

PROTOCOL AGREEMENT

ON

FERRY SERVICE IN THE ISLANDS TRUST AREA

BETWEEN:

**BRITISH COLUMBIA
FERRY CORPORATION**

AND:

ISLANDS TRUST

PROTOCOL AGREEMENT

on

FERRY SERVICE IN THE ISLANDS TRUST AREA

BETWEEN:

B.C. FERRY CORPORATION

AND:

ISLANDS TRUST

WHEREAS:

The legislated object of the Islands Trust, pursuant to Section 3 of the *Islands Trust Act*, 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 the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations, and the government of the Province;

Pursuant to Section 8.1 of the *Islands Trust Act*, for the purpose of carrying out the object of the Trust, the Islands Trust Council may, subject to the approval by the Minister of Municipal Affairs, enter into agreements with the Province and agents of the Province respecting the coordination of administrative activities within the Trust Area;

The **ISLANDS TRUST**, through the following corporate entities is responsible for:

Trust Council - making recommendations to the Lieutenant Governor in Council respecting the acquisition, use and disposition by the Crown in right of the Province of land situated within the trust area, establishing general policies to carry out the object of the Trust, ensuring proposed local planning activities comply with the Trust object and policy statement;

Trust Fund Board - acquiring and holding land in perpetuity to protect significant environmental sites and features; and

Local Trust Committees - providing local land use planning and regulation and responding to the concerns of island residents and property owners.

B.C. FERRIES is responsible for satisfying its customers' needs for safe, efficient, effective and reliable ferry transportation services. As a publicly-owned Crown Corporation, B.C. Ferries facilitates economic and social development within the Province.

Both B.C. Ferries and the Islands Trust recognize that environmental and land use planning issues related to ferry transportation services are complex, often transcending political boundaries, and thus require coordinated responses from the parties;

AND WHEREAS:

Both parties recognize the need to identify areas for cooperative efforts involving B.C. Ferries' responsibility for ferry transportation services, local trust committee responsibility for land use planning and regulations in local trust areas and the Islands Trust responsibility to preserve and protect unique amenities and the environment of the Trust Area.

THEREFORE:

B.C. Ferries and the Islands Trust are committed to developing agreements and procedures to promote interagency cooperation and consultation to enhance their respective abilities to achieve their mandates within the Trust Area in a manner which is respectful of each agency's jurisdiction and capability and based on the following principles.

1. COMMITMENT TO ACTION

The parties are committed to act on matters affecting the jurisdictions of the other.

2. PARTNERSHIP

To maximize efficiency and effectiveness, the parties are committed to cooperate in the spirit of partnership, particularly in the harmonization of policies and projects.

3. SPECIAL CIRCUMSTANCES

The parties understand that situations may arise which require a party to act unilaterally.

4. NOTIFICATION AND CONSULTATION

In the spirit of fairness and openness, any proposed significant change in policies or projects will be preceded by appropriate consultation among the affected parties, including timely notification of the proposed change.

Parties agree to use their best efforts to agree on a timetable for review and evaluation of the proposed change(s).

5. PUBLIC INVOLVEMENT

The parties will encourage the development of processes to provide stakeholders and the public with appropriate opportunities to participate in agency decision making and planning processes.

6. INFORMATION SHARING

The parties will cooperate in the development and distribution of information between the agencies and the public.

7. OTHER AGENCY OBLIGATIONS

The parties will notify and consult with each other when discussing agreements with third parties that will have an impact on either jurisdiction.

8. DISPUTE RESOLUTION

In the spirit of partnership and the efficient use of public resources, the parties agree to pursue methods of dispute resolution wherever necessary, ensuring the rapid resolution of disagreements before negative impacts occur.

ADMINISTRATION OF PROTOCOL

The key contacts for administering this Protocol are the:

General Manager - B.C. Ferries
Executive Director - Islands Trust

TERMS OF PROTOCOL

The parties may agree to amend or terminate this Protocol at any time.

1. ASSENTED TO THIS 16 DAY OF September, 1994 BY:



Maureen Headley, Chair of the Board
British Columbia Ferry Corporation



Graeme Dinsdale
Chairperson, Islands Trust

2. APPROVED, PURSUANT TO SECTION 8.1 OF THE *ISLANDS TRUST ACT*,

THIS _____ DAY OF _____ 1994 BY:



The Honourable Darlene Marzari
Minister of Municipal Affairs