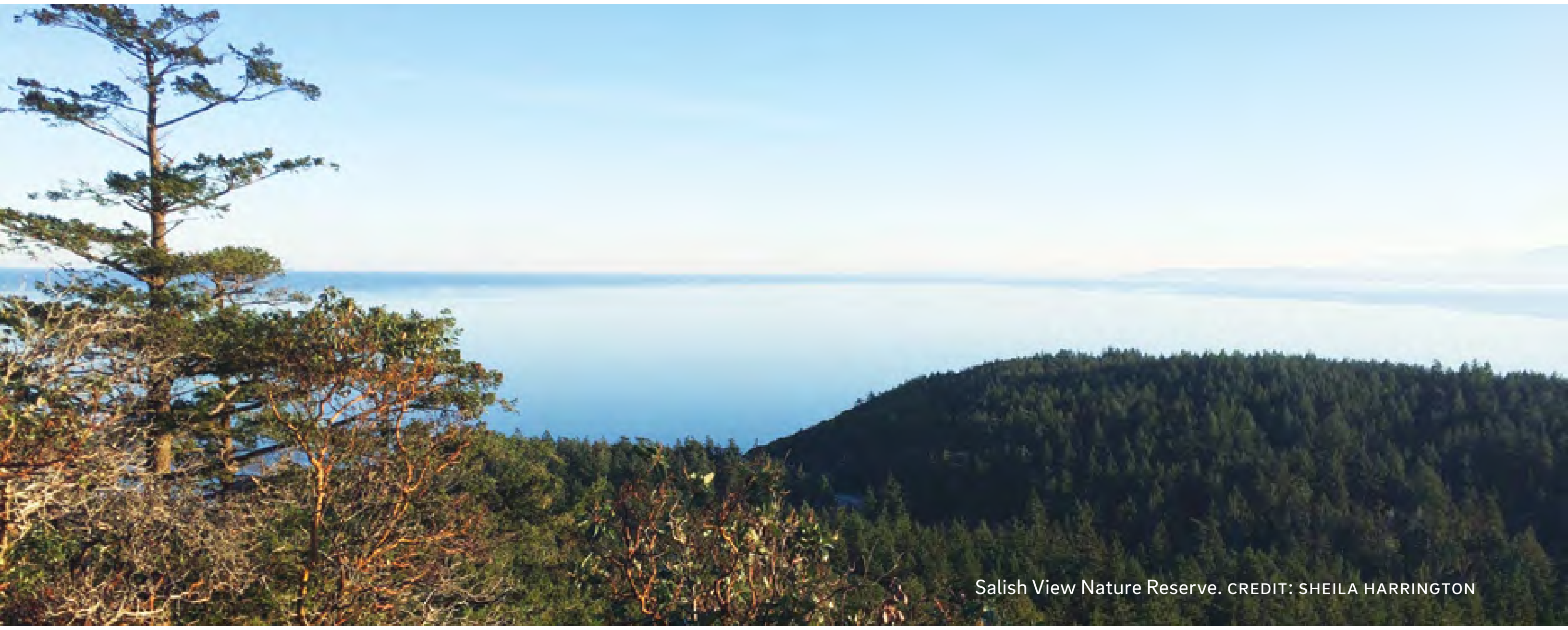
Covenants are a tool that permanently protects natural features on private property while allowing landholders to retain ownership of their land. Islands Trust Conservancy manages the Natural Areas Protection Tax Exemption Program (NAPTEP), which provides island landholders with an annual 65% property tax reduction on the portion of their land protected by a conservation covenant. This incentive is unique to the Islands Trust Area.

In 2019/20, no new conservation covenants were registered with Islands Trust Conservancy. Instead, Islands Trust Conservancy grew its capacity to promote the NAPTEP program and support land management across our 76 conservation covenants with the addition of a Covenant Management & Outreach Specialist position. This enabled us to transition our covenant monitoring program in-house, take on new ecosystem protection projects in partnership with covenant landholders, and initiate a covenant outreach program to promote private land conservation.

2019/20 Land Acquisitions

Salish View Nature Reserve (11.5 hectares), Northern Coast Salish Territory, Lasqueti Island:

On July 31, 2019, the Salish View Nature Reserve on Lasqueti Island was successfully transferred to Islands Trust Conservancy. Salish View was acquired after a year-long campaign, in partnership with Lasqueti Island Nature Conservancy, which raised $250,000 in cash from 150 individual donors and included a $70,000 in-kind donation from the landholder who generously donated 23 per cent of the market value of the property. The Salish View Nature Reserve connects with Squitty Bay Provincial Park, creating an uninterrupted shoreline-to-ridgetop protected area. Salish View Nature Reserve has a 270-degree vista of the Salish Sea from the summit and is home to peregrine falcons and ancient groves of Arbutus and Coastal Douglas-fir trees. A management plan for the Salish View Nature Reserve was approved in February 2020 and is available online at Salish View Nature Reserve Management Plan.



Salish View Nature Reserve. CREDIT: SHEILA HARRINGTON

Opportunity Fund

The Opportunity Fund provides support for 'hard to fundraise' costs associated with land protection or 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.

In 2019/20, the Opportunity Fund received $3,486 in donations and had a closing balance of $20,479. Islands Trust Conservancy awarded the following Opportunity Fund grants:

- $2,719.50 to Galiano Conservancy Association
- $4,500 to Salish View Nature Reserve matching campaign to raise funds for the purchase of the Salish View Nature Reserve on Lasqueti Island
- $3,500 to Salt Spring Island Conservancy

Designated Island Funds

Some Islands Trust Conservancy donors prefer to designate their gift to a specific island. To accommodate this request, Islands Trust Conservancy has the ability to hold geographically-restricted accounts, and currently maintains acquisition funds for Lasqueti Island, Gambier Island and Thetis Island. Interested donors can donate to an existing fund or set up an island specific fund. Designated Island Funds

CREDIT: CARLA FUNK

Taking Care of What We Have

Acquiring a property or signing a conservation covenant is just the first step in ecosystem protection. Islands Trust Conservancy monitors and manages its nature reserves according to management plans that identify long-term conservation, as well as restoration goals. In 2019/20 Islands Trust Conservancy undertook many property management projects in partnership with local island-based conservancies, including:

- Monitoring all Islands Trust Conservancy nature reserves to assess property management needs.
- Monitoring all Islands Trust Conservancy conservation covenants to maintain relationships with landowners and ensure compliance.
- Revising management plans for Mount Artaban, Brigade Bay Bluffs, and Long Bay Wetland nature reserves (Gambier Island).
- Developing management plans for Salish View Nature Reserve (Lasqueti Island) and Fairyslipper Forest Nature Reserve (Thetis Island).
- Initiating management plan revisions for Lindsay Dickson, Inner Island, and Valens Brook nature reserves (Denman Island), and Inner Island and Lower Mount Erskine nature reserves (Salt Spring Island)
- Removing exotic invasive species from conservation covenants and nature reserves on Bowen, Denman, Gabriola, Galiano, and Salt Spring islands.

- Initiating a trail-building project in the new Fairyslipper Forest Nature Reserve (Thetis Island).
- Trail maintenance on all nature reserves with trails to ensure safe passage.
- Planting and caging trees to restore an additional 0.4 ha of Coastal Western Hemlock forest in Brigade Bay Bluffs Nature Reserve (Gambier Island). Since 2017, almost a hectare of forest (more than 2.3 acres) has been replanted at this reserve.
- Monitoring forest restoration projects at Singing Woods and David Otter Nature Reserves (Bowen Island), Lindsay Dickson Nature Reserve (Denman Island), Mount Trematon and John Osland Nature Reserves (Lasqueti Island), Trincomali Nature Sanctuary (Galiano Island), and Long Bay Wetland and Brigade Bay Bluffs Nature Reserves (Gambier Island).
- Participating in a Parks Canada-led Sidney Island Ecosystem Restoration Project that will benefit the ecological health of Islands Trust Conservancy covenant lands.

Goal 4: A Strong Voice for Nature Conservation

Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

Islands Trust Conservancy has been a consistent presence in the conservation of species and ecosystems for 30 years. In order to remain a long lasting, stable agency, Islands Trust Conservancy must continually adapt to changing circumstances, both on the landscape and as an organization, while maintaining a stable base.

Maintaining Our Capacity for Land Care and Increasing Our Capacity for Outreach

In 2019/20 Islands Trust Conservancy's land monitoring contractors retired, resulting in a major transition in our monitoring program. After careful consideration, we decided to bring our land monitoring program in-house. Because we were also hearing that islanders wanted more interaction and information from our staff, we concurrently decided to expand our ability to do outreach in island communities. With approval from Trust Council, Islands Trust Conservancy created a new Covenant Management and Outreach Specialist position. The new position has removed management of covenants from the duties of our Property Management Specialist allowing for nature reserve monitoring to be absorbed into this existing position. Additionally, the changes will provide our Property Management Specialist with additional time to do more work with First Nations as we embrace Islands Trust Conservancy's Reconciliation Declaration.

New Staff: Covenant Management & Outreach Specialist

To keep pace with the number of properties under our care, this year we welcomed the addition of a Covenant Management & Outreach Specialist to the Islands Trust Conservancy team. This increase in capacity enables Islands Trust Conservancy to bring our annual monitoring in house, provides better support to current covenant landowners to achieve their conservation goals, and supports proactive outreach to prospective covenant donors.

Jemma Green was hired in 2019 as the Islands Trust Conservancy Covenant Management and Outreach Specialist. Jemma's background is in wildlife and habitat conservation. She holds a BSc in Natural Resources Conservation (UBC) and a MSc in Environmental Studies specializing in ecological restoration (UVic). Jemma is the point of contact for monitoring activities and land management initiatives in ITC's conservation covenants.

Portier Pass, Galiano Island. CREDIT: MARTIN DALE

Telling the Islands Trust Conservancy Story

The impacts and pressures on natural systems and habitats today are extreme. We know that we can't preserve and protect the land and waters of the Salish Sea alone. The work of securing and leaving a legacy for future generations has never been more urgent. That is why inspiring conservation through compelling story-telling is so critical to the work that we do.

Islands Trust Conservancy engages audiences in and beyond the Islands Trust Area through E-news, the Heron Newsletter, Facebook and through our website. In 2019/20, the Islands Trust Conservancy began a website review and decided to make a big shift to our website through a merger with the Islands Trust site. This shift is expected to increase traffic to the Islands Trust Conservancy website and highlight the "preserve and protect" mandate of the Islands Trust. The website project is on track to complete in the 2020/21 fiscal year.

Up to Date Tools and Strategies

Islands Trust Conservancy needs to engage with the latest technology and best practices to be relevant and effective. Up to date tools enable Islands Trust Conservancy better data collection and accuracy that in turn enhance and strengthen the capacity to paint a picture of conservation with precision and credibility. Improving use of technology builds efficiencies and saves important dollars for use elsewhere.

Technology Use in Fieldwork

Islands Trust Conservancy is developing technology for fieldwork to streamline data collection and storage of data for the growing number of properties it manages.

Islands Trust Conservancy Board Fund Development Advisory Committee

In March 2019, the Islands Trust Conservancy Board formed a Fund Development Advisory Committee to create a strategy and an action plan to meet Islands Trust Conservancy funding needs. In January 2020, the Fund Development Advisory Committee finalized its Fund Development Strategy, which was approved by the Islands Trust Conservancy Board in February 2020. The Fund Development Strategy will guide the work of Islands Trust Conservancy for the next five years as it develops funding sources for its work.

Build Strong Conservation Partners

Islands Trust Conservancy strives to support and enhance the work of the Islands Trust and conservation partners working in the Islands Trust Area.

Land Trust Alliance of British Columbia Seminar Series

Islands Trust Conservancy staff and Vice Chair participated in the Land Trust Alliance of British Columbia Seminar Series in November 2019, gaining valuable knowledge about standards and practices, communications techniques, conservation planning strategies, land and covenant management and emerging issues for land trusts. Staff also presented a joint session about conservation planning tools with the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership.

Island Outreach

Islands Trust Conservancy staff and Board members hosted celebrations for the completion of Link Island NAPTEP Covenant (Link Island), Valens Brook Nature Reserve (Denman Island) and Salish View Nature Reserve (Lasqueti Island), reaching over 125 people and educating locals and visitors about the role of protecting habitat to conserve sensitive island species.

Coastal Douglas-fir and Associated Ecosystems Conservation Partnership

Islands Trust Conservancy staff are members of the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) Steering Committee and Securement Committee. In 2019/20 Islands Trust Conservancy collaborated with the CDFCP and Raincoast Conservation Foundation to produce a stewardship resource for Coastal Douglas-fir forests for island residents, to be released in early 2020–2021. Our joint work with Islands Trust mapping contiguous forest this year in the Trust Area is part of the CDFCP's Priority Sites Project.

Partnering to Address Invasive Species

Islands Trust Conservancy joined the Capital Region Invasive Species Partnership (CRISP) in 2019. This group of land managers, representing the local governments of the region meets regularly to discuss invasive species prevention, control, containment, and eradication concerns, and to share knowledge and resources to tackle the growing problem of invasive species. CRISP also has strong connections with other coastal regional working groups and the province and this network will be an invaluable resource for Islands Trust Conservancy as we manage invasive species in our nature reserves and on conservation covenant lands.

Stewardship Education

Islands Trust Conservancy encourages islanders to get involved in conserving and stewarding private land by supporting conservation education and sharing information on best practices for land care. In 2019/20, Islands Trust Conservancy promoted private land conservation through its website, the Heron newsletter (printed and online), e-news updates to subscribers, Facebook posts and Twitter. Islands Trust Conservancy brochures are also available in local libraries, real estate offices and Islands Trust offices throughout the islands.

Saturna Island. CREDIT: KRISTINE MAYES

Spotted towhee. CREDIT: KRISTINE MAYES

Concluding Statements

In times of uncertainty people turn to touchstones of calm, beauty and timelessness. Islanders have those touchstones in their natural spaces.

We applaud the leaders in British Columbia that had the courage, wisdom, and foresight to invest in nature so that future generations may survive and thrive.

The preserve and protect mandate of Islands Trust Conservancy has become increasingly relevant since 1974 when Minister of Municipal Affairs James Lorimer first proposed the creation of the *Islands Trust Act*. Land conservation was strengthened with the creation of the Islands Trust Conservancy on April 1, 1990, enabling land acquisition and receipt of donations from the public.

Parks, nature reserves, and conservation covenants are islands of safe company in a world of physical distancing. If we have learned anything from this chaotic time, it is that it is not just the waters and islands of the Salish Sea that are fragile—as biodiversity declines, global human health is also vulnerable.

The urgency to preserve and protect land and waters of the Salish Sea becomes increasingly apparent with every year that passes.

Appendix: Islands Trust Conservancy Financial Statements

Financial Statements of

THE ISLANDS TRUST CONSERVANCY

And Independent Auditors' Report thereon

Year ended March 31, 2020

KPMG LLP
St. Andrew's Square II
800-730 View Street
Victoria BC V8W 3Y7
Canada
Telephone 250-480-3500
Fax 250-480-3539

INDEPENDENT AUDITORS' REPORT

To the Trustees of The Islands Trust Conservancy Board, the Trustees of Islands Trust and the Minister of Municipal Affairs and Housing

Opinion

We have audited the financial statements of the Islands Trust Conservancy (the Entity) which comprise:

- the statement of financial position as at March 31, 2020
- the statement of operations for the year then ended
- the statement of changes in fund balances for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(hereinafter referred to as the "financial statements").

In our opinion, except for the possible effects of the matter described in the 'Basis for Qualified Opinion' section of our auditors' report, the financial statements present fairly, in all material respects, the financial position of the Entity as at March 31, 2020, and its results of operations, its changes in fund balances and cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Qualified Opinion

In common with many not-for-profit organizations, the Entity derives revenue from donations, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, verification of these revenues was limited to the amounts recorded in the records of the Entity.

Therefore, we were not able to determine whether any adjustments might be necessary to:

- the current assets reported in the statements of financial position as at March 31, 2020 and March 31, 2019
- the donations revenues and excess of revenues over expenses reported in the statements of operations for the years ended March 31, 2020 and March 31, 2019
- the fund balances, at the beginning and end of the year, reported in the statements of changes in fund balances for the years ended March 31, 2020 and March 31, 2019

- the excess of revenues over expenses reported in the statements of cash flows for the years ended March 31, 2020 and March 31, 2019.

Our opinion on the financial statements for the year ended March 31, 2019 was qualified accordingly because of the possible effects of this limitation in scope.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the **"*Auditors' Responsibilities for the Audit of the Financial Statements*"** section of our auditors' report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

  The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity’s ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors’ report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors’ report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

KPMG LLP

Chartered Professional Accountants

Victoria, Canada
May 26, 2020

THE ISLANDS TRUST CONSERVANCY

Statement of Financial Position

March 31, 2020, with comparative information for 2019

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2020 Total	2019 Total
						(Schedule 1)
Assets:						
Current assets:						
Cash	$ 25,205	$ 171,702	$ -	$ -	$ 196,907	$ 256,626
Short-term investments (note 2)	-	161,433	-	88,000	249,433	258,710
Due from Islands Trust	26	165	-	-	191	-
	25,231	333,300	-	88,000	446,531	515,336
Investments (note 3)	-	113,155	-	-	113,155	68,227
Land (notes 4 and 6)	-	-	7,624,169	6,566,532	14,190,701	13,885,770
	$ 25,231	$ 446,455	$ 7,624,169	$ 6,654,532	$ 14,750,387	$ 14,469,333
Liabilities:						
Current liabilities:						
Accounts payable	$ 3,500	$ 215	$ -	$ -	$ 3,715	$ -
Due to Islands Trust	-	-	-	-	-	2,627
	3,500	215	-	-	3,715	2,627
Fund Balances:						
Unrestricted	21,731	-	-	-	21,731	28,844
Investment in land (note 4)	-	-	7,624,169	-	7,624,169	7,624,169
Internally restricted (note 5)	-	23,268	-	-	23,268	23,525
Externally restricted (note 5)	-	422,972	-	-	422,972	440,567
Restricted for endowment purposes (note 6)	-	-	-	6,654,532	6,654,532	6,349,601
	21,731	446,240	7,624,169	6,654,532	14,746,672	14,466,706
	$ 25,231	$ 446,455	$ 7,624,169	$ 6,654,532	$ 14,750,387	$ 14,469,333

The accompanying notes are an integral part of these financial statements.

Approved by the Trust Conservancy Board:

Kate-Louise Stamford, Chair

Sue Ellen Fast, Vice Chair

THE ISLANDS TRUST CONSERVANCY

Statement of Operations

Year ended March 31, 2020, with comparative information for 2019

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2020 Total	2019 Total
						(Schedule 2)
Revenue:						
Donations:						
Cash	$ 3,486	$ 205,919	$ -	$ -	$ 209,405	$ 31,008
Land	-	-	-	70,000	70,000	85,000
Grants	-	5,219	-	-	5,219	5,076
Rental income	-	10,306	-	-	10,306	10,200
Investment income (loss)	152	(6,271)	-	-	(6,119)	8,576
Sale of fundraising items	-	-	-	-	-	125
	3,638	215,173	-	70,000	288,811	139,985
Expenses:						
Repairs and maintenance - Alton property	-	2,594	-	-	2,594	2,598
Cost of sales of fundraising items	-	-	-	-	-	668
Bank charges	31	-	-	-	31	565
Donations to conservancy groups	6,220	-	-	-	6,220	3,990
	6,251	2,594	-	-	8,845	7,821
Excess (deficiency) of revenue over expenses	$ (2,613)	$ 212,579	$ -	$ 70,000	$ 279,966	$ 132,164

The accompanying notes are an integral part of these financial statements.

THE ISLANDS TRUST CONSERVANCY

Statement of Changes in Fund Balances

Year ended March 31, 2020, with comparative information for 2019

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	Total
Fund balances, March 31, 2018	$ 29,881	$ 415,891	$ 7,624,169	$ 6,264,601	$ 14,334,542
Excess (deficiency) of revenue over expenses	(1,037)	48,201	-	85,000	132,164
Fund balances, March 31, 2019	28,844	464,092	7,624,169	6,349,601	14,466,706
Excess (deficiency) of revenue over expenses	(2,613)	212,579	-	70,000	279,966
Interfund transfer (note 7)	(4,500)	(230,431)	-	234,931	-
Fund balances, March 31, 2020	$ 21,731	$ 446,240	$ 7,624,169	$ 6,654,532	$ 14,746,672

The accompanying notes are an integral part of these financial statements.

THE ISLANDS TRUST CONSERVANCY

Statement of Cash Flows

Year ended March 31, 2020, with comparative information for 2019

	2020	2019
Cash provided by (used in):		
Operating activities:		
Excess of revenue over expenses	$ 279,966	$ 132,164
Item not involving cash:		
Donation of land	(70,000)	(85,000)
Changes in non-cash operating working capital:		
Inventory of fundraising items	-	667
Accounts payable	3,715	-
Due to (from) Islands Trust	(2,818)	2,627
	210,863	50,458
Capital activities:		
Cash paid to acquire land	(234,931)	-
Investing activities:		
Decrease in short-term investments	(44,928)	(1,705)
Increase (decrease) in long-term investments	9,277	(5,938)
	(35,651)	(7,643)
Increase (decrease) in cash	(59,719)	42,815
Cash, beginning of year	256,626	213,811
Cash, end of year	$ 196,907	$ 256,626

The accompanying notes are an integral part of these financial statements.

The Islands Trust Conservancy (the “Trust Conservancy”) is incorporated under The Islands Trust Act of British Columbia and is empowered to accept donations, grants and bequests on behalf of The Islands Trust and to hold land and other property in compliance with a Trust Conservancy plan approved by the Ministry of Municipal Affairs and Housing.

The Islands Trust (the “Trust”) is also incorporated under The Islands Trust Act of British Columbia (as amended). The objectives of the Trust are 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 the Province generally.

The Trust Conservancy is administered by the Trust and for financial reporting purposes, the Trust and the Trust Conservancy are reported on separately. The Trust Conservancy's annual expenses are funded by and reported as part of the Trust in accordance with The Islands Trust Act. These financial statements present the financial position and changes in fund balances of the Trust Conservancy.

1. Significant accounting policies:

The financial statements have been prepared in accordance with Canadian Public Sector Accounting Standards including the 4200 standards for government not-for-profit organizations:

(a) Fund accounting:

The Trust Conservancy follows the restricted fund method of accounting for contributions.

The Opportunity Fund reports unrestricted resources.

The Restricted Fund reports the assets, liabilities, revenue and expenses related to internally and externally restricted assets.

The Capital Fund reports the assets, liabilities, revenue and expenses related to the Trust Conservancy's capital assets.

The Endowment Fund reports resources that are contributed for endowment purposes.

(b) Financial instruments:

Financial instruments are recorded at fair value on initial recognition. Derivative instruments and equity instruments that are quoted in an active market are reported at fair value. All other financial instruments are subsequently recorded at cost or amortized cost unless management has elected to carry the instruments at fair value. Management has elected to record all investments at fair value as they are managed and evaluated on a fair value basis.

Unrealized changes in fair value are recognized in the statement of remeasurement gains and losses until they are realized, when they are transferred to the statement of operations.

1. Significant accounting policies (continued):

(b) Financial instruments (continued):

Transaction costs incurred on the acquisition of financial instruments measured subsequently at fair value are expensed as incurred. All other financial instruments are adjusted by transaction costs incurred on acquisition and financing costs, which are amortized using the straight-line method.

All financial assets are assessed for impairment on an annual basis. When a decline is determined to be other than temporary, the amount of the loss is reported in the statement of operations and any unrealized gain is adjusted through the statement of remeasurement gains and losses. When the asset is sold, the unrealized gains and losses previously recognized in the statement of remeasurement gains and losses are reversed and recognized in the statement of operations. During the years presented, there are no unrealized gains and losses, and as a result, no statement of remeasurement gains and losses has been included in these financial statements. All investments held by the Trust Conservancy are classified as Level 2 investments for fair value measurement and there were no changes in classification in the years presented.

(c) Land:

Purchased land is recorded at cost. Contributed land is recorded at estimated fair value at the date of contribution.

(d) Revenue recognition:

Restricted contributions are recorded as revenue of the appropriate restricted fund when received or receivable, if the amount can be reasonably estimated and collection is reasonably assured.

Unrestricted contributions are recorded as revenue of the Opportunity Fund in the year received or receivable if the amount can be reasonably estimated and collection is reasonably assured.

Contributions for endowment are recorded as revenue in the Endowment Fund balance.

Interest income earned on Endowment Fund resources is restricted for the purpose of maintaining certain specified property and is recorded in the Restricted Fund. Interest income of internally restricted funds is recorded as revenue of the Restricted Fund. Other interest income is recorded as revenue of the Opportunity Fund when earned.

All other forms of income are recorded as revenue of the Opportunity Fund when received or receivable.

1. Significant accounting policies (continued):

(e) Liability for contaminated sites:

A liability for contaminated sites is recognized when a site is not in productive use and the following criteria are met:

(*i*) an environmental standard exists;

(*ii*) contamination exceeds the environmental standard;

(*iii*) the Trust Conservancy is directly responsible or accepts responsibility;

(*iv*) it is expected that future economic benefits will be given up; and

(*v*) a reasonable estimate of the amount can be made.

The liability is recognized as management's estimate of the cost of post-remediation including operation, maintenance and monitoring that are an integral part of the remediation strategy for a contaminated site.

(f) Natural assets:

The Trust Conservancy is fortunate to have, and to be mandated to protect, many natural assets in the Island Trust Area that reduce the need for engineered infrastructure that might otherwise be required by other government agencies to provide various services to the islands. This includes island aquifers (water storage and filtration); streams, ditches and wetlands (rain water management); forests (carbon sequestration); and foreshore areas (natural seawalls). Canadian public sector accounting standards do not provide for the valuation and recording of such assets in the financial statements. As such, these natural assets are not reported in these financial statements. Nevertheless, the Conservancy acknowledges the importance of these assets and the need to manage them in conjunction with engineered infrastructure that is managed by other government agencies.

(g) Use of estimates:

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions which affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenditures during the period. Significant estimates include assumptions used in estimating the fair value of contributed land at the date of contribution. Actual results could differ from those estimates.

2. Short-term investments:

Short-term investments consist of an endowment fund with the Victoria Foundation and Municipal Finance Authority of British Columbia (“MFA”) Short Term Bond and Money Market Funds. Investments in MFA Funds are recorded at market value.

3. Investments:

Investments consist of a guaranteed investment certificate that matures on July 29, 2020. It has an interest rate of 2.23%.

4. Land:

	Acquisition date	2020	2019
Inner Island Nature Reserve, Denman Island	1992	$ 70,000	$ 70,000
Coats Millstone Reserve, Gabriola Island	1994	100,000	100,000
Medicine Beach Nature Sanctuary, North Pender Island	1996	477,000	477,000
Cunningham Reserve, Salt Spring Island	1994	265,000	265,000
Deep Ridge Reserve, Salt Spring Island	1992	255,000	255,000
Lower Mt. Erskine Nature Reserve, Salt Spring Island	1996	284,000	284,000
Kwel Nature Sanctuary, Lasqueti Island	1997	195,497	195,497
Singing Woods Nature Reserve, Bowen Island	1999	157,000	157,000
Trincomali Nature Sanctuary, Galiano Island	2001	242,406	242,406
Horton Bayviary Nature Reserve, Mayne Island	2002	210,000	210,000
Morrison Marsh Nature Reserve, Denman Island	2006	438,000	438,000
Brigade Bay Bluffs Nature Reserve, Gambier Island	2006	150,000	150,000
Long Bay Wetland Nature Reserve, Gambier Island	2006	305,000	305,000
Elder Cedar Nature Reserve, Gabriola Island	2007	658,000	658,000
Mount Artaban Nature Reserve, Gambier Island	2009	1,177,000	1,177,000
Fairy Fen Nature Reserve, Bowen Island	2011	1,817,000	1,817,000
Laughlin Lake Nature Reserve, Galiano Island	2013	56,000	56,000
Vanilla Leaf Land Nature Reserve, Galiano Island	2014	217,000	217,000
Fairy Slipper Forest Nature Reserve, Thetis Island	2017	550,266	550,266
		$ 7,624,169	$ 7,624,169

5. Restricted Fund balances:

	2020	2019
Internally restricted:		
McFadden Creek management fund	$ 23,268	$ 23,525
Externally restricted:		
Alton Nature Reserve - maintenance fund	130,590	129,934
Morrison Fund	20,269	20,140
Covenant Defense Fund	113,508	111,453
Lasqueti Acquisition Fund	33,069	57,360
Gambier Acquisition Fund	124,243	120,392
Thetis Island Acquisition Fund	1,293	1,288
	422,972	440,567
	$ 446,240	$ 464,092

6. Restricted for endowment purposes:

	Acquisition date	2020	2019
Short-term investments			
Alton Nature Reserve - maintenance	2002	$ 88,000	$ 88,000
Land:			
Lindsay Dickson Nature Reserve, Denman Island	2001	2,200,000	2,200,000
Alton Nature Reserve, Salt Spring Island	2002	454,000	454,000
McFadden Creek Nature Sanctuary, Salt Spring Island	2015	422,601	422,601
Properties acquired under the Federal Government Ecological Gifts program:			
Mt. Trematon Nature Reserve, Lasqueti Island	2006	320,000	320,000
David Otter Nature Reserve, Bowen Island	2007	620,000	620,000
John Osland Nature Reserve, Lasqueti Island	2012	890,000	890,000
Valens Brook Nature Reserve, Denman Island	2013	280,000	280,000
Burren's Acres Nature Reserve, Gabriola Island	2014	210,000	210,000
Moore Hill Nature Reserve, Thetis Island	2017	780,000	780,000
Valens Brook Nature Reserve, Denman Island	2019	85,000	85,000
Salish View Nature Reserve, Lasqueti Island	2020	304,931	-
		6,566,532	6,261,601
		$ 6,654,532	$ 6,349,601

Investment gains (losses) on endowment funds for the year of ($13,127) (2019 - $1,914) have been recorded in the Restricted Fund.

Two properties owned by the Trust Conservancy, the Lindsay Dickson property on Denman Island, and the Alton property on Salt Spring Island, were donated on the condition that the properties be used and managed in certain ways. The Lindsay Dickson property was donated "for so long as the land is used as a nature reserve for the use, benefit and enjoyment of the residents of B.C.". The Alton property is to be held, managed and preserved for its ecological environment and scenic features and not as a recreational park. The residence, gardens and driveway are to be preserved and managed for non-profit purposes.

In the event that these properties are not managed accordingly, the properties could revert to the Province of British Columbia in the case of the Lindsay Dickson Nature Reserve and to the Executors of the donor's estate in the case of the Alton Nature Reserve.

In 2015, the McFadden Creek Nature Sanctuary on Salt Spring Island was donated to the Trust Conservancy on the condition that the property was to be protected, preserved and maintained in its natural state. Should a disposition of this property ever be triggered, there is a Right of First Refusal on the property in favor of the Wild Bird Trust of BC.

Certain properties as listed in the preceding table were acquired under the Federal Government Ecological Gift program. Recipients of ecological gifts are responsible for maintaining the biodiversity and environmental heritage values of the property in perpetuity.

7. Interfund transfer:

During the year, there was an interfund transfer of $4,500 from the Opportunity Fund to the Endowment Fund and a transfer of $230,431 from the Restricted Fund to the Endowment Fund, representing in total the cash paid to acquire the Salish View Nature Reserve on Lasqueti Island.

8. Related party:

The Trust is related to the Trust Conservancy through the composition of the Trust Conservancy's Board. The Trust Conservancy's Board is comprised of three members from the Trust's Council and up to three members appointed by the Minister of Municipal Affairs and Housing.

The Trust Conservancy's annual expenses are funded by and reported as part of the Trust in accordance with The Islands Trust Act. The expenses are summarized as follows:

	2020	2019
Operations and property management	$ 527,344	$ 485,276
Board	19,043	18,409
Administration	216,627	165,399
	$ 763,014	$ 669,084

For the year ended March 31, 2020, amounts owing from Islands Trust were $191 (2019 - $2,627 payable).

9. Financial risks and concentration of risk:

The Trust Conservancy's financial instruments consist of cash, short-term investments, accounts receivable, investments, property tax payable and amounts due from Islands Trust. It is management's opinion that the Trust Conservancy is not exposed to significant interest, currency or credit risk arising from these financial instruments. The maximum exposure to credit risk at March 31, 2020 is the carrying value of cash, accounts receivable, short-term investments and investments. The Trust Conservancy deals with creditworthy counterparties to mitigate credit risk. The Trust Conservancy manages its liquidity risk by monitoring its operating requirements. Interest rate risk is not significant due to the short term nature of investments held. There have been no significant changes to risk exposure in the years presented.

10. Subsequent event:

Subsequent to March 31, 2020, the COVID-19 outbreak that was declared a pandemic by the World Health Organization remains ongoing. The situation is dynamic and the ultimate duration and magnitude of the impact on the economy and our business are not known at this time. These impacts could include impairment in the value of our long-lived assets or potential future decreases in revenue or the profitability of our ongoing operations.

THE ISLANDS TRUST CONSERVANCY

Statement of Financial Position

Schedule 1

March 31, 2019

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2019 Total
Assets:					
Current assets:					
Cash	$ 31,548	$ 225,078	$ -	$ -	$ 256,626
Short-term investments (note 2)	-	170,710	-	88,000	258,710
Inventory of fundraising items	-	-	-	-	-
	31,548	395,788	-	88,000	515,336
Investments (note 3)	-	68,227	-	-	68,227
Land (notes 4 and 6)	-	-	7,624,169	6,261,601	13,885,770
	$ 31,548	$ 464,015	$ 7,624,169	$ 6,349,601	$ 14,469,333
Liabilities:					
Current liabilities:					
Property tax payable	$ -	$ -	$ -	$ -	$ -
Due to Islands Trust	2,704	(77)	-	-	2,627
Deferred revenue	-	-	-	-	-
	2,704	(77)	-	-	2,627
Fund Balances:					
Unrestricted	28,844	-	-	-	28,844
Investment in land (note 4)	-	-	7,624,169	-	7,624,169
Internally restricted (note 5)	-	23,525	-	-	23,525
Externally restricted (note 5)	-	440,567	-	-	440,567
Restricted for endowment purposes (note 6)	-	-	-	6,349,601	6,349,601
	28,844	464,092	7,624,169	6,349,601	14,466,706
	$ 31,548	$ 464,015	$ 7,624,169	$ 6,349,601	$ 14,469,333

THE ISLANDS TRUST CONSERVANCY

Statement of Operations

Schedule 2

Year ended March 31, 2019

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2019 Total
Revenue:					
Donations:					
Cash	$ 3,610	$ 27,398	$ -	$ -	$ 31,008
Land	-	-	-	85,000	85,000
Grants	-	5,076	-	-	5,076
Rental income	-	10,200	-	-	10,200
Investment income	108	8,468	-	-	8,576
Sale of fundraising items	125	-	-	-	125
	3,843	51,142	-	85,000	139,985
Expenses:					
Repairs and maintenance - Alton property	-	2,598	-	-	2,598
Cost of sales of fundraising items	668	-	-	-	668
Bank charges	222	343	-	-	565
Donations to conservancy groups	3,990	-	-	-	3,990
Consultant fees	-	-	-	-	-
	4,880	2,941	-	-	7,821
Excess (deficiency) of revenue over expenses	$ (1,037)	$ 48,201	$ -	$ 85,000	$ 132,164

The accompanying notes are an integral part of these financial statements.

Old Man's Beard lichen on Douglas-fir. CREDIT: CARLA FUNK

If you are reading a print version of this report, you can access hyperlinks by going to the online version at islandstrustconservancy.ca/about-us/our-publications/

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ISLANDS TRUST CONSERVANCY

Islands Trust

Canadian Land Trust Standards and Practices

2019

Table of Contents

Acknowledgements

This document was revised and modified based on the U.S. 2015 revisions of Land Trust Standards and Practices under the direction of the Canadian Land Trust Alliance (CLTA) Board Members, with assistance from an Expert Committee.

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The CLTA would like to thank all the land trusts across the country that reviewed this document and provided input.

Introduction

The need for standards and practices is imperative for all land trusts, regardless of where they operate. A strong land trust community depends on the long-term viability and management of its organizations. By working towards a consistent set of standards and practices, land trusts can continue to thrive and be successful in perpetuity.

Land Trust Standards and Practices are the ethical and technical guidelines for the responsible operation of a land trust. The U.S. Land Trust Alliance released an updated version in 2017 that was informed by conservationists and land trust professionals throughout the United States. These many voices were an invaluable asset throughout the revision process.

The Canadian Land Trust Alliance recognizes the advantage in using such a rigorously-developed set of Standards and Practices to maintain alignment of industry practices in Canada with the most current, internationally-recognized standards. Further, the recent U.S. revision had to be tailored to the Canadian context. A 15-month consultation within the Canadian land trust community was designed to develop practices that are more readable, accessible and up-to-date.

The Canadian Land Trust Alliance acknowledges that emerging practices, such as engagement of Indigenous communities, may not have been fully explored or resolved under this revision. The scope of the 2018 revision was limited to updating *Canadian Land Trust Standards and Practices* as a result of the US 2017 revisions (from which *Canadian Land Trust Standards and Practices* are both licensed and derived), as well as changes to relevant Canadian legislation. Given the very limited resources and time available to CLTA, the significant and emerging question of Indigenous community engagement could not be appropriately addressed at this time.

The Canadian Land Trust Alliance recognizes that, going forward, the manner in which land trusts engage with Indigenous communities is a high priority at the governance and operational levels of work undertaken by Canadian land trusts, and should be further explored. With this in mind, the CLTA encourages all Canadian land trusts to actively reach out to and engage with Indigenous partners when engaging in their land conservation activities.

While the *Canadian Land Trust Standards and Practices* are designed primarily for land trusts with charitable status, they also provide important guidance for any organization or government agency that holds lands or conservation agreements for the benefit of the public.

Implementing the *Canadian Land Trust Standards and Practices* helps land trusts uphold public trust and build strong and effective land conservation programs. Securing the confidence and support of donors and landowners is key to sustaining land trusts over the long term. This is as true for individual organizations as it is for the land trust community as a whole.

STANDARD 1

Ethics, Mission and Community Engagement

Land trusts maintain high ethical standards and have a mission committed to conservation, community service and serving the public interest[1].

PRACTICES

A. Ethics

1. Adopt a written code of ethics and/or values statement and adhere to it in implementing the land trust's mission, in its governance and in its operations
2. Adopt a written whistleblower policy that protects individuals who come forward with information on illegal practices or unethical behavior
3. Do not participate in transactions that are potentially fraudulent or abusive

B. Mission, Planning and Evaluation

1. Adopt a mission that advances conservation and serves the public interest
2. Establish strategic goals for implementing the mission, and then review and update them, as needed, at least once every five years
    a) Revisit the mission during the strategic review to confirm it is relevant
3. Review programs and activities at least annually to ensure they are advancing the strategic goals and make adjustments, as appropriate

C. Community Engagement

1. Develop an inclusive, welcoming organizational culture that respects diversity
2. Seek to engage people who are representative of the community in which the land trust works and foster opportunities to connect them with the land
3. Develop an understanding of the land trust's community, and communicate the land trust's work, services and impact in a manner that resonates with and engages that community
4. Build, maintain and enhance relationships with community leaders and other groups interacting with the land trust community
    a. When applicable, engage with local Indigenous communities to discuss how traditional knowledge and practices can inform the land trust's programs and activities.

[1] In this context, serving the public interest is understood as benefitting the public in general or a sufficient segment of the public, as opposed to conferring private benefits to individuals, corporations or a limited group of persons.

STANDARD 2

Compliance with Laws

Land trusts fulfill their legal requirements as not-for-profit organizations and comply with all laws and regulations.

PRACTICES

A. Compliance with Laws

1. Comply with all applicable federal, provincial and municipal laws and regulations

B. Not-for-profit Incorporation and Bylaws

1. Incorporate or organize according to the requirements of provincial or federal law and maintain legal status
2. Operate in accordance with established bylaws
3. Review the bylaws at least once every five years to ensure consistency with current operations, the organizing documents and provincial and/or federal law

C. Tax Status

1. Maintain status as a non-profit, registered charity or qualified donee under the *Income Tax Act* (Canada)
    a) File a complete and accurate annual information return with the Canada Revenue Agency and/or federal/provincial government
2. Comply with applicable rules regarding business activity and private or undue benefit
3. Where applicable, comply with federal requirements regarding political activities

STANDARD 3

Board Accountability

Land trust boards act ethically in conducting the affairs of the organization and carry out their legal and financial responsibilities as required by law.

PRACTICES

A. Board Responsibility

1. Individual board members are informed of and understand their role and their responsibilities as not-for-profit board members, including their legal and fiduciary duties
2. The board reviews and approves the land trust's mission and strategic plans, and is responsible for evaluating them
3. The board provides oversight of the land trust's finances and operations by:
    a) Reviewing and approving an annual budget
    b) Working to ensure sufficient financial resources are available for the long-term operations of the land trust
    c) Receiving and reviewing financial reports and statements in a form and with a frequency appropriate for the scale of the land trust's financial activity
    d) Reviewing the independently prepared financial audit, review or compilation
    e) Adopting written policies or procedures for the responsible and prudent investment, management and use of financial assets
4. The board hires, oversees and evaluates, at least annually, the performance of any executive director (or chief staff person)
5. The board may delegate decision-making and management functions to committees, provided that committees have clearly defined roles and report to the board or staff

B. Board Composition and Structure

1. Have a board of sufficient size, skills, backgrounds and experiences to conduct its work effectively
2. Have a board substantially composed of independent members to reduce risk arising from conflicts of interest
3. Have a board development process that includes procedures for recruiting and training board members
4. Ensure the board's presiding officer and treasurer are not the same individual
5. If, in rare circumstances, a staff member serves on the board, clearly define the staff role and ensure that any exercise of decision-making authority complies with rules regarding conflicts of interest

C. Board Governance

1. Provide board members with written expectations for their service on the board
2. The board meets a minimum of three times per year and maintains adopted minutes of each meeting
3. Provide board members with sufficient and timely informational materials prior to each meeting to make informed decisions
4. Board members evaluate their performance annually as a group and as individuals at least once every three years
5. Adopt procedures for removing board members who are not fulfilling their responsibilities
6. Have governing documents that contain policies and procedures (such as provisions for a quorum and adequate meeting notices) to encourage broad participation and to prevent a minority of board members from acting for the land trust without proper delegation of authority

D. Board Approval of Transactions

1. The board reviews and approves every land and conservation agreement transaction
    a) However, the board may delegate decision-making authority on transactions if:
        i. It establishes written policies or has bylaw provisions that define the limits to the authority given to the delegated entity
        ii. The delegated entity provides timely notification in writing to the full board of any completed transactions

STANDARD 4

Conflicts of Interest

Land trusts have policies and procedures to avoid or manage real or perceived conflicts of interest.

PRACTICES

A. Dealing with Conflicts of Interest

1. Adopt a written conflict of interest policy that addresses, for all insiders, how conflicts are identified and avoided or managed
2. Document the disclosure and management of actual and potential conflicts
3. When engaging in any transaction with an insider,
    a) Follow the conflict of interest policy
    b) Contemporaneously document that there is no private or undue benefit

B. Payments to Board Members

1. Do not financially compensate board members for board service, except for reimbursement of expenses[2]
2. If, in limited circumstances[3], the land trust compensates a board member for professional services that would otherwise be contracted out,
    a) Document the circumstances surrounding the decision to do so
    b) Document how the land trust uses appropriate comparability data to determine the amount to be paid and to confirm that there is no private or undue benefit
3. Do not provide loans to members, directors, officers or trustees

C. Land and Conservation Agreement Transactions with Insiders

1. When engaging in land and conservation agreement transactions with insiders
    a) Follow all transaction policies and procedures
    b) For land and conservation agreement transactions with insiders, obtain an independent appraisal by a qualified appraiser to justify the purchase or sale price

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[2] This best practice is not a legal requirement. Some land trusts may be able to/choose to pay an honorarium.
[3] Special regulation applies in Ontario. Land trusts should obtain legal advice or consult with the Ontario Land Trust Alliance.

STANDARD 5

Fundraising

Land trusts conduct fundraising activities in a lawful, ethical and responsible manner.

PRACTICES

A. Legal and Ethical Practices

1. Conduct an analysis of provincial and federal charitable fundraising laws and register where the land trust determines it is appropriate
2. Do not compensate internal or external fundraisers based on a commission or a percentage of the amount raised

B. Accountability to Donors

1. Provide accurate fundraising materials and other communications to donors and the public
2. Provide timely written acknowledgment of all gifts, including land and conservation agreements, in keeping with Canada Revenue Agency charitable receipting requirements, as appropriate
3. Maintain financial and other systems to document and comply with any donor restrictions on gifts
4. Have a written policy or procedure to ensure donor privacy concerns are honored

C. Fundraising Plan

1. Develop and implement a fundraising plan or program appropriate to the land trust's size and scope to secure adequate support for its activities

D. Non-conservation Real Property for Resale

1. When acquiring non-conservation real property with the intent of selling it to advance the land trust's mission,
    a) Obtain a written acknowledgment from any donor of the land trust's intent to sell before accepting the property
    b) Follow applicable transaction policies and procedures
    c) Maintain the property while in the land trust's ownership in a manner that retains the land trust's public credibility, manages community expectations and minimizes risk

STANDARD 6

Financial Oversight

Land trusts are responsible and accountable for how they manage their finances and assets.

PRACTICES

A. Fiscal Health

1. Establish a financial plan for the long-term operations of the land trust by
    a) Developing an annual budget that reflects the land trust's annual programs and activities
    b) Developing and implementing a strategy to address any deficit-spending trends
    c) Assessing the nature and variability of revenue and seeking to diversify funding sources
2. Build and maintain sufficient operating reserves to sustain operations
3. Adopt and implement a plan to build and maintain dedicated or restricted funds sufficient to cover the long-term costs of stewarding and defending the land trust's land and conservation agreements

B. Financial Records

1. Keep financial records in accordance with Generally Accepted Accounting Principles (GAAP) and, where applicable, Canada Revenue Agency requirements

C. Independent Financial Evaluation

1. Obtain an annual financial audit, review or compilation by an independent certified public accountant or a qualified accounting professional, in a manner appropriate for the scale of the land trust

D. Written Internal Controls

1. Establish written internal controls and accounting procedures, including segregation of duties, in a form appropriate for the scale of the land trust, to prevent the misuse or loss of funds

E. Risk Management and Insurance

1. Routinely assess and manage risks so that they do not jeopardize the land trust's financial health and its ability to carry out its mission and legal responsibilities
2. Carry general liability, directors' and officers' liability, property and other insurance, all as appropriate to the land trust's risk exposure or as required by law

STANDARD 7

Human Resources

Land trusts have sufficient skilled personnel to carry out their programs, whether volunteers (including board members), staff and/or consultants/contractors.

PRACTICES

A. Capacity

1. Regularly evaluate whether the land trust has sufficient volunteers, staff and/or consultants/contractors to achieve its strategic goals and carry out its programs, and then add capacity as needed

B. Volunteers

1. Provide volunteers with training, supervision and recognition

C. Consultants or Contractors

1. Clearly define relationships with consultants or contractors, ensure they are consistent with provincial and federal law and document them in a written contract, as appropriate

D. Transition Planning

1. Develop a written process or plan to provide for continuity in the leadership and management of the land trust's functions

E. Staff

1. Have a written job description for each staff member and conduct periodic performance reviews
2. Document the lines of authority, communication and responsibility between board and staff
3. Ensure staff have appropriate training and experience for their responsibilities and/or opportunities to gain the necessary knowledge and skills
4. Adopt written personnel policies that conform to provincial and federal laws
5. Provide fair and equitable compensation and benefits

F. Occupational Health and Safety

1. Provide staff and volunteers with safe working conditions
2. Comply with provincial and federal occupational health and safety regulations

STANDARD 8

Evaluating and Selecting Conservation Projects

In advance of every land and conservation agreement transaction, land trusts carefully evaluate and select their conservation projects.

PRACTICES

A. Strategic Conservation Planning

1. Identify specific conservation priorities consistent with the land trust's mission and goals

B. Project Selection Criteria

1. Develop and implement a written process to select land and conservation agreement projects
2. Develop and apply written project-selection criteria that are consistent with the land trust's conservation priorities
3. Document the conservation benefit of every land and conservation agreement project

C. Project Evaluation

1. Visually inspect properties before buying or accepting donations of conservation land or conservation agreements to determine and document whether:
    a) There are important conservation values on the property
    b) The project meets the land trust's project-selection criteria
2. Evaluate and document potential threats to the conservation values on the property and structure the project to best protect those conservation values
3. Evaluate and document any current or potential risks and liabilities associated with the project, including to the land trust's reputation or to the land trust community, and modify or decline the project if the risks outweigh the benefits

D. Project Planning

1. Individually plan all land and conservation agreement projects so that:
    a) The land trust identifies the best available conservation strategy for the property
    b) The property's important conservation values are protected
    c) The project furthers the land trust's mission and goals
2. Assess the stewardship implications of each project and the land trust's capacity to meet those obligations

E. Partnership Documentation

1. When engaging in a partnership on a joint acquisition or long-term stewardship project or when co-holding conservation agreement, create written agreements to clarify:
   a) The goals of the project
   b) The roles and responsibilities of each party
   c) Legal and financial arrangements
   d) Communications to the public and between parties

STANDARD 9

Ensuring Sound Transactions

Land trusts work diligently to see that every land and conservation agreement transaction is legally, ethically and technically sound.

PRACTICES

A. Legal Review and Technical Expertise

1. Obtain a legal review of every land and conservation agreement transaction, appropriate to its complexity, by a lawyer or notary experienced in real estate law
2. As dictated by the project, secure appropriate technical expertise, such as in financial, real estate, tax, scientific, indigenous and land and water management matters

B. Legal and Financial Advice

1. Do not give individualized legal, financial or tax advice when providing transaction-related information
2. Recommend in writing that each party to a land or conservation agreement transaction obtain independent legal, financial and tax advice

C. Environmental Due Diligence

1. For every land and conservation agreement transaction, conduct or obtain a preliminary environmental investigation to identify whether there are any conditions that pose environmental risks
2. If evidence of environmental risks is found, conduct or obtain a more thorough investigation, such as a Phase 1 assessment, and take steps to address any significant concerns

D. Determining Property Boundaries

1. Determine both the legal description and physical boundaries of each property or conservation agreement
2. If a conservation agreement contains restrictions or permitted rights that are specific to certain zones or areas within the property, include the locations of these areas in the agreement document so that they can be identified in the field

E. Conservation Agreement Drafting

1. For every conservation agreement[4],
    a) Individually tailor it to the specific property
    b) Identify the conservation values being protected
    c) Allow only uses and permitted rights that are consistent with the conservation purposes and that will not significantly impair the protected conservation values
    d) Avoid restrictions and permitted rights that the land trust cannot monitor and/or enforce
    e) Include all necessary and appropriate provisions to ensure it is legally enforceable
2. Review each conservation agreement for
    a) Consistency with enabling legislation[5] of conservation agreements and other provincial and federal applicable legislation
    b) Internal consistency, omissions and absence of errors within the conservation agreement documents

F. Title Investigation and Registration

1. Prior to closing and preferably early in the process, have a title company, lawyer or notary investigate title for each property or conservation agreement the land trust intends to acquire
    a) Update the title at or just prior to closing
2. Evaluate any encumbrance and title exception and document how the land trust addressed mortgages, liens, severed mineral rights and other encumbrances prior to closing
    a) Mortgages, liens and other encumbrances that could result in extinguishment of the conservation agreement or significantly undermine the important conservation values on the property are discharged or properly subordinated to the conservation agreement
3. Promptly register land and conservation agreement transaction documents, including baseline documentation reports or summaries when required, at the appropriate registration office

G. Recordkeeping

1. Adopt a written records policy that governs how and when organization and transaction records are created, collected, retained, stored and destroyed
2. Keep originals of all documents essential to the defense of each real property transaction in a secure manner and protected from damage or loss

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[4] Future interpretation of conservation agreements rests on how clearly the document explains the core elements and their intent. The core elements include provisions, schedules, definitions and other components which may impact the enforceability and readability of the conservation agreement.

[5] Federal or provincial legislation that sets out the legislative rules for conservation agreements and that gives specific powers to certain body, individuals or organizations with respect to conservation agreements.

3. Create and keep copies of these documents in a manner such that both originals and copies are not destroyed in a single calamity

H. Purchasing Land or Conservation Agreements

1. When buying land, conservation agreements or other real property interests, below, at or, in limited circumstances, above the appraised value, contemporaneously document:
    a) The justification for the purchase price
    b) That there is no private or undue benefit
2. Obtain an independent appraisal by a qualified appraiser in advance of closing to support the purchase price based on the fair market value
    a) However, a short narrative, a letter of opinion or other documentation from a qualified real estate professional may be obtained in the limited circumstances when:
        i. A property has a very low economic value
        ii. A full appraisal is not feasible before a public auction
        iii. Or the amount paid is significantly below the fair market value

I. Selling or Transferring Land or Conservation Agreements

1. When selling land, conservation agreements or other real property interests,
    a) Establish protections as appropriate to the property
    b) If the sale is to a party other than another charitable organization or public agency, obtain an independent appraisal by a qualified appraiser or a short narrative, a letter of opinion or other documentation from a qualified real estate professional to determine the value of the asset and to support the selling price
    c) Select buyers in a manner that avoids any actual or appearance of impropriety
2. When selling or transferring conservation land or conservation agreements to another charitable organization or public agency, consider whether the new holder can fulfill the long-term stewardship and enforcement responsibilities
3. For the sale or transfer of land or conservation agreements certified as ecological gifts, request authorization from the Minister of Environment and Climate Change Canada, or its replacement.

STANDARD 10

Tax Benefits and Appraisals

Land trusts work diligently to see that every charitable gift of land or conservation agreement meets provincial and federal tax law requirements, to avoid fraudulent or abusive transactions and to uphold public confidence in land conservation.

PRACTICES

A. Landowner Notification

1. Inform potential land or conservation agreement donors who may claim a provincial or federal income tax deduction or credit, in writing and early in project discussions, of the following:
    a) Canada Revenue Agency strongly recommends an independent appraisal prepared by a qualified appraiser for gifts of property valued at more than $1,000, including information on the timing of the appraisal
    b) As the beneficiary of the tax receipt, the donor has the primary responsibility for any determination of the value of the donation (even in the case where the appraisal has been arranged for or commissioned by the land trust)
    c) An independent appraiser who is certified by the Appraisal Institute of Canada and who follows the Canadian Uniform Standards of Professional Appraisal Practice should perform the appraisal, or, in Québec, Les normes de pratique professionnelle des évaluateurs agréés (Les normes de pratique)
    d) The land trust requires a copy of the completed appraisal in order to issue a charitable donation receipt
    e) The land trust will not participate in projects where it has significant concerns about the potential for false receipting, tax avoidance, tax abuse or tax fraud
2. Where appropriate, inform potential donors about the Ecological Gifts Program including
    a) The increased tax benefits associated with making a gift under the program
    b) The consequences of unauthorized disposition or change in land use of ecological gifts
    c) That appraisals of ecological gifts must comply with the Ecological Gifts Program Guidelines for Appraisals and will be reviewed independently by the Appraisal Review Panel
3. Do not make assurances as to:
    a) Individualized legal or tax implications
    b) Whether a particular land or conservation agreement donation will be eligible for a donation tax deduction or credit
    c) What monetary value of the donation the Canada Revenue Agency and/or province will accept
    d) What the resulting tax benefits of the deduction or credit will be, if any

B. Legal Requirements: Land Trust Responsibilities

1. If the land trust holds charitable donations of land or conservation agreements, it meets the requirements for a qualified donee under the applicable provisions of the Income Tax Act
2. Issue donation tax receipts only in accordance with the provisions of the Income Tax Regulations

C. Avoiding Fraudulent or Abusive Transactions

1. Review, on the land trust's own behalf, each transaction for consistency with provincial and federal income tax deduction or credit requirements
2. Evaluate any appraisal to determine whether the land trust has substantial concerns about the appraised value or the appraisal
3. Discuss substantial concerns about the appraisal, the appraised value or other terms of the transaction with legal counsel and take appropriate action, such as:
    a) Documenting that the land trust has shared those concerns with the donor
    b) Seeking additional substantiation of value
    c) Withdrawing from the transaction prior to closing

STANDARD 11

Conservation Agreement Stewardship

Land trusts have a program of responsible stewardship for their conservation agreements.

PRACTICES

A. Funding Conservation Agreement Stewardship

1. Estimate the long-term stewardship and enforcement expenses of each conservation agreement transaction
2. Track stewardship and enforcement costs

B. Baseline Documentation Report

1. For each conservation agreement, have a baseline documentation report signed-off by the necessary technical expertise, with written descriptions, maps and photographs, that documents:
    a) The conservation values protected by the agreement
    b) The relevant conditions of the property as necessary to monitor and enforce the agreement
2. Prepare the baseline documentation report prior to closing and have it signed by the landowner and land trust at or prior to closing
    a) Baseline documentation reports that require technical data collection are prepared with the support of professional(s) having appropriate background and expertise
    b) In the event that seasonal conditions prevent the completion of a full baseline documentation report by closing, the landowner and land trust sign a schedule for finalizing the full report and an acknowledgement of interim data at closing
3. In the limited circumstances when there are significant changes to the land (such as a result of a wildfire or bank erosion) or the conservation agreement (such as a result of an amendment or the exercise of a permitted right), document those changes in an appropriate manner, such as through monitoring reports, a baseline supplement or current conditions report
4. The landowner and the land trust each hold at least one original copy of the signed baseline documentation report

C. Conservation Agreement Compliance Monitoring

1. Adopt a written policy and/or procedure for compliance monitoring of conservation agreements that establishes consistent monitoring protocols and recordkeeping procedures
2. Monitor each conservation agreement property at least once per calendar year

   a) If the land trust uses aerial monitoring, conduct on-the-ground monitoring at least once every five years
   b) Promptly document the outcomes of annual compliance monitoring activities for each conservation agreement, including communications to and from owners of conservation agreement properties
   c) Conduct on-the-ground verification in a timely manner for any suspected violation or breach of conservation agreements

D. Landowner Relationships

1. Maintain regular contact with owners of conservation agreement properties to maintain relationships and avoid potential agreement conflicts
2. Establish systems to track changes in land ownership
3. When the property changes hands, attempt to meet with the new owner or property manager to ensure the new owner obtains:
   a) A copy of the conservation agreement documents
   b) Information in writing about the conservation agreement
   c) Copies of the land trust's stewardship policies and procedures

E. Conservation Agreement Enforcement

1. Adopt a written policy and develop written procedures for documenting and responding to potential conservation agreement violations
2. Investigate potential violations in a timely manner and promptly document all actions taken
3. Involve pertinent parties, authorities and legal counsel as appropriate to the severity of the violation and the nature of the proposed resolution
   a) For conservation agreements that have been certified as an ecological gift, report violations that have impacted the natural features of the property to Environment and Climate Change Canada

F. Approvals and Permitted Rights

1. Respond to landowner required notices or requests for interpretation or approvals in a timely and consistent manner, as specified in the conservation agreement deed or in a written procedure
2. Establish written procedures to guide the land trust's decision-making regarding approvals and permitted rights
3. Maintain a permanent record of all notices, approvals, denials, interpretations and the exercise of any significant permitted rights

G. Contingency Strategy

1. Establish a contingency plan for all conservation agreements in the event the land trust ceases to exist or can no longer steward and administer them
2. Maintain contact with the backup holder as appropriate to ensure the ability of the holder to hold conservation agreements is still valid

H. Amendments

1. Adopt and follow a written policy or procedure addressing conservation agreement amendments so that they are consistent with the following principles:
    a) Are consistent with the land trust's mission
    b) Comply with all applicable provincial and federal laws
    c) Do not jeopardize the land trust's charitable status
    d) Do not result in a private or undue benefit
    e) Are consistent with the conservation purpose(s) and intent of the conservation agreement
    f) Are consistent with the documented intent of the donor, grantor and any funding source
    g) Have a net beneficial or neutral effect on the relevant conservation values protected by the conservation agreement
2. Evaluate all conservation agreement amendment proposals with due diligence sufficient to satisfy the above principles
3. If an amendment is used to adjust conservation agreement boundaries (such as to remedy disputes or encroachment) and results in a *de minimis* extinguishment, document how the land trust's actions address the terms of J.1. below
4. Request authorization from the Minister of Environment and Climate Change Canada for amendments to conservation agreements certified as ecological gifts

I. Expropriation

1. If a conservation agreement is threatened with expropriation,
    a) Work diligently to avoid a net loss to conservation values and document the actions taken
    b) Have or obtain appropriate documentation of the percentage of the full value of the property represented by the conservation agreement
    c) In circumstances where a net loss of conservation values cannot be avoided, document the land trust's attempts to receive its proportional share of the proceeds and use any proceeds in a manner consistent with the conservation agreement deed
    d) Provide prompt notification to relevant parties, including the expropriating authority and Environment and Climate Change Canada, if the conservation agreement is certified as an ecological gift

J. Partial or Full Extinguishment

1. In the rare case that it is necessary to extinguish a conservation agreement, in whole or in part,
    a) Follow the terms of the conservation agreement with respect to taking appropriate action, and obtain provincial authorization when required by law
    b) Ensure there is no undue benefit
    c) Take steps to avoid or to mitigate harm to conservation values and/or use any proceeds in a manner consistent with the conservation agreement deed
    d) Consider the land trust's actions in the context of its reputation and the impact on the land conservation community at large
    e) Provide prompt notification relevant parties, including donors and funders involved in the land transaction
    f) Request prior authorization from Environment and Climate Change Canada if the conservation agreement is certified as an ecological gift

STANDARD 12

Land Stewardship

Land trusts have a program of responsible stewardship for lands held for conservation purposes.

PRACTICES

A. Funding Land Stewardship

1. Determine the immediate financial and management implications of each conservation property acquisition or contractual stewardship commitment and estimate the long-term implications
2. Anticipate and track costs associated with long-term land management, stewardship and enforcement of conservation properties

B. Land Management and Stewardship

1. Develop a written land management plan for each conservation property within 12 months after acquiring the land to:
    a) Identify the property's conservation values, including any significant cultural, Indigenous, historical and natural features, and identify threats to those features
    b) Identify the overall management goals for the property
    c) Identify activities and timeline to achieve the goals and to reduce any risks or threats to the conservation values
    d) Specify the uses that are appropriate for the property, in keeping with the property's conservation values, any restrictions and donor or funder requirements
2. Manage each conservation property in accordance with its management plan, and review and update the plan periodically
3. Perform administrative duties (such as paying insurance, filing required forms, keeping records) in a timely and responsible manner
4. Maintain the property in a manner that retains the land trust's public credibility, manages community expectations and minimizes risk consistent with the land trust's mission

C. Inspecting Land Trust Properties

1. Determine the boundaries of land trust properties and physically mark them to the extent possible or necessary
2. Inspect properties at least once per calendar year for potential management problems and promptly document the outcomes of the inspection
3. Address management problems, including encroachments, trespass and other ownership challenges, in an appropriate and timely manner and document the actions taken

a) For lands that have been certified as an ecological gift, report detected changes or impacts to the natural features of the property to Environment and Climate Change Canada

D. Contingency Strategy

1. Establish a contingency plan for conservation lands in the event the land trust ceases to exist or can no longer own or manage them

E. Expropriation

1. If a conservation property is threatened with expropriation:
    a) Work diligently to avoid a net loss to conservation values and document the actions taken
    b) Provide prompt notification to relevant parties, including expropriating authority and Environment and Climate Change Canada, if the conservation agreement is certified as an ecological gift

GLOSSARY

Board: The governing entity that manages the business of the land trust. The term 'board members' is used interchangeably to refer to the administrators, governors, directors or trustees that compose the board.

Capacity: The ability to perform all the actions required to acquire and manage conservation land and manage other programs by having adequate human and financial resources and organizational systems in place.

Conflict of interest: A conflict of interest arises when an employee, director, officer, manager or other "insider," is in a position, or perceived to be in a position, to be able to benefit personally (or to create a benefit to a family member or other organization with which he or she is associated) from a decision he or she could make or influence.

Conservation agreement: A legally binding agreement voluntarily entered into between a landowner and a land trust to restrict the use of subject real property to protect the conservation values of the property, and may include a servitude for the use and benefit of dominant land, a covenant or an easement.

Conservation values: The key values on a site that are the focus of protection efforts. Important conservation values are determined during property evaluation and project planning.

Enabling legislation: The collection of federal or provincial rules imposed by authority that gives appropriate officials the authority to implement or enforce the law.

GAAP: The Chartered Professional Accountants of Canada (CPA) issues Generally Accepted Accounting Principles (GAAP). CPA Canada Handbook: Standard and Guidance Collection provides standards for financial statements for Not-for-Profit Organizations.

Independent board member: Independent board member means an individual serving on a board who does not have a material or pecuniary relationship with the company or related persons.

Independent appraisal: An independent appraisal prepared in compliance with the Canadian Uniform Standards of Professional Appraisal Practice by a qualified appraiser who has verifiable conservation agreement or conservation real estate experience.

Insiders: Board and staff members, substantial contributors, parties related to the above within the meaning of the *Income Tax Act* (Canada), those who have an ability to influence decisions of the organization and those with access to information not available to the general public.

Land: Conservation properties held in fee simple ownership and any interest or right, including subsurface, surface, air, mineral, water and development rights and any other interests or rights in real property. Conservation agreements are excluded from this definition and are treated separately.

Land trust: A not-for-profit conservation organization that, as all or part of its mission, actively works to conserve land by acquiring land or conservation agreements (or assisting with their acquisition) and/or stewarding/managing land or conservation agreements. May include other types of conservation organizations, including federal, provincial or municipal entities.

Phase I assessment: A formal investigation conducted by a qualified environmental consultant or engineer into the presence or absence of hazardous and toxic materials on or near a property.

Policy: A written, board-adopted document specifying a course of action to guide and determine present and future decisions.

Preliminary environmental investigation: An informal investigation conducted by land trust staff, consultant or volunteer into the presence or absence of hazardous and toxic materials or other environmental threats on or near a property.

Private or undue benefit: A private benefit includes any part of the income, rights, property or resources of a land trust that comes to benefit, directly or indirectly, any member, director/trustee, staff member, or other person other than a reasonable compensation for property acquired or services rendered to the land trust. For registered charities, private benefits are called "undue benefits" and are prohibited.

Public benefit: In the context of the Canadian Land Trust Standards and Practices, serving the public interest is understood as benefitting the public in general or a sufficient segment of the public, as opposed to conferring private benefits to individuals, corporations or a limited group of persons.

Qualified donee: Under the *Income Tax Act* (Canada), qualified donees are organizations that can issue official donation receipts for gifts they receive from individuals and corporations. Registered charities can also make gifts to them.

Short narrative: A written estimation of a property's value most often prepared by a qualified appraiser and occasionally prepared by a highly experienced real estate professional. A letter of opinion is not considered an acceptable type of appraisal.

September 14, 2020 2020

All Trustees,
Islands Trust Council

Re: Recommendations for policy reform to protect endangered forests and habitats within the Islands Trust Area

To Members of the Islands Trust Council,

In January 2020, Raincoast Conservation Foundation (Raincoast) commissioned the Environmental Law Centre (ELC) at the University of Victoria to perform a review of the legal mechanisms available to the Islands Trust to enhance and extend protection of rare and endangered Coastal Douglas-fir (CDF) forests and associated habitats within the Islands Trust Area—particularly on privately-owned land. The resulting report, *Legal Measures to Protect the Gulf Islands' Coastal Douglas-fir Zone*[1], outlines a suite of 10 recommendations, which will be presented to all Trustees during the delegation period of the Island Trust Council's Regular Quarterly Meeting on September 16th, 2020.

Because this month's presenters were not informed of the reduction in individual speaking time until *after* the submission deadline—which requires presenter preparation more than 3-weeks in advance—we are writing to ensure that we have 1) provided Council with a list of actionable motions for mobilizing the ELC's recommendations and 2) clearly stated our intention to work alongside the Trust to establish better forest protection throughout the Trust Area. A copy of the report is attached. This document will soon be officially released.

As you know, 25% of the rare CDF zone lies within the Trust Area[2]. By current estimates, less than 1% remains in old growth and less than 10% is more than 120 years old[3]. Further, 80% of the CDF zone is privately owned with less than 12% under some form of protection[4]. This is an immeasurable loss considering these forests contained Douglas-fir and western red cedar trees with life spans up to 1,000 to 1,500 years, respectively. The specific action items stemming from this report are as follows.

- Motion 1: The Islands Trust Council shall pursue Development Permit Areas to protect forest ecosystems and regulate forest practices on private lands by submitting a formal request to the province to reverse the Denman decision (*Denman Island Trust Committee v. 4064 Investments Ltd*, 2001) through an amendment of s. 29 of the *Islands Trust Act.*

- Motion 2: The Islands Trust Council shall seek enforceability of Development Permits by requesting that the Province (i.e. Ministry of Municipal Affairs and Housing) enhance and clarify the powers of local governments, and more specifically, the federation of the Islands Trust, to enforce DPA requirements and conditions. The Union of BC Municipalities is likely to be an ally in this work.

    2.1 DPA enforceability has been cited by the ELC in both *Legal Measures to Protect the Gulf Islands' Coastal Douglas-fir Zone* and in the *Green Bylaws Toolkit*[5], as being highly dependent on the expertise and knowledge of staff. It is essential that there are biologists, ecologists, hydrologists and other scientific experts on staff to ensure that

DPAs are serving their purpose. Thus, the Islands Trust must commit to acquiring the necessary expertise. Alternatively, or perhaps in compliment, the expertise of Trust Conservancy staff would be well suited to this work.

2.2 Exploring the potential for vulnerable forests within the Islands Trust to be recognized within the "hazard area"—justified by the Climate Change Emergency Declaration made in March 2019. Climate change at a regional and microsite level is aggravated by canopy loss, soil erosion, compacted or impervious soils, increased fire risk in degraded forests, and other land use practices associated with tree removal and native forest conversion. Climate change resilience can be furthered by addressing these issues via forest conservation.

- Motion 3: The Islands Trust Council shall pursue the implementation of tree cutting permits and forest management regulations by:

  3.1 Seeking an amendment to s. 8 of the Community Charter to enhance the Islands Trust's jurisdiction over tree management

  3.2 Seeking an amendment to s. 21 of *Private Managed Forest Land Act* "to allow an exemption for the Islands Trust—to allow Local Trust Committees to adopt bylaws and issue permits to regulate forest management activities on private managed forest lands"[1] (pg. 24)

  3.3 Adopting a standard (e.g. ANSI 3000 Pruning Standard) for tree removal that all arboriculture operators and developers will be required to follow when working in the Islands Trust Area

- Motion 4: The Islands Trust Council shall explore options for using zoning (i.e. "Conservation Zoning") as an approach to regulating tree removal and retention on private lands.

- Motion 5: The Islands Trust Council will prioritize the use of the current tools available to them for "preserv[ing] and protect[ing] the Trust area and its unique amenities and environment", such as conservation covenants. This will include supporting the work of the Islands Trust Conservancy as they pursue possible covenants and exploring pathways for reducing the costs associated with putting these covenants into place.

- Motion 6: The Islands Trust Council will amend the Trust Policy Statement to:
  - Place an equal obligation on the role of the both LTCs and the federal component of the Trust federation to fulfill the Object of the Trust (i.e. environmental protection).
  - Better define terms/phrases such as "rural character", "unique amenities", and "there are limits to the ability of our environment to absorb continued development" to remove ambiguity and set a commitment to reduced development within the Islands Trust Area for the sake of upholding the Trust's mandate.

This list of motions is undoubtedly comprehensive, but it *is* possible and indeed necessary. At no time could this be more apparent than after a week of heavy smoke from the fires raging just south of the BC border. If not now, when? If not within the Trust Area, then where?

Thank you for your consideration. I look forward to speaking with all of you at the delegation.

Sincerely,

SDoll

Shauna Doll
BA, MREM
Gulf Islands Forest Conservation Project Coordinator
Raincoast Conservation Foundation

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[1] ELC. (2020). Legal measures to protect the Gulf Islands' Coastal Douglas-fir zone. Unpublished report.
[2] Islands Trust. (2018). Protecting the Coastal Douglas-fir zone & associated ecosystems: An Islands Trust toolkit. http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf
[3] Ibid
[4] Ibid
[5] ELC. (2016). Green bylaws toolkit. https://stewardshipcentrebc.ca/PDF_docs/GreenBylaws/GreenBylawsToolkit_2016.pdf

Delegation to Islands Trust Council

September 2020

Presented by Shauna Doll

Gulf Islands Forest Project Coordinator

Raincoast Conservation Foundation

RAINCOAST
CONSERVATION FOUNDATION

ENVIRONMENTAL LAW CENTRE
UNIVERSITY OF VICTORIA

Legal Measures to Protect the Gulf Islands Coastal Douglas-fir Zone

An ELC Clinic report prepared for:
Raincoast Conservation Foundation

RAINCOAST CONSERVATION FOUNDATION

Law Student: Andrew Spear
Articled Student: Ruben Tillman
Supervising Lawyer: Calvin Sandborn, QC

June 2020

Introducing the ELC Report

The Trust Federation has been charged with preservation and protection but has not been provided the tools to fulfill this obligation. It is time the Islands Trust called upon the Province to recognize and honor the distinction between the Trust Area and regional districts/municipalities.

The Trust's "preserve and protect" mandate is **"<u>not a mere piety</u>".** It has court-recognized legal effects.

RAINCOAST CONSERVATION FOUNDATION

Recommendations to Council

One:

- Pursue Development Permit Areas to protect forest ecosystems and regulate forest practices on private lands by submitting a formal resolution to the province to reverse the Denman decision (*Denman Island Trust Committee v. 4064 Investments Ltd*, 2001) through an amendment to s. 29 of the *Islands Trust Act.*

Two:

- Seek enforceability of Development Permits by requesting that the Province enhance and clarify the powers of local governments, and more specifically, the federation of the Islands Trust, to enforce DPA requirements and conditions. The Union of BC Municipalities is likely to be an ally in this work.

RAINCOAST CONSERVATION FOUNDATION

Recommendations to Council Cont'd

Three:

- Pursue the implementation of tree cutting permits and forest management regulations

Four:

- Explore options for using zoning (i.e. "Conservation Zoning") as an approach to regulating tree removal and retention on private lands.

RAINCOAST CONSERVATION FOUNDATION

Recommendations to Council Cont’d

Five:

- Prioritize the use of the current tools available for “preserv[ing] and protect[ing] the Trust area and its unique amenities and environment”, such as conservation covenants. This will include supporting the work of the Islands Trust Conservancy as they pursue possible covenants and exploring pathways for reducing the costs associated with putting these covenants into place.

Six:

- Amend the Trust Policy Statement

RAINCOAST CONSERVATION FOUNDATION

Summary of Provincial Law Reform Recommendations

- *Islands Trust Act (ITA)*
  - Any modification or expansion of Islands Trust powers must be done through an amendment of the *ITA* (or by amending provisions of other acts, for example the *Local Government Act*, that are incorporated into the *ITA*).
  - **Section 19**: unduly lumps the Islands Trust in with regional districts (reinforced by the Denman Island decision in 2001)—this section needs to be carefully reconsidered to reflect the unique mandate of the Trust and recognize the Trust Area as being unique from other local governments

- *Community Charter (CC)*
  - Amendment to **Section** 8: give the Islands Trust the same authority to implement tree bylaws as has been granted to municipalities

- *Private Managed Forest Land (PMFL)* Act
  - Amendment to **Section 21**: allowing Local Trust Committees to adopt bylaws and issue permits to regulate forest management activities on private managed forest lands

- *Local Government Act (LGA)*
  - Problematic that DPAs (i.e. the best legislative tool available for protecting and conserving natural amenities) are generally unenforceable. The Islands Trust **must** lobby the Province to amend **Division 7** of the LGA to "to ensure that DPA requirements and Development Permit conditions are enforceable by way of prosecution, ticketing and issuance of bylaw enforcement notices."

- *Trust Policy Statement (the Statement)*
  - Amend the Trust Policy Statement to place an equal duty between the obligation of Local Trust Committees and the Island Trust Federation to fulfill the object of the Trust (i.e. environmental protection)

RAINCOAST CONSERVATION FOUNDATION

This is it.
The time is now.
Let's work together to ensure biodiversity, climate change resiliency, and long-term stability in one of the rarest and most unique associations of ecosystems on the planet.

RAINCOAST CONSERVATION FOUNDATION

Role of the Islands Trust Conservancy & Potential Points of Collaboration with Raincoast Conservation Foundation

- Addressing the gap between Trust staff expertise and:
  - Sustainable land-use planning,
  - DPA designation, and
  - DPA enforcement.
- Identifying where the Islands Trust Council can better support the important work of the Islands Trust Conservancy
- Exploring how Raincoast might support the Species at Risk program being undertaken by the ITC

RAINCOAST
CONSERVATION FOUNDATION

Thank you

ENVIRONMENTAL LAW CENTRE
UNIVERSITY OF VICTORIA

RAINCOAST CONSERVATION FOUNDATION