

**Review and Amendment of the
Islands Trust Policy Statement:
A Preliminary Assessment**

*Final Report of the
Islands Trust Policy Statement Assessment Task Force*

May 9, 2011



Review and Amendment of the Islands Trust Policy Statement: A Preliminary Assessment

In March 2010, the Islands Trust Council established a task force, as a subcommittee of the Trust Programs Committee, to conduct a preliminary assessment of the Islands Trust Policy Statement and make recommendations regarding further actions. This report describes the work of the task force in carrying out that mandate.

It contains the following sections: purpose and content of the Policy Statement; amending the Policy Statement; the task force approach to a preliminary assessment; a priority list of topics for Policy Statement review; directive policies; history of Policy Statement – roles, reviews and amendments; management of historical records; and policies relating to the Policy Statement.

Summary of Recommendations

Recommendation 1: That the next Trust Council review the Policy Statement and its accompanying policies.

Recommendation 2: That the next Trust Council consider the full Topic Review Inventory in Appendix B and the priority topics identified by the Policy Statement Assessment Task Force (pages 5 and 6) when determining the scope and approach of a future Policy Statement review process.

Recommendation 3: That the next Trust Council closely review the language of the Policy Statement to ensure that terms used are unambiguous and easily understood, adding definitions if necessary to achieve this purpose.

Recommendation 4: That the next Trust Council ensure that comprehensive public consultation is an integral part of the entire review process.

Recommendation 5: That the next Trust Council consider inclusion of a rationale for any directive policies, either in the body of the Policy Statement or as an appendix, and remove the use of the word “address” from the Policy Statement in cases where Trust Council wants the policy to be more directive.

Recommendation 6: That the next Trust Council request a review of the historical records related to topics that have posed interpretation challenges, in order to clarify the purpose and intention of the original wording and assist in the review of the relevant sections of the Policy Statement.

Recommendation 7: That the next Trust Council review the three policies related to the Policy Statement and consider, in particular, whether the timing of the schedule of regular reviews and reporting of monitoring activities set out in those policies needs to be modified to reflect the reality.

Recommendation 8: That the next Trust Council consider any changes to the three policies in conjunction with the Policy Statement review.

Recommendation 9: That the next Trust Council consider the comments and suggestions of staff and the task force members as set out in Appendix C when reviewing the three policies related to the Policy Statement.

1. The Purpose and Content of the Policy Statement

Section 15 of the *Islands Trust Act* requires Trust Council to adopt a statement of Trust Council policies to carry out the object of the Trust, and prohibits Trust Council and the Executive Committee from approving any Local Trust Committee bylaw that is contrary to, or at variance with, the Policy Statement.

The current Policy Statement addresses the Section 15 requirement by setting out three broad goals and 120 specific policies for carrying out the object of the Islands Trust as defined in Section 3 of the Act:

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

The three goals of the Policy Statement (under the general headings Ecosystem Preservation and Protection, Stewardship of Resources, and Sustainable Communities) are:

- to foster preservation and protection of the Trust Area's ecosystems;
- to ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of Trust Area ecosystems; and
- to sustain island character and healthy communities.

The 120 policies are of three types:

- commitments of Trust Council, stating the position or philosophy of Trust Council on various matters;
- directive policies, which direct local trust committees and island municipalities to address certain matters in their official community plans and regulatory bylaws to implement the policies of Trust Council; and
- recommendations from Trust Council to government agencies, non-government organizations, property owners, residents and visitors regarding decisions or actions they might take in support of the Policy Statement and the object of the Islands Trust.

2. Amending the Policy Statement

The Policy Statement requires review and amendment from time to time for the simple reason that issues pertinent to the object of the Islands Trust shift in character and importance over time, and new issues may emerge that previously were unforeseen. For example, climate change was on the horizon before the end of the last century, but only in recent years have its magnitude and implications begun to be understood. Other examples of issues that have grown in prominence include local food security, affordable housing, shoreline protection, and biodiversity conservation.

Although it is Trust Council's policy to subject the Policy Statement to a regular review, it was last reviewed in 2001.¹ The 2001 review resulted in few changes, so the current Policy Statement is largely what was adopted in 1994. The review and amendment process requires

¹ The timelines for the review of the Policy Statement and for the Topic Review are referenced in the Policy Statement Amendment Policy (1.2.i) (see pages 45-46 of this report) and the Topic Review Framework Procedure (1.3.ii) (see pages 68 – 69 of this report) respectively.

considerable staff and trustee time in addition to the resources required to provide opportunities for meaningful public involvement. That is why the role of the task force designated by Trust Council in March 2010 was limited to conducting a preliminary assessment.

To that end, Trust Council assigned the task force terms of reference (Appendix A) containing three objectives:

- to conduct a preliminary assessment of the Islands Trust Policy Statement and Trust Council policies relating to the Policy Statement and identify potential topics for review;
- to prepare reports for Trust Programs Committee and Executive Committee to consider submitting to Trust Council on Policy Statement topics that might be included in a review of the Policy Statement and its implementation as part of Council's strategic plan during the 2011 term; and
- to update the topic review inventory for Trust Council by December 2010.

This report of the task force (comprising six trustees²) is intended to facilitate a full review of the Policy Statement in the term of office of the 2011-2014 Trust Council, should that Council decide to do so.

Recommendation 1: That the next Trust Council review the Islands Trust Policy Statement and its accompanying policies.

3. The Task Force Approach to a Preliminary Assessment

Each of the members of the task force closely read the existing Policy Statement to identify opportunities to make the Policy Statement more clear, comprehensive, and up-to-date.

This review led to the following preliminary suggestions from task force members in August 2010:

- update the Introduction to the Policy Statement.
- consider adding a Vision Statement if the Trust object does not sufficiently serve that purpose.
- update references to government agencies and legislative amendments (such as the addition of the Natural Area Protection Tax Exemption Program (NAPTEP)).
- ensure that the terminology used in the Policy Statement is as clear and easily understood as possible.
- provide a clear definition of "amenities" referred to in the object of the Trust.³
- clarify the role of forestry on the islands.
- update and add to topics requiring policy consideration.

Between July and October 2010, the task force invited Islands Trust and Bowen Island municipality staff and trustees to comment on the need for new Policy Statement topics and whether existing topics need expansion or clarification.

The task force also considered previously suggested topics, current and previous Trust Council strategic plans, and past advocacy positions taken by Executive Committee and Trust Council.

² Nerys Poole, Bowen Island (task force chair); Sheila Malcolmson, Gabriola Island (Islands Trust chair); George Ehring, Salt Spring Island; Tony Law, Hornby Island; Susan Morrison, Lasqueti Island; David Greer, South Pender Island.

³ See Appendix D – A discussion paper on meaning of amenities, by Trustee Law.

The task force did not review advocacy positions taken by Local Trust Committees or included in Official Community Plans.

In December 2010, the task force provided Trust Council with the November 2010 Policy Statement Topic Review Inventory (Appendix B) containing potential topics that require consideration or clarification.

The inventory also included general comments on the Policy Statement and its implementation, including procedural Issues, directive policies, structure/format, and the need for definition of words that pose interpretation challenges.

4. A Priority List of Topics for Policy Statement Review

The task force concluded that trustees conducting a review of the Policy Statement in the next Trust Council term of office might find it helpful to have a list of suggested priority topics.⁴ To that end, task force members each identified ten topics needing additional clarification and expansion and ten new topics that they considered should be considered priorities in a Policy Statement review. The task force summarized the results of the votes in the priority list below with the caveat that it is in no way intended to bind the next Trust Council's Policy Statement review. The task force further recognizes that the relative importance of certain topics may fluctuate over time.

Policy Statement Topics	Votes
Forests (stewardship) (4.2)	5
Density limits (5.2.5)	4
Freshwater resources (4.4)	4
Sustainable communities (Part V)	4
Coastal and marine areas (4.5)	3
Designation of forest ecosystem reserves (4.2.8)	3
Economic opportunities (5.7)	3
Healthy communities (5.8.5)	3
Protection of natural coastal processes (3.4.5)	3
Renewable energy production (5.8.8)	3
Water quality and quantity (4.4.2)	3
Agricultural land (4.1)	2
Growth and development (5.2)	2
Heritage (5.6.3)	2
Marine Sewage (3.4.8)	2
Road classification system (5.3.4)	2
Aquaculture (4.51, 4.5.2)	1
Gaming/casinos prohibition (5.5.2)	1
Health and wellbeing (5.8)	1
Impacts of road location, etc. (5.3.5)	1
Protection of forest stands (4.2.6)	1
Soils and deposits (4.6)	1

⁴ The November 2010 Policy Statement Topic Review Inventory (Appendix B) provides all potential topics that require consideration or clarification without prioritization.

Suggested New Topics	Votes
Climate change	5
Marine protection (stewardship / shipping / lighthouses)	5
Affordable housing/diversity of housing	4
Connectivity in environmental protection	4
Food security	4
Riparian area protection	4
Sustainable environment	4
Agriculture	3
BC Ferries	3
Landowner stewardship	3
Archaeological resources	2
Crown land protection	2
First Nations	2
Rainwater harvesting and catchment systems	2
Trust Fund Board (NAPTEP, RCP, funding, protected area stewardship, conservation of biodiversity priorities,)	2
Use of pesticides and other toxins	2
Natural Area Protection Tax Exemption Program	1
Performance measurement / indicators	1
Tourism	1
Tree removal	1

Recommendation 2

That the next Trust Council consider the full Topic Review Inventory in Appendix B and the priority topics identified by the Policy Statement Assessment Task Force (pages 5 and 6) when determining the scope and approach of a future Policy Statement review process.

Recommendation 3

That the next Trust Council closely review the language of the Policy Statement to ensure that terms used are unambiguous and easily understood, adding definitions if necessary to achieve this purpose.

Recommendation 4

That the next Trust Council ensure that comprehensive public consultation is an integral part of the entire review process.

5. Directive Policies

As noted above, in addition to receiving comments on procedural issues, structure/format, and definitions, the task force received comments on the need to reconsider the wording in the directive policies in the Policy Statement. The words “must address” leave room for ambiguity. The task force heard suggestions, from staff and trustees, that mandatory language replace this wording in those situations where the Islands Trust Council is of the view that bylaws must address a topic in a specific way or with specific language. Inherent in the choice of wording for policies of this nature is a choice as to how much leeway the Islands Trust Council wishes to leave to local trust committees and island municipalities in implementing the Islands Trust Policy Statement and, by extension, the object of the Islands Trust.

If Trust Council decides to provide specific wording on some topics, we hope that this change will result in more definite policy direction to the local trust committees and island municipality.

Recommendation 5

That the next Trust Council consider inclusion of a rationale for any directive policies, either in the body of the Policy Statement or as an appendix, and remove the use of the word “address” from the Policy Statement in cases where Trust Council wants the policy to be more directive.

This recommendation is noted within the general comments section of the Topic Review Inventory in Appendix B. An excerpt from a November 23, 2000 legal opinion for the Islands Trust regarding Policy Statement directive policies is included as Appendix 3 of the Topic Review Inventory.

6. History of Policy Statement – Roles, Reviews and Amendments

A guiding principle of the Policy Statement is that Trust Council “will implement a plan for the advancement of the Policy Statement” as part of its annual budget process with Executive Committee reporting to Trust Council on progress in achieving the goals of the Policy Statement. The Policy Statement also suggests that Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. Although Trust Council adopted policies to achieve both principles, Trust Council has not supported policy statement review activities with budget or workplan priorities in recent terms.

The following provides a brief review of the history of the Policy Statement since its adoption in 1994:

1993-1996 Trust Council term:

The Policy Statement, which had been given three readings in October 1993, in the previous term, was adopted in June 1994.

The Trust Policy Committee, a standing committee of Trust Council, was established to review the Policy Statement on an on-going basis and to provide recommendations on amendments.

During this term amendments were made to the Policy Statement with respect to environmentally sensitive areas, agriculture, coastal zone management, roads, local government structure and information to support land use planning.

1996-1999 Trust Council term:

The Trust Policy Committee was merged with the Environmental Planning Committee to form the Trust Programs Committee which took over some responsibilities for addressing the Policy Statement in conjunction with that Committee's work program. The Executive Committee retained overall responsibility for bringing forward proposals for amendment to the Policy Statement.

During this term, amendments were made to the Policy Statement with respect to forests, in conjunction with the Trust Program Committee's overall work on that topic. Amendments were also made with respect to gaming facilities, road system impacts on agricultural land, wetlands and the Islands Trust object.

1999-2002 Trust Council term:

The Chair of Trust Council appointed a Policy Statement Task Force from the members of Trust Council. This Task Force brought to Council suggestions for strengthening the wording of the Policy Statement. This approach was not supported by Council. The Task Force provided recommendations for changes to the text of the Policy Statement to provide more clarity without changing intent.

Trust Council gave three readings to a bylaw to amend the Policy Statement to incorporate these changes and adopted the changes at the first meeting of the following term.

2002-2005 Trust Council term:

The Trust Programs Committee, acting upon a referral from Trust Council, prepared a recommendation to amend policy 4.4.2 (which addresses water supply) to provide more flexibility. The recommendation was rejected by Trust Council.

The only change made to the Policy Statement during this term was the inclusion of an interpretation note with respect to artificial reefs.

2005-2008 Trust Council term:

For the first time, a local trust committee sought Trust Council's consideration of approval of a proposed bylaw that had been rejected by the Executive Committee. Consideration of approval included discussion of the intent and applicability of Policy Statement policies, particularly policy 5.3.5 (which addresses the impact of road location, design, construction and systems).

No amendments to the Policy Statement were considered during the 2005-2008 term.

7. Management of Historical Records

The task force terms of reference ask the task force to identify the requirements for the Policy Statement records management. The task force asked staff to provide information regarding documentation that came from the Policy Statement review conducted in 2002.

Staff reported that the Policy Statement records were not in an easily-reviewable state. They had retrieved several files but did not have time to search through them. A task force member volunteered to look at the files at the Victoria office to assess the condition of the files. The results of the assessment are:

- difficulty ordering the files by date;
- not confident the files are complete;
- time-consuming task to collate the files;
- staff comments regarding the state of the files were correct.

The Policy Statement records management will require a considerable amount of staff time and resources to organize if Trust Council decides that an accurate account of previous Policy Statement assessments is important. In 2011, Islands Trust will purchase Optical Character Recognition software for a Victoria office photocopier which will allow staff to electronically search older files.

There is substantial work required to get all past records scanned and organized.

A valuable aspect of record availability would be information that provides a background on amendments to the Policy Statement that have been considered or implemented in order to provide an understanding of the context, issues, considerations and rationale.

Recommendation 6

That the next Trust Council request a review of the historical records related to topics that have posed interpretation challenges in order to clarify the purpose and intention of the original wording and assist in the review of the relevant sections of the Policy Statement.

The discussion of the interpretation of unique amenities is included in Appendix D.

8. Policies relating to the Policy Statement

The *Islands Trust Act* states that the trust Policy Statement must be “a general statement of the policies of the trust council to carry out the object of the trust.” The use of the words “to carry out” in the legislation suggests that the policy statement is a foundation for strategic actions to be implemented.

The *Islands Trust Policy Statement* states that “the Policy Statement provides a general strategy for land use planning which translates the broad goals of the Province and the Islands Trust into specific actions to preserve and protect the Trust Area”, also suggesting proactive implementation.

How this proactive implementation will be carried out is spelled out in the *Policy Statement* as follows:

- *Trust Council will implement a plan for the advancement of the Policy Statement as part of its annual budget process, and the Executive Committee of Trust Council will report to Council on progress in achieving the goals of the Policy Statement.*⁵

⁵ Islands Trust Policy Statement, Consolidated April 2003, page 8, Part II.

- *Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments.*⁶
- *The Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Council in this regard.*⁷

There are three policies that support the implementation, amendment and review of the Policy Statement. The task force's terms of reference ask the task force to consider these policies in its preliminary assessment. The policies are provided in Appendix E.

The purpose of each policy is set out in the policies:

a. Policy Statement Amendment Policy s.1.2.i

To outline the required steps for Trust Council to amend the Policy Statement Bylaw.

b. Policy Statement Implementation s.1.3.i

To establish policy and procedures for statutory bylaw referrals and other implementation strategies in connection with the Islands Trust Policy Statement Bylaw No.17.

To establish policy to implement and further develop the Islands Trust Policy Statement.

c. Policy Statement Topic Review Framework s.1.3.ii

To provide a framework to maintain an inventory of Policy Statement topic areas for review and to determine the priority topic areas for attention through Trust Council.

Recommendation 7

That the next Trust Council review the three policies related to the Policy Statement and consider, in particular, whether the timing of the schedule of regular reviews and reporting of monitoring activities set out in those policies needs to be modified to reflect the reality.

As noted previously in this report, recent Trust Councils have not supported regular monitoring with the necessary budget or work plan priorities.

Recommendation 8

That the next Trust Council consider any changes to the three policies in conjunction with the Policy Statement review.

⁶ Islands Trust Policy Statement, Consolidated April 2003, page 3, Part I.

⁷ Islands Trust Policy Statement, Consolidated April 2003, page 4, Part I

Recommendation 8

That the next Trust Council consider the comments and suggestions of staff and the task force members as set out in Appendix C when reviewing the three policies related to the Policy Statement

The Trust Programs Committee has begun some preliminary work on a new advocacy policy, and has received two submissions from trustees on this issue. The task force has not reviewed any of this work.

9. External funding for Policy Statement review process

In April 2011, the Islands Trust applied for \$250,000 from the Gas Tax Fund (General Strategic Priorities Fund and the Innovations Fund) administered by the Union of British Columbia Municipalities to review the Policy Statement in a two-and-a-half-year process beginning in 2012.

The Policy Statement review process proposed in the grant application was guided by requirements set by the funder. The Gas Tax Fund required that planning processes take an integrated community sustainability planning (ICSP) approach that contributes to reduced greenhouse gas emissions, cleaner water or cleaner air. An ICSP is defined as “long-term planning, in consultation with community members, that provides direction for the community to realize sustainability objectives it has for the environmental, cultural, social and economic dimensions of its identity.”

The application was submitted to provide the 2011-2014 Trust Council an externally-funded review option in addition to the other Policy Statement review options that will be available.

The review process proposed in the grant application is not binding on a future Trust Council. If the grant application is successful, the next Trust Council, as part of the strategic planning process for the 2011-2014 term, will be able to choose to:

1. not accept the funds;
2. request a modification of the proposed project and budget; or
3. proceed with the approved project.

The only other potential funding source for a Policy Statement review process was the Green Municipal Fund (GMF). Islands Trust did not apply to this fund as it would have required 50% matching funds and because its emphasis was on developing plans for conventional municipal services such as infrastructure and transportation. Due to high demand, the GMF fund was closed to new applications during January to March 2011.

Conclusion

The Policy Statement affects the decisions of every Local Trust Committee, Trust Council and Island Municipality, and reflects the Trust’s relationship with the Province. A full public consultation process, as part of the review of the Policy Statement, will ensure that it continues to represent the values and vision of islanders and residents of British Columbia.

Appendices

- A. Terms of Reference for Islands Trust Policy Statement Assessment Task Force
(*Revised Dec 8, 2010*)
- B. Policy Statement Topic Review Inventory (2010)
- C. Table of suggested changes to the policies relating to the Policy Statement
- D. Discussion Paper on Meaning of Unique Amenities
- E. Policies relating to the Policy Statement
 - a. Policy Statement Amendment Policy s. 1.2.i
 - b. Policy Statement Implementation Policy s.1.3.i
 - i. Attachment 1 - Directives Only Checklist
 - ii. Attachment II - Council Commitments and Recommendations Checklist
 - c. Policy Statement Topic Review Framework: s.1.3.ii

Terms of Reference for
Islands Trust Policy Statement Assessment Task Force
Amended by Trust Council Dec 8, 2010

1. Objectives:

- a) To conduct a preliminary assessment of the Islands Trust Policy Statement and Trust Council policies relating to the Policy Statement and identify potential topics for review.
- b) To prepare reports for Trust Programs Committee (TPC) and Executive Committee (EC) to consider submitting to Trust Council on Policy Statement topics that might be included in a review of the Policy Statement and its implementation as part of Council's Strategic Plan during the 2011-2014 term and;
- c) To update the Topic Review Inventory for Trust Council by December 2010.

2. Scope of work

- a) Consult with Islands Trust and Bowen Island Municipality staff and trustees to identify policies in the Policy Statement that have presented interpretation challenges.
- b) Identify requirements for policy statement records management.
- c) Consult with Trust Area Services staff to identify gaps and inconsistencies in the Policy Statement with respect to the provincial context (legislation).
- d) Update the Topic Review Inventory to identify topics in the current and previous Strategic Plans of Trust Council and in advocacy positions taken by LTCs, EC and Trust Council.
- e) Seek external funding sources for a Policy Statement review, for the benefit of a future Trust Council.
- f) Consider any other issues that might emerge during this assessment. (e.g. the need for significant advance planning to pursue / secure external funding)

3) Time Frame

June 2010: Confirm task force membership and hold first meeting
Nov 2010: Preliminary report to TPC – including Topic Review Inventory for TC Dec 2010
Oct 2010 - March 2011: Consider budget and staffing implications for 2011-2012 budget
March 2011: Seek Trust Council's approval for a funding application
April 2011 – Submit application for funding
May 2011: Final report to TPC

4) Membership

The committee will consist of up to seven people with at least one member from EC and TPC, with members initially solicited from Trust Council until June 17, 2010. Other trustees are welcome to audit the meetings. Membership may include past trustees.

5) Process

Meetings will be held by monthly teleconference (or less frequently if not needed).

6) Resources

Financial requirements will be limited to conference call costs.

Appendix A – Policy Statement Assessment Task Force Terms of Reference

Staff will provide logistics, public notification and minute-taking services. Staff will provide relevant policies and records of past committee work on the Policy Statement.

Relevant policies include:

- 1.2.i Policy Statement Amendment Policy
- 1.3.i Policy Statement Implementation Policy
- 1.3.ii Policy Statement Topic Review Framework

Policy Statement Topic Review Inventory 2010

Trust Council is asked to review the Policy Statement every five years. This topic review inventory is intended to be regularly updated as new topics get suggested, by trustees, staff and stakeholders. Policy 1.3.ii, *Policy Statement Topic Review Framework*, sets out that Trust Council will consider Trust Programs Committee’s recommended priority review topics each year.

If the Policy Statement is to be reviewed, Trust Council will consult with particular government agencies having jurisdiction over or interests in the Trust Area, and with members of the public throughout the Trust Area.

This Topic Review Inventory summarizes input on existing and potential new Policy Statement topics received by the Policy Statement Task Force. It compiles information from the 2007 Policy Statement Topic Review Inventory; trustee and staff suggestions (made in 2010 unless otherwise noted); Trust Council resolutions; and strategic plans. An overview of suggestions is provided below with additional details available in the body of this report.

Policy Statement Topics Needing Additional Clarification or Expansion	Suggested New Policy Statement Topics (Gaps):
<ul style="list-style-type: none"> • Protection of natural coastal processes (3.4.5) • Marine Sewage (3.4.8) • Agricultural land (4.1) • Forests (stewardship) (4.2) • Protection of forest stands (4.2.6) • Designation of forest ecosystem reserves (4.2.8) • Freshwater resources (4.4) • Water quality and quantity (4.4.2) • Coastal and marine areas (4.5) • Aquaculture (4.5.1 and 4.5.2) • Soils and deposits (4.6) • Sustainable communities (Part V) • Growth and development (5.2) • Density limits (5.2.5) • Road classification system (5.3.4) • Impacts of road location, etc. (5.3.5) • Gaming/casinos prohibition (5.5.2) • Recreational facilities (5.5.6) • Heritage (5.6.3) • Economic opportunities (5.7) • Health and wellbeing (5.8) • Healthy communities (5.8.5) • Renewable energy production (5.8.8) 	<ul style="list-style-type: none"> • Affordable housing/diversity of housing • Agriculture • Archaeological resources • BC Ferries • Climate change • Connectivity in environmental protection • Crown land protection • First Nations • Food security • Invasive species • Landowner stewardship • Marine protection (stewardship / shipping / lighthouses) • Performance measurement / indicators • Rainwater harvesting and catchment systems • Riparian area protection • Social diversity • Sustainable environment • Tourism • Tree removal • Trust Fund Board (NAPTEP, RCP, funding, protected area stewardship, conservation of biodiversity priorities,) • Unzoned areas • Update to reflect ongoing legislative changes • Use of pesticides and other toxins

Appendix B – Policy Statement Topic Review Inventory 2010

The document is organized as follows:

- Existing topics needing clarification or expansion
- Suggested new topics
- Suggested new definitions
- Appendix 1: Summary of past Chair correspondence on advocacy topics
- Appendix 2: Islands Trust resolutions submitted to Union of British Columbia Municipalities
- Appendix 3: General comments received on the Policy Statement
- Appendix 4: Excerpt from November 23, 2000 legal opinion for the Islands Trust re: Policy Statement Directive Policies from Bill Buholzer (formerly Lidstone, Young, Anderson), made public by the Executive Committee on October 19, 2010.

**Existing Policy Statement Topics
needing clarification or expansion**

SP=Strategic Plan / Agenda, P=Part, G=Goal

Existing Topic	Issue to be clarified / expanded	Source
Protection of natural coastal processes (3.4.5)	Expand on foreshore erosion, and seawalls Include outcomes of the Green Shores Program	Trustee
Marine Sewage (3.4.8)	<p><i>That Trust Council request the Director of Trust Area Services to research the topic of marine sewage pollution from vessels and municipal sewage facilities in the Strait of Georgia and provide recommendations in September regarding options for supporting existing processes that address these topics. (TC 179/02 June)</i></p> <p><i>That the Islands Trust Council request staff to continue to monitor the topic of marine sewage pollution in the Trust Area and that Council request the Executive Committee to develop correspondence supporting existing processes that address marine sewage pollution in the Trust Area, as appropriate opportunities arise. (TC 206/02 Sept)</i></p> <p><i>That Islands Trust Council request the Chair to write a letter to appropriate federal and provincial ministers with respect to facilitating the designation of marine sites under non-sewage discharge regulations. (TC 235/02 Dec)</i></p> <p><i>That Islands Trust Council:</i></p> <ul style="list-style-type: none"> ○ <i>Recommend that Local Trust Committees consider adding a policy to their Official Community Plans requiring all marinas applying for rezoning or a development permit to provide pump out facilities;</i> ○ <i>• Recommend that Local Trust Committees consider adding an advocacy policy to their Official Community Plans encouraging neighbouring local governments to require that marinas servicing vessels traveling within the Trust Area install pump-out facilities when applying for rezoning on a development permit; and</i> ○ <i>• Request the Executive Committee write to Transport Canada requesting amendments to the current legislation to prohibit boats traveling in narrow channels from discharging raw sewage less than three nautical miles from shore and developing a plan for enough pump-out stations in the Trust Area that sewage discharge would be prohibited or alternatively establish the Trust Area as a no discharge zone. (TC152/09 Sept)</i> 	Trust Council
Agricultural land (4.1)	<p>2006: Want to encourage open farm land to be maintained and not allowed to reforest. Mayne Island has lost a large amount of open meadow to trees. There is environmental value in these spaces as well as economic in the case of farming and grazing.</p> <p>2009: urge policies that recognize that re-treesing of cleared lands is not always the best use of the land</p>	Trustee

Appendix B – Policy Statement Topic Review Inventory 2010

Existing Topic	Issue to be clarified / expanded	Source
Forests (4.2)	<p><i>That the Islands Trust Council request the Executive Committee to forward to the Ministry of Sustainable Resource Management a response to the Working Forest Initiative discussion paper that requests that the Crown land of the Trust Area be removed from the definition of Working Forest; provides additional background and comment on the Initiative based on the attached outline; and that the Islands Trust Council request the Executive Committee to monitor the Working Forest Initiative and take additional actions as necessary that are consistent with the positions expressed in the joint response. (TC 114/03 – March)</i></p>	Trust Council
	<p>Clarification of forestry’s role on islands, including use in mitigating effects of GHG emissions</p> <p>PMFL lands</p>	Trustee
Protection of forest stands (4.2.6)	<p>Unclear what is meant by “on the scale of forest stands and landscapes”.</p> <p>The phrase "of forest ecosystems" belongs after the phrase "ecological integrity" in the fourth line.</p>	Staff
Designation of forest ecosystem reserves (4.2.8)	<p>LTCs do not have the power to designate reserves on private land.</p> <p>This policy should require the local trust committees and municipalities to "designate forest ecosystem reserves where no extraction will take place, to ensure the preservation of native biological diversity", rather than requiring them to "include policies and regulations requiring" such designations. Since it is the local trust committees and municipalities that do the designating, it seems incorrect to refer to their policies and regulations merely "requiring" those designations.</p> <p>Consider including direction/clarification about PMFL.</p>	Staff
Freshwater Resources (4.4)	<p><i>That staff be requested to prepare a briefing that identifies issues with respect to the authority of the Islands Trust to address groundwater protection and groundwater use for consideration at the December 2002 Trust Council meeting. (TC 215/02 Sept)</i></p> <p><i>That Islands Trust Council endorse the following declaration and commit the Islands Trust to upholding its principles:</i></p> <ul style="list-style-type: none"> • <i>Water is a sacred gift that connects all life.</i> • <i>Access to clean water is a basic human right.</i> • <i>The value of the earth’s fresh water to the common good takes priority over any possible commercial value.</i> • <i>Fresh water is a shared legacy, a public trust and a collective responsibility.</i> <p><i>And encourage all citizens of the Trust Area to endorse the above declaration and commit to upholding its principles. (TC 129/06 March)</i></p> <p><i>That the Islands Trust Council request the Chair to write a letter to the Minister of the Environment on behalf of the Islands Trust Council which includes the</i></p>	Trust Council

Appendix B – Policy Statement Topic Review Inventory 2010

Existing Topic	Issue to be clarified / expanded	Source
	<p><i>following:</i></p> <ul style="list-style-type: none"> • <i>a statement of Trust Council’s support for the B.C. Ground Water Protection Regulation,</i> • <i>a request for an update on Phases 2 and 3 of the Regulation, and</i> • <i>a suggestion that the Islands Trust be considered as a pilot project for the development of a water management plan(s), or other planning processes to address localized water quality and quantity issues, under Phase 3 of the Regulation, due to the limited supply of water in the Trust Area. (TC 182/06 December)</i> <p><i>That the Islands Trust Council request the Chair to write to the Minister of Environment in support of the provincial commitment to regulate groundwater withdrawals in the Gulf Islands, as expressed in the recent Living Water Smart Plan. (TC 163/08 June)</i></p>	
	<p>2006: In general, the new Drinking Water legislation needs to be integrated into the Policy Statement - as a standard to be met.(e.g. water quality must meet the legislated water quality standards.)</p> <p>Consider past advocacy positions re hydro-fracturing</p>	Trustee
	<p>Goal: Increase the sustainability and quality of freshwater resources</p>	SP 2008-11, G2
	<p>Reflect/support new Development Permit Area powers regarding water conservation</p>	Staff
Water Quality and Quantity (4.4.2)	<p><i>That the Trust Programs Committee be requested to review Section 4 of the Policy Statement to more clearly address the use of viable alternate water supply sources as the top priority of the Policy Statement Topic Review Inventory. (TC/179/05 June)</i></p> <p><i>That the Islands Trust Council not amend the Islands Trust Policy Statement in regards to freshwater resources (policy 4.4.2) and not proceed with draft Bylaw 109 and request the Trust Programs Committee to add rainwater catchment and storage to the Policy Statement Topic Review Inventory. (TC/167/05)</i></p> <p>(As written, Policy 4.4.2 may restrict a local trust committee (LTC) or an island municipality (IM) from considering land use changes in areas where there are water quality or quantity problems, even if there are other approaches available to ensure that the problem would not be exacerbated. For example: an LTC or IM may wish to rezone land in an area with a water problem provided the proposed development is legally required to provide a water catchment system to supply a portion of its water needs.</p> <p>An LTC or IM may wish to rezone land in an area with a water problem provided the proposed development is required to take special measures to address potential water quality and/or sewage treatment issues.)</p>	Trust Council

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Existing Topic	Issue to be clarified / expanded	Source
	<p>The phrase "known to have a problem" is not clear.</p> <p>The proposed addition of a "viable alternate" source needs to be made</p>	Trustee
	<p>Anticipate the use of alternative technologies to address water quantity concerns</p>	Staff
Coastal areas and marine shore lands (4.5)	<p>Coastal areas and marine shore lands management/stewardship</p> <p>Address impacts of shoreline development on eelgrass beds and spawning sites</p> <p>Address shoreline protection in support of the ocean that surrounds us and supports us with oxygen and food.</p> <p>Specifically address the gravel, sand and shell beaches that are the irreplaceable location of forage fish spawning.</p>	<p>SP 2008-11, G2</p> <p>Trustee</p>
Aquaculture (4.5.1, 4.5.2)	<p><i>That Islands Trust Council request staff to research and prepare a background paper to inform Council regarding the goals and consultation process of the Ministry of Sustainable Resource Management and of Land and Water B.C. Inc. regarding the expansion of the shellfish industry in the Trust Area. (TC 180/02 June)</i></p> <p><i>That the Islands Trust Council request the Trust Programs Committee to consider community concerns regarding on-land aquaculture, including the proposed resolutions from Woodward and Company in their letter of March 6, 2003 and develop recommendations for Trust Council in June pending consideration of already scheduled work programs items; and request the Executive Committee to take other actions to address this issue before June 2003 if it feels this is necessary. (TC 146/03 March)</i></p> <p><i>That the Islands Trust Council request the Chair to communicate the Trust Policy Statement policies, precautionary principle and island community concerns regarding on land aquaculture to the appropriate provincial and federal ministries and responsible agencies. (TC 147/03 March)</i></p> <p><i>That Islands Trust Council request the Chair to seek a suspension of on-land aquaculture application processing pending the development of siting criteria and the establishment of an Aquaculture Protocol with the Province concerning due diligence, community consultation and environmental assessment. (TC 148/03 March)</i></p> <p><i>That the Islands Trust Council request staff to submit the attached document entitled "Islands Trust - Response to the Special Committee on Sustainable Aquaculture, September 15, 2006" to the Special Committee on Sustainable Aquaculture; and to assess the feasibility and work program implications of requesting staff in the Ministry of Agriculture and Lands to work with Islands Trust to update and review the protocol agreements and</i></p>	Trust Council

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Existing Topic	Issue to be clarified / expanded	Source
	<p><i>letters of understanding between the agencies.</i> (TC 158/06 Sept)</p> <p>Finfish farms (4.5.2) Consider whether current policy excludes finfish (like tilapia) that can be raised in closed containment and add to food security.</p> <p>Consider past advocacy positions re on-land fish farms.</p> <p>Ensure consistency with Marine Protected Area policy.</p>	Trustee
Soils and deposits (4.6)	Adoption, administration, enforcement of bylaws and education	SP 2005-08, P1
Sustainable Communities (Part V)	<p>Healthy, complete and liveable island communities.</p> <p>We recognize that the health of our communities is improved if our islands are safe and secure, if there is strong public involvement in decision-making, and if we accommodate people of differing age groups and income levels.</p> <p>We will work to support and restore socio-economic diversity with strategies for affordable, accessible and appropriate community housing.</p> <p>Support socio-economic diversity of island communities</p>	<p>SP 2005-08, P2</p> <p>SP 2008-11, G2</p>
	<p>Re-title: healthy, vibrant, social-economic communities</p> <p>Create a separate policy section for “character”</p> <p>Reorganize headings - healthy community, resilience, food security, agricultural community</p>	Staff
Growth and Development (5.2)	<p>Density limits (5.2.5) Has occasionally been confusing in regards to Bowen Island OCP amendments. Check previous staff reports for details.</p> <p>Growth in the Trust Area – Manage in a manner that respects our provincial mandate and the wishes of island communities</p> <p>Build-out potential –identify as a basis for further planning and communication</p> <p>Rate and scale of growth - managing</p> <p>Managing conflict between need for cluster type developments and maintenance of rural atmosphere</p>	<p>SP 2005-08, P2</p> <p>2004-05 SP, P3</p> <p>Trustee</p>
Road Classification System (5.3.4)	Need to clarify what classification system of island roadways is supposed to be recognized in the local policies and regulations. If it is a classification system that has been worked out between the Islands Trust and the Ministry of Transportation and Highways, it should be specifically referred to.	Staff

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Existing Topic	Issue to be clarified / expanded	Source
Impacts of Road Location (5.3.5)	<p>While planners have traditionally interpreted this to mean that bylaws must address the impacts of roads on ecosystems, forest landscapes, etc., Executive Committee recently interpreted it to mean that an Official Community Plan should not be adopted because it did not contain a road network plan. Perhaps the meaning of the policy requires clarification.</p> <p>Consider replacing the word "systems" at the end of this policy with the phrase "impacts of road networks, including their location, design and construction."</p>	Staff
Gaming / Casinos prohibition (5.5.2)	Consider whether inconsistent with allowance of destination resorts	Staff
Recreational facilities (5.5.6)	Concerns have been raised because of a lack of definition of low and high impact.	Staff
Heritage (5.6.3)	Unclear if this is intended to include archaeological sites.	Staff
Economic Opportunities (5.7)		Staff
Health and Well Being (5.8)		Trustee
Healthy Communities (5.8.5)	While this is not a directive policy, there seems to be no directive policy that addresses the broad topic of healthy communities. The program referred to is dated and easily confused with BC's 'Healthy Communities' initiatives.	Staff
Renewable Energy (5.88)		Staff

Suggested New Policy Statement Topics

SP=Strategic Plan / Agenda, P=Part, G=Goal

New Topic	Rationale	Source
<p>Affordable Housing</p>	<p>The starting point for effectively encouraging the development of affordable housing is a Trust-wide policy that provides leadership and guidance in its commitment to affordable housing, and emphasizes the importance it plays in a sustainable community.</p> <p>Recommendation: THAT Trust Council review the Islands Trust Policy statement to ensure that it:</p> <ul style="list-style-type: none"> • includes clear and well-thought out definition of affordability • includes clearly articulated vision, goal and objectives for affordable housing • gives affordable housing a greater profile for its role in sustainable communities • includes a reference to affordable housing in its policy direction to LTCs and municipalities 	<p>Islands Trust Community Housing Tool Kit" page 15-16, section 4.1 - Amend the Trust Council's Policy Statement</p>
	<p>Encouragement of policies and advocacy that will encourage diversity and affordability in housing.</p>	<p>Trustee</p>
	<p>Support/restore socio-economic diversity through land use planning strategies about affordable/accessible/appropriate housing</p>	<p>SP 2008-2011, G3</p>
<p>Agriculture</p>	<p><i>That the Islands Trust Council declare its support for avoiding the use of crops, in the Trust Area, that have been genetically engineered. (TC 211/04 Sept)</i></p> <p><i>That the Islands Trust Council request the Chair to write a letter on behalf of Council to the Capital Regional District Roundtable on the Environment that states Council's support of the program for short-term reduction and long-term elimination of non-essential pesticide use, including the part of the CRD that is within the Islands Trust Area. (TC 251/04 Dec)</i></p> <p><i>That the Islands Trust Council request the Director of Trust Area Services to seek agreements with the Ministry of Agriculture, Fisheries and Foods and the Agricultural Land Commission regarding guidelines for the development of farm regulations to address the scale and intensity of agriculture (including on-land aquaculture), in a manner consistent with the provincial object of the Islands Trust and with the scale and character of small islands. (TC 172/173/03 June)</i></p> <p><i>That the Islands Trust Council request the Chair to write to the BC Minister of Agriculture expressing the Trust's concern that inadequate slaughter facilities exist to service farmers within the Islands Trust Area, and that the Trust encourages the Ministry to maintain its support of community initiatives to establish appropriate local facilities to service the</i></p>	<p>Trust Council</p>

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New Topic	Rationale	Source
	<p><i>Trust Area. (TC 163/07 Sept)</i></p> <p><i>That the Islands Trust Council request the Chair to write to the BC Minister of Agriculture and the Farm Industry Review Board requesting that they consider organic farming to be a normal farm practice in the Islands Trust Area. (TC 127/08 Mar)</i></p>	
	<p>Include farmers markets</p> <p>Include reference to the Agricultural Land Commission</p> <p>Consider past advocacy positions regarding genetically modified organisms (GMOs), pesticides, and slaughtering regulations</p>	Trustee
Archaeological Resources		SP 2005-2008, P2
BC Ferries	<p>Recognize the important role of ferry transportation within Islands Trust area</p> <p>Recognize need for transportation security</p>	Staff
Climate Change	<p><i>That Trust Council strongly supports sustainable energy projects that do not add CO2 gases and other pollutants to the atmosphere; and that energy ownership and management must be controlled by Canadians; and that Trust Council opposes both the proposed GSX pipeline and gas-fired generation projects on Vancouver Island. (TC 149/02 March)</i></p> <p><i>That the Islands Trust Council request the Executive Committee to take opportunities that arise to indicate concerns regarding climate change and support for the reduction of energy use and greenhouse gas emissions, and requests that the Trust Programs Committee recommend related amendments to the Policy Statement for consideration during the next Policy Statement review period. (Policies 5.1.4, 5.4.3, 5.8.8) (TC/110/05 March)</i></p> <p><i>That the Islands Trust Council request the Executive Committee, Local Trust Committees and the Bowen Island Municipality to take opportunities to encourage island residents and visitors to be aware of the significant impact of climate change on our communities and the natural environment and to take steps to reduce their emissions of greenhouse gases. (TC 171/06 Sept)</i></p> <p>Climate change could be addressed in a separate section in Part III, as well as be the subject of a new guiding principle at the end of Part II.</p> <p>Reflect new development permit area powers regarding energy efficiency</p> <p>Climate change adaptation: We will work to understand and minimize the negative effects that climate change could have on island communities.</p>	<p>Trust Council</p> <p>Staff</p> <p>SP 2005-08, P1 and</p>

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New Topic	Rationale	Source
	<p>Climate change mitigation: We will work to reduce greenhouse gas emissions, both by managing our internal operations and by fostering energy-efficient communities in our land use decisions. Carbon neutral operations by 2012 Community GHG emissions – measurement/inventories Community GHG emission reduction – targets, policies and actions Energy-efficient communities through land use planning decisions and public education</p>	<p>SP 2008-11, G1</p>
<p>Connectivity in environmental protection</p>	<p>Consider protected area networks</p>	<p>Staff</p>
<p>Crown land protection</p>	<p>Crown land profiles, acquisition and protection.</p>	<p>SP 2005-2008, P1, and SP 2008-2011, G1</p>
<p>First Nations</p>	<p>Refer to Protocol Agreements for additional topic information</p> <p>Include objectives and policies regarding the protection of registered and potential First Nations archaeological and heritage sites.⁸</p> <p>Importance of culture/heritage</p> <p>Consultation, agreements, culture, heritage names</p> <p>Add a policy encouraging the establishment of a framework for effective communication between local trust committees and First Nations and emphasizing the need to act cooperatively on issues of common interest.</p>	<p>Trustee</p>
	<p>Include more policies regarding First Nations</p>	<p>Staff</p>
<p>Food Security</p>	<p>Consider recommendations from food security report to Trust Council in December 2010</p>	<p>Staff</p>
	<p>Support local food security</p>	<p>SP 2008-2011, G3</p>
<p>Invasive Species</p>	<p>Include marine invasive species</p> <p>Include non-controlled indigenous species (i.e. Black-tailed deer)</p>	<p>Staff</p>
<p>Landowner stewardship</p>		<p>SP 2008-2011, G2</p>

⁸ Note” From section 14.k of Islands Trust’s Protocol Agreement with Snuneymuxw First Nation.

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New Topic	Rationale	Source
Marine Protection / Lighthouses	<i>That the Islands Trust Council request the Executive Committee and the Trust Programs Committee develop, implement and report on an advocacy program to address shipping safety issues in the Trust Area. (TC 107/10 June)</i>	Trust Council
	Lighthouses: Consider past advocacy positions	Trustee
	Shipping safety	Trustee
Performance measurement / indicators		SP 2005-2008, P1
Rainwater Catchment	<i>That the Islands Trust Council not amend the Islands Trust Policy Statement in regards to freshwater resources (policy 4.4.2) and not proceed with draft Bylaw 109 and request the Trust Programs Committee to add rainwater catchment and storage to the Policy Statement Topic Review Inventory. (TC 167/168/05 June)</i>	Trust Council
Riparian area protection	Incorporate Riparian Area Regulations	Staff
	Protection of riparian areas – implement Riparian Area Regulations	SP 2005-08, P1
Social Diversity	The concept of maintaining social diversity could be added to the section on The Challenge in the Introduction.	Trustee
Sustainable Environment	Precautionary principles Environmental sustainability - education and incentives	SP 2005-08, P1
	Address protection versus “use” of natural resources	
Tourism	May 2006: In response to the March 2006 Islands Forum on tourism, Islands Trust Council received the attached letters from Tony Law dated April 2, 2006 and from David Steen dated April 12, 2006. Both letters request that Islands Trust Council address the topic of tourism through Policy Statement amendments. (Part V)	Trust Programs Committee
	Sustainable tourism (consider including tourism policies in Islands Trust Policy Statement)	SP 2005-08, P2
Tree removal	Tree removal - adoption, administration, and enforcement of bylaws	SP 2005-2008, P1
Trust Fund Board	Protected areas - increase size of and ensure safety and integrity Protect and enhance the natural environment. Identify areas in greatest need of protection and protect these areas through covenants, acquisitions and other tools.	SP 2005-2008, P1 SP 2008-2011, G1

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New Topic	Rationale	Source
	<p>Reliable, adequate and sustainable long-term funding for TFB - to meet RCP goals and stewardship requirements for protected lands Safety and ecological integrity of protected areas</p> <p>NAPTEP and Regional Conservation Plan</p>	<p>SP 2008-2011, G2</p> <p>SP 2008-11, G1</p>
Unzoned areas	The Policy Statement provides direction about what should be in bylaws but does not address unzoned areas.	Staff
Update to reflect ongoing legislative changes	<p>Consider incorporating information from recent changes to relevant legislation (e.g. section 877 of the <i>Local Government Act</i>, the <i>Local Government (Green Communities) Statutes Amendment Act</i> (Bill 27, 2008)).</p> <p>Consider incorporating information from relevant legislation as noted in Trust Council's legislative monitoring chart (e.g. <i>Water Act</i> changes expected in 2011).</p>	
Use of pesticides and other toxins	On February 17, 2005 the Chair wrote a letter conveying Trust Council's unanimous support for the Capital Regional District's Roundtable on the Environment program for the short-term reduction and long-term elimination of non-essential pesticide use.	Trustee

Suggested New Definitions for the Policy Statement:

Terms needing better definition	Source
<ul style="list-style-type: none"> • Sustainability (find and identify the appropriate balance on the islands between priority on environment versus priority for human developments) • Habitat • Impacts (5.3.5) • Amenities (See Tony Law's 2010 Unique Amenities discussion paper) • Intensity (4.4.2) • Freshwater (3.3, 4.4) (Consider using the phrase "drinking water") 	Trustees
<ul style="list-style-type: none"> • Unique amenities (define what to preserve and protect) • Habitat • Wildlife 	Staff

Appendix 1:
Advocacy related correspondence from the Chair, Islands Trust Council
(2002 to September 14, 2010)

General Topic	Subject of Letter from Chair	Date of Letter
Agriculture/Food Security	Sustainable approach to farm tax assessment in Islands Trust Area	April 30, 2008
	Designating organic farming as a normal farming practice in Islands Trust Area	April 30, 2008
	Right to Farm legislation	February 23, 2007
	Meat Inspection Regulation	May 10, 2006
	Meat Inspection Regulation	May 3, 2006
	Meat Inspection Regulation	January 16, 2006
	Genetically engineered seeds	January 26, 2005
	Meat Inspection	January 30, 2004
	Right to Farm Legislation	June 17, 2003
Climate Change/Greenhouse gases	ecoENERGY Retrofit – Homes Program closure	April 28, 2010
	LiveSmart BC Efficiency Incentive Program	August 26, 2009
	United Nations Climate Change Conference in Copenhagen	November 24, 2010
Economic Opportunities	Trade, Investment and Labour Mobility Agreement (TILMA) concerns	July 20, 2007
	Local employment opportunities in BC Parks and other topics	Nov 25, 2002
Energy Project Impacts	Proposed Raven underground coal mine	July 19, 2010
	LNG Plant on Texada	June 24, 2008
	Vancouver Island Transmission Reinforcement Project (EMF exposure)	April 5, 2005
	Deny Vancouver Island Generation Project	July 22, 2003
	GSX Canada Pipeline Project	June 17, 2003 (x2)
Forest	Status of Coastal Douglas-fir in the proposed Commercial Forest Reserve	November 24, 2009
	Private Managed Forest Land Act	March 31, 2009
	Working Forest Initiative Discussion Paper response	April 25, 2003
Health and Well-being	Policing in the Islands Trust Area	January 26, 2010
Marine	Vessel Testing in Plumper Sound	May 31, 2010
	Freighter Safety in Plumper Sound	January 5, 2010
	Destaffing of lightstations	October 6, 2009
	Opposition to industrial freight offloading in Plumper Sound	January 11, 2008
	Prevention of pollution from Ships	January 18, 2007
	Federal moratorium on off-shore oil and gas	November 7, 2006
	Islands Trust response re Sustainable Aquaculture	September 25, 2006
	Denman Island aquaculture activity	July 21, 2006

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General Topic	Subject of Letter from Chair	Date of Letter
	No discharge designation for marine vessels	February 27, 2003
	Rockfish closure consultation/collaboration	April 30, 2002
Noise	Noise and Aircraft operations	January 30, 2003
	Notations on Aeronautical charts –re: sensitive habitat	October 30, 2002
Pesticides	Elimination of non-essential pesticide use	February 17, 2005
Space	Ratification of Space Preservation Treaty	October 21, 2003
Transportation	BC Ferries governance review	February 9, 2010
	Provincial Contribution to BC Ferries	November 5, 2008
	Letter to the Editor: Islands and Bridges	July 2008
	BC Ferries Service Fee	May 24, 2007
	Service fees in the Coastal Ferry Contract	May 18, 2006
	Continued increase in fuel surcharge by BC Ferries	May 18, 2006
	Sea to Sky Highway improvements	May 30, 2006
	Proposed fuel Surcharge by BC Ferries	December 20, 2005
Water	Hydrofracturing	June 28, 2007
	Living Water Smart support	June 24, 2008
	Drinking water and groundwater regulations	October 21, 2003

Appendix 2:
**Past Islands Trust resolutions submitted for debate at conventions
of the Union of British Columbia Municipalities (2002-2010)**

Environmental Protection and Community Planning Initiatives (2002, C49) (Referred to Community Charter Policy Paper)

WHEREAS that the Islands Trust through legislative measures in the Local Government Act has tried to effect land use planning solutions to safeguard environmentally and ecologically significant landscapes;

AND WHEREAS the tools available to local government in the Local Government Act and the application of these tools by local government in a land use planning context have not produced the results envisioned by the provisions of the Act;

AND WHEREAS particular land use planning initiatives based on interpretation of the Act including Official Community Plan and Development Permit requirements imposed by local governments have not been successful to achieve desired results:

THEREFORE BE IT RESOLVED that the Islands Trust request the assistance of the Union of BC Municipalities to pursue new/revised tools through legislative amendments coincident with the Community Charter legislation review to ensure local government has the ability to effect through community planning initiatives, an enhanced degree of environmental and ecological protection for significant properties on the landscape.

Withdrawal of Bill 48 (2003, A6) (Endorsed)

WHEREAS the provincial government has given First Reading to legislation (Bill 48) that would amend the Local Government Act and the Farm Practices Protection (Right to Farm) Act in a manner that could lead to a significant reduction in local government land use planning authority in farming areas and coastal waters;

AND WHEREAS the provincial government has a stated policy of strengthening local decision making and eliminating regulations imposed by the province;

AND WHEREAS communities expect local governments to be accountable for land use planning decisions that reflect local values:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government withdraw Bill 48 and implement measures to achieve provincial goals for agriculture and aquaculture through collaboration and consultation with local government.

Coastal Ferry Act (2007, C15) (not admitted for debate)

WHEREAS the provincial government will shortly enter negotiations with BC Ferries to establish service levels and the government contribution (service fees) that will determine service and fares for BC Ferries' Performance Term 2 that commences April 1, 2008;

AND WHEREAS coastal ferries are an essential part of the provincial transportation network, crucial to the economic and social health of the coastal region and to the province-wide tourism industry:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government undertake a comprehensive and consultative review of the effects of ferry fares and service levels on coastal communities, prior to signing the contract for Performance Term 2, and before the commencement of Performance Term 2, to incorporate any amendments to the Coastal Ferry Act that are necessary to sustain the economic and social vitality of coastal communities and to preserve this vital element of British Columbia's image as a world-class tourism destination.

A Minor Routes Strategy for Coastal Ferry Service (2009, B156) (Endorsed by UBCM Executive)

WHEREAS the transportation services provided by BC Ferries on minor routes along the south coast are as essential for ferry dependent communities as the provincial road network is for other communities, and are an integral element of provincial tourism goals, yet have been subject to fare increases of as much as 120% over the last five years;

AND WHEREAS the British Columbia Ferry Advisory Committee Chairs have, through extensive research and analysis, proposed a minor routes strategy that supports the sustainability of island economies and the coastal ferry service:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the British Columbia Ministry of Transportation and Infrastructure work with coastal communities and BC Ferries to develop a strategy for the minor southern coastal ferry routes, as proposed by the Ferry Advisory Committee Chairs.

Southern Strait of Georgia National Marine Conservation Area Reserve (2010, B79, Endorsed)

WHEREAS the Southern Strait of Georgia in British Columbia is an ecologically, economically, and culturally rich area that contains the critical habitat of the endangered southern resident orca and is being harmed by a variety of human activities;

AND WHEREAS the government of British Columbia and Parks Canada agreed in 1995 under the Pacific Marine Heritage Legacy to undertake a study to assess the feasibility of protecting and managing this area as a National Marine Conservation Area Reserve (NMCAR) under the Canada National Marine Conservation Areas Act, and have been engaged in the feasibility study since 2004:

THEREFORE BE IT RESOLVED that the UBCM supports the establishment of a large, ecologically zoned NMCAR in the southern Strait of Georgia from the proposed southern end of Haro Strait, up to and including, Gabriola Passage, and urge immediate action from the provincial and federal governments to proceed on this initiative while respecting First Nations interests in the area.

Derelict and Abandoned Vessels, Barges and Docks (2010, B30, Endorsed)

At the 2010 AVICC Convention, four resolutions on derelict vessels, including one from Islands Trust, were endorsed with a further resolution to AVICC to draft, in consultation with the respective sponsors, a single resolution incorporating all of the salient points of the four original resolutions for submission to UBCM by the June 30, 2010 deadline. Mayor Darren Inkster, Sechelt, chaired a sub-committee comprised of Chair Sheila Malcolmson, Islands Trust; Councillor John Rogers, View Royal; and Councillor Adam Olsen, Central Saanich to draft the resolution and prepare a proposal on the issue for a clinic at the upcoming 2010 UBCM Convention. The resolution, which was largely based on the Islands Trust resolution, was then sent out to the original sponsors of the four resolutions for approval. The revised resolution was endorsed by AVICC Executive at their regular meeting June 11, 2010 and forwarded to the UBCM Resolutions Coordinator on June 15, 2010.

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WHEREAS UBCM has previously endorsed a resolution on the topic of derelict vessels in 2005 and the issue of derelict and abandoned vessels, barges, and docks continues to be of significant concern and cost for local governments and harbour authorities in British Columbia;

AND WHEREAS there are many derelict and abandoned vessels, barges and docks that pose safety hazards, risks of environmental contamination and visual pollution:

THEREFORE BE IT RESOLVED that the UBCM petition the provincial and federal governments to develop a coordinated approach to the timely and adequate removal of all types of derelict and abandoned vessels, barges and docks in all situations and consider the following strategies:

- Funding mechanism(s) such as a fee on vessel registrations or a surcharge on marine fuel to fund the removal of derelict and abandoned vessels, barges and docks;
- Designated disposal areas where owners can take their unwanted boats and structures to provide an alternative to abandonment on public property; and
- Education and vessel product stewardship programs, for example fiberglass boat recycling centres.

**Appendix 3:
General Comments Received on the Policy Statement
by the Policy Statement Assessment Task Force**

From July to October 2010, the Policy Statement Assessment Task Force sought input from Island Trust and Bowen Island Municipality staff and trustees on new Policy Statement topics that could be added and on existing topics needing expansion or clarification. In addition to making topic-related suggestions, staff and trustees also provided general comments on the Policy Statement and the way it is used in practice.

The comments fall into four main categories: Procedural Issues, Directive Policies, General, and Structure/Format.

Procedural Issues: Executive Committee review of Land Use Bylaws

The Policy Statement Assessment Task Force heard concerns about the role of the Policy Statement in Executive Committee's review of Local Trust Committee (LTC) bylaws. Under current policy (described below), Executive Committee/Trust Council can turn back a local bylaw even though it is consistent with the Policy Statement.

Under the *Islands Trust Act* the Executive Committee (EC) must approve a Bowen Island Municipality (BIM) bylaw that is consistent with the Policy Statement but the Act does not say that EC must approve an LTC bylaw that is consistent with the Policy Statement. This situation creates uncertainty for LTCs and planning staff. The principles of administrative fairness and natural justice require the reasons for turning back a bylaw to be clearly defined, transparent and justifiable.

This current policy direction is given in: Trust Council Operational Policy 2.4.iv - Executive Committee Legislative Role, section 2.4:

The Executive Committee may refuse a Local Trust Committee bylaw (or return the bylaw giving directions as to changes that would be required for approval) under section 22(1)(b) of the Islands Trust Act. The Islands Trust Act does not address grounds for refusal or return of the bylaw with directions, apart from requiring the Executive Committee to refuse a bylaw that is contrary to or at variance with the trust policy statement. The Trust Council considers, without limiting the jurisdiction of the Executive Committee, that the Executive Committee may also take into consideration whether the adoption of the bylaw would be contrary to the object of the trust; would expose the Islands Trust to unreasonable expense in the administration or enforcement of the bylaw, or would, on the basis of advice from legal counsel, be enacted without legal authority including inconsistency with the relevant Official Community Plan.

Planning staff question the purpose of reviewing Land Use Bylaws (LUBs) through the Policy Statement. If LUBs must be consistent with the Official Community Plan (OCP) and the OCP must be consistent with Policy Statement (and has been accepted by EC as such), then it seems to some staff to be redundant to review the policy checklist for an LUB. Under current legislation, the EC must consider all bylaws against the Policy Statement, not just OCPs. Planning staff suggest one solution could be to put safeguards into the Policy Statement Implementation Policy, such as requiring EC to review LUBs only when the OCP is older than a defined number of years.

Planning staff do not value the Directives Only Checklist procedure for LUBs for a number of reasons:

- The effort duplicates the process used in the original creation of the OCP.
- Most of the checklist is not applicable to most projects.

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- When the checklist is applicable, staff are forced to make policy judgments that can easily be re-interpreted by trustees. For example, a planner may judge that a directive has been addressed, whereas the EC may disagree and establish a higher threshold - one that is not clear in advance to planners or the LTC. Another example arises when an LTC proposes a new policy for an OCP that is weaker than the previous one. Technically, the new policy could still “address” the issue and be considered by the planner and LTC to be consistent with the Policy statement. No matter how clear the directive language is, the EC may still reject the amendment on the basis that the new policy offers less protection than the policy it is replacing.

Directive Policies

The Policy Statement Assessment Task Force heard that:

- the language in many directive policies is not clear and creates too much room for interpretation (e.g. "Must address");
- it should be easier to tell if a proposal is supportive or contrary to a policy statement goal;
- that the Policy Statement could provide more direction to LTCs and provide more specifics on how the policies are to be addressed; and
- that they should consider recommending condensing directive policies (i.e. “LTCs / island municipalities shall: X action”).

The task force also considered past legal advice regarding the Policy Statement. A November 23, 2000 legal opinion considered the use of more mandatory language in directive policies. The opinion argued that changing directive policies to require that local trust committees and island municipalities include certain matters in their official community plans and regulatory bylaws, rather than "address" certain matters in their plans and regulatory bylaws would make them more consistent with the *Islands Trust Act* than the current, more neutral language. On October 19, 2010, the Executive Committee, at the request of the task force, decided to make public the three relevant paragraphs (attached).

The task force has concluded that that it is important for Trust Council to assess the directive policies from time to time while also considering the political context (i.e. whether strengthening the Policy Statement is acceptable to the provincial government of the day), and what changes to Policy Statement language (clear versus vague language) might mean for Policy Statement implementation.

The task force passed the following resolution on November 1, 2010:

It was Moved and Seconded that the Policy Statement Task Force recommend that that the use of the word “address” in the Islands Trust Policy Statement be removed in cases where the Islands Trust Council wants the policy to be more directive, (for example, prohibit casinos versus address the prohibition of casinos) and that this issue be identified within the general comments section of the Topic Review Inventory.

The task force also suggests that any future revision to the Policy Statement include the rationale for directive policies (i.e. the purpose for creating the policy) either in the body of the Policy Statement or in an appendix so LTCs know why the directive exists.

During the feedback period, trustees and staff also provided general comments about the Policy Statement’s content, structure and format to the task force. All comments received are summarized below with only minor edits, resulting in some comments contradicting others, and some duplication.:

General:

- Vision:
 - The first sentence of the first paragraph of Part I says that the purpose of the Policy Statement is to establish a vision but subsequent sentences articulate other purposes (e.g. first sentence of second paragraph says Policy Statement provides “guidance” but some policies provide “direction”).
 - The Policy Statement should be a leadership document that stands the test of time.
 - The Policy Statement should provide a future-oriented vision statement in addition to “preserve and protect” (This vision could be supported through a restructuring using goals and objectives).
- Greater emphasis:
 - Tie the Policy Statement more closely to the wording of the Object.
 - Biodiversity and importance of environmental language
 - “Living lightly” on the islands so as to minimize human threat to ecosystem health and promote stewardship
 - First Nations culture/heritage
 - Holistic approach to issues to find sustainable solutions (e.g. avoid looking at climate change and affordable housing as separate issues which leads to situations such as vinyl sided inefficient affordable housing.)
 - Partnership development and maintenance (e.g. San Juan County Commission, Agricultural Land Commission, Transport Canada agreement to protect habitat and island character, First Nations protocols, Regional Districts, parks departments, etc)
- Updates:
 - References to government agencies (consider wording in a generic way that will accommodate cabinet shuffles)
 - Legislative changes (e.g. NAPTEP)
 - History section (consider using The Islands Trust Story by Peter Lamb)
 - Part IV: Stewardship of Resources: This section provides an outdated perception of resources.
- Additions (not topic-specific):
 - Add the word “partners” after the word stakeholders throughout the document
 - Reference to the Salish Sea
 - Reference administration of Local Trust Committee covenants re monitoring and enforcement.
 - Consider bylaw enforcement
 - Deal with standing policies of Local Trust Committees that are not in OCPs (e.g. enforcement, procedures, funding)
 - Consider requiring development variance permits and temporary use permits to be consistent with the Policy Statement.
- Removals
 - Consider the elimination of Trust Council Policies from the Policy Statement and transfer them to protocol agreements, Memorandum of Understandings or Trust Council’s strategic plan, which would be periodically reviewed by Trust Council.
- Clarifications
 - Provide more clarity about the intended audience
 - Clarify language to prevent / resolve conflict.
 - Where language remains ambiguous or contradictory (e.g. forest land vs agricultural land) openly recognize this and provide guidance for reconciling unavoidable tensions / conflicts.
- Changes to Part V: Sustainable Communities:
 - Consider using an Integrated Community Sustainability Plan framework

Appendix B – Policy Statement Topic Review Inventory 2010

- Consider re-ordering so that ‘Aesthetic Qualities’ is not the first section
- Emphasize sustainable communities, economic opportunities, health, education, services, diverse demographic profile, affordable housing
- Add goals that encourage integration of all of the different values
- Implementation:
 - Review current Policy Statement implementation process to ensure it incorporates the principles of administrative fairness, natural justice, and certainty. (E.g. Do Local Trust Committees know in advance what it takes to make a bylaw approvable by EC / TC?)
 - Provide a greater emphasis on implementation if the Policy Statement is to act as an Integrated Community Sustainability Plan.
 - Add new section on implementation, incorporating statements currently under “Role of Islands Trust Council” and “Guiding Principles”
 - Provide more direction in the Policy Statement about timeframes, measurable targets and methods for accomplishing intentions for particular directives / policies.
- Orientation:
 - Consider one-hour sessions at each of the first two Trust Council meetings of a new term to do a section-by-section review of the Policy Statement.
 - Improve new staff orientation with regard to the Policy Statement.
- Review Process:
 - Remember that the Snuneymuxw FN protocol requires Islands Trust to include them in the review process, and this would suggest a role for other first nations as well..

Structure/format:

- Make the Policy Statement more concise and provide more focus on goals and objectives, rather than prescribing specific solutions. Its policies should primarily assist LTCs in determining how their OCPs meet given goals and objectives. It currently provides both general principles and prescriptions (e.g. no gaming).
- Change the structure to make it more user-friendly (e.g. change the format so that it follows Section 877 of the *Local Government Act* or an OCP template to cluster the directive policies.
- Modernize the structure to be more systems-based, (e.g. rather than separating agriculture from ecosystems from economic vitality).
- Change the Policy Statement into a principle-based document (i.e. start with principles and follow with guidelines for implementing those principles).
- Place definitions at the front of the document and eliminate footnotes.
- Include the Directives Only Checklist in an appendix.
- Consider integrating Parts III and IV.

Appendix 4:
Excerpt from November 23, 2000 legal opinion for the Islands Trust
Re: Policy Statement Directive Policies
from Bill Buholzer (formerly Lidstone, Young, Anderson)

(3 paragraphs released to public by EC Oct 19, 2010)

Directive Policies

The thrust of the changes that are proposed to the "directive policies" is to change requirements that local trust committees and island municipalities "address" certain matters in their plans and regulatory bylaws, to a requirement that they include those matters in their regulatory bylaws. Presumably the intent here is to provide more definite policy direction to the local trust committees.

In principle, we see no reason that the more mandatory language cannot be adopted in the Islands Trust Policy Statement. Indeed, it could be argued that the proposed language of the directive policies is more consistent with the Islands Trust Act than the current, more neutral language. The scheme of the Islands Trust Act is that the Islands Trust Policy Statement forms a substantive policy context for local bylaws. The Islands Trust Act certainly supports a requirement that local trust committees not only address certain subjects in their plans and bylaws, but that they address those matters in a specific way or to a specific effect. Inherent in the choice of wording for policies of this nature, is a choice as to how much leeway the Trust Council wishes to leave to local trust committees in implementing the Islands Trust Policy Statement and, indirectly, the object of the Islands Trust. That is a matter on which we think that a court would defer to the judgment of the Trust Council, should any party, including any local trust committee, challenge the authority of the Trust Council to constrain the bylaw making powers of local trust committees in this manner.

As for the authority of the Trust Council to enforce the adherence of local trust committees to directive policies, the Islands Trust Act provides a very simple bylaw approval procedure permitting the executive council or the Trust Council, as the case may be, to determine whether a particular bylaw is contrary to or at variance with the trust policy statement. There is no question that the Trust Council and the executive committee have the authority to refuse to approve a bylaw if, in its reasonable opinion, the bylaw does not comply with a "directive policy" in the trust policy statement.

*Appendix C – Trustee and staff suggestions for changes
to policies related to the Policy Statement*

**Table of trustee and staff suggestions
for changes to the policies related to the Policy Statement, May 2011**

Policy Statement Amendment Policy (1.2.i)	
Trustee comments	C.1.1 Amend with current ministry name.
	C.1.2 Consider amending this paragraph to reflect current practice.
	C.1.3 Reconsider in light of current practice.
	C.2.1 Reconsider in light of current practice.
	C.2.1 Consider whether the “quarterly review” is realistic as it has not been met – consider annual review? First year of Trust Council term?
	C. 3.5 Add First Nations to “input received from”– if something added to refer to First Nations
	Consider whether there needs to be an additional policy (to insert after D.3.3.) for referral to First Nations to consult with them about amendments (similar to section D.2.9 in Policy Statement Implementation 1.3.i)
	If a future Trust Council decides to proceed with a review of the Policy Statement, reconsider Policy 1.2.i, <i>Policy Statement Amendment Policy</i> in its totality.
Staff comments	Add reference to Bowen Island Municipality Protocol and other relevant protocols and incorporate referral requirements from those agreements.
	C.3.6 Update public consultation process.
	C.3.4 Update communications requirements.
Policy Statement Implementation Policy (1.3.i)	
Trustee comments	C.4 Did Executive Committee research in the 2005-2008 term provide clarity?
	D.1.2 (a) Clarify the intent by adding the words “and adopted by a local trust committee” at the end, and in D.1.2 (b) “and adopted by an island municipality.”
	D.1.3 Fix the typo in <i>Islands Trust Act</i> .
	D.1.4 Fix the typos: “...Trust Policy Statement requires local trust committees in their official community plan....” I believe it should read further on “...or give explicit reasons...”
	D.2.2 Consider implications for staff resources of this policy.

*Appendix C – Trustee and staff suggestions for changes
to policies related to the Policy Statement*

	D.2.2 Remove period in last line.
	D.2.6 Combine D.2.9 into D.2.6.
	D.2.8 Suggest this policy be expanded versus developing an additional policy on Islands Trust Policy Statement advocacy.
	D.2.8 Include reference to legislative monitoring work.
	Add an additional policy after 2.8 on Islands Trust Policy Statement advocacy.
	Add reference to annual budget process.
	D.3.5 Does not appear consistent with the annual review of the Trust Policy Statement that is to be conducted by the Trust Programs Committee in accordance with Policy 1.3.ii and the annual prioritization of topic areas by Trust Council.

	<p>General comment: The <i>Policy Statement Implementation Policy</i> has two stated purposes:</p> <ol style="list-style-type: none"> 1. <i>To establish policy and procedures for statutory bylaw referrals and other implementation strategies in connection with the Islands Trust Policy Statement Bylaw No. 17.</i> 2. <i>To establish policy to implement and further develop the Islands Trust Policy Statement.</i> <p>However, the policies with respect to the second purpose do not address how the very explicit Policy Statement requirement that “<i>Trust Council will implement a plan for advancement of the Policy Statement</i>” will be carried out. Neither do they indicate how Trust Council may review the Policy Statement annually nor how the Executive will monitor and make recommendations on “<i>the progress of Trust Council in achieving the goals defined in the Policy Statement.</i>”</p> <p>The <i>Executive Committee Terms of Reference</i> states that one responsibility of the Committee is “<i>to coordinate the development, preparation and implementation of an organizational strategic plan</i>” but no reference is made to how this may relate to implementing the Policy Statement.</p> <p>The <i>Policy Statement Implementation Policy</i> could be amended to specify policies and procedures for proactively implementing the Policy Statement through an annual process, as specified in the Policy Statement.</p> <p>The <i>Executive Committee Terms of Reference</i> could be amended to specify its role in coordinating and monitoring the implementation of the Policy Statement, as specified in the Policy Statement.</p>
Staff	Update references to other policies.

*Appendix C – Trustee and staff suggestions for changes
to policies related to the Policy Statement*

comments	
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Appendix C – Trustee and staff suggestions for changes to policies related to the Policy Statement

Staff comments con't	Consider adding communications section.
	Add reference to Bowen Island Municipality Protocol and Letters Patent.
	Add reference to tracking form used when bylaws are submitted for approval.
	D.1.13 Amend to clarify and reflect 60 day time limit for Trust Council approval
	Consider whether any protocols should be referenced.
Policy Statement Topic Review Framework (1.3.ii)	
Trustee comments	Section C 1 Continue annual timeframe? Should be changed if we are not doing an annual review now.
	D.2.1 - 2.3 Consider simplifying the process described in these three clauses to reflect quarterly meetings of the Trust Programs Committee, and encourage the Trust Programs Committee to undertake the annual review of policy topics for review as outlined in the policy.
	D. Section 3.1 Does it make sense for TC to be establishing annually the specific topics for review? What about each term – in the middle year for completion in the final third year?
	D.5.1 If section 3.1 were to change, then section 5.1 would change too as an Annual Policy Statement Report would not be included every year.
Staff comments	Add reference to Policy Statement Amendment Policy 1.2.i.
	D.1.1 Add First Nations.
General Suggestions	
Trustee comment	I suggest that Trust Council direct staff to write a plain language summary, maximum two pages, combining in one summary information about the <i>Policy Statement Amendment Policy</i> , the <i>Policy Statement Implementation Policy</i> and the <i>Topic Review Inventory Procedure</i> . Another alternative is to rewrite the three into one document (two policies plus one procedure) to make it simpler.

Unique Amenities

(The meaning of Unique Amenities in the legislated object of the Islands Trust)

Discussion Paper prepared by Trustee Tony Law - 25 March 2010

Ever since the legislated object of the Islands Trust was stated in the Islands Trust Act in 1974 there has been discussion about its meaning and intent, particularly with respect to interpreting the phrase “unique amenities”.

Report of Select Standing Committee on Municipal Matters, September 25, 1973

This report, which followed public meetings on a number of islands, focused more upon the challenges to the islands resulting from rampant development and lack of co-ordination than upon articulating the amenity or environmental values. The report notes that “the islands are of extreme importance to the Province of British Columbia, they are fragile, their location is crucial, being between the two largest cities in the Province” with “natural insularity, isolation and uniqueness”. The report stated that “people are entitled to use them and enjoy them to the capacity in which they are able to serve.” The Committee recommended that the Provincial Government establish an “Islands Trust”.

The Islands Trust Act

The purpose of the entities of the Islands Trust is to carry out the object of the Islands Trust.

Islands Trust Act s.4(1): “The trust council, executive committee, local trust committees and trust fund board are continued for the purpose of carrying out the object of the trust.”

The imperative of the object can be spelled out as follows:

To preserve and protect:

- 1) the Trust Area
- 2) its unique amenities and
- 3) (unique) environment

Islands Trust Act s.3: “The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

Of these words, the *Islands Trust Act* defines only the Trust Area.

Islands Trust Act s.1: “trust area means the land located within the boundaries described in Schedule A”. [Schedule A provides a precise description of the boundaries of the trust area].

“Preserve”, “protect” and “unique amenities and environment” are not defined.

Early Islands Trust Policy

Prior to legislated requirement for a Policy Statement, the Islands Trust Council, in 1983, adopted by bylaw “The Policy of the Islands Trust”.

This document included a policy diagram which included the mandate (object of the Islands Trust) at the top with two columns beneath it: one for environmental goals and policies and one for social goals and policies.

Environmental goals focused upon land, water, air, scenic beauty, areas of sensitivity or unique value, addressing pollution, careful use of resources and recognizing provincial and national significance of the Trust Area.

Social goals focused upon rural character, public access and enjoyment, options for future generations, gradual growth, local variations and autonomy and inclusive decision-making.

It is not clear that these two divisions were intended to refer to the division in the object between “amenities” and “environment”.

Report of Select Standing Committee on Economic Development, Transportation and Municipal Affairs, May 22, 1987

This Committee provided recommendations on how to best provide governance and services in the Islands Trust Area. The Committee recommended support and continuation of the object of the Islands Trust. However, the Committee noted that “the public have various interpretations as do residents of the Gulf Islands regarding the Object as stated in Section 4(1) of the Islands Trust Act.”

The report stated that “it seems difficult to define, in words acceptable to all, what is to be preserved and protected” and recommended that “a suitable Regional Community Plan for the Trust Area be adopted to reflect the Object” and that apart from this recommendation “no further effort be made to define the intentions of Section 4(1) in the Act with respect to the Object.”

The Islands Trust Policy Statement

In 1990, a redrafted Islands Trust Act specified that a responsibility of the trust council is to adopt a policy statement.

Islands Trust Act s.8: “For the purpose of carrying out the object of the trust, the trust council must (b) adopt a trust policy statement in accordance with section 15;”

The policy statement must be a general statement of policies of the trust council to carry out the object.

Islands Trust Act s. 15 (2): “The trust policy statement (a) must be a general statement of the policies of the trust council to carry out the object of the trust.”

The Islands Trust Policy Statement, which was adopted by the trust council in 1994 to provide “a general strategy for land use planning which translates the broad goals of the Province and the Islands Trust into specific actions to preserve and protect the Trust Area”, can be looked to for providing some guidance in interpreting the object of the trust.

Schedule 1 of the Policy Statement defines the words “preserve” and “protect”. Preserve means “to maintain in a given condition.” Preservation often requires maintaining the processes that generate the desired condition.” Protect means “to maintain over the long term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.”

The Policy Statement does not define “unique amenities and environment” (though the definition of “protect” refers to “valued attributes”). However, there is text within the document that provides some context for understanding this phrase. A picture of what is understood by “environment” readily emerges, particularly in Parts III and IV of the Policy Statement which address ecosystem preservation and protection and the stewardship of resources. A picture of what is meant by “amenities” is a little more elusive.

- The Islands Trust Object and its Meaning

In providing “a fuller explanation of the key phrases in the legislated object of the Trust”, Part II of the Policy Statement has this to say with respect to the phrase “... to preserve and protect the Trust Area and its unique amenities and environment...”:

“The Trust Area is valued and is unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.”

- Guiding principles

Part II also contains guiding principles “derived from the Islands Trust object and from input received from the public during public forums” to guide Trust Council in its day-to-day planning and decision making. It states that “the primary responsibility of the Islands Trust Council is to provide leadership for the preservation, protection and stewardship of the amenities, environment and resources of the Trust Area.” This suggests that “amenities” are considered distinct from “resources” (which are addressed in Part IV of the Policy Statement which contains policies for stewardship of resources).

- History and context

The introductory section of the Policy Statement speaks of a “unique combination of resources and amenities has attracted people to the Trust Area since the end of the Ice Age”. The previous paragraph describes these as follows:

“The Trust Area is a unique and special place -- a scenic archipelago of 13 major islands and more than 450 smaller islands. The Area is drier and warmer than most surrounding areas, and is rich in resources and cultural history. The Trust Area provides habitats for an exceptional variety of species: more than 200 types of migratory and resident birds, numerous species of fish and diverse marine and intertidal life, terrestrial wildlife and vegetation. Outstanding scenery and recreational resources include panoramic viewpoints, sheltered bays with warm sand or pebble beaches and protected marine waterways and anchorages that contribute to the Trust Areas beauty and appeal.” The items listed in this last sentence could thus be considered as “unique (natural) amenities”.

In looking at the challenge facing the Islands Trust, the Policy Statement says that “if the Area’s environment and unique character are to be preserved and protected, priorities must be defined

and management strategies established.” This suggests that “unique character” could be another way of describing “unique amenities.”

- **Sustainable Communities**

Part V of the Policy Statement contains policies that address the goal of sustaining island character and healthy communities. Two policies speak to growth and development being compatible with preservation and protection of “the environment, natural amenities, resources and community character”. This suggests that “natural amenities” and “community character” are components of the “unique amenities” of the Trust Area.

Court judgments

Paragraphs in two court judgments provide some insight into what might be meant by “amenities” in the context of the object of the Islands Trust

- **Appeal Court of British Columbia: MacMillan Bloedel Ltd v. Galiano Local Trust Committee**

The reasons for judgment in this case refer to an amendment to the Islands Trust Act (subsequently dropped) which spelled out the values of areas of special importance that could be regulated. These included “scenic value” and recreational potential”, which could be considered amenity values, and “natural or scientific interest” and “delicate ecological characteristics” which could be considered environmental values.

MacMillan Bloedel Ltd v. Galiano Local Trust Committee, 1995

[170] Subsection 12(d) of the 1977 Amendment provided further definition of the trust committees' powers with respect to land use. A provision was added which specifically gave special jurisdiction for protective zoning and subdivision by-laws or regulations to the general trustees in areas where a regional plan recognized special importance for “scenic value, recreational potential, natural or scientific interest, or delicate ecological characteristics. No parallel to this provision is found within the current Act.

- **Supreme Court of British Columbia: Costello v. Hornby Island Local Trust Committee**

In this case, the reasons for judgment noted that “visual amenity” is a valid objective for decision-making within the mandate to preserve and protect the amenities of the trust area.

Costello v. Hornby Island Local Trust Committee, 2009

[73] A DVP is discretionary, and permits consideration of extrinsic factors other than mandated in the Bylaw, such as visual impact of a building, to determine if a variance of the Bylaw is in the interests of the community as a whole. Maintaining the quality of residential neighbourhoods is included in the Islands Trust Policy Statement and in the Official Community Plan as an important consideration of visual amenity in rural residential zoned areas. It matters not who could see Ms. Costello’s over-height building, as the existence of a non-compliant building was a concern to the community as a whole, sight unseen. Although the Bylaw did not provide for regulation of the colour or appearance of the building, except for height, a DVP deals with a variance from a bylaw and visual impact associated with height, to ameliorate appearance, is within the mandate of the local trustees to preserve and protect the amenities of the Island, including rural neighbourhoods. It is fundamental to a municipal law regulatory

scheme that on a variance application extrinsic factors such as colour or appearance can be addressed.

Definitions of amenity

A general dictionary definition of an amenity is “a pleasant or useful feature”. The word can also be applied in the following three ways:

- Natural amenities, such as viewsapes and beaches that make a particular area pleasant and attractive to humans
- Developed amenities, such as parks, trails, community centres, playgrounds, etc that provide services to a neighbourhood
- Real estate amenities, such as swimming pool, landscaping, sauna, etc that enhance value and comfort on a particular property.

Conclusions

The phrase “unique amenity”, as included in the object of the Islands Trust, has never been spelled out explicitly. However, a sense of its meaning can be inferred, particularly from the Islands Trust Policy Statement. When references in the Policy Statement are looked at in combination, a picture emerges of the “unique amenities” of the Trust Area as being a variety of qualities and features (natural amenities) - such as outstanding scenery and recreational resources - combined with community character (or unique character). This picture is reinforced by what is learned from the court judgments. The context does not seem to suggest that “developed” amenities, except where these might contribute to “community character”, are being referred to in the object.

1.2.i. Policy

POLICY STATEMENT AMENDMENT POLICY

Trust Council: December, 1995

(Amended: March 6, 1998)

A: PURPOSE:

1. To outline the required steps for Trust Council to amend the Policy Statement Bylaw.

B: REFERENCES:

1. *Islands Trust Act: Sections 15, 16, 22 and 27*
2. Policy Statement Bylaw (No. 17)
3. Policy Manual: Policy Statement Implementation (1.3.i.)

C: POLICY:

1. REQUIREMENTS

- 1.1. The Policy Statement Bylaw may be amended by the Islands Trust Council with the approval of the Minister of Municipal Affairs.
- 1.2. Policy Statement Amendments will generally be processed over 2 regular Trust Council meetings unless a waiver of this requirement is approved by at least 2/3 of Trust Council members present at a meeting at which the vote and adoption takes place.
- 1.3. The Executive Committee is responsible for maintaining the Policy Statement Implementation Work Program.
- 1.4. The Executive Committee is responsible for preparing Policy Statement amendments at the direction of Trust Council.

2. PROPOSED AMENDMENTS

- 2.1. Trust Council through its quarterly review of the Policy Statement Implementation work program, will establish priority areas for Policy Statement topic reviews.
- 2.2. Trust Council upon reviewing the outcomes of a Policy Statement topic review may, by resolution, request that proposed policies be prepared for consideration as amendments to the Policy Statement Bylaw.

3. AMENDMENT PROCESS

- 3.1. Trust Council may establish a Trust Council meeting date to consolidate proposed policies to amend the Policy Statement Bylaw.
- 3.2. Trust Council, unless otherwise determined in accordance with clause 1.2., will give first reading to an Amendment Bylaw at one meeting; second and third reading at a subsequent meeting; and 4th reading at further regular meeting of Trust Council or by way of a resolution without meeting following approval by the Minister of Municipal Affairs.
- 3.3. Trust Council after first reading of the amendment bylaw will, by resolution, request that the amendments be referred to municipalities, regional districts, Provincial Government agencies or departments and Government of Canada agencies or departments having jurisdiction in the Trust Area.
- 3.4. Trust Council after first reading of the amendment bylaw will, by resolution, request that a public brief be prepared to enhance public awareness of the amendments through the media and local trust committees.
- 3.5. Trust Council, prior to 2nd and 3rd reading, will provide trustees with an opportunity to review input received from the corporate entities, trustees or staff of the Islands Trust, referral agencies and the public. The minimum referral period to other agencies will be 30 days unless otherwise waived by Trust Council (as per Clause 1.2.).
- 3.6. The Executive Committee or Trust Council may provide for persons or agencies, having input to the amendments to address Trust Council directly in accordance with the Meeting Procedures Bylaw of Trust Council.

1.3.i. Policy

POLICY STATEMENT IMPLEMENTATION

Trust Council: June 11, 1994

Amended: March 11, 1995; December 8, 2000; and June 16, 2005

A: PURPOSE:

1. To establish policy and procedures for statutory bylaw referrals and other implementation strategies in connection with the Islands Trust Policy Statement Bylaw No. 17.
2. To establish policy to implement and further develop the Islands Trust Policy Statement.

B: REFERENCES:

1. *The Islands Trust Act:*
 - 1.1 Part 2 Trust Council, Trust Policy Statement Section 15 (4) and Approval of Bylaws Section 16,
 - 1.2 Part 3 Executive Committee Section 22 Approval of Bylaws, and
 - 1.3 Part 4 Approval requirement for local trust committees Section 27
2. The Islands Trust Council Bylaw No. 17, A Bylaw to Adopt a Policy Statement for the Trust Area cited as “The Islands Trust Policy Statement Bylaw, 1993.
3. The Islands Trust Policy Manual:
 - 3.1 Policy Statement, Implementation Policies 1.3. ii. Topic Review Framework (Amended March 2005),
 - 3.2 Trust Council Executive Committee 2.4.iv. Executive Committee Legislative Role (June 1994), and
 - 3.3 Land Use Planning Bylaw Amendments 5.7.i. Bylaw Checklists (draft May 17, 2005)

C: INTERPRETATION:

1. The Islands Trust Policy Statement Bylaw includes three types of policies:
 - 1.1 Commitments of Trust Council state the position or philosophy of Trust Council on various matters. For this category of policy, several introductory phrases are used, for example, “Trust Council holds that ...”, “It is the position of Trust Council that ...”, and “It is Trust Council’s policy that ...”
 - 1.2 Directive Policies direct local trust committees and island municipalities to address certain matters in their official community plans and regulatory bylaws under Part 26 of the *Local Government Act*. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy. Directive policies commence with the phrase “Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address”
 - 1.3 Recommendations of Trust Council serve as recommendations from Trust Council to government agencies, non-government organizations, property owners, residents, and visitors regarding decisions or actions that they might undertake in support of the Policy Statement and the Islands Trust object, and specify principles of guidance for protocol agreements between the Trust and other agencies. These policies begin with the phrase “Trust Council encourages”
2. The implementation of the Policy Statement Directive Policies is addressed under Section D.1. of this Policy.
3. The Commitments and Recommendations of Trust Council relate to other types of implementation strategies that are non-directive in that they merely provide suggestions and recommendations that may be related to land use bylaws or to other decisions and activities of the Islands Trust or other agencies. The implementation of these non-directive policies is addressed under Section D.2.
4. As interpreted by the courts, "contrary to or at variance with" means that there is an absolute and direct collision between the bylaw and the Policy Statement.

D: POLICY AND PROCEDURES:

1. STATUTORY BYLAW REFERRALS

Background

- 1.1 Local trust committees and island municipalities are required to submit bylaws to the Executive Committee for approval as follows:
 - a) Under Section 27 (1) of the *Islands Trust Act*, a local trust committee must submit its bylaws to the Executive Committee for approval before adoption.
 - b) Under Section 38 (1) of the *Islands Trust Act*, all island municipality bylaws adopting official community plans that apply to land in the trust area and all bylaws under Part 26 of the *Local Government Act* that apply to land in the trust area to which no official community plan applies must be submitted to the Executive Committee for approval before adoption.
- 1.2 Local trust committees and island municipality bylaws have no effect until they are approved as follows:
 - a) Under Section 27(2) of the *Islands Trust Act*, a bylaw of a local trust committee has no effect until it is approved by the Executive Committee or Trust Council.
 - b) Under Section 38(2) of the *Islands Trust Act*, an island municipality bylaw referred to under Section 38(1), has no effect until it is approved by the Executive Committee, Trust Council, or the Minister.
- 1.3 Under Section 15(4) of the *Islands Trust Act* a bylaw submitted to the Executive Committee by a local trust committee under Section 27(1), or an island municipality under Section 38(1), must not be approved by the Executive Committee, or Trust Council, if it is contrary to or at variance with the Islands Trust Policy Statement.
- 1.4 The Islands Trust Policy Statement require local trust committees in the official community plan and regulatory bylaws, and island municipalities under Section 38 (1) of the *Islands Trust Act* to address certain matters from the Policy Statement, or explicit reasons and justifications for not doing so. A bylaw will not be contrary to or at variance with the Policy Statement if it fails to include a particular policy or regulation, so long as the bylaw contains sufficient reason or justification for not doing so.
- 1.5 Where a proposed bylaw does not include a particular policy or regulation required by the Policy Statement and the bylaw sets out reasons for that, the

Appendix E – Policies relating to the Policy Statement

Executive Committee and Trust Council will assess the sufficiency of those reasons using such criteria as:

- a) whether the reasons are explicitly set out such that it is clear that the local trust committee directed its attention to the matter in question and made a considered decision not to include the policy or regulation.
- b) whether the reasons have to do with particular local circumstances that may not have been contemplated in the drafting of the Policy Statement.
- c) whether the reasons arise from the necessity of balancing two or more components of the Policy Statement that cannot be achieved simultaneously.
- d) whether existing planning studies or reports relied on by the local trust committee indicate that the Policy Statement is inapplicable in the circumstances.

Policy Statement Directive Policies Checklist

- 1.6 The primary responsibility for demonstrating that an official community plan or regulatory bylaw is not contrary to or at variance with the Islands Trust Policy Statement rests with each local trust committee, or island municipality.
- 1.7 The Policy Statement Directives Policies Checklist identifies the directives policies for each component of the Policy Statement that local trust committees and island municipalities are required to address in their bylaws. (Attachment I)
- 1.8 Staff will reference relevant sections of the Policy Statement in staff reports to the local trust committees and island municipalities. Staff may use the Directives Only Checklist to assess whether bylaw amendment applications in process and bylaws prior to first reading comply with the Policy Statement.
- 1.9 Planning staff will provide the local trust committees and island municipalities with a staff report that includes the proposed bylaw and the Directives Only Checklist to assess that a bylaw complies with the Policy Statement before submitting a bylaw to the Executive Committee.
- 1.10 Planning staff assigned to work with local trust committees, or island municipalities, will refer to the Policy Statement and Directives Only Checklist while developing official community plans and regulatory bylaws to ensure that the bylaws address the required matters. Staff will also make recommendations as to address the Policy Statement during the consideration of alternative policy and regulatory responses to particular issues in a local trust area.

Approval and Appeals

- 1.11 The Executive Committee will notify the local trust committee or island municipality staff of its decision as to whether to approve a bylaw within one month of receiving a submission including a completed Directives Only Checklist. Staff will then update the bylaw to show Executive Committee approval and submit it to the local trust committee or island municipality for adoption consideration. Where the decision is not to approve, the Executive Committee will advise the local trust committee, or island municipality of its reasons and of the nature of the changes that would be required to enable the Executive Committee to approve the bylaw.
- 1.12 On referral of a bylaw to Trust Council under Section .27(3) or 38(3) of the *Islands Trust Act*, the local trust committee, or island municipality, will provide to Trust Council the Directives Only Checklist, the advice of the Executive Committee that accompanied its refusal to approve the bylaw, and the local trust committee or island municipality reasons why the bylaw cannot be changed in the manner the Executive Committee indicated.
- 1.13 Trust Council will notify the local trust committee or island municipality staff of its decision as to whether or not Trust Council has approved a bylaw and will deliver a decision as soon as practicable after giving such notice. Where the decision is not to approve, Trust Council will advise the local trust committee, or island municipality, of its reasons and of the nature of the changes that would be required to enable Trust Council to approve the bylaw.

2. OTHER COMMITMENTS AND RECOMMENDATIONS OF COUNCIL

Background

- 2.1 The Policy Statement also contains policies which are non-directive in that they merely provide suggestions and recommendations that may be related to land use bylaws or to other decisions and activities of the Islands Trust or other agencies.

Policy Statement Commitments and Recommendations Checklists

- 2.2 To ensure consistency between the Policy Statement and the activities of the Islands Trust, Trust Council, the Executive Committee, Trust Fund Board, local trust committees and island municipalities, Trust staff will highlight activities that are consistent with the Policy Statement by referencing the Policy Statement and any relevant policy sections in meetings, staff reports, work programs, inter-agency agreements (including protocols, letters of understanding and memoranda of understanding) .and other agency referral responses.
- 2.3 The Policy Statement Council Commitments and Recommendations Checklist may be used by staff to refer to relevant sections of the Policy Statement. (Attachment II)

Appendix E – Policies relating to the Policy Statement

- 2.4 Islands Trust staff preparing recommendations or information for the Islands Trust entity concerned with the decision or activity in question will be responsible for referencing the Policy Statement and any relevant sections.
- 2.5 As inter-agency agreements are updated or created, Islands Trust staff will conduct a review of the Policy Statement and any relevant sections, including review of the Trust Council Commitments and Recommendations Checklist and, if appropriate, recommend amendments of those agreements, which contradict policies contained in the Policy Statement.

Communication and Advocacy Strategy

- 2.6 Island Trust will provide copies of the Policy Statement and amendments to departments and agencies of the Government of Canada, the Government of B.C., Regional Districts, non-governmental organizations having jurisdiction over or interests in any part of the Trust Area, and to other local governments having jurisdiction in the Howe Sound-Georgia Basin region.
- 2.7 The Executive Committee may convene a meeting with any department, agency, or organization for the purpose of introducing the Policy Statement and reviewing its applicability to and impact on a particular issue of interest to or area of jurisdiction of the department, agency, or organization.
- 2.8 Upon becoming aware of any decision or action affecting the Trust Area by any of the departments, agencies or organizations, whether contemplated or executed, the Executive Committee or Trust Council may, by whatever means it considers appropriate, communicate with the department, agency or organization with respect to the Policy Statement and the extent to which the decision or action either furthers or contradicts the Policy Statement.
- 2.9 Islands Trust will provide copies of the Policy Statement and amendments to all First Nations having Reserves or other interests within the Trust Area and to any Treaty Group or other organization with which such a First Nation is affiliated.
- 2.10 Copies of the Policy Statement and amendments to it will be made available to the island municipalities, property owners, residents, and visitors at the offices of the Islands Trust.

3. MAINTENANCE AND FURTHER DEVELOPMENT

- 3.1 Local trustees and staff may request Trust Area Services staff to clarify areas of understanding particular components of the Policy Statement. Requests for clarification will be reviewed by staff and may be in the annual Trust Programs Committee Topic Review Inventory for Council consideration.

Appendix E – Policies relating to the Policy Statement

Amendments

- 3.2 Amendment of the Policy Statement is subject to the same procedural requirements, including approval of the Minister, as the original adoption of the Policy Statement. Trust Council will establish a work program to amend the Policy Statement on a periodic basis.
- 3.3 Each local trust committee and the Trust Fund Board may propose in writing specific amendments to the Policy Statement, for consideration by the Trust Council.
- 3.4 All suggestions for amendment from all sources will be compiled for review by the Trust Programs Committee to recommend areas for amendments to Council via the Executive Committee.

Five Year Review

- 3.5 It is the objective of Trust Council to subject the Policy Statement to a periodic review every five years.
- 3.6 For the purposes of the review, Trust Council will consult with particular government agencies having jurisdiction over or interests in the Trust Area, and with members of the public throughout the Trust Area.

Monitoring Activities

- 3.7. The Trust Programs Committee will monitor the implementation of the Policy Statement in a report to Trust Council on a quarterly basis.
- 3.8. The Trust Programs Committee will monitor and report on the implementation of this policy to Council on an annual basis for inclusion in the Islands Trust Annual Report.

E: ATTACHMENTS:

ATTACHMENT I. - Directives Only Checklist - May 17, 2005

ATTACHMENT II. - Council Commitments and Recommendations Checklist - May 17, 2005



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No:

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

Appendix E – Policies relating to the Policy Statement

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

Appendix E – Policies relating to the Policy Statement

	4.6	Soils and Other Resources
	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

Appendix E – Policies relating to the Policy Statement

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



Islands Trust

POLICY STATEMENT
COUNCIL COMMITMENTS AND RECOMMENDATIONS CHECK LIST

File No:

PURPOSE

Staff may use the Council Commitments and Recommendations Checklist to reference the Policy Statement and to ensure that Islands Trust actions and decisions are consistent with the Policy Statement.

POLICY STATEMENT

The Policy Statement (Consolidated April 2003) is comprised of several parts. Parts I and II, outline the purpose as well as the Islands Trust object and guiding principles. Parts II, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Directive Policies - policies that direct Local Trust Committees and island municipalities to address certain matters, and
- Commitments of Trust Council - statements about Trust Council's position or philosophy on various matters,
- Recommendations – recommendations to other government agencies, non-government organizations, property owners, residents and visitors.

POLICY STATEMENT CHECK LISTS

The Policy Statement Checklists, the Directives Only Checklist and the Council Commitments and Recommendations Checklist, are based on the statements and policies from the Policy Statement. Staff may use the Directives Only Checklist when preparing bylaws to ensure that certain matters are addressed. Staff may use the Council Commitments and Recommendations Checklist to review Islands Trust actions and decisions for their consistency with the Island Trust Policy Statement. Staff may mark whether or not the action or decision is consistent with the Policy Statement as follows:

- ✓ identifies that the referral is **CONSISTENT** with the policy from the Policy Statement.
- N/A** means the policy is not applicable to the referral
- x** identifies that the referral is **INCONSISTENT** (contrary or at variance) with the policy from the Policy Statement.

Appendix E – Policies relating to the Policy Statement

Part II ISLANDS TRUST OBJECT AND GUIDING PRINCIPLES

CONSISTENT	POLICY	POLICY
	Object	<p>The <i>Islands Trust Act</i> provides the following definition of the purpose of the Islands Trust, which is referred to in the legislation as its “object”:</p> <p>“The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”</p>
		<p>The Islands Trust has responsibility for conservation through land use planning and regulation and for leadership in stewardship — that is, voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area. It is in this context that the word “stewardship” is used within this document. The Islands Trust seeks to integrate ecosystem preservation and protection, sustainable communities and stewardship of resources.</p>
		<p>The <i>Islands Trust Act</i> provides special legislation for preservation and protection of the Georgia Strait-Howe Sound geographic area and creates a conservation-oriented agency to work towards this objective. The object establishes the value of the Trust Area by identifying the need for preservation and protection of the Area. The following sections provide a fuller explanation of the key phrases in the legislated object of the Trust.</p>
		<p>“... to preserve and protect the Trust Area and its unique amenities and environment...”</p> <p>The area of jurisdiction of the Islands Trust is established by Schedule A of the <i>Islands Trust Act</i>. The Trust Area is valued and is unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.</p>
		<p>“... for the benefit of the residents of the Trust Area and of British Columbia generally ...”</p> <p>The Islands Trust is responsible to the present and future residents of both the Trust Area and the Province of British Columbia. Their needs can only be met and sustained within the limitations of the natural environment and the island communities of the Trust Area. A balance must be established between the needs of all stakeholders.</p>
		<p>“... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of the Province ...”</p> <p>To achieve its object, the Islands Trust must be an educator, coordinator, and initiator, guiding individuals, organizations and other agencies in support of the object. While the Islands Trust can provide the necessary leadership, responsibility for stewardship of the Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have important roles to play. Cooperative actions are required of other agencies, organizations and individuals to ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems and island communities.</p>
	Guiding Principles	<p>The following principles, derived from the Islands Trust object and from input received from the public during public forums, will guide Trust Council in its day-to-day planning and decision-making.</p>
		<p>* The primary responsibility of the Islands Trust Council is to provide leadership for the preservation, protection and stewardship of the amenities, environment and resources of the Trust Area.</p>

Appendix E – Policies relating to the Policy Statement

CONSISTENT	POLICY	POLICY
	Guiding Principles cont.	* When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment and amenities in the Trust Area.
		* Trust Council will seek information from a broad range of sources in its decision-making processes, recognizing the importance of local knowledge in this regard.
		* Trust Council believes that to achieve the Islands Trust object, the rate and scale of growth and development in the Trust Area must be carefully managed and may require limitation.
		* Trust Council believes that open, consultative public participation is vital to effective decision making for the Trust Area.
		* Trust Council will implement a plan for the advancement of the Policy Statement as part of its annual budget process, and the Executive Committee of Trust Council will report to Council on progress in achieving the goals of the Policy Statement.

Part III ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT WITH POLICY	POLICY	POLICY
	3.1	Ecosystems
	3.1.1	Trust Council holds that: proactive land use planning is essential for the protection of Trust Area ecosystems, protection must be given to the natural processes, habitats and species of the Trust Area, including those of the old forests, Coastal Douglas-fir forests, Coastal Western Hemlock, Garry Oak/Arbutus forests, wetlands, open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, and kelp and eel grass beds, and planning must account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies and Trust Area species and habitats.
	3.1.2	It is Trust Council's policy to work towards the establishment of a network of protected areas that preserves representative ecosystems in their natural state and in sufficient size and distribution to sustain their ecological integrity.
	3.1.6	Trust Council encourages all government agencies and non-government organizations to consider both monetary and non-monetary costs when making resource management and land use decisions.
	3.1.7	Trust Council encourages the Provincial government and the government of Washington State to proceed with their proposal for a joint environmental monitoring system for the Georgia Basin Region.
	3.1.8	Trust Council encourages the Provincial government to establish property tax incentives for conservation or habitat protection
	3.1.9	Trust Council encourages actions and programs of other government agencies which: place priority on the side of protection for Trust Area ecosystems when judgment must be exercised, protect the diversity of native species and habitats in the Trust Area, and prevent pollution of the air, land and fresh and marine waters of the Trust Area.
	3.1.10	Trust Council encourages the Provincial government to enforce standards for control of emissions polluting the air of the Trust Area.
CONSISTENT	POLICY	POLICY

Appendix E – Policies relating to the Policy Statement

	3.1.11	Trust Council encourages agents of the government of British Columbia or the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers to protect environmentally sensitive areas and significant natural sites, features and landforms through voluntary stewardship, conservation covenants and careful management
	3.2	Forest Ecosystems
	3.2.1	It is Trust Council's policy that: the Trust Area's forest ecosystems should be protected, and the remaining stands of relatively undisturbed Coastal Douglas-fir, Garry Oak and Arbutus forests should be preserved.
	3.2.3	Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect forested areas through voluntary conservation covenants and careful management.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
	3.3.1	Trust Council holds that: the freshwater wetlands, bodies of surface water, natural drainage patterns, water courses, fish-bearing streams, watershed and groundwater recharge areas of the Trust Area should be identified, protected and, where possible, restored or rehabilitated, and the natural wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled or degraded.
	3.3.3	Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, water courses, wetlands, riparian zones and aquatic wildlife habitats through voluntary conservation covenants and careful management.
	3.4	Coastal and Marine Ecosystems
	3.4.1	It is the position of Trust Council that development should not be allowed within a line drawn 300 metres offshore or mid-channel (whichever is less) of any island or islet in the Trust Area owned entirely by the Crown or affected by Order in Council 467.
	3.4.2	It is Trust Council's policy that marine areas be protected and coastal zone management principles be defined in consultation with agents of the government of British Columbia, the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers.
	3.4.3	Trust Council holds that artificial reefs should not be developed in the Trust Area.
	3.4.6	Trust Council encourages the Provincial and Federal governments to develop existing and new programs, such as "harvest refugia", which protect and enhance the populations of native marine species of the Trust Area.
	3.4.7	Trust Council encourages the Provincial and Federal governments to research the impacts of the introduction of new marine species into the marine water of the Trust Area before such species are introduced
	3.4.8	Trust Council encourages the Federal and Provincial governments to develop and adopt legislation that regulates sewage discharge from shores and boats and addresses its detrimental impact on marine or coastal ecosystems.

PART IV: STEWARDSHIP OF RESOURCES

CONSISTENT	POLICY	POLICY
	4.1	Agricultural Land
	4.1.1	Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.
	4.1.2	Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.
	4.1.3	It is Trust Council’s policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.
	4.1.10	Trust Council encourages the Ministry of Transportation to ensure that, where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land.
	4.1.11	Trust Council encourages the British Columbia Land Reserve Commission to approve applications from property owners for inclusion of their land with potential for agriculture in the Provincial Agricultural Land Reserve.
	4.1.12	Trust Council encourages the Provincial government and the BC Assessment Authority to: retain a separate farm class to provide significant property tax incentives; ensure that the threshold for farm income necessary for farm class status is appropriate to agriculture within the Trust Area; and acknowledge that the total land area subject to the farm class may include land left uncultivated.
	4.2	Forests
	4.2.1	Trust Council recognizes that forestry is a traditional land use in the Trust Area, and supports sustainable forestry as an appropriate form of land use.
	4.2.2	It is the position of Trust Council that sustainable forestry depends on maintaining and, where necessary, restoring the ecological integrity of forests.
	4.2.3	It is the position of Trust Council that to achieve sustainable forestry, forest owners should undertake planning to address the integrity of forest ecosystems, including monitoring and evaluation to modify forestry plans and activities as needed.
	4.2.4	It is the position of Trust Council that forest cover is a representative characteristic of the Trust Islands and should be maintained.
	4.2.5	It is the position of Trust Council that the aesthetic value of forest land should be protected.
	4.2.9	Trust Council encourages the Provincial government to adopt mechanisms that will ensure full and meaningful participation of communities in decisions concerning the use of forest land.
	4.2.10	Trust Council encourages the Provincial government to implement education and extension programs to promote sustainable forestry and the protection of forest ecosystems.
	4.2.11	Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that establish forestry practices to protect the ecological integrity on a scale of forest stands and landscapes by maintaining and, where necessary, restoring: the diversity of forest structure and composition; the physical, chemical, and biotic diversity of soils; natural aquatic and wetland ecosystems; the full range of natural habitats in the forest landscape, including old growth; and connectivity of forest habitats sufficient for the dispersal needs of native species.
	4.2.12	Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that will reduce invasive non-native plant species in the forests.

Appendix E – Policies relating to the Policy Statement

CONSISTENT	POLICY	POLICY
	4.2.13	Trust Council encourages the Provincial government to designate forest ecosystem reserves, where no extraction will take place, to promote the preservation of native biological diversity.
	4.2.14	Trust Council encourages the Provincial government, prior to giving approval to cutting plans, to require the applicant identify those elements of the forest needed to maintain sustainable forest land use.
	4.2.15	Trust Council encourages the Provincial government to implement property tax incentives for the practice of sustainable forestry.
	4.2.16	Trust Council encourages the Provincial Ministry of Forests, when developing specific forest tenures, to assign to Trust Council or Trust Fund Board, the holding of areas not to be harvested.
	4.3	Wildlife and Vegetation
	4.3.1	Trust Council encourages Provincial and Federal government agencies to: regulate and monitor the harvesting of the fish, wildlife and vegetation of the Trust Area so as to protect populations and habitats, and consult with local trust committees, municipalities, the communities of the Trust Area and First Nations prior to decisions regarding regulation of hunting or harvesting of Area wildlife or vegetation.
	4.3.2	Trust Council encourages Provincial and Federal government agencies to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life and to establish public shellfish reserves in the Trust Area.
	4.4	Freshwater Resources
	4.4.1	It is Trust Council's policy that islands in the Trust Area should be self-sufficient in regard to their supply of freshwater.
	4.4.4	Trust Council encourages island property owners, residents and visitors to adopt conservation practices in their use of freshwater.
	4.4.5	Trust Council encourages the Provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands
	4.4.6	Trust Council encourages the Provincial government to adopt legislation which protects the sustainability and quality of the groundwater of the Trust Area.
	4.4.7	Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies which will permit more efficient use of the Trust Area's freshwater resources, including: cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices.
	4.5	Coastal Areas and Marine Shorelands
	4.5.1	It is Trust Council's policy that aquaculture is a valuable activity in the Trust Area if compatible with maintenance of the Trust Area's ecosystems and community character.
	4.5.2	Trust Council holds that finfish farms should not be located in the marine waters of the Trust Area.
	4.5.3	It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes
	4.5.4	It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.

Appendix E – Policies relating to the Policy Statement

CONSISTENT	POLICY	POLICY
	4.5.5	It is Trust Council's policy that development should be directed to sites away from: areas of environmental sensitivity, and areas of naturally occurring stocks of clams or oysters.
	4.5.6	It is Trust Council's policy that aquaculture should be directed to sites away from: areas of recreational significance, areas where an aquaculture operation would conflict with established or designated upland land uses, and areas where an aquaculture operation would conflict with established or designated anchorage or moorage.
	4.5.7	It is the position of Trust Council that aquaculture related development, activity, buildings or structures should not result in site alteration.
	4.6	Soils and Other Resources
	4.6.1	Trust Council holds that there should be no extraction of the peat, metals, minerals, coal or petroleum resources of the Trust Area.
	4.6.2	Trust Council holds that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area.

PART V: SUSTAINABLE COMMUNITIES

CONSISTENT	POLICY	POLICY
	5.1	Aesthetic Qualities
	5.1.1	Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.
	5.1.2	It is Trust Council's policy that the intensity of noise and lighting in and through the Trust Area should be compatible with community character.
	5.1.4	Trust Council encourages property owners, residents and visitors to reduce the burning of wood and fossil fuels by adopting alternative or innovative technologies.
	5.2	Growth and Development
	5.2.1	Trust Council holds that growth and development in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.
	5.2.2	Trust Council holds that tree cover on the islands is of great importance and should be preserved.
	5.3	Transportation and Utilities
	5.3.1	Trust Council holds that local trust committees and island municipalities should be consulted and involved in the decision-making process regarding provision of utilities, transportation services or facilities that might affect land use in their local planning areas.
	5.3.2	It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel, notwithstanding the existing bridge between North and South Pender Islands.

Appendix E – Policies relating to the Policy Statement

CONSISTENT	POLICY	POLICY
	5.3.8	Trust Council encourages Provincial and Federal agencies to ensure safe shipment of materials hazardous to the environment.
	5.3.9	Trust Council encourages the Ministry of Transportation and local communities to work together through a public consultation process to evaluate and modify road construction and road system proposals to encompass the environmental, economic and social values of the community.
	5.4	Disposal of Waste
	5.4.1	It is Trust Council's policy that the safe disposal in the Trust Area of waste originating in the Trust Area is acceptable.
	5.4.2	It is Trust Council's policy that neither hazardous nor industrial waste should be disposed of in the Trust Area, local recycling operations should be established, and local programs for chipping of wood waste and disposal of hazardous wastes should be established.
	5.4.3	It is Trust Council's policy that there should be a reduction in the burning of solid waste in the Trust Area.
	5.4.5	Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies and safe alternatives for disposal of sewage effluent.
	5.5	Recreation
	5.5.1	It is Trust Council's policy that recreational activities in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.
	5.5.2	Trust Council holds that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to and should not be located in the Trust Area.
	5.6	Cultural and Natural Heritage
	5.6.1	Trust Council holds that the natural and human heritage of the Trust Area — that is the areas and property of natural, historic, cultural, aesthetic, educational or scientific heritage value or character — should be identified, preserved, protected and enhanced.
	5.7	Economic Opportunities
	5.7.1	Trust Council holds that economic opportunities should be compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
	5.8.1	Trust Council holds that public participation should be part of the decision-making processes of all levels of government.
	5.8.2	It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.
	5.8.3	Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust
	5.8.4	Trust Council holds that island municipalities shall, in all of their actions have regard for the Trust Policy Statement and the object of the Islands Trust.

Appendix E – Policies relating to the Policy Statement

	5.8.5	It is the position of Trust Council that the development and maintenance of healthy communities in the Trust Area through the process described in the Provincial Ministry of Health’s “Healthy Communities Program” should be encouraged.
	5.8.7	Trust Council encourages Provincial, Federal and local governments to provide information and databases to local trust committees and communities to assist them in land use planning.
	5.8.8	Trust Council encourages government agencies, corporations, property owners, residents and visitors to use renewable sources of energy within the Trust Area.

POLICY STATEMENT COMPLIANCE	
	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

1.3.ii. Procedure

POLICY STATEMENT TOPIC REVIEW FRAMEWORK

Trust Council: June 11, 1994
Amended: September 15, 1995; March 10, 2005

A: PURPOSE:

1. To provide a framework to maintain an inventory of Policy Statement topic areas for review and to determine the priority topic areas for attention through Trust Council.

B: REFERENCES:

1. *Islands Trust Act*: Section 15
2. Policy Statement Bylaw (No. 17) 1993
3. Policy Manual:
 - 3.1. Policy Statement Implementation (1.3.i.)
 - 3.2. Policy Statement Bylaw (1.2.)

C: BACKGROUND:

1. The Trust Programs Committee (TPC) will complete an Annual Policy Statement Report that includes a Policy Statement Topic Review Inventory.
2. The Trust Programs Committee will maintain a Policy Statement Topic Review Inventory that will include the review topics, brief descriptions, and the source of the suggested topics.

D: PROCEDURE:

1. MAINTAINING THE INVENTORY

- 1.1. The Trust Programs Committee will maintain an inventory of suggested policy statement topics for review as identified through the following:
 - i. requests from external agencies or the public,
 - ii. other policy or legislative initiatives of the Islands Trust, the province or other government agencies, and
 - iii. requests from staff, trust bodies, or trustees of the Islands Trust.

*Appendix E – Trustee and staff suggestions for changes
to policies related to the Policy Statement*

2. TRUST PROGRAMS COMMITTEE RECOMMENDATIONS

- 2.1. The Trust Programs Committee will prepare a Policy Statement Topic Review Inventory by September of each year.
- 2.2. The Trust Programs Committee will make suggestions for policy statement topics review to Trust Council, the Trust Fund Board, local trust committees, and staff by October of each year.
- 2.3. The Trust Programs Committee will make priority topic recommendations to Trust Council from the Topic Review Inventory in November of each year.

3. TRUST COUNCIL CONSIDERATION

- 3.1. Trust Council will establish the annual priority of the specific topics for review by resolution in December of each year.
- 3.2. The priority Policy Statement review topics will be those items approved by Trust Council as part of Trust Council's work program or the work program of a trust body.

4. REVIEW TOPIC IMPLEMENTATION

- 4.1. The Trust Programs Committee will forward resource requirements requests, as required, for all priority Policy Statement review topics to Trust Council within the annual budget process.
- 4.2. The Trust Programs Committee will recommend adjustments to the priority Policy Statement review topics as required based on resource allocations from the annual budget, emerging issues and topic review completions.
- 4.3. The Trust Programs Committee will provide guidelines for priority Policy Statement topic reviews relative to agency referral, internal processing, and Policy Statement Bylaw amendment requirements.

5. ANNUAL POLICY STATEMENT REPORT

- 5.1. The Trust Programs Committee will forward an Annual Policy Statement Report that includes the recommended priority review topics from the Topic Review Inventory to Trust Council in December of each year.