



## Trust Programs Committee Agenda

Date: Monday, October 15, 2018  
Time: 10:30 am - 3:00 pm  
Location: Islands Trust Victoria Boardroom  
200-1627 Fort Street, Victoria, BC

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### Pages

1. CALL TO ORDER
2. APPROVAL OF AGENDA
  - 2.1 Introduction of New Items
  - 2.2 Approval of Agenda
3. TOWN HALL AND DELEGATIONS
  - 3.1 Association for Denman Island Marine Stewards (ADIMS) re Baynes Sound/Lambert Channel Ecosystem Forum 3 - 8
  - 3.2 World Wildlife Fund Canada re Baynes Sound/Lambert Channel Ecosystem Forum
4. ADOPTION OF MINUTES/COORDINATION
  - 4.1 Minutes of Meeting - August 20, 2018 9 - 13
  - 4.2 Resolutions Without Meeting - RWM-04-2018 14 - 14
  - 4.3 Follow Up Action List 15 - 18
5. BUSINESS
  - 5.1 Baynes Sound Lambert Channel Ecosystem Forum Update – Briefing 19 - 50
  - 5.2 Service Integration
    - 5.2.1 Service Integration Concerns of LTCs/BIM - Briefing 51 - 54
    - 5.2.2 SSI Positively Forward Report on Service Delivery 55 - 98
    - 5.2.3 Salt Spring Alliance Governance Working Group Report 2018 99 - 152
  - 5.3 Sea Level Rise Workshops Project Charter - RFD 153 - 155  

That the Trust Programs Committee approve the Sea Level Rise project charter dated October 15, 2018.
  - 5.4 Freshwater Data Gaps - Briefing 156 - 160
6. NEW BUSINESS

<b>7.</b>	<b>CORRESPONDENCE</b>	
7.1	Association for Denman Island Marine Stewards re microplastics	161 - 161
<b>8.</b>	<b>WORK PROGRAM</b>	
8.1	Trust Programs Committee Work Program	162 - 163
<b>9.</b>	<b>NEXT MEETING</b>	
<b>10.</b>	<b>ADJOURNMENT</b>	

\*Approximate time is provided for the convenience of the public only and is subject to change without notice.

## **Presentation to Trust Programs Committee**

### **Association for Denman Island Marine Stewards**

#### **What is the Ecosystem Forum?**

- Brainchild of Herring Dialogue on Denman Island in 2017, ADIMS, WWF, our local trustees and Trust staff
- Response to the federal and provincial agencies failing to address growing environmental concerns about this keystone ecosystem in the Salish Sea
- Grassroots based/ local/ stakeholders from many interests
- Gathered together with respect and commitment to ensuring the survival of this vital ecosystem
- Arena for developing and trialing practical alternatives to some of the questionable activities currently practised

#### **Participants**

- There were approximately forty participants from local, regional, provincial, federal and First Nations governments, as well as private sector and conservation group representatives, including staff from DFO's shellfish aquaculture management and herring fishery management, BC Shellfish Growers Association, FLNRORD's Aquaculture Section, the K'omoks First Nation, the Qualicum First Nation, West Coast Environmental Law, three local trustees and Trust staff

#### **Terms of Reference**

- Create an opportunity for collaborative dialogue amongst the diverse interests in the Baynes Sound / Lambert Channel (BS/LC) ecosystem
- Share knowledge and experience that can inform solutions
- Identify ongoing collaborative actions and processes to support the health of the BS/LC ecosystem. Most important is that the goal is practical solution based.

#### **Why is it needed**

- **The time is right:** a forum is needed that goes beyond economic concerns, as the problems are on an ecosystem level. All stakeholders agree that they must come together, develop trust as equals and work to solve these problems together. Each has a strong interest in the success of the Ecosystem Forum.
- The overlapping jurisdictions and competing interests in BS/LC have made it extremely difficult to effectively address escalating environmental degradation of this Ecologically and Biologically Significant Area (EBSA). A forum would bring everyone together.
- No single level of government, agency or advocacy group can work on the level of the ecosystem. The Trust has the mandate to "preserve and protect" yet has limited means to do this within its jurisdiction.

- DFO and the Province have not monitored the marine ecosystem in BS/LC and current regulations for development and the aquaculture industry are out of date. Attention to this gap, in a context of shared goals, may produce results.
- **Problems facing BS/LC include:** inadequate management of municipal effluent, septic systems, and storm drain runoff, increasing acidification of local waters, increasing amounts of plastic debris and microplastics in the water column and substrate, increasing disease and die-offs of shellfish, loss of critical marine habitat to industry and development.

#### **Why the Trust should commit to this project**

- **The mandate of the Forum is closely aligned with Trust mandate and values.**
- **This forum is truly unique in its mandate and in the breadth of its stakeholders**
- **This is an opportunity for the Trust to be proactive:** to build its capacity and get ahead of the environmental issues that threaten the well-being of island communities and ecosystems
- **The Trust can strengthen this model,** building on its expertise in grassroots community planning and governance practices, and benefitting from the partnership with co-sponsor WWF.
- **First Nations are involved** and committed to preserving the environment for future generations. With a commitment to the Forum, the Trust advances the process of reconciliation it has prioritized and is present when First Nations introduce their concerns at the roundtable. Co-management of the marine ecosystem has already been raised by First Nations, and it is crucial that the Trust be able to discuss this informally as well as formally.
- The Trust's approach to the ecosystem will be amplified by the influential part it plays in developing the shared narrative, for the benefit of all islanders and the marine ecosystem.

**In the Forum's positive milieu, the Trust will have a central part in fielding the problem- solving process and an invaluable opportunity to influence the policies of federal and provincial agencies, well beyond what is possible at this time**

#### **What we are asking the Trust to do**

- Pay for staff time to plan and coordinate the Ecosystem Forum with quarterly meetings (see below)
- Pay for a group facilitator to advise staff, and to facilitate the meetings of the advisory committee and the Forum plenaries
- Pay for travel expenses for non-government participants
- **We understand that WWF has made plans to contribute, but do not know what that entails**

#### **Ideas for the next Advisory Committee**

- ADIMS plans to propose to the Advisory Committee that the Ecosystem Forum should gather on a regular basis - perhaps quarterly - to stay relevant to all the various stakeholders. Separate meetings of subgroups delegated to work on certain initiatives or topics may be necessary. Those subgroups would return to the quarterly Forum meetings to share progress with all stakeholders, where the discussion would be carried forward.

- The Advisory Committee could bring forward a choice of practical, concrete goals for discussion at the next Forum, based on the common concerns and needs expressed by stakeholders at the original Forum. In that way, the next Forum could focus on doable projects that can be accomplished successfully.
  - Building trust and sharing more information between participants
  - Reviewing and looking for better ways the Comox Valley Regional District can manage municipal effluent. Look at ways to improve management of failing septic systems in all local jurisdictions.

**Listed below are the suggestions for next steps from the Report on the Ecosystem Forum, written by staff from the Islands Trust and World Wildlife Fund, based on stakeholders' statements.**

### **Next Steps**

Participants suggested that the next steps include the investigation of ways to support continuation of the BS/LC Ecosystem Forum group, including possibilities for secretariat support and a new governance body.

1. Investigate possibilities for leadership of the BS/LC Ecosystem Forum group provided by K'ómoks First Nation, supported by other governments and secretariat.
2. Gather as a group to create a common, shared vision that will guide and inspire collaborative actions.
3. Collaborate on actions to improve the health of the BS/LC Ecosystem.
4. Initiate collaborative research on understanding the challenges and improving the health of BS/LC ecosystem, including innovations in aquaculture methods.
5. Initiate shared space for gathering and sharing of data, information and knowledge.
6. Initiate research and discussion on concurrent law models to address responsibility overlap among Indigenous/federal/provincial laws related to the management of the BS/LC ecosystem.

## **QUOTES FROM SOME KEY ECOSYSTEM FORUM PARTICIPANTS**

### **ADIMS presentation to Trust Programs Committee**



**Darlene Winterburne, Executive Director, BC Shellfish Growers Association**

“The Baynes Sound/Lambert Channel Ecosystem Forum was an invaluable initiative that set the stage for discussion from varied stakeholders who share an interest in a healthy marine ecosystem. The BC Shellfish Growers Association feels the focused discussion was a wonderful first step in understanding perspectives. There is much work to be done and it is our hope that participants will collaborate to define specific issues, develop action plans and implement those plans to support and enhance the health of our marine environment.”



**Brenda McCorquondale, Senior Aquaculture Management Co-ordinator, Fisheries and Oceans Canada**

The Forum showed the value of bringing together a diverse group of governments and stakeholders with the common goal of the health and prosperity of Baynes Sound. Continuing these discussions shows a potential for innovative shared solutions.”



**Melissa Quocksister, Councillor, K'omoks First Nation**

"I believe the Ecosystem Forum was an incredible information gathering opportunity for all the people who have a vested interest, to express both their love for Baynes Sound and their concern for its future. The K'omoks First Nation, as title holder, appreciates the opportunity to work and collaborate with all the people involved."



**Cath Gray, board member, Conservancy Hornby Island**

"The Ecosystem Forum was really good for background: didn't realize how our problems were their problems too. We have to move forward and find solutions. The problems from Hornby's point of view: 1) herring roe fishery, 2) microplastics, 3) geoduck aquaculture 4) sewage coming out at Cape Lazo. We're all a part of the Salish Sea and we need to form a united front to tackle these problems, to save our Salish Sea ecosystem."



**Carl Butterworth, Manager, Deep Bay Marine Field Station, Vancouver Island University**

“Speaking for VIU, the key thing about the Ecosystem Forum is that it brings together the people and groups that you need to get things done. When you bring together a group that’s inherently based on action, positive things begin to happen. Those actions build a track record of credibility that attracts investment and research dollars, indeed, all the things you need to keep the Forum self-sustaining over time.”





**Trust Programs Committee  
Minutes of Electronic Meeting**

**Date of Meeting:** Monday, August 20, 2018

**Location:** Islands Trust Victoria Boardroom  
200-1627 Fort Street, Victoria, BC

**Members Present:** Brian Crumblehulme, Mayne Island Local Trustee (Chair)  
Sue Ellen Fast, Bowen Island Municipal Trustee (via phone)  
Heather O'Sullivan, Gabriola Island Local Trustee (Vice-Chair) (via phone)  
David Critchley, Denman Island Local Trustee (via phone)  
Dan Rogers, Gambier Island Local Trustee (via phone)  
Peter Luckham, Islands Trust Chair (ex officio) (via phone)  
Paul Brent, Saturna Island Local Trustee (via phone)  
George Grams, Salt Spring Island Local Trustee (EC Rep) (via phone)

**Members Absent:** Tony Law, Hornby Island Local Trustee  
Peter Grove, Salt Spring Island Local Trustee

**Staff Present:** Clare Frater, Director of Trust Area Services  
Russ Hotsenpiller, Chief Administrative Officer  
Lisa Wilcox, Senior Policy Advisor  
Jas Chonk, Recorder

**Media Present:** None

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**1. CALL TO ORDER**

Chair Crumblehulme called the meeting to order at 10:03 a.m. and acknowledged the meeting was being held on unceded territory of the Coast Salish First Nations.

**2. APPROVAL OF AGENDA**

**2.1 Introduction of New Items**

No new items.

**2.2 Approval of Agenda**

**By General Consent**, the agenda was approved as presented.

### 3. ADOPTION OF MINUTES

#### 3.1 Minutes of Meeting

##### 3.1.1 May 14, 2018

**By General Consent**, the Trust Programs Committee Minutes of May 14, 2018, were adopted as presented.

##### 3.1.2 July 24, 2018

**By General Consent**, the Trust Programs Committee Minutes of July 24, 2018, were adopted as presented.

#### 3.2 Resolution Without Meeting

##### 3.2.1 May 25, 2018

Received for information.

##### 3.2.2 July 10, 2018

Received for information.

#### 3.3 Follow Up Action List

The Follow-Up Action List was provided for information and review.

Peter Luckham joined the meeting 10:30 a.m.

### 4. TRUST COUNCIL BUSINESS

#### 4.1 Service Integration - Briefing

Staff provided update to the Committee on developments relating to work on service integration.

Discussion ensued.

##### **TPC-2018-018**

**It was MOVED and SECONDED,**  
that the Trust Programs Committee recommend to the next Trust Council that the service integration work continue under Trust Programs Committee.

**CARRIED**

**TPC-2018-019**

**It was MOVED and SECONDED,**

that the Trust Programs Committee recommend to the next Trust Council that if the service integration work continues under Trust Programs Committee that it be given priority next term under the Strategic Plan.

**CARRIED**

**Paul Brent - Opposed**

**4.2 MOTI-IT Road Standards - Briefing**

**TPC-2018-020**

**It was MOVED and SECONDED,**

that if examination of service integration issues proceeds as priority of Trust Programs Committee for next term the Committee recommends that the impact of the Ministry of Transportation and Infrastructure road standards agreement on village roadscapes be examined as a potential pilot project or case study.

**CARRIED**

**Paul Brent - Opposed**

**5. BUSINESS**

**5.1 Baynes Sound Lambert Channel Ecosystem Forum Update – Briefing**

Staff provided an update to the Committee on the Baynes Sound Lambert Channel Ecosystem Forum and asked the Committee for feedback on the report and if the Committee would like to do any of the possible next steps outlined in the briefing.

The Committee made no decision on the next steps outlined in the briefing.

**6. NEW BUSINESS**

**6.1 Trust Programs Committee Toolkit - Briefing**

Staff asked for feedback from the Committee on the 2015 Trust Programs Committee Toolkit.

Committee provided feedback on the toolkit:

- does not inspire passion about serving on Trust Programs Committee
- could provide examples of past projects;
- the committee's terms of reference is more useful than the toolkit;
- the toolkit could be posted to the website

Committee also discussed that

- It is important for new trustees to know what the committees are about;
- The name of the Committee could be reviewed; and

- The Committee should discuss having a focus within its work program in the beginning of the term.

**6.2 2019-20 TPC Budget Request - RFD**

**TPC-2018-021**

**It was MOVED and SECONDED,**

that the Trust Programs Committee request that Trust Council include \$25,000 for Trust Programs Committee Strategic Plan projects in the 2019-20 fiscal year budget.

**CARRIED**

**6.3 Sea Level Rise Workshops - RFD**

**TPC-2018-022**

**It was MOVED and SECONDED,**

that Trust Programs Committee endorse partnering with Living Oceans Society to deliver sea level rise workshops, request staff to develop a project charter, and provide up to \$3,000 to support workshop delivery.

**CARRIED**

Paul Brent left the meeting 11:50 a.m.

**6.4 Interim Funding for Howe Sound Community Forum - Trustee Rogers - RFD**

**TPC-2018-023**

**It was MOVED and SECONDED,**

that Trust Programs Committee request staff to enter into a contract to provide "secretariat" type services for the Howe Sound Community Forum and related Task Forces for the current fiscal year to a maximum of \$3,000 paid for out of the current Trust Programs Committee budget.

**CARRIED**

**7. WORK PROGRAM**

**7.1 Trust Programs Committee Work Program Report**

**TPC-2018-024**

**It was MOVED and SECONDED,**

that the Trust Programs Committee forward its work program to the Islands Trust Council with the top three items as presented:

1. Improve the Delivery and Integration of Services
2. Trust Secretariat
3. Review the Islands Trust Policy Statement

**CARRIED**

8. **NEXT MEETING**

October 15, 2018, Victoria

9. **ADJOURNMENT**

**By General Consent**, the meeting was adjourned at 11:58 a.m.

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Brian Crumblehulme, Chair

CERTIFIED CORRECT:

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Jas Chonk, Recorder

TRUST PROGRAMS COMMITTEE  
**RESOLUTION WITHOUT MEETING**

RESOLUTION WITHOUT MEETING NO. RWM-04-2018

The following matter is considered urgent and necessary in order to hold the regular scheduled August 20, 2018 meeting of Trust Program Committee as an electronic meeting. The Chair has requested this as the expected reports from the Salt Spring Community Alliance and Positively Forward that the committee wished to discuss in person are not yet available.

It was Moved by Trustee Dan Rogers and Seconded by Trustee Sue Ellen Fast:

**That the Trust Programs Committee hold its scheduled August 20, 2018 meeting as an electronic meeting to start at 10 a.m.**

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
Dan Rogers	August 16, 2018	In Favour
Sue Ellen Fast	August 16, 2018	In Favour
Paul Brent	August 16, 2018	In Favour
Heather O'Sullivan	August 16, 2018	In Favour
David Critchley	August 16, 2018	In Favour
Peter Grove	August 16, 2018	In Favour
Tony Law	August 16, 2018	In Favour
George Grams	August 17, 2018	In Favour

TRUSTEES VOTE NOT AVAILABLE  
Brian Crumblehulme

**FINAL VOTE COUNT**

8 IN FAVOUR  
OPPOSED

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON AUGUST 17, 2018.

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CHAIR'S SIGNATURE

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RECORDER'S SIGNATURE

## Follow Up Action Report

### Trust Programs Committee

#### 29-Feb-2016

No	Activity	Responsibility	Target Date	Status
1	Implement Crown Land Protocol project charter V2, circulate past RFD to TPC members, keep charter on future agendas until project is complete and consider inventory of current referrals, if it helps demonstrate the need for updating the letter of understanding.	Clare Frater	14-Nov-2016	On Going
2	Implement the State of the Islands Project, and return the project charter to TPC until project is complete.	Clare Frater	31-Aug-2016	On Going

#### 24-Jan-2018

No	Activity	Responsibility	Target Date	Status
1	Staff to submit a Business Case to the Minister of Municipal Affairs and Housing for the use of \$125,000 for the improvement of the provision and integration of government services within the Trust Area.	Russ Hotsenpiller Clare Frater	19-Feb-2018	On Going

## Follow Up Action Report

**14-May-2018**

No	Activity	Responsibility	Target Date	Status
1	that as part of the report out to Trust Council, Trust Programs Committee request Local Trust Committees and Bowen Island Municipality to create inventories of barriers experienced in engaging service providers and other agencies and to provide those responses to Trust Programs Committee.	Clare Frater Russ Hotsenpiller	06-Jun-2018	Done
2	that the Trust Programs Committee request staff to post to the IT website the material presented at the Islands Freshwater Forum as a resource for the community and trustees.	Clare Frater	27-Jun-2018	On Going
3	that the Trust Programs Committee request staff to develop a report on the roles and responsibilities of Islands Trust, regional districts, improvement districts, provincial ministries and First Nations under the Water Sustainability Act.	Clare Frater William Shulba	27-Jun-2018	On Going
4	that the Trust Programs Committee request staff to develop a report that analyzes freshwater data gaps in the Islands Trust Area and proposes recommendations to address those gaps.	Clare Frater William Shulba	31-Jul-2018	Done



## Follow Up Action Report

**20-Aug-2018**

No	Activity	Responsibility	Target Date	Status
1	that the Trust Programs Committee recommend to the next Trust Council that the service integration work continue under Trust Programs Committee.	Clare Frater Russ Hotsenpiller	12-Dec-2018	On Going
2	that the Trust Programs Committee recommend to the next Trust Council that if the service integration work continues under Trust Programs Committee that it be given priority next term under the Strategic Plan.	Clare Frater Russ Hotsenpiller	12-Dec-2018	On Going
3	that if examination of service integration issues proceeds as priority of Trust Programs Committee for next term the Committee recommends that the impact of the Ministry of Transportation and Infrastructure road standards agreement on village roadscapes be examined as a potential pilot project or case study.	Clare Frater David Marlor	12-Dec-2018	On Going
4	that the Trust Programs Committee request that Trust Council include \$25,000 for Trust Programs Committee Strategic Plan projects in the 2019-20 fiscal year budget.	Clare Frater Julia Mobbs	29-Aug-2018	Done
5	that Trust Programs Committee endorse partnering with Living Oceans Society to deliver sea level rise workshops, request staff to develop a project charter, and provide up to \$3,000 to support workshop delivery.	Clare Frater		On Going
6	that Trust Programs Committee request staff to enter into a contract to provide "secretariat" type services for the Howe Sound Community Forum and related Task Forces for the current fiscal year to a maximum of \$3,000 paid for out of the current Trust Programs Committee budget.	Clare Frater		On Going

## Follow Up Action Report

7 that the Trust Programs Committee forward its work program to the Islands Trust Council with the top three items as presented.

Clare Frater

29-Aug-2018

Done

# BRIEFING

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**To:** Trust Programs Committee      **For the Meeting of:** August 20, 2018  
**From:** Clare Frater      **Date Prepared:** July 23, 2018  
**SUBJECT:** Baynes Sound Lambert Channel Ecosystem Forum Update

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**PURPOSE:** To update Trust Programs Committee on the Baynes Sound Lambert Channel Ecosystem Forum.

**BACKGROUND:**

At the November 6, 2017 meeting Trust Programs Committee endorsed an amended Baynes Sound/Lambert Channel Ecosystem Forum Project Charter dated October 31, 2017.

The Baynes Sound/Lambert Channel Ecosystem Forum was held May 22-23, 2018 at the Kingfisher Oceanside Resort in Courtenay. Participants considered the event a success and all requested that the group meet again as soon as possible. The event was unique in that it brought together First Nations, federal, provincial, regional and local governments in dialogue with industry and conservation groups to collaboratively discuss challenges and opportunities for change. Islands Trust was appreciated as the co-sponsor of the event.

The Baynes Sound/Lambert Channel Ecosystem Forum theme group and plenary discussions have been summarized into a document by the co-leads from Islands Trust and World Wildlife Fund Canada (attached). From the document:

**Key outcomes:**

Each of the theme groups and the Plenary discussions were in agreement that improving the health of Baynes sound is vital for the ecosystem and collectively agree that maintaining the status quo will result in the continued ecological degradation of this important marine area, more conflict, and decreased benefits for all, and called for:

1. Continued dialogue regarding the health of the Baynes Sound ecosystem Continuation of the BS/LC Ecosystem Forum group through ongoing dialogues and to meet again relatively soon.
2. Creation of a shared vision to guide an integrated approach to managing human use in Baynes Sound.
3. Integration of various planning and management efforts currently underway and across multiple levels of government, so that ecosystem risks can be understood, avoided, and mitigated for all current and future human use.

**Next Steps**

The participants discussed the need to investigate ways to support continuation of BS/LC Ecosystem Forum group, including possibilities for secretariat support and new governance body. Possible next steps were identified as:

1. Investigate possibilities for leadership of the BS/LC Ecosystem Forum provided by K'omoks First Nation, supported by other governments and secretariat.
2. Gather as group to create a common, shared vision – that will guide and inspire collaborative actions.
3. Collaborate on actions to improve the health of the BS/LC Ecosystem.
4. Initiate collaborative research on understanding the challenges and improving the health of BS/LC ecosystem, including innovations in aquaculture methods.
5. Initiate shared space for gathering and sharing of data, information and knowledge.
6. Initiate research and discussion on concurrent law models to address responsibility overlap among Indigenous/federal/provincial laws.

**ATTACHMENT(S):**

- 1) Baynes Sound Lambert Channel Ecosystem Forum Summary Document

**FOLLOW-UP:**

1. Co-leads will provide the report to each participant.
2. In June, the Islands Trust Council requested staff to provide a report to Trust Council with information about the implications of the Islands Trust taking on a secretariat role for the Howe Sound Community Forum that considers the needs of existing and potential regional coordination processes in the Baynes Sound/Lambert Channel and Saanich Inlet regions and authorized the Trust Programs Committee to provide initial support if it deems it advisable out of its existing budget.

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**Prepared By:** Karen Hurley, Senior Policy Advisor

**Reviewed By/Date:** Clare Frater, Director, Trust Area Services, August 12, 2018



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Islands Trust

Summary Report:  
Baynes Sound /Lambert Channel  
Ecosystem Forum 2018

## Table of Contents

Purpose .....	3
Importance of the Baynes Sound / Lambert Channel Ecosystem .....	3
Baynes Sound / Lambert Channel Ecosystem Forum 2018 .....	3
Advisory Committee .....	4
Approach to Dialogue .....	4
Key Outcomes .....	5
Next Steps .....	5
Summary of Forum Discussions (plenary session notes integrated) .....	5
Subtidal/Open Water .....	5
Shore and Nearshore .....	9
Water Quality.....	15
Debris (challenges only).....	20
Governance (ways forward only).....	22
Appendix A: List of participants .....	25
Appendix B: Agenda.....	27

## Purpose

The purpose of this report is to provide background information and a summary of the discussions that took place at the Baynes Sound / Lambert Channel Ecosystem Forum 2018. Please note that this is summary of the Forum discussions and that formal consensus was not sought for each point, although there was general agreement within the discussions.

## Importance of the Baynes Sound / Lambert Channel Ecosystem

Baynes Sound and Lambert Channel—a thermally stratified inland sea, internationally recognized Important Bird Area and nationally designated Ecologically and Biologically Significant Marine Area—is a highly productive ecosystem, home to a regionally unique combination of diverse marine and coastal habitats.

Baynes Sound / Lambert Channel is the highest ranked cumulative spawning and rearing area for herring in Strait of Georgia ecoregion, producing one-third of all herring in BC’s waters—positioning this area as a critical linchpin in terms of the ecosystem health of the BC Coast.

Seabirds, juvenile salmon, mollusks and other forage fish find shelter in the ecologically-distinct elements of Baynes Sound/ Lambert Channel. The Sound is a summer moulting area for sea ducks, and has globally and nationally significant aggregations of waterfowl, shorebird and gull species during herring spawn. Several at-risk bird species use Baynes Sound for feeding or stop-overs.

Baynes Sound / Lambert Channel contains important foraging and haul out sites for Pacific Harbour seals and Steller sea lions. The Sound has been consistently used as spawning grounds during herring spawn runs. The estuaries and riparian areas of the Sound provide spawning and rearing habitat for Coho, chum, coastal cutthroat trout and likely some steelhead. Fifteen salmon bearing streams drain into Baynes Sound/ Lambert Channel. Intertidal eelgrass beds act as nurseries and provide protection and valuable food sources for these salmon. Significant quantities of both wild and cultured shellfish are produced within the waters of the Sound.

## Baynes Sound / Lambert Channel Ecosystem Forum 2018

The Baynes Sound/ Lambert Channel Ecosystem Forum was jointly hosted by Islands Trust and World Wildlife Fund Canada (WWF) in Royston, BC, 22-23 May 2018. This two-day event brought together approximately forty participants from local, regional, provincial, federal and First Nations governments, as well as private sector and conservation group representatives. A complete list of participants can be found at Appendix A. The Forum was a focused and collaborative discussion of the challenges facing Baynes Sound and Lambert Channel and the solutions needed for a healthy marine ecosystem.

The Baynes Sound/ Lambert Channel Ecosystem Forum had the following three aims:

- Create an opportunity for collaborative dialogue amongst the diverse interests in the Baynes Sound / Lambert Channel ecosystem,
- Share knowledge and experience that can inform solutions,
- Identify ongoing collaborative actions and processes to support the health of the Baynes Sound / Lambert Channel ecosystem.

### Advisory Committee

In order to ensure the relevance and utility of the Baynes Sound/ Lambert Channel (BS/LC) Ecosystem Forum, WWF and Islands Trust invited a subset of First Nations and local governments as well as key stakeholders to form an Advisory Committee. Membership included local First Nations, local governments, , community groups, Vancouver Island University, West Coast Environmental Law, as well as representatives from the shellfish aquaculture and herring industries. This committee met three times since its formation in January 2018, and played a significant role in shaping the content and participation in the BS/LC) Ecosystem Forum.

Responsibilities of the Advisory Committee included:

- Guiding development of the Forum structure, format, and content
- Identifying participants for attendance at the Forum

### Approach to Dialogue

In order to deliver on the three aims listed above, the Ecosystem Forum was largely comprised of small-group dialogue focused on four main themes, with a fifth theme emerging for solutions dialogues:

- Nearshore/intertidal areas
- Offshore/open water areas
- Water quality
- Marine debris (challenges only; most participants joined Nearshore/intertidal for solutions)
- Governance (ad hoc addition for solutions discussion)

These themes emerged through preparatory discussions with Advisory Committee, but were intended to be an adaptable foundation for any additional key issues identified during the BS/LC Ecosystem Forum. Participants explored these themes according to their interests, first through a deep characterization of the challenges, and second by discussion of possible short- and long-term solutions. Following the challenges discussion, an additional discussion theme (Governance) was suggested by participants and became a part of the round of solutions-based dialogues. Plenary sessions were used to explore the interconnections and synergies between and among the themes. Experts were available and engaged throughout the various dialogues but did not make formal presentations because the focus of the BS/LC Ecosystem Forum was intentionally placed on collaborative dialogue. The complete agenda can be found at Appendix B.



## Key Outcomes

Each of the theme groups and the Plenary discussions were in agreement that improving the health of Baynes sound is vital for the ecosystem and collectively agree that maintaining the status quo will result in the continued ecological degradation of this important marine area, more conflict, and decreased benefits for all, and called for:

1. Continued dialogue regarding the health of the Baynes Sound ecosystem
2. Continuation of the BS/LC Ecosystem Forum group through ongoing dialogues and to meet again relatively soon.
3. Creation of a shared vision to guide an integrated approach to managing human use in Baynes Sound.
4. Integration of various planning and management efforts currently underway and across multiple levels of government, so that ecosystem risks can be understood, avoided, and mitigated for all current and future human use.

## Next Steps

Investigate ways to support continuation of BS/LC Ecosystem Forum group, including possibilities for secretariat support and new governance body.

1. Investigate possibilities for leadership of the BS/LC Ecosystem Forum provided by K'omoks First Nation, supported by other governments and secretariat.
2. Gather as a group to create a common, shared vision – that will guide and inspire collaborative actions.
3. Collaborate on actions to improve the health of the BS/LC Ecosystem.
4. Initiate collaborative research on understanding the challenges and improving the health of BS/LC Ecosystem Forum, including innovations in aquaculture methods.
5. Initiate shared space for gathering and sharing of data, information and knowledge.
6. Initiate research and discussion on concurrent law models to address responsibility overlap among Indigenous/federal/provincial laws.

## Summary of Forum Discussions (plenary session notes integrated)

### Subtidal/Open Water

#### **Describe the challenges facing Baynes Sound / Lambert Channel ecosystem**

1. Lack of common vision and plan amongst FN, federal, provincial, regional and local governments and stakeholders. How to prioritize without vision/plan?
  - Different perspectives of impacts and trade-offs.
  - How do we motivate people to want to change/move to a common vision/build trust?
  - Will the plan and commitment to implementation be binding for authorities?

2. Herring fishery impacts of ecosystem including: eel grass beds, spawning, aquaculture, roe, ecotourism.
3. Lack of understanding of what is the baseline of a healthy functioning ecosystem for Baynes Sound / Lambert Channel ecosystem (now? pre-colonisation?)
4. What are the cumulative ecosystem impacts? How to mitigate? Proactive mitigation
5. Data and knowledge gaps;
  - Do we have data to look at for long term issues?
  - Challenges with sharing data and trustworthiness of data from each other.
  - How to gather data across boundaries and agencies/groups with openness
  - How do we integrate data and knowledge at ecosystem level to support governance? E.g. Fish and birds
  - Lots of data – but not central area to understand why of data
6. Governance gaps; community level feels disconnected from government (e.g. herring) – how to involve general public (real commitment and intent) to understand community priorities .

#### **Are the challenges being addressed now, by whom?**

1. Challenges are not currently being addressed by organisations: don't have mandates, or common plan -- being addressed informally on an issue basis rather than a geographic/ecosystem
2. K'omoks First Nation may assert control over Baynes Sound for protection

#### **What are the sticking points? What may be preventing successful resolution?**

1. Mistrust between parties/individuals being able to see the bigger picture
2. Lack of collaboration between parties; lack of common vision – many people are not comfortable with the industrialization of natural areas
3. Governance scales and gaps in jurisdiction: local to coast wide; ecosystem vs government boundaries; competing priorities and resources; no entity to lead collaboration for particular area
4. Information/data differs on different scales: large data gaps; projects happening but not integrated; data integrity

#### **What would happen if the challenge was not addressed?**

1. Environmental impacts worsen/more confrontation/ more conflict
2. Things will get pushed out (i.e. Shellfish farms, herring fish)
3. Things will be ruined for everybody, even residential
4. Potentially existing problems could be exacerbated
5. Ecosystem and industry will suffer

### **What does a 'good outcome' look like?**

1. Having a group or process in place to connect all the divergent, but common interests and break down barriers to bring everyone together in collaborative communication
  - Multiple user groups consent to sustainable use – not impacting others
  - Common vision created
2. A place to bring together all the research/information/data for comparison/analysis and to address data/understanding gaps;
  - conduct research into areas that previously had herring and now do not;
  - understand Cumulative impacts;
  - establish baseline data: pre-colonization;
  - DFO projection – Prediction models accurate (1980's stock models did not work for all areas but used until 2018)
  - ecosystem health/process are well understood
  - DFO – research – shift from fisheries to ecosystem
  - bring together DFO data with other sources
  - Herring: Salish Sea DFO believe to be same stock: Whereas Tony Becher, UBC – believes herring return to home streams
3. Healthy, thriving herring habitat/populations and bird habitat/populations (rigorously monitored and biologically assessed to prevent loss of species)
  - Look at broader area – South Island beyond Baynes Sound – less herring in Areas 15/17
  - Or smaller area/ smaller groups
4. Moratorium on herring fishery in place until better understanding (reduce sein herring fishery)
5. DFO #1 Core conservation; #2 Fisheries
  - Take action at upper stock areas
  - 20% rarely applied – choose not to for various reasons

### **Who is involved presently in this challenge (directly or indirectly)?**

1. Governments, including First Nations
  - First Nations; list
  - Fisheries and Oceans Canada (DFO): Resource management; Aquaculture Enviro Operations; Enforcement; Oceans; Fisheries Protection; Habitat Assessment
  - Environment Canada (closures)
  - Provincial government – MAPP, networks
  - Local and regional governments
2. BC Shellfish Grower's Association; plus other aquaculture operators (DFO has database of all)

3. Academia: VIU; SFU; UBC
4. Underwater Harvesters
5. Herring Industry Advisory Board
6. Conservation groups
7. Upland folks
8. Marinas

**Who else needs to be involved in the solution? In addition to list above:**

1. Agricultural and upland (development) jurisdiction
2. Marina management
3. Transport Canada
4. Individuals with long term knowledge on the area in question
5. Politicians

**Are there some simple actions that could happen in the next 1-2 years?**

1. Group or process to create a common vision: connect action to intention
  - Expand diversity/ end goals
  - Do it soon to build on momentum
  - Connect vision to governance
  - Vision to inspire and guide plan
2. Gather all existing data and information; who knows what; known/unknown
  - Identify research that has been done
  - Communications in place to keep all individuals up to date and informed
  - Data gaps identified and research to address gaps is beginning
  - Understand herring/forage fish needs
3. DFO builds on core conservation objective that is in place while also taking into consideration sustainable fisheries
  - Reshaping of models on biomass vs productivity – already in motion
  - Need objectives to test against (measurable objectives)
  - Indication of what decision can be made; reality check; govt aspirations to policy
  - build trust with community – slow to react to losses
  - In 2019: DFO conducting Management procedure review – MSE Marine Strategy Evaluation: Multiyear process, 20% harvest rate reviewed, talking to FNs, evaluate management procedures against objectives/interests, Probabilities: Science Branch to meet for each management strategy/ objectives, prioritisation:trade-off, decision- politics/balancing act, DFO research: why low productivity? Reference points? Higher standards applies in 2019

### **What actions might be needed for the longer term?**

1. Continuing work from vision/process into plan and implementation: focus on positive; energy to drive collaborative process
2. Recognition of the authority of the Baynes Sound/ Lambert Channel Ecosystem Forum as a collective group on decision making (may be challenging to people and organisations but continue)
3. Funding to keep collaborative organisation active/ continuation of process
4. Recognition of healthy ecosystem = healthy industry
5. Take action for children – fearful if no action – including climate change; microplastics

### **Will any of these actions have co-benefits for other identified challenges?**

1. This action to develop a collaborative group, which will gather/share information and share decision making, will benefit many separate problems
2. Energy to drive process
3. Create hope for children – climate change, microplastics

## **Shore and Nearshore**

### **Describe the challenge**

1. Aquaculture issues – potential safety to citizens and wildlife: entanglement in predator nets; lead lines breaking downs with lead balls consumed by birds; rebar erosion to points; loss of gear in storms; Right to farm legislation insulates aquaculture bad practices (gear, noise, what is “nuisance”).
2. Jurisdiction confusion/ overlap / consideration of climate change
  - DFO ability to respond impaired by lack of staff/resources and Regulatory and enforcement of regulations limits ability to enforce;
  - Limited Jurisdictions (authorities) of local government – for example Islands Trust with land-use planning function of zoning and conditions (zone/no zone) has a lack of authority to regulate aquaculture methods (i.e. no predator nets) but Islands Trust is concerned about environment Thirty years ago Islands Trust supported aquaculture, but not in existing industrial form; thought upland owners would be involved in approvals.
  - Expectations: Waterfront viewscape, 20 years ago vs shellfish operator bought 20 years ago
  - First Nations jurisdiction unclear
  - Province not on the same page: conditions of licences are too broad.
3. Aquaculture reaching balance between industry and community – solutions of research? changes to rafts? Debris?

4. Maintenance of intertidal forage fish habitats and subtidal areas used to spawn herring: eel grass and other substrates that herring spawn on; spartina removal/removal of invasive species.
5. Many sources of pollution: sewage treatment systems, septic treatment, surface run (urbanised and agriculture); septic from vessels; log storage; dredging – ports; sonar; forestry (silt and pesticides in runoff); spills (gas, oil, hydraulic fluid); creosote pilings/zincs; Historical industry Union Bay (coal, cadmium); garbage dumping.
6. Geoduck aquaculture potential impacts: pvc pipes; predator netting; residents safety and community values
7. Ecosystem challenges: loss of habitat; changes in shoreline around Comox Estuary; balance in species diversity; poor water quality may be affecting marine species health and recreational use; Poor management on properties – a need for education; shoreline hardening by waterfront residents

**Who is involved in this challenge (directly or indirectly)?**

1. DFO: licences; lack of the ability to respond/ enforce
2. First Nations governments: must be involved in management, monitoring, documenting change
3. Islands Trust: lack of authority with aquaculture practices; has available forage fish and eel grass maps and development guidelines
4. Regional Districts: development guidelines; noise
5. Aquaculture – BS Shellfish Growers Association; individual operators
6. Deep Bay – research and initiative
7. FLNRORD – Tenures (First come/First served); Anything below low tide – provincial issue with zoning; right to farm legislation (aquaculture)
8. Underwater Harvestors Association (wild geoduck industry)
9. Environment Canada
10. public and residents
11. Industry: tourism; shellfish/fish; forestry; mining
12. Schools

**Is the challenge being addressed now, by whom?**

1. Hakai, VIU research on water quality
2. Deep Bay VIU – aquaculture solutions including rafts
3. First Nations and Local Government are working on sewage/septic issues
4. First Nations – habitat restoration: Guardians
5. Safety – a challenge that is not being addressed
6. Shellfish Management Aquaculture Committee

7. Islands Trust various efforts for protection of intertidal habitats
8. Association of Denman Island Marine Stewards
9. Conservancy Hornby Island
10. CVRD

**Who needs to be involved in the solutions that are not in the above list?**

1. DFO – upper management – Pacific Regional manager
2. Enforcement staff (C & P) – advocates for higher levels
3. Need more management – Ottawa reps
4. Ministry of Environment (MAPP)
5. Farm complaints review board

**What are the sticking points? What may be preventing successful resolution?**

1. Money – funding for solutions
2. Willingness – someone needs to be willing to lead
3. Monitoring – lack of baseline data
4. Enforcement – need enforcement of rules with appropriate consequences
5. Lack of research/information
6. Lack of education
7. Lack of visibility of the problem
8. Safety – barriers to solutions with industry
9. Authority
10. Role of First Nations in management
11. Jurisdiction over aquaculture: terms and conditions in the tenure; not sure who runs it or will be part of the solutions
12. Farm practices review board: best practises into a regulatory framework
13. Geoducks – decision makers- not open to input
14. Maintenance of Intertidal zone: residents not wanting to be seen as making a complaint; hard to restore; shoreline hardening especially with sea level rises; lack of marine protection areas
15. Lack of unbiased research – most research is industry driven
16. Aquaculture industry operator does not have to belong to the BCSGA

**What would happen if the challenge was not addressed?**

1. What we value will disappear
2. Ecosystem health, social license will get worse
3. Barriers to reconciliation
4. Lack of coordination between agencies with jurisdiction and interest may lead to duplication of activity, fractured initiatives, and lack of forward progress.

5. Good work that has been done does not move forward.
6. If we don't have a standard for sea water quality we will have a hard time maintaining or improving quality.
7. Without adequate research we won't understand the interplay between complex variables.
8. Uncertainty
9. A lot of unhappy people and loss of forage fish because of cumulative destruction of the environment and loss of spawning habitat -- loss of herring.
10. More camps become separate the longer the challenge/issue resolution will become challenging
11. Lack of clarity – gaps – not knowing what they are

### **Ways forward to improve the health of Baynes Sound/Lambert Channel ecosystem**

#### **What does a 'good outcome' look like?**

1. No complaints about aquaculture industry – limited/reduced irritants/complaints and conflicts between residents and aquaculture industry. Ways to accomplish include: reduce noise by starting at a reasonable hour; establishing designated areas for power washing and waste areas/clean up areas; improve best practices options rebar and netting; improve aesthetics, getting rid of avoidable nuisances; tagging waste/infrastructure.
2. Collaborative and constructive conversations are supported amongst: First Nations, aquaculture industry and association, communities, DFO, Islands Trust, CVRD, and others. Hearing and working on solutions as a collective – exchanges of information -- avoid polarization.
3. DFO able to manage complaints and enforcement
  - Mapping and policy for cool/hot spots
  - Good information flow – better communication – horizontal approach – citizens/governance
    - Avoid putting islanders in the position of being complainers
    - People complaining and not hearing back – placing an annual report and meetings with DFO to discuss the issues (triaging complaints)
    - Better complaints process – clarity with who to call
4. Clear Research & Development for aquaculture best practices involving industry, VIU Research Centre, Deep Bay and individuals. Looking for solutions/answers with applied research
5. Solving the multiple jurisdictions issue
  - Better complaints meeting process/avoid pass around from complaints



- Cool, medium, hot spots – identify those areas of high sensitivity and have more sensitivity/provide education and support within it (mapping and policy)
  - Pilot project – to test solutions
  - DFO provides recognition of the importance of BS/LC for shellfish with adequate staff and funding resources; clarity regarding staffing - defining clear roles and responsibilities; Officers and assessment staff to check and enforce
  - Shellfish industry acknowledges environmental values and community expectations
  - Achieving balance industry and community-- balance of healthy seafood production with views
  - Development and discussion of site-specific licence conditions or specific hot spots
  - Finding ways to bring into all into compliance (not just specific members) involve all who conduct aquaculture
6. Baynes Sound Pilot Project created: create/trial best management practices.
  7. Good communication between DFO and tenures – reminders or education process to lead to a solution: conditions of licences; create better understanding of how licensing, regulation and conditions occur.

**Are there some simple actions that could happen in the next 1-2 years?**

1. Create shared vision: Group or process – visioning process that would lead to longer term actions
2. Action towards creating an on-going group/forum. Forums like this reduce conflicts – getting to the values and allow us to reach a resolution
  - Not to ease momentum after this meeting – pursuing actions
  - Has resources rather than volunteer based to avoid burn out
  - Frequency of meetings – semi annual or annual
  - Presentations from other Forums (Howe Sound and Saanich Inlet) on how they work, relationships and information relations and information being presented
  - Gather information on how agencies make a group like this happen
  - What are the biggest things we need to tackle?
  - Identify possible organizational sponsors i.e. Islands Trust; CVRD; partnerships; WWF, MP/MLA; DFO
  - Hold regular meetings – information sharing, conflict resolution, build up of knowledge of who to talk to/where to go with information
  - Research details building on relationships from BC/LC Ecosystem Forum and create: Terms of Reference, membership, budget, steps for getting organized
  - Share information and identify research groups
  - Need someone to keep championing this idea -all need to get together to work together (government involvement – help lead)

- Central place for data and knowledge to be gathered to interpret and use
    - Acknowledge DFO has a lot of data – easier accessibility
  - Look at PEI and their experiences (marine use planning)
3. Explore governance – perhaps political leadership from K'omoks First Nation and other FNS
- Concurrent models – 3 governing bodies – First Nations/ Federal/ Province
  - Concurrent law model – covenant as part of treaty
    - Agreements
    - Different levels of government with different levels of authority that overlap
    - Direct coordination of information and processes
    - Very progressive
4. DFO – shellfish AMAC workshop
- Environmental performance
  - Outline all the jurisdictions/provide clarity
  - Report out to local areas
  - DFO lead – normal meetings like this forum
5. Explore jurisdictional possibilities ongoing forum
- Government as ex-officio
  - Role of FNs governments, especially KFN; First Nations Guardians (partnering with DFO);
  - Share decision making and have everyone contribute
  - Memberships/who is involved? FN, Federal /Provincial governments, Islands Trust, CVRD, Recreation users, Conservancies, NGOs, Shellfish industry, fisheries
6. Consider creating local version of standard aquaculture license
- If everyone agrees, DFO can create BS/LC specific version that is business friendly and gain approval from Minister
7. Explore research: what is the problem we are solving? what studies need to be done? i.e. environmentally friendly options (E.g. predator nets; do they work? What are the other options)
- R&D funding? Bayne Sound industry members to pay a tax?
8. Multi-faceted approach to aquaculture debris.
- Have someone (opportunity) – picking up debris – with industry
  - Have forum have an employee to be this person (summer student grant)
  - Have university student for the summer to do analysis on the debris (what needs to be cleaned, costs, how to dispose (recycle) of it all; research to see pros and cons of different systems
  - Paying extra (problem that it will be hard to sell) Cost benefit analysis including analysis of costs of debris and infrastructure loss
  - Streamline approach – endorsed by DFO; makes it easier to be in business

- Long term outcomes are of interest to larger shellfish industry
9. Initiate pilot project re best management practices as well as mapping and identification of high value areas of foreshore – aesthetic, habitat, archeology; try out no rebar, no predator nets, do monitoring.

#### **What actions might be needed for the longer term?**

1. On-going forum – meeting on a regular basis; Budget in place for staff to keep the forum running – continuation of discussions/actions
2. Defining metrics to monitor the “poop index” (quarterly report on fecal coliform count; better understanding of trends; flag sites for action; identify what can be done locally to address problems).
3. Identify existing sources of data and information; create collective database; identify and address data gaps.
4. Communities collaborate with BCSGA to celebrate the shellfish industries to break down the barriers and build positive relationships between industry and island residents: making industry a part of the culture
5. Review of tenure policy and processes: homeowners given right of first refusal if tenure is for sale? (if homeowners aware of what they are buying into); conservation groups buying tenures?: Diligent use of provision (province); agreement to move expired tenures to a less sensitive site
6. Explore development of Marine use plan
7. Healthy herring and healthy ecosystems -- a long term goal –all data and research regarding these things can be tackled by this forum.

#### **Will any of these actions have co-benefits for other identified challenges?**

1. Potential actions and interactions
2. Communication

## **Water Quality**

#### **Describe the challenge**

1. Vessel discharges- cruise ship, fishing boats, pleasure craft
2. Septic/Sewage/ storm drains (land) treating sewage is a challenge (microplastics, medications)
3. We don't know enough (baseline data)
4. How to best monitor best monitor/research/study
5. Jurisdiction over water quality (something the K'omoks First Nation is asking for)
6. Mountains – Estuaries -Marine = all interconnected!
7. Erosion of waterfront
8. Overfishing in small areas (unlike sustainable management by First Nations)
9. Destruction of habitat

10. Balance
11. Food chain is contaminated as it moved up the trophic levels (e.g. Orcas get sick because they eat contaminated seals)
12. Effect of recreation use
13. Climate change impacts
14. Erosion of waterfront
15. Balance
16. Sharing Resources
17. What is "normal" water quality?
18. Climate change (temperature, acidification)
19. History of river and water quality/pattern approx. 500 years ago
20. Loss of biodiversity (crab, bullheads, seaweed etc.)
21. First Nations can't exercise their rights when, for example, it is dangerous/unhealthy to live off this land/sea
22. Point spills
23. Surface runoff
24. Forestry pesticide siltation
25. Agricultural waste/pesticide
26. Marinas
27. Creosote pilings (zines)
28. Historical industrial activity
29. Dredging
30. Garbage dumping
31. Log storage

**Who is involved in this challenge (directly or indirectly)?**

1. Vancouver Aquarium (Dr. Peter Ross)
2. Deep Bay Marine Station (VIU)
3. Haka
4. K'omoks First Nation
5. Stewardship Groups
6. Local Government (policy and land use/development)
7. Provincial government (Riparian areas)
8. Federal government
9. General public and residents (e.g. Their desire to pay for solutions to septic challenges)
10. Industry (shellfish aquaculture, fishing, mills, tourism, forestry)
11. Outreach to students in schools (elementary, high school)
12. Education/School boards

**Is the challenge being addressed now, by whom?**

1. HAKAI is monitoring water quality (measure dissolved O2, salinity, temperature, PH, trace metals, trace minerals)
2. Archaeological records are being assessed

3. Deep Bay Marine Stations (VIU) slowly establishing baseline data and making it available for others to use
4. Membrane bioreactor to address microplastics of sewage
5. K'omoks FN has a Marine Use Plan and Guardians working on own initiatives and with local stewardship groups
6. Vancouver Aquarium establishing baseline data
7. Regional District looking for alternative solutions for sewage, including education
8. Islands Trust involved in advocacy directed towards other levels of government, and Denman/Hornby Island have policies in their Official Community Plans

**What are the sticking points? What may be preventing successful resolution?**

1. Lack of education/awareness in the general public of the issues that currently exist
2. Lack of regulation and rules for people to be required to obey (how to complain if nobody sees the rules being broken – lack of visibility/enforcement)
3. Clash of values/willingness – this is my home and I want to do everything I can to protect it. Have to want responsibility: Individual consequences vs. collective consequences
4. Lack of funding (at all gov't levels) -- hard to get funding for initiatives (chances are much better if local groups partner w/K'omoks FN Guardians)
5. Lack of pump-out locations (free)
6. Lack of monitoring/baseline information
7. Sewage plants currently don't work to protect water quality

**What would happen if the challenge was not addressed?**

1. Things likely would only get worse
2. Fracturing of integrity/authority (competing views/perspectives)
3. Risk that things will get to a point where they are irreversible
4. There will be no checks to keep things in balance
5. Uncertainty

**Ways forward to improve the health of Baynes Sound/Lambert Channel ecosystem**

**What does a 'good outcome' look like?**

1. Birds, fish and other species/ecosystems come back to a more sustainable level
2. Healthier condition of ecosystems
3. Develop this area for recreation (ecotourism)
4. Restoration of destroyed/damaged areas
5. People to be held accountable for their actions that are negatively affecting water quality

6. All septic are in working order or property treated sewage that isn't being pumped directly into the ocean
7. That vessel discharge be enforced (threat of getting caught)
8. A central place for people to access the data that exists (e.g. One person from each organization that comes together to create a monthly newsletter or something)
9. For the public to value water quality on the same level as other environmental concerns
10. Treating sewage for more than what is currently used; for viruses (not pumped into the ocean)
11. Baseline monitoring for water quality done by community engagement i.e. Locals collecting data and reporting observations
12. Dedicated team/research to analyse conditions/trends in water quality in Baynes sound
  - Sharing information between multiple organizations
  - One local area where anyone can access available data on water quality.

### **Who needs to be involved in the solution?**

1. Transport Canada (enforce a vessel discharge; regulate vessel transport)
2. Health authorities
3. Senior levels of government, including First Nations
4. First Nations and public – data collection and reporting on water quality issues to DFO and other
5. Municipalities (governance)
6. Provincial government, including Ministry of Environment – need higher government control to enforce better sewage treatment
7. Health Canada – hazards with sewage in water
8. Need a team – have a conference with people from all involved parties: Transport Canada, municipalities, the province, Health Canada, high level government (to have some authority)  
 -= Baynes Sound Round table

### **Are there some simple actions that could happen in the next 1-2 years?**

1. Senior levels of government need to take action by creating legislation and regulations for lower levels of government to comply with:
  - Approved systems that are affordable alternatives to treat sewage on lots instead of septic. E.g. Composting toilets, greywater treatment
2. Media involvement to spread awareness
3. Current monitoring project (working with Hakai, VIU, and Oceans network Canada) to be improved to monitor more parameters
4. Media/public education on the scale of the problem of sewage in the water
  - Correct information, not misinformation

- Education for “older” residents, people who have always had septic and think it works great
  - Education of children with respect to values (environmental, social etc.)
  - Show residents visually how bad septic is (Dye that shows where water flushed from the toilet goes)
  - Education for newcomers
5. Coalition (forum/team etc.) of a sort with people invested in the sewage issue that can focus and solve these problems
    - A team to organize and bring people’s attention to this (also a long term solution)
    - Could get grants, funding, and resources to fix this problem
  6. Communication between communities and municipalities that are involved with this issue – Union Bay, Royston, Cumberland etc.
  7. Investigating and implementing environmentally beneficial solutions, i.e. getting rid of septic, without referendum
  8. Research and raise awareness for health concerns from sewage leakages
  9. Swimming advisory based on level of fecal coliforms
    - Increase public awareness of the problem – local government would be responsible? Determine who should be responsibility for monitoring this – it should be those responsible for switching from septic to sewage
  10. A more organized effort:
    - Public education and awareness
    - Government regulations and legislation
    - Adequate funding from various sources
    - Enforcement of the rules

#### **What actions might be needed for the longer term?**

1. Government/politicians who champion sewage treatment; implementing monitoring for septic systems already in place
2. Government implements regulation – enforcement of regulation - implement fines
3. Public education is also a long term issues; including a program for educating young children who will inform their parents
4. Measurements are being taken on fecal matter in Baynes sound, but need to share information and have a goal for how to use it to solve water quality problems
5. Fully understanding how climate change and its effects on animals/fish/ecosystem – more research
6. Implementation and enforcement of water usage regulations
  - Better water storage
  - Meters to prevent over usage

### *3 step process for dealing with sewage*

1. Put together a coalition of people to organize/champion/get funding for dealing with sewage problems
2. Put together and analyze the available data on fecal matter in Baynes Sound
3. Put together cohesive advertising/media/education to show people how important this problem is – all levels of government, stakeholders etc. need to have consistent advertisement.

### **Will any of these actions have co-benefits for other identified challenges?**

1. Monitoring water quality and having a centre with open information will benefit everyone in Baynes sound; aquaculture, residents, DFO, etc.
2. Treating and cleaning the water to improve quality will result in indirect removal of debris such as microplastics.

### **Debris (challenges only)**

#### **Describe the challenge**

1. Lack of accountability for garbage waste
2. Cross-jurisdiction (who's waste is going where, and who is responsible for which piece of land)
  - Land tenure vs licence
  - Whether individuals will take responsibility for their errant waste
  - Regulations/licences/conditions surrounding the waste within or leaving the tenure
    - Not much upkeep of making sure individuals follow regulations
3. Many contributors to marine debris
  - How to determine who is contributing the most – shellfish industry appears to be the biggest contributor but cannot identify specifically who made what debris (again, lack of accountability)
4. Extensive marine debris on the bottom of the ocean, where we don't see
5. Aquaculture debris
  - no data collection for how much equipment is used and how much is lost (not feasible give the labour and funding costs)
  - Current equipment – trays, exposed Styrofoam, etc increase likelihood of marine debris
  - Types of shellfish industry garbage: trays, net of every variety, rebar, fences
  - Cost of recovery of lost equipment



- Maintenance of predator nets/ held by rebar – are they even effective? Potential to harm wildlife and humans and released as debris

### **Who is involved in this challenge (directly or indirectly)?**

1. Industry – the most involved as they are the biggest contributors
  - Island scallop, Mac Oyster, Taylor Farms, and many “mom and pop” small shops
2. People living on the coast
3. Every person on the planet either produces, uses, or is impacted by plastic and plastic is the main marine debris

### **Is the challenge being addressed now, by whom?**

1. The trays in oyster shell fishing – use electric fence to deter sea lions, or lash trays in a way to deter sea lions from using your raft
2. General public – cleaning up
3. Industry – practical innovation
4. NGOs
5. Academia – research into solutions
6. Several people involved: industry, NGOs, academia/universities, the general public, DFO
  - Reacting – not effectively addressing

### **What are the sticking points? What may be preventing successful resolution?**

1. Enforcement of regulation
2. Difficulty in tagging equipment
  - Increased cost of identification and less convenience for plastic producers
3. Expense of alternative is a deterrent
4. Attitude – whether people are aware of or care about reducing debris
5. Money – both investing in better equipment and clearing up waste
6. Cannot eliminate plastic, it is too useful (but can use better/less plastic by improving equipment)
  - Lack of innovation – use of the best alternative now may prove to be bad in the future
  - Government not approving innovations

### **What would happen if the challenge was not addressed?**

- Social licence goes down – people no longer accept the shellfish industry
- A huge pile of garbage in the ocean

## Governance (ways forward only)

### Ways forward to improve the health of Baynes Sound/Lambert Channel ecosystem

#### What does a 'good outcome' look like?

1. Secretariat to keep it alive/ Baynes Sound/Lambert Channel Round Table
  - Councillor Quocksister will follow-up with KFN members/leadership if possible to align with their process
  - frequency – from FN perspective not too many meetings
  - requires champion
  - all governments and stakeholders as a unit
  - K'omoks First Nation's (KFN) take political leadership but need other entity to be the secretariat
2. KFN could seek a broader adoption of their marine use (MU) plan (with some updates- being revisited in the near future) – attract funding
  - Invitation to others (CVRD, Islands Trust etc.) into a revision process – possible alignment with other plans
  - Consent – part of treaty language (late-stage draft) for KFN – could have implications for implementation of MU plan
  - Add missing/complimentary pieces to KFN plan
3. FN inherent responsibility for stewardship complimentary but support needed
  - Additional recognition of FNs plans and authority (validation from federal/provincial government)
  - IT – possibility to harmonize with KFN and other local use plans (FN leadership, values)
4. (DFO) Discussion of advantages and disadvantages of MAPP/PNCIMA governance models (advisory committee power; coop management/development of plan
  - Does not work for KFN – has already been through MAPP – don't repeat work
    - Federal government can't assume North Coast approach works for all First Nations (even regionally)
  - Also scale issues (Boyer – MAPP/PNCIMA)
  - Federal government leadership appropriate/best
  - Challenge in implementation: need for local enforcement at the local level
5. More certainty/clarity/accountability re: various jurisdictional responsibilities
  - Could feed into joint solutions
6. Multiple plans vs single plan
  - Multiple plan ok as long as not conflicting
  - Process/inclusion is key

- Strength in collective problem solving
- 7. Process model that is replicable/scalable/adaptable
- 8. Baseline question – to what standard/level are we managing/governing
  - Finding balance is key

### **Are there some simple actions that could happen in the next 1-2 years?**

1. Learning exchange re KFN and other treaties
  - KFN Marine plan – with all government stakeholders
  - Input from stakeholders/government in review of KFN marine use plan. (timeline of review TBD – schedule)
2. Lessons from the Howe Sound/Saanich Inlet/Cowichan River joint management board
  - What/how?
  - Part of learning exchange with KFN
  - Salish Sea? Other area of similar scale?
    - SFU 2014 conference core studies, including international examples
  - KFN/BC/Fed – to promote collaborative decision making model (does not currently include local government)
3. BS/LC Ecosystem Forum/ Round Table continuation
  - Set regular schedule of meetings to not lose momentum
  - Do it soon! Invite and we will come
  - Further discussion on governance
    - TOR in early stages – purpose/vision
  - Could break meetings into forum themes
  - Quarterly not realistic/feasible – semi annual or annual (unless tiered/thematic)
  - Coordinate with existing regular meeting (e.g. KFN band council meetings) (e.g. June IT/DFO herring meeting)
  - Consider creating Executive Committee and working groups/ technical teams
4. Education -where we live, issues
5. Community events – share info between groups e.g. cleanups

### **What actions might be needed for the longer term?**

1. “New” governance body jointly tackle some of the issues
  - Protocol agreement? MOU Bilateral or possibly. Multiple governments
2. Secretariat function of joint governance established and resourced. (volunteer basis not sustainable)
3. Pulling together all knowledge, information, data
  - understanding data gaps, further research needed

- Shared vision, guidelines
  - Level of integration of research
  - Guided by governments/decision making need
4. Establish Concurrent law models
    - Indigenous Law/Federal/ Provincial = responsibility overlap
    - Concept as part of treaty
  5. Expansion and/or integration into larger scale marine governance/planning power (eg. Salish sea)
  6. Someone has to own it and drive it (especially until government structures are established/sustained)
    - Without undermining authority of First Nations (honour spirit of reconciliation)
  7. Action plan/work plan (for longer term)
  8. Consider legal rights of nature; eco-centric approach: Nature as “legal person” (vs anthropological approach)
  9. 2025 shellfish licenses up for renewal
    - Time is good to come up with new ideas and conditions
    - site specific or geographic specific conditions

**Will any of these actions have co-benefits for other identified challenges?**

1. Foundation for long-term action/coordination of other challenges

## Appendix A: List of participants

Name	Organization
Alex Munro	Fanny Bay Oysters
Amber Neuman	Fisheries and Oceans Canada
Bill Veenhof	Regional District of Nanaimo
Brenda McQuorkdale	Fisheries and Oceans Canada
Brenda Spence	Fisheries and Oceans Canada
Carl Butterworth	Vancouver Island University
Catherine Gray	Conservancy Hornby Island
Chief Mike Recalma	Qualicum First Nation
Christina McLeod	West Coast Environmental Law
Councillor Melissa Quocksister	K'ómoks First Nation
Darlene Winterburn	BC Shellfish Growers Association
Darry Monteith	Comox Valley Regional District
David Critchley	Islands Trust - Trustee
Dorrie Woodward	Association of Denman Island Marine Stewards
Greg Thomas	Herring Conservation and Research Society
Karen Hurley	Islands Trust - Staff
Kim Dunn	WWF-Canada
Kristy Marks	Regional District of Nanaimo
Laura Busheikin	Islands Trust - Trustee
Leslie Fettes	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Libardo Amaya	Fisheries and Oceans Canada
Liz Johnston	Association of Denman Island Marine Stewards
Melodie Suchy-Tancon	Denman Hornby Canoes and Kayaks
Phil Robertshaw	Friends of Baynes Sound

Robin Waldford	Conservancy Hornby Island
Robyn Holme	Comox Valley Regional District
Shelley Jepps	Fisheries and Oceans Canada
Teresa Rittemann	Island Trust - Staff
Tony Law	Islands Trust - Trustee

## Appendix B: Agenda

**AGENDA**  
**Baynes Sound / Lambert Channel Ecosystem Forum**  
**Kingfisher Resort, Royston**  
**Kingfisher Room**  
**May 22–23, 2018**

### **Aims of the Forum**

- Create an opportunity for collaborative dialogue amongst the diverse interests in the Baynes Sound / Lambert Channel ecosystem
- Share knowledge and experience that can inform solutions
- Identify ongoing collaborative actions and processes to support the health of the Baynes Sound / Lambert Channel ecosystem

### **Tuesday, May 22**

10:30 am	Registration and networking
11:00 am	Welcome from K'ómoks First Nation, Councillor Melissa Quocksister
11:15 am	Welcome from Islands Trust and WWF-Canada
	Review of the day's agenda
	Roundtable: Introductions
11:45 am	Sharing our concerns about the challenges facing the Baynes Sound and Lambert Channel ecosystem (groups of 3)
12:30 pm	Lunch – Buffet provided
1:15 pm	Overview of Baynes Sound / Lambert Channel ecosystem, human use, and governance (WWF-Canada)

1:35 pm	<p>Small group discussions of challenges facing the Baynes Sound and Lambert Channel ecosystem. These are the types of questions we will discuss for each challenge:</p> <ul style="list-style-type: none"> <li>• Describe the challenge</li> <li>• Who is involved in this challenge (directly or indirectly)?</li> <li>• Is the challenge being addressed now? By whom?</li> <li>• What are the sticking points? What may be preventing successful resolution?</li> <li>• What would happen if the challenge was not addressed?</li> </ul>
3:15 pm	Break
3:30 pm	<p>Plenary discussion of challenges: An opportunity to discuss the connected nature of challenges within Baynes Sound / Lambert Channel, including governance.</p> <ul style="list-style-type: none"> <li>• What overlaps/connections emerged?</li> <li>• Are there challenges that have common root causes, or perhaps common sticking points?</li> <li>• What will happen if the challenges are not addressed? How will the ecosystem be affected? How will people be affected?</li> </ul>
4:30 pm	Wrap up of Day 1
4:45 pm	End of Day 1
6:00 pm	<p>Networking dinner – 3-course dinner in Kingfisher Room</p> <p>Keynote speaker: Hugh MacDonald Stewart, author of <i>Views of the Salish Sea: One Hundred and Fifty Years of Change Around the Strait of Georgia</i></p>



### **Wednesday, May 23**

8:30 am	Breakfast – Buffet provided
9:15 am	Welcome and review of the day's agenda
9:30 am	Sharing our hopes for the Baynes Sound and Lambert Channel ecosystem (groups of 3)
10:30 am	Break
11:00 am	<p>Small group discussions of solutions to challenges facing the Baynes Sound and Lambert Channel ecosystem. These are the types of questions we will discuss for each challenge:</p> <ul style="list-style-type: none"><li>• Review the challenge discussion from previous day</li><li>• What does a 'good outcome' look like?</li><li>• Who needs to be involved in the solution?</li><li>• Are there some simple actions that could happen in the next 1-2 years?</li><li>• What actions might be needed for the longer term?</li><li>• Will any of these actions have co-benefits for other identified challenges?</li></ul>
12:00 pm	Lunch – Buffet provided
12:40 pm	Meet at ocean edge – behind Kingfisher
1:00 pm	Continued small group discussions of solutions to challenges facing the Baynes Sound and Lambert Channel ecosystem
2:00 pm	Break

2:15 pm	<p>Plenary discussion of potential actions and interconnections: Working through the solutions within the Baynes Sound and Lambert Channel ecosystem, including governance.</p> <ul style="list-style-type: none"> <li>• What are some realistic actions that could take place that would improve the health of the marine ecosystem?</li> <li>• What are some of the 'simple' short term actions that the groups identified?</li> <li>• What are some of the longer term actions identified?</li> <li>• How are they interconnected? Do any of these actions overlap? Are there actions that address multiple themes?</li> <li>• How can the solutions become more than the sum of their parts?</li> </ul>
3:30 pm	Next steps: Where do we go from here?
4:15 pm	Closing remarks from co-hosts
4:30 pm	Meeting ends

# BRIEFING

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**To:** Trust Programs Committee      **For the Meeting of:** October 15, 2018  
**From:** Lisa Wilcox      **Date Prepared:** October 1, 2018  
**SUBJECT:** Service Integration

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**PURPOSE:** To provide feedback from local trust committees/Bowen Island Municipality about service integration concerns.

**BACKGROUND:** In May 2018, the Trust Programs Committee (TPC) requested that local trust committees and Bowen Island Municipality create inventories of barriers experienced in engaging service providers and other agencies and to provide those responses to TPC for its report out to Trust Council. In July 2018, staff prepared a briefing which was circulated to all local trust committees and Bowen Islands Municipality conveying the request. The following responses have been submitted:

**1) Bowen Island Municipality:**

- i. “The request for input on Islands Trust service integration concerns was referred to the Islands Trust Municipal Trustees Morse and Fast for comment directly back to Islands Trust.”
  - i. Trustee Morse: We do not have service integration issues with our regional district or the ministry of transportation as we provide the services that they provide in the local trust areas such as subdivision, building inspection, parks and recreation, noise bylaw enforcement, road standards and road building and maintenance so we decide what level of service and how much we will pay to provide it and deliver the service so one stop shopping. The fire department is also a department of the municipality and our library is a municipal library as well as the 7 water systems and a sewer system which BIM owns and operates so not dealing with improvement districts or regional district. We also own the public docks and operate them rather than a regional district as with some of the islands.
  - ii. Trustee Fast: BIM has experienced barriers to engaging service providers, specifically the province, when addressing the following topics:
    1. Logging on crown lands
    2. Inaccessibility of rural grant funding

**2) Ballenas-Winchelsea LTC:**

Did not consider the briefing - do not meet until December 12, 2018.

**3) Denman Island LTC:**

- i. Affordable Housing
- ii. Roads
- iii. Aquaculture Practices

**4) Gabriola Island LTC:**

- i. Working with other agencies such as Ministry of Transportation and Infrastructure and the Regional District of Nanaimo with respect to Village Core planning;
- ii. Working with the Regional District of Nanaimo with respect to park planning;
- iii. Affordable housing specifically in relationship to the Regional District of Nanaimo, which has the power to hold land;
- iv. The question of responsibility shared by BC Ferries and the Ministry of Transportation and Infrastructure in regards to Gabriola's ferry line issues;
- v. Enforcement of Regional District of Nanaimo bylaws, which impact on or are impacted by land use planning (i.e. noise);
- vi. Scheduling of meetings as per protocol agreements with other agencies; and
- vii. Receiving written referral responses from other agencies (i.e. Agriculture Land Commission).

**5) Galiano Island LTC:**

Considered the briefing and had no resolutions.

**6) Gambier Island LTC:**

Gambier trustees had previously provided input on Regional District concerns as follows:

- i. Dock maintenance/long term ownership and funding \*\*\*\*\*
- ii. Communication to and from islanders
- iii. Taxation inequity and un-relatable tax function percentages
- iv. Parks and trails planning, funding and engagement process
- v. Enforcement on regional district issues such as parking on docks

**7) Hornby Island LTC:**

Determined that there are no concerns at this time.

**8) Lasqueti Island LTC:**

- i. road safety
- ii. nuisance and noise
- iii. derelict vehicles on island roads

**9) Mayne Island LTC:**

- i. IT vs. CRD Bylaws: need clearer delineation, clarification; Bylaw officers should work together.
- ii. BC Ferries consultation with IT regarding future plans, population forecasts, services needed.
- iii. Water management, licensing authorities, CRD, Improvement Districts, sustainability, consumption patterns.
- iv. Solid Waste Disposal – intergovernmental gaps.

**10) North Pender Island LTC:**

- i. First Nations Engagement, collaboration with other agencies to reduce the strain on their capacity
- ii. Road Right of Ways (Ministry of Transportation and Infrastructure)
- iii. Public Transportation (Transportation Services)
- iv. Access to alternative transportation corridors (Parks Canada)
- v. Solid waste and sewage (Waste Services)
- vi. Access routes to Magic Lake Subdivision (Fire and Safety)
- vii. Housing affordability and increased stock
- viii. Building inspections (CRD)

- 11) **Salt Spring Island LTC:** (not in priority)
- i. Affordable Housing
  - ii. Water Provision
  - iii. Sewage provision
  - iv. Roads
  - v. Marine Issues and Building Inspection

12) **Saturna Island LTC:**  
Considered the briefing and had no resolutions.

13) **South Pender Island LTC:**  
Considered the briefing and had no resolutions.

- 14) **Thetis Island LTC:**
- i. Foreshore leases
  - ii. Nuisance issues

**ATTACHMENT(S):**

- 1. Graphic of themes in this briefing.

**FOLLOW-UP:** Staff will be update as requested.

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**Prepared By:** Lisa Wilcox, Senior Policy Advisor

**Reviewed By/Date:** Clare Frater, Director, Trust Area Services, October 9, 2018





# **Improving Capital Regional District Service Delivery on Salt Spring Island, BC: options for positive change**

*prepared for the Positively Forward working group by*  
lead researcher Maxine Leichter  
edited by Elizabeth White

September 2018

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## **About Positively Forward and this report**

**Positively Forward** is a Salt Spring Island community group. It undertakes research and advocacy to advance improvements in local governance which also support the separation of the land use planning authority from the delivery of services.

The impetus for producing this report, *Improving Capital Regional District Service Delivery on Salt Spring Island, BC: options for positive change*, lies in the referendum on incorporation held in 2017.

The incorporation referendum stimulated intense community debate around differing models of local governance. It became clear that while the majority of voters supported the current governance system and, in particular, the Islands Trust and its mandate, many of those same voters were at times frustrated by the performance of the Capital Regional District (CRD) in delivering some services.

**Positively Forward** wanted to find out more about these concerns and look at how they might be addressed. The resulting report provides an overview of CRD service delivery from the perspective of islanders who interact closely with the CRD and know something of its strengths and weaknesses. The report acknowledges the many successes achieved within the CRD administration on Salt Spring. These success stories provide insights into why some Initiatives work. The purpose of identifying concerns and problem areas is to demonstrate a way forward, leading to improved service delivery.

**Positively Forward** hopes the report will become a catalyst for some changes within the CRD system. Equally important, we hope it will help inform the ongoing dialogue within our community about enhanced local governance.

## **Acknowledgements**

**Positively Forward** is indebted to lead researcher Maxine Leichter for the months of research, writing and fact-checking she has donated to producing this report. Maxine Leichter has lived on Salt Spring Island (SSI) full time since 2003 when she emigrated from California. She is the President of the SSI Water Preservation Society, is a former Environmental Supervisor for the City of Los Angeles, served as an elected Director of The Three Valleys Municipal Water district in Los Angeles County and is an avid follower of SSI local government. We thank Elizabeth White for her help in editing the report. Elizabeth has co-authored and edited several publications for federal and provincial governments. She coordinated and edited the Salt Spring Island Climate Action Plan, authored associated reports, and has co-authored and edited a number of submissions for the Salt Spring Island Agricultural Alliance.

This report would not have been possible without the contributions of the thirty-two islanders —present and former CRD Directors, Commissioners, CRD management, staff and volunteers—who agreed to be interviewed and who together represent over 275 years of involvement with the CRD. Thanks are also due to the CRD Directors of the two other electoral areas who shared their approaches to their roles.

The authors have used direct quotes with attribution when permitted, and have been careful to respect all requests for anonymity. We have done our best to ensure that the information presented in this report represents the opinions of those interviewed. We apologize for any errors in fact or interpretation.

**Positively Forward** also acknowledges the work of the Salt Spring Community Alliance Governance Working Group (GWG) and their report. Several members of our committee participated in the GWG, and research conducted by the GWG informed this report. The two reports focus on different aspects of local governance and complement each other.



## Table of contents

	<i>page</i>
About Positively Forward and this report	
Acknowledgements	
<b>Summary and conclusions</b>	<b>i</b>
<b>1.0 Introduction</b>	<b>1</b>
1.1 CRD successes	1
1.2 Where the information came from	1
1.3 Overview of the CRD structure	2
<b>2.0 CRD Salt Spring Island reported concerns</b>	<b>5</b>
2.1 CRD organization and management concerns	5
2.2 Problems with CRD capital projects	7
2.3 Difficulties with CRD commissions	9
2.4 Problems facing CRD local water and sewer commissions	11
2.5 Challenges facing the CRD Director	13
2.6 Summary of reported issues	15
<b>3.0 Strategies and recommendations</b>	<b>16</b>
<b>List of Tables</b>	
<i>Table 1— Roles of study participants</i>	<i>2</i>
<i>Table 2— CRD organization and management concerns</i>	<i>6</i>
<i>Table 3— CRD capital project concerns</i>	<i>9</i>
<i>Table 4— Difficulties with CRD Commissions</i>	<i>10</i>
<i>Table 5— Problems facing CRD local water and sewer commissions</i>	<i>13</i>
<i>Table 6— Possible strategies and their intended benefits</i>	<i>23</i>
<b>APPENDICES</b>	
Appendix A Questionnaire with responses	A1
Appendix B Summary of BC Ombudsperson guide to Open Meeting laws	A4
Appendix C Establishing an elected CRD Local Community Commission on SSI	A5
Appendix D Non-Profit Delivery of CRD “Contribution Services”	A6
Appendix E Case studies of successful CRD collaborations:	
1. Partners Creating Pathways	A9
2. Salt Spring Transit	A10
Appendix F Case studies of CRD projects experiencing problems:	
1. North Ganges Transportation Plan	A11
2. Maliview Sewage Treatment Plant and Outfall	A12

## Summary and conclusions

The purpose of this report was to review Capital Regional District (CRD) service delivery on Salt Spring Island (SSI), to recognize achievements, document any reported problems, to identify possible causes and suggest solutions. The work was undertaken by the Positively Forward group in response to concerns raised in 2017 by islanders on both sides of the incorporation referendum question. This report complements a parallel report prepared by the Salt Spring Community Alliance Governance Working Group.

The preparation of this report, which took place over ten months, included the following steps:

- literature review, including a brief review of legislation;
- interviews with 32 individuals with substantial CRD experience;
- follow-up questionnaire with 28 of those individuals;
- analysis of responses;
- development of strategies to address identified issues;
- report writing, fact-checking, editing and review.

### Overview of CRD services on Salt Spring

For the most part CRD provides and maintains infrastructure and delivers services on SSI reliably and efficiently. Much that has been accomplished by the CRD over the years can be attributed to a strong community involvement in decision-making, and partnerships between CRD management and various island groups. Examples include the Rainbow Road Pool, the Library, the Recycling Depot, the several kilometres of pathways constructed by the Partners Creating Pathways group, and Salt Spring's award-winning bus system.

The CRD delivers services on Salt Spring Island in four ways:

1. Directly by CRD staff—for example the emergency POD program, building inspection, and CRD bylaw enforcement.
2. By CRD staff guided by recommendations of a local Commission, such as Parks and Recreation Commission (PARC) operations.
3. Through non-profit organizations paid for by SSI property taxes and other funds received through the CRD. These services include the library and the recycling depot.
4. Through contractors—for example Salt Spring Transit is operated by a private contractor, and North Salt Spring Waterworks District is contracted to help maintain several CRD water treatment plants and water delivery systems on SSI.

The majority of CRD services on SSI are provided through twelve SSI CRD commissions, seven of which are local water or sewer service commissions serving a small number of properties. Each commission was established through an Establishment Bylaw that defines its structure and authority. On SSI, the commissions are largely advisory and report to the SSI CRD Director.

The CRD is governed by a 24-member Board of Directors which approves SSI bylaws and the CRD budget for SSI. It is rare for the board to decline a request from the SSI CRD Director. They have little reason to do so since SSI pays for its own services and those services do not impact the budgets of other parts of the region.

The SSI CRD Director sets priorities for the activities of the SSI commissions and determines their annual requisitions, with advice from staff. The CRD Director has significant discretionary funds at his/her disposal. These include the gas tax funds allocated to Salt Spring from the Federal

Community Works Program that are now over \$600,000 a year. The Director can ask the CRD Board to approve a pool of discretionary funds for a Grant-in-Aid program to support local initiatives. The Director can also create a fund to pay for administrative support.

Regional district ratepayers pay only for services received. In the case of Salt Spring, with a few small exceptions, CRD ratepayers outside SSI do not help fund services specific to Salt Spring and Salt Spring does not fund services specific to other parts of the CRD. Salt Spring Island ratepayers do contribute to various CRD-wide services such as regional parks, hospital services, and emergency communications. In addition to island-wide CRD property taxes—which were \$939.81 for an average residential property in 2017—ratepayers receiving local water or sewer services in a local service commission area must also pay charges related to the costs of repairing, maintaining and replacing that infrastructure, which in some cases are considerable.

### **Interview and questionnaire participants and process**

The 32 study participants had various roles with the CRD as follows:

- 3 current or former SSI CRD directors
- 4 current or former CRD staff
- 12 current or former CRD commissioners (island-wide commissions)
- 14 current or former CRD local water or sewer service commissioners
- 1 current or former consultants to CRD
- 10 other (includes various types of volunteer participation)

Many of the participants had served in several capacities. The average length of involvement with CRD was 9.8 years and the combined experience was over 275 years. For the interviews, each participant was asked to describe strengths and weaknesses of how CRD delivers services on SSI. The results were compiled and themes identified.

To find out how much the participants agreed on the issues, 54 statements taken from the interviews were organized into a questionnaire under three headings: CRD organization and management, CRD capital projects, and CRD commissions. A sub-set of statements was prepared for the local water and sewer service commissioners. The questionnaire was presented to 28 of the 32 study participants (those available and willing). The responses were tabulated and the 29 statements that were agreed by at least two thirds of respondents were considered representative.

Although the information provided was largely anecdotal, given the number of people interviewed, the in-depth nature of their experience with CRD, and the number of times that the same concerns were expressed, the findings likely represent a realistic summary of the issues and their causes.

### **Salt Spring CRD organization and management concerns**

93% of respondents agreed that there should be a Salt Spring CRD Work Plan and Priorities List updated on a regular basis and available online, similar to the SSI Local Trust Committee (LTC). Of the 54 questionnaire statements, this had the greatest level of agreement. The SSI LTC includes an updated Work Plan, status of applications, and Priorities List in each public meeting agenda package; this is a model that the CRD could adopt.

### **Issues with CRD capital projects on Salt Spring**

There is an accumulating backlog of SSI projects that have been approved and funded, but have not progressed in a timely manner. Examples include the North Ganges Transportation Plan and the Burgoyne Bay liquid waste facility. 82% of respondents agreed that projects could be completed more efficiently if qualified community organizations and volunteers were enlisted to help with certain aspects; and 81% of respondents agreed that it now takes an unacceptable amount of time for CRD to complete SSI projects that are funded and approved. One of the key causes for CRD's reluctance to use community resources was seen to be liability concerns, which 85% of respondents agreed should be addressed by finding solutions rather than by limiting assistance by commissioners, volunteers and organizations.

### **Difficulties with Salt Spring CRD commissions**

Not all commissions reported issues, and problems varied by commission. Commissioners reported that obtaining information was often difficult. Commissioners have been told that all communications must go through the already very busy SSI CRD Manager. 86% of respondents agreed that commissioners should be permitted to hold informal working group meetings without the presence of staff. 81% agreed that their skills, and those of other commissioners, were not being utilized appropriately.

### **Issues facing CRD local water and sewer service commissions**

Most of the 14 local water and sewer commissioners interviewed described serious financial and communication challenges that were reportedly causing hardship for local ratepayers, particularly those in small water districts. Commissioners expressed frustration at their inability to address the situation, and at difficulties in obtaining information. 71% of respondents agreed that operating and capital costs place an excessive burden on the relatively small number of properties serviced. 64% agreed that CRD made mistakes in design decisions leading to higher costs to water service or sewer service ratepayers.

## **Recommendations**

### *Three strategies to improve information flow, accountability and representation*

1. Provide a public, up-to-date Salt Spring CRD Work Plan with priorities and status reports.
2. Hold regular SSI inter-agency information meetings.
3. Establish an elected Salt Spring CRD Local Community Commission.

### *Five strategies to improve the efficiency and effectiveness of all Salt Spring CRD commissions*

4. Hold periodic public Salt Spring CRD All-Commission meetings.
5. Allow and encourage commissioners to meet in informal working groups.
6. Appoint a Salt Spring CRD Commission Coordinator.
7. Provide an annual orientation session for all commissioners.
8. Allow and encourage commissioners to take on tasks for which they are qualified.

*Two strategies to assist the Salt Spring CRD Local Service (water and sewer) Commissions*

The following two recommendations are specific to the seven CRD local water and sewer service commissions. Recommendations 4—8 above also apply to the local service commissions.

9. Provide local water and sewer service commissions with ratepayer contact information.
10. Initiate a consultation process with the local water and sewer service commissions on organizational improvements to better serve their ratepayers.

*Two strategies to foster stronger relationships with Salt Spring residents*

While the majority of our recommendations should help revitalize community relations, the following two recommendations focus specifically on the CRD's interactions with islanders.

11. Prioritize good community relations within CRD corporate culture.
12. Adopt a problem-solving approach.

*Strategy to reduce costs and project delays*

Our final recommendation highlights the importance of CRD partnerships with community organizations in providing timely and cost-effective service delivery.

13. Continue and expand service delivery by Salt Spring's not-for-profit groups, by local contractors, and by other local service providers.

## **Conclusions**

The concerns we identified in the course of preparing this report run deeper than the usual complaints about "City Hall". They are more than the inevitable conflicts between rate-payers' requests and expectations and the community's willingness and ability to pay for new projects and programs.

Areas in need of improvement include accountability and representation; access to information; community relations, including use of community resources; project delivery; commission efficiency and effectiveness; and coordination and collaboration.

Accountability and representation rest at the political level with the CRD Director. The CRD Director's position is potentially quite powerful in terms of setting priorities and spending. There is also considerable flexibility in terms of the CRD Director's approach to the role, as we found out when we interviewed the other CRD electoral area directors. An elected Local Community Commission with decision-making authority would increase representation and accountability through regular and frequent public meetings.

The majority of the local water and sewer service commissions are so severely disadvantaged that they cannot function effectively. Some of their problems could be alleviated if they were provided with adequate and timely information about capital projects, repairs and maintenance, and costs, along with ratepayer contact information and a basic level of administrative support. The commissioners also need the ability to step in to undertake tasks for which they are qualified, rather than have ratepayers cover the cost of CRD contractors for every small job.

The CRD commissions are primarily advisory commissions and they advise the CRD Director, not CRD management. It is the role of the CRD Director to work with senior management, taking

commission recommendations under advisement. Rather than the CRD SSI Senior Manager arrange, attend and directly oversee all SSI commissions, a more cost-effective and appropriate approach may be to engage a CRD Commissions Coordinator to support the commissions and ensure that each commission has the information needed, including input from management, to address the issues at hand.

Salt Spring, like small communities across BC, has long relied on community resources—in-kind contributions from commissioners and other volunteers, local contractors who provide services, sometimes at cost or free, and non-profit organizations which serve the community in many ways. The continued use by CRD of community resources is essential to keeping service delivery costs commensurate with ratepayer ability to pay for them. Questionnaire responses indicate that current CRD senior management are discouraging expansion of the use of community resources.

In this report we recommend a number of strategies to address the issues identified by our research. Some of these are easy to implement “no-brainers”. We believe that all of them deserve a comprehensive review by the incoming CRD Director and senior CRD management. This review should include an analysis of Salt Spring’s CRD staffing and management needs, including administrative support for elected officials and commissions.

To conclude, most of the CRD services on SSI are delivered efficiently, the community appears motivated to establish a more positive relationship with the CRD, and the majority of the issues documented in this report appear easily resolvable, given strong leadership by the CRD Director.

## **1.0 Introduction**

This report provides an overview of how Capital Regional District (CRD) services are being delivered on Salt Spring Island (SSI), along with descriptions and examples of perceived problems and suggestions for solutions. These suggestions are designed to be a catalyst for in-depth and on-going discussions between the CRD Director, CRD management, and the Salt Spring community. It is hoped that these conversations will begin soon, and will revitalize the relationship between the CRD and SSI residents.

Land use planning and zoning on Salt Spring are the responsibility of the Islands Trust; other local community services are delivered by other agencies, primarily the CRD. This separation of responsibilities, along with the Trust's Preserve and Protect mandate, have helped to maintain Salt Spring's rural character and is unique to the Islands Trust area. While this separation of authority may sometimes cause public confusion, the CRD and the Islands Trust, through protocol agreements and working relationships at the staff and political level, have a long history of collaboration and cooperation.

### **1.1 CRD successes**

For the most part CRD provides and maintains infrastructure and delivers services reliably and efficiently on SSI. Problems and their potential solutions are the focus of this report, but we also recognize the successes that are part of the CRD record on SSI. These include Salt Spring's bus system—the most successful small community transit system in BC—the indoor swimming pool, the library, the recycling depot—all services or new facilities built on Salt Spring by the CRD. And although current affordable housing projects suffer from delays, SSI has received many millions of dollars from CRD for affordable housing. CRD Parks has protected hundreds of acres of land on SSI, including lands that were ultimately transferred to BC Parks and would not otherwise have been protected. Salt Spring has built kilometres of pathways through a unique Partners Creating Pathways group—about \$1 million in pathways has been constructed at a local taxpayer cost of about \$250,000.

Much that has been accomplished by the CRD over the years can be attributed to a strong community involvement in decision-making, and partnerships between CRD management and Salt Spring's volunteers. As issues with the CRD are examined in the following sections, it is essential to remember the importance of these collaborative components of Salt Spring's governance model.

### **1.2 Where the information came from**

Research for this report began in the fall of 2017 and was completed in July 2018. A literature review, including a brief review of legislation, was undertaken. Former and current members of CRD commissions, community volunteers with experience of working with CRD entities, former and current CRD Directors and former and current CRD staff were identified and 32 individuals agreed to be interviewed.

Each participant was asked to describe strengths and weaknesses of how CRD delivers services on SSI. They were asked for examples of problems they had experienced and for their ideas for remedying those problems.

*Table 1: Roles of study participants*

<i>role</i>	<i>#</i>
current or former SSI CRD directors	3
current or former CRD staff	4
current or former CRD commissioners (island-wide)	12
current or former CRD local service commissioners	14
current or former consultants to CRD	1
Other (includes various volunteer participation)	10

*Note: the total number of roles is greater than the total number of participants since some individuals have served in more than one capacity.*

The results of the interviews conducted during the fall of 2017 and spring of 2018 were compiled and analysed. Themes were identified and representative statements taken from the interviews were organised under three headings: CRD organization and management, CRD capital projects, and CRD commissions. A sub-set of statements was prepared for local sewer and water commissioners. In the summer of 2018 these statements were presented in person or by phone to 28 (those willing and available to respond) of the original 32 respondents as multiple choice questions using a modified Delphi technique to validate and refine the original findings.

While the information provided is anecdotal in character, it represents the experiences and opinions of 32 individuals with a combined total of over 275 years of working with the CRD on SSI. Given the number of people interviewed, the in-depth nature of their experience with CRD, and the number of times that the same concerns were expressed, we believe what follows represents a thoughtful and realistic summary of the problems and their causes.

The options for change and strategies for remediating areas of conflict and concern were in some cases suggested by the study participants and in others developed from our analysis and observations. Our conclusions are based on the findings, our analysis and observations.

### **1.3 Overview of the CRD structure**

In British Columbia, local government including the CRD, is regulated primarily by the Community Charter and the Local Government Act. Regional districts provide services for unincorporated rural areas and regional services, such as a public transportation system or a sewage treatment plant. Regional districts enable small communities to combine their resources to achieve benefits of scale. For example, communities within a regional district can share professionals such as bylaw enforcement officers and engineers.

Regional district ratepayers pay only for services received. In the case of Salt Spring, with a few small exceptions, CRD ratepayers outside SSI do not help fund services specific to Salt Spring and Salt Spring does not fund services specific to other parts of the CRD. Salt Spring Island ratepayers do contribute to various CRD-wide services such as regional parks, hospital services, and emergency communications.

The CRD is the regional district for 13 municipalities and three Electoral Areas, of which SSI is one. The CRD is governed by a 24-member Board of Directors consisting of eleven representatives from the larger cities (Victoria 4, Langford 2, Saanich 5) and one director from each of the 13 other areas.

The CRD Board hires the CRD Chief Administrative Officer, and approves SSI bylaws and the CRD budget for SSI. It is rare for the board to decline a request from a director representing an



Electoral Area. They have little reason to do so since each area pays for its own services and those services do not impact the budgets of other parts of the region.

### **Service delivery**

CRD delivers services on Salt Spring Island in four ways:

1. Directly by CRD staff, with no commission involved;
2. By CRD staff guided by recommendations of a local Commission;
3. Through non-profit organizations which may be primarily or partly funded by SSI property taxes collected by CRD, and
4. Through contractors.

Services provided directly include: the emergency POD program, building inspection, and enforcement of CRD bylaws. (Islands Trust enforces its own bylaws.) Services provided by CRD SSI commissions include those overseen by the Parks and Recreation Commission (PARC) and by the SSI Transportation Commission (SSITC). Services primarily or partly funded through taxes to CRD but provided by non-profit organizations include the Library, SSI Search and Rescue and the recycling depot. CRD also contracts with the North Salt Spring Waterworks District to help maintain several SSI water treatment plants and water delivery systems. The SSI Transit service is operated by a private contractor.

### **Salt Spring CRD Commissions**

The majority of CRD services are provided through CRD commissions. Each commission was established through an Establishment Bylaw<sup>1</sup> that defines its structure and authority. Powers can be delegated to commissions either in their establishment bylaws or in separate delegation bylaws. Regional district boards have the authority to delegate most of their powers to local commissions. These powers include service delivery, hiring staff, consultants, project managers, and spending an annual budget amount authorized by the CRD board.<sup>2</sup> Currently, most SSI commissions are purely advisory in nature and make recommendations to the CRD Director.

Commissioners are usually community volunteers nominated by the CRD Director and appointed by the CRD Board. Commissioners serve without compensation. Commissions that are advisory only have no direct power over how the service is delivered. This means that power lies with the CRD Director, the CRD Board, and the CRD staff who actually deliver the services. Establishment bylaws can be and have been amended over time to give commissions more or less authority.

Salt Spring has twelve active CRD commissions, as follows:

1. SSI Parks and Recreation Commission (PARC)
2. SSI Transportation Commission (SSITC)
3. SSI Community Economic Development Commission (CEDC)
4. SSI Liquid Waste Disposal Commission
5. Fernwood Dock Management Commission
6. Beddis Water Service Commission (127 serviced properties)

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<sup>1</sup> Copies of enabling bylaws for the SSI CRD commissions may be obtained from Positively Forward.

<sup>2</sup> "Guide to Regional District Board Delegation to Committees and Commissions"  
[https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/guide\\_regional\\_district\\_delegation\\_to\\_committees.pdf](https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/guide_regional_district_delegation_to_committees.pdf)

7. Cedar Lane Water Service Commission (38 serviced properties)
8. Cedars of Tuam Water Service Commission (16 serviced properties)
9. Fulford Water Service Commission (104 serviced properties)
10. Ganges Sewer Local Services Commission (418 serviced properties)
11. Highland - Fernwood Water Services Commission (Highland 244, Fernwood, 73)
12. Maliview Sewer Service Commission (approximately 101 serviced properties)

The seven local water and sewer commissions serve a small number of properties as indicated. Maliview Sewer and Highland and Fernwood water services have been CRD entities for many years. The four other water services were initially formed as improvement districts, each with its own elected board of trustees who controlled how each service was run and did much work as volunteers. Between 2002 and 2006 the SSI water services were informed by the province that new regulations required drinking water be treated to a higher standard and therefore some had to install new treatment plants. District trustees were advised that provincial grants were available to cover a large portion of the cost if the service was part of a regional government. Four water districts (Beddis, Cedar Lane, Fulford and Cedars of Tuam) became CRD entities in order to access provincial grants. North Salt Spring Waterworks District and a handful of independent small local water districts are not part of the CRD.

### **Role of the Salt Spring CRD Director**

The SSI CRD director is a member of the CRD board and every SSI CRD Commission, is required to sit on the Electoral Areas Services Committee which also includes directors for the Southern Gulf Islands and Juan de Fuca electoral areas, and may also join other Victoria CRD committees. The CRD director appoints an “Alternate” who can attend meetings on his or her behalf. The SSI CRD Director sets priorities for the activities of the SSI commissions and determines their annual requisitions, with advice from staff.

The CRD Director has significant discretionary funds at his/her disposal. These include funds allocated to Salt Spring from the Federal Community Works Program, also called the “gas tax funds” that are now over \$600,000 a year. The Director can ask the CRD Board to approve a pool of discretionary funds for a Grant-in-Aid program to support local initiatives. The Director can also create a fund to pay for administrative support.

### **Funding CRD services**

In 2017, tax revenue going to CRD from Salt Spring was \$6,188,293. The cost per average residential assessment was \$939.81. This figure does not include property taxes paid for specific local service areas, such as local water service areas and the Ganges sewer service area. SSI property taxes also fund region-wide services such as regional parks, the regional emergency program, and community health<sup>3</sup>.

In this report we consider the four commissions funded by island-wide taxes (Transportation, Economic Development, Parks and Recreation and the Fernwood Dock Commission) separately from the commissions serving a portion of the island and funded only by their users. We have included the Liquid Waste Disposal Commission with the four island-wide commissions. The Liquid Waste Disposal Commission is funded by a hybrid method, partly by an island-wide tax and partly by a user fee. The users are households who pay for pumping their septic tank, and the two sewage treatment plants who pay to dispose of sewage sludge.

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<sup>3</sup> March 29, 2017, Capital Regional District 2017 Financial Plan Summary Appendix 9, page 29-30.

## **2.0 CRD Salt Spring Island reported concerns**

Many issues were raised during the initial interviews. To find out how many of these concerns were broadly shared by participants, a series of representative statements taken from the interviews were used as the basis of a questionnaire. A total of 54 statements were presented under the headings: “CRD organization and management”, “CRD capital projects”, “CRD commissions”, and “CRD local sewer and water commissions”. Of the 54 statements presented, 29 were agreed (or in three cases disagreed with) by two thirds or more of respondents. Eight statements were agreed by over 80% of respondents. In some cases respondents agreed with the essence of a statement but not with the wording and therefore chose to disagree or remain neutral. We have chosen to focus on the 29 statements where there was agreement by at least two thirds of those responding. By design, the statements in the questionnaire were not neutral, they were based on opinions provided by the participants. The full questionnaire with responses is provided in Appendix A.

The in-depth interviews that preceded the questionnaire give considerably more information, including examples of perceived problems, from the perspective of the individual participants. After each summary section of the questionnaire, we provide context based on information received during the interviews. Where we have quoted a participant, we have either used their name with permission or, where the participant did not wish to be identified, we assigned a random letter to each source, as in “Commissioner X stated...” Several interviewees currently involved with CRD stated that they did not want to jeopardise their relationships with CRD management.

### **2.1 CRD organization and management concerns**

CRD is extremely risk-averse. CRD is self-insured and if CRD incurs legal costs or penalties as a result of court action, these costs are covered by CRD generally, not by the individual CRD area where the legal issue arose. Risk-avoidance often runs counter to creative problem solving and the use of volunteers to take on tasks. Commissioner Q expressed well what we heard often: *“The CRD seems to have evolved a culture which is neither time nor deadline conscious. Everything takes a back seat to “risk” perception.”*

Another common perspective was strongly voiced by former Commissioner Z: *“CRD often seems to me more concerned with process than with output. I consider that the crux of the problem.”*

Commissioner Y commented: *“When senior staff are motivated to solve a problem they are pretty effective and creative to find a way to accomplish the goal. But when they are not motivated, that is don’t agree with it being a priority, they adopt a “no can do” approach. Several commissioners are extremely hesitant to vote in support of something staff recommends against.”*

Salt Spring does not appear to be a priority for Victoria staff. Former CRD Director Garth Hendren commented: *“CRD in Victoria handle work for SSI off the side of their desk...they seem to regard work for SSI as a distraction from their real job.”*

#### **CRD management perspective**

Salt Spring Island CRD administration management commented that they are currently looking at the commission structure to see if there is a way to combine local services to improve service delivery. There are currently twelve separate advisory commissions for the delivery of parks and

recreation, economic development, transportation, water and sewer. The CRD is responsible for preparing and presenting a budget for each commission, and some commissions such as parks and recreation have multiple service budgets. Local CRD staff members are involved with all commission meetings including preparing agendas, background material and minutes, and other follow up after each meeting. In 2017 the twelve commissions held 65 meetings, an average of 5.4 meetings a month (in 2015 and 2016 there were 75 meetings each year). Commissioners and other community volunteers may be unaware of how much time is required for staff to implement, or even investigate, possible new project work that has not previously been identified in the five-year capital plan. To help address project delays, CRD adopted a new procurement policy in May of 2017 to streamline the process and reduce requirements for smaller projects. Based upon an approved annual budget the CRD Board has delegated purchasing powers to officers and employees. (\$5 million to the Chief Administrative Officer, \$500,000 to General Managers and Chief Financial Officer and up to \$100,000 to the local Salt Spring Island Senior Manager, and \$30,000 to the local park and engineering managers.

### **Communications and community relations**

We heard many stories about individual CRD staff who went out of their way to provide excellent service to islanders, but it is uncertain if good customer service is fostered by CRD policy. CRD job advertisements may include under “qualifications” phrases such as “Excellent communication (verbal and written) interpersonal and customer service skills”. Once in the workplace, it is not clear that customer service skills are acknowledged. We were told by former CRD employees that job performance evaluations do not include measuring how well staff interact with the community.

### **Questionnaire results on CRD organization and management concerns**

Fourteen statements relating to general CRD organization and management were presented to the 28 respondents. Eight statements were agreed by at least two thirds of respondents and are presented in Table 2, ranked by level of support.

*Table 2— agreed CRD organization and management concerns*

question #	A. CRD Organization and Management	agree	disagree	neutral	don't know, N/A	# respondents	% agreement
1.	There should be a Salt Spring CRD Work Plan and Priorities List updated on a regular basis and available online (similar to the LTC).	26	1	0	1	28	93%
3.	A formal mechanism for inter-agency dialogue and collaboration is needed.	23	1	2	1	27	85%
14.	CRD should hire and retain staff who enjoy and work well with the community.	23	1	2	1	27	85%
4.	Lack of staff time to take on additional tasks is a major issue.	21	1	1	5	28	75%
8.	There appears to be an over-emphasis on process rather than results.	20	2	1	3	26	77%
9.	There is unwillingness to utilize volunteer resources.	20	2	4	2	28	71%
2.	The current CRD communications structure inhibits communications among commissioners and commissions and is ineffective for work at the local level where responsibilities often overlap.	20	4	2	2	28	71%
7.	The SSI CRD Director position involves too much work for one person.	19	8	0	1	28	68%

Statement A1 “*There should be a Salt Spring CRD Work Plan and Priorities List updated on a regular basis and available online (similar to the Local Trust Committee)*” received the greatest support of all questions with 93% in agreement.

Three statements in Table 2 (A1, A3 and A2) point to problems with **access to information**, and **coordination/collaboration issues**.

Two statements in Table 2 (A1 and A8) relate to **accountability**.

Two statements in Table 2 (A9 and A2) point to problems with **commission efficiency**.

Four statements in Table 2 (A14, A8, A9 and A2) point to **community relations issues**.

Statement A14 “*CRD should hire and retain staff who enjoy and work well with the community*” was supported by 85% respondents and may seem obvious. When considered with statements A4 “*Lack of staff time to take on additional tasks is a major issue*”, A8 “*There appears to be an over-emphasis on process rather than results*” and A9 “*There is unwillingness to utilize volunteer resources*”, it suggests a CRD management style that is not reflective of community needs.

## 2.2 Issues with CRD capital projects

There is an accumulating backlog of SSI projects that have been approved and funded, but have not progressed in a timely manner. Project delays are not new; in 2008 an attempt was made to address the problem. Former CRD Director Garth Hendren told us: “*During my term I asked for two additional staff people to be assigned to SSI, an engineer and a PARC manager in order to free the SSI senior manager to manage the commissions. It was hoped that this would speed up projects, but in fact it has led to more delayed projects.*” Examples include the North Ganges Transportation Plan and the Burgoyne Bay liquid waste facility.

### Example: North Ganges Transportation Plan

Engineering plans were complete in 2014 when islanders approved a \$1 million tax requisition for road and walkway improvements to finish the North Ganges Transportation Plan (NGTP) and improve safety on Ganges Hill. The Driftwood editorial of Nov 12, 2014 stated “*Making sure SSITC and the CRD stay on course to get the job done on time and on budget will be of paramount importance during the next four years.*” To date, progress on this plan consists of a \$30,000 pathway fronting the Gulf Islands Secondary School that was designed and managed by a SSI community volunteer organization, Partners Creating Pathways. The CRD Capital Plan 2018-2022 confirms that \$1,806,00 has accumulated in the SSI Transportation Commission (SSITC) reserve fund since 2014 for these stalled projects.

Delays continue. In April 2018 it became apparent that the CRD had neglected to consider archaeological requirements. The Driftwood reported on May 2: “*Commissioners voiced surprise the information was only coming to light now, when the project has been in the works for years. Conceptual designs for the NGTP were first submitted by consultants JE Anderson ... in 2010.*” Transportation Commissioner Nigel Denyer was quoted in the same article: “*It’s been four years since we went to referendum to get funding for this project and nothing much has happened in that four years.*”

Delays executing the NGTP have resulted in lost grant opportunities. In 2014, CRD received \$60,000 in grant support for the NGTP from Bike BC. Former SSITC Chair Donald McLennan commented: “*Since the NGTP funds remain unspent, CRD was ineligible to participate in the 2017-18 Bike BC grant program which offered \$1million infrastructure funding for NGTP-type projects*”.

**Example: Burgoyne Bay liquid waste facility**

This facility accepts biosolids (sewage sludge from sewage treatment plants and septage waste from household septic systems) for the whole island. It has been in need of upgrades for over 15 years. Many years ago, dewatering equipment had been installed to minimize costs to SSI ratepayers by reducing the amount of liquid waste trucked off island for disposal. After some years, this equipment began to fail and in 2012 it was determined that it would be less expensive to truck the liquid waste off island without dewatering than to keep fixing the old dewatering equipment. At that time, the Liquid Waste Disposal Commission also recommended that the waste-receiving portion of the plant be replaced for health and safety reasons as recommended in a 2011 report from Stantec Consulting Ltd.

An RFP to construct a new receiving station was issued in August of 2013. The project was delayed due to relocation of the selected contractor, the subsequent need to engage a new contractor, and then by lack of CRD staff. Because of these delays and other problems, the Liquid Waste Disposal Commission resigned “en masse” in 2015. In a letter to the Driftwood the commissioners described their attempts to design and build an environmentally sound treatment facility to reduce the costs of shipping waste off island and stated: “..we feel that there is a systemic problem in the way that capital projects have been handled by CRD in Victoria.... No consultation with the Commission was undertaken prior to [CRD Staff] deciding on the design of the upgrade. The notion that a \$4—\$4.5 million plant was required....should have been questioned by CRD early on. The Commission’s plan for a less expensive solution has not received serious consideration by CRD in Victoria.”

This commission has recently been reactivated and the CRD website indicates that a new receiving station is now under construction.<sup>4</sup>

**Limited engineering resources**

Lack of sufficient engineering resources was cited as one of the reasons for project delays. In the past, CRD engineers in Victoria oversaw projects. SSI projects are now primarily the responsibility of the CRD engineer on SSI. Since the SSI engineer position was created in 2012, SSI has had three consecutive engineers. There was a gap of several months between the departure of the second engineer and the arrival of the third. During this period CRD engineers in Victoria helped to keep at least one SSI project going. Work on other projects appears to have waited arrival of the new engineer. Several barriers to hiring and retaining engineers on SSI have been noted: difficulty in finding housing, lack of employment for spouse, and other limitations posed by a small island community.

**Limited use of community resources**

An issue raised repeatedly was the apparent resistance on the part of CRD to expand the use of in-kind contributions from commissioners and other volunteers. Salt Spring has many retired and working professionals who volunteer in our community. CRD commissioners represent an impressive range of professional experience and skills.

In the past, volunteers have been able to play a useful role in supporting projects. Former CRD Commissioner Peter Lake, a long-time resident told us: “ *Twenty years ago, all the commissions on Salt Spring were management commissions; in other words, they managed the service they represented. Volunteers provided services at little or no cost to the community.*”

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<sup>4</sup> <https://www.crd.bc.ca/project/capital-projects/burgoyne-bay-liquid-waste-facility>

In 2012, the CRD General Manager and the North Ganges Transportation Plan (NGTP) Project Manager from Victoria asked the Chair of the Transportation Commission to act as community liaison on the Plan. His volunteer task was to sell the project to the community at large and, more specifically; to negotiate easement agreements with all 16 impacted property owners. This was so successful that this volunteer was told that his contribution allowed the easement agreements to be concluded “in warp speed.” In addition, there was no cost for what was previously a major budgetary concern.

Another recent example is the many pathways created through *Partners Creating Pathways*<sup>5</sup>, a collaboration between the CRD Transportation Commission, Island Pathways and the SSI office of the CRD working with the provincial Ministry of Transportation and Infrastructure (MoTI).

### **Questionnaire results on problems with CRD capital projects**

Five of eight statements regarding CRD capital projects were agreed by at least two thirds of the respondents and are presented in Table 3.

*Table 3— agreed CRD capital project concerns*

question #	B. CRD Capital Projects	agree	disagree	neutral	don't know, N/A	# respondents	% agreement
6.	Liability concerns should be addressed by finding solutions rather than by limiting assistance by commissioners, volunteers and organizations	23	1	0	3	27	85%
4.	Projects could be completed more efficiently if qualified community organizations and volunteers were enlisted to help with certain aspects.	23	1	1	3	28	82%
1.	It now takes an unacceptable amount of time for CRD to complete SSI projects that are funded and approved.	22	1	2	2	27	81%
7.	The number of stalled or delayed projects has increased in recent years.	21	0	0	7	28	75%
5.	Liability concerns on the part of CRD limit the potential contributions of commissioners and other volunteers.	20	2	3	3	28	71%

Two statements in Table 3 (B1 and B7) relate to **delayed project completion times**.

Three statements in Table 3 (B4, B5 and B6) suggest **poor use of community resources**.

And two statements in Table 3 (B5 and B6) point to one cause for the poor use of community resources, namely **liability concerns on the part of CRD**.

## **2.3 Difficulties with CRD Commissions**

Not all commissions reported issues, and problems varied by commission. Parks and Recreation Commission (PARC) appeared to be well-managed and relatively problem-free. PARC has a substantial budget, its own manager and staff, and projects are undertaken and completed according to its strategic plan. PARC Commissioner Brian Webster told us, “PARC has a status report that lists all the ongoing projects and their status, so the PARC Commission knows how projects are progressing. Because PARC has its own manager and staff, projects usually progress

<sup>5</sup> See Appendix E for more information about the Partners Creating Pathways group.

*within an acceptable time frame. But PARC commissioners aren't generally informed of the status of projects being undertaken by other commissions."*

### **Poor communications**

Lack of easy avenues for the commissions to communicate with each other or with other Salt Spring agencies was identified as a problem. Currently the job of coordination between commissions and with other agencies is the responsibility of the CRD Director or the CRD staff. As indicated in question 16 below, this task has not been adequately addressed. Commissioners expressed that they would benefit from a better communication system.

### **Management issues**

We heard examples of management taking actions which commissioners thought inappropriate. Two former commissioners told us they were pressured by management to resign their appointment. Commissioners have been told that all communications must go through the already very busy SSI CRD Manager. Commissioner M stated: *"A staff member in Victoria went out of their way to answer my questions and make sure I understood the situation. I felt I was really making progress on an important problem facing our commission until I was ordered by SSI management to stop talking with this person."*

### **Questionnaire results on difficulties with CRD commissions**

*Table 4— agreed difficulties with CRD Commissions*

question #	C. CRD Commissions	agree	disagree	neutral	don't know, N/A	# respondents	% agreement
14.	Commissioners should be permitted to hold informal working group meetings without the presence of staff.	18	2	1	0	21	86%
9.	Commissioners have resigned or not continued as commissioners because of dissatisfaction with CRD management.	17	1	0	3	21	81%
16.	Better communications between various commissions are needed to avoid duplication of effort and lost opportunities.	17	1	1	2	21	81%
3.	My skills, and those of other commissioners, are (or were) not being utilized appropriately.	16	2	3	0	21	81%
8.	Commissioners are encouraged to take on tasks they are qualified for.	2	16	1	2	21	73%
5.	Lack of CRD staff resources limits SSI commissions.	15	1	4	1	21	71%
4.	SSI commissions are adequately supported by the CRD.	2	15	4	0	21	71%
1.	SSI commissions are currently under-utilized.	15	4	1	1	21	71%
7.	There is a lack of agreement between CRD staff and commissioners on their respective appropriate roles.	14	4	1	1	20	70%
17.	As a commissioner, I have major concerns with how the commissions are being managed by the CRD.	14	5	2	0	21	67%
2.	As a commissioner, I have at times felt patronized and treated with a lack of respect by some CRD staff.	14	6	0	1	21	67%

Eighteen statements regarding the functioning of CRD commissions were presented to the 21 commissioners responding to the questionnaire. Eleven of these statements were agreed, or in two cases disagreed, by at least two thirds of the respondents and are presented in Table 4.



Nine of the eleven statements in Table 4 (C14, C9, C16, C3, C8, C5, C4, C1 and C17) point to **problems with commission efficiency**.

Five statements in Table 4 (C9, C3, C8, C7 and C2) point to **community relations issues**.

Four statements in Table 4 (C14, C3, C8 and C1) suggest **inadequate use of volunteer resources**.

Three statements in Table 4 (C9, C5, C4) point to **management issues**, including the allocation of CRD resources.

One statement in Table 4 (C16) relates to a **coordination issue**.

## **2.4 Problems facing CRD local water and sewer commissions**

Most of the local water and sewer commissioners<sup>6</sup> described serious financial and communication challenges that were reportedly causing hardship for local ratepayers.

Commissioners expressed frustration at their inability to address the situation, and at difficulties in obtaining information.

The Ganges Sewer Local Services Commission stands out as relatively free of problems. We propose that this is because the plant was built to a high standard to start with, is well-resourced with dedicated staff, and has a relatively large number of properties (418) to support the service. A substantial reserve fund was set aside to pay a portion of the upgrade costs that are now being installed without delays as far as we know.

### **Cost, communications, staff support and accountability issues**

Whereas commissions that serve island-wide services, such as transportation or economic development are funded by an island-wide requisition, the local water and sewer commissions are each funded only by those properties which receive that particular service. These range in size from 16 properties to 244 properties, not including Ganges sewer with 418 properties. (See pages 3–4 for a complete list.)

Over the past few years, the four local water service commissions and Maliview Sewer Service Commission had to install new treatment plants to meet new provincial standards and hence have capital debts to be paid off by their ratepayers. They also face high costs for operation, maintenance and repair of aging portions of their infrastructure again all paid by local ratepayers. Commissioner Sharon Bywater commented: *“the stress is especially hard on the approximately 101 ratepayers who receive services from both the Highland-Fernwood water treatment plant and the Maliview sewage treatment plant. This is a neighbourhood of mostly small homes on small lots, of modest cost, owned mostly by island workers and blue-collar retirees. Many owners and renters owners have limited resources to pay the large and increasing fees necessary to support both an expensive water and sewer service.”*

One water district also is facing a severe water supply shortage during the summer.

Commissioners told us that either local management and/or some staff from Victoria do not take a problem solving approach, fail to adequately consider commissioners’ advice, and have opposed commissioners’ offers to help with tasks where appropriate, such as delivering notices to system users. These commissions are also limited by financial considerations to having only

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<sup>6</sup> We were not able to interview any of the current directors of the Cedars of Tuam water service so are not up to date on circumstances there.

one or two meetings a year because they are required to pay for a manager and a CRD minute taker to attend. Another concern shared by these commissions is the refusal of CRD to provide commissioners with contact information for their ratepayers.

These concerns are illustrated by the following quotes:

Commissioner Carole Eyles stated a request shared by other water and sewer commissions *“Our commission wants contact information for our users so we can contact them in case of problems and to share important information. CRD staff sometimes cannot address the issue immediately because they are off work or located off island and CRD might be over-burdened in a region-wide emergency such as an earthquake. Yet CRD staff have told us that our commission cannot have the users’ contact information because of privacy legislation and we should rely on the volunteer POD program. But, not all areas have active POD groups and water issues do not necessarily fall under the POD emergency program.”*

Commissioner M: *“Every year, CRD staff ask for more money and rate increases to cover increasing operational expenditures. In addition to operating and maintenance costs, staff are now asking the commissions to pay into a contingency fund, further driving up costs to individual ratepayers. They rarely make a suggestion on how to keep costs down.”*

Commissioner Carole Eyles: *“We feel railroaded or not listened to. We suspect that staff may feel badgered by our questions. The whole commission meeting process feels like it is for show rather than for meaningful consultation.”*

Commissioner Sharon Bywater: *“The staff want to do everything like they have always done it. The Maliview sewer system had some duplexes paying two user fees and some paying only one. For years, the staff could not find a path to correcting this inequity until a newer staff person suggested rewriting the bylaw. Why did it take years to get that answer? There seems to be resistance to make the effort on what is a small thing.”*

Commissioner Ruth Waldick commented: *“My experience, when I have attempted to present possible solutions to a problem is that there are particular staff who shoot down ideas directly or discourage their pursuit by citing costs we would incur instead of engaging with commissioners in problem solving.”*

### **Design and construction errors**

Commissioners who were in place when some water and sewer plants were built had a strong perception that mistakes were made by CRD in the selection of treatment systems, plant design, and project management and that these errors led to higher costs to local service area ratepayers. Examples shared with us were:

- Maliview Sewage Treatment Plant: original design did not fit on the site; as soon as the plant was operational, it was found to be significantly undersized for volumes received.
- Fernwood Highland Water: inadequate preliminary review and surveying (boundary marking errors at a site led to work outside the official zone on an adjoining property. This led to dismissal and replacement of the contractor.
- Fulford Water:
  - failure to connect 18 households during set up which had to be hooked up later at an additional, and unanticipated cost;
  - the plant is believed to be inappropriately large for the demand;

- purchase of non-standard meters that were returned prior to installation at 25% of purchase price because of lack of funds to complete work.
- Beddis Water: the plant is believed to be inappropriate for the particular challenges regarding the quality of the water supply.

Commissioner Simon Wheeler stated: “CRD seemingly has no liability or accountability for their errors or lack of action. All costs fall on the ratepayers.”

Commissioner Sharon Bywater commented: “Consumers are willing to pay costs of services but don’t want to pay for poorly planned and executed capital projects.”

### **Questionnaire results on problems affecting local water and sewer commissions**

Fourteen statements regarding the local CRD water and sewer commissions were presented to the 14 local commissioners responding to the questionnaire. Five of these statements were agreed by at least two-thirds of the respondents and are presented in Table 5.

*Table 5— agreed problems facing CRD local water and sewer commissions*

question #	<b>D. For CRD water and sewer commissioners</b> (answer for your local Commission only)	agree	disagree	neutral	don't know, N/A	# respondents	% agreement*
7.	Operating and capital costs place an excessive burden on the relatively small number of properties serviced.	10	0	1	3	14	71%
2.	It is my belief that after accounting for inflation, both operating and capital costs under the CRD are greater than before joining the CRD.	9	0	2	3	14	64%
9.	Annual information-sharing meetings with other local commissions would be helpful.	9	0	3	2	14	64%
3.	CRD made mistakes in design decisions around the type of plant, location, etc. leading to higher costs to water service or sewer service ratepayers.	9	1	1	3	14	64%
10.	My commission has been holding an inadequate number of meetings per year. One reason is the cost to pay staff to be there.	9	1	1	3	14	64%

\* Because of rounding issues with the small number of respondents, the cut-off for inclusion in Table 5 is 64%

Four of the five statements in Table 5 (D7, D2, D3 and D10) relate to **cost concerns**.

One statement in Table 5 (D3) points to **project management issues**.

One statement in Table 5 (D9) relates to a **coordination issue**.

## **2.5 Challenges facing the CRD Director**

Few comments were made during the interviews regarding the role of the CRD Director, which was surprising since the commissions advise the CRD Director, not CRD staff, and the CRD Director is the elected representative for all islanders on CRD matters. The comments that were received related to work load. We included the following statement in the questionnaire: “The SSI CRD Director position involves too much work for one person.” (A-7) When polled, 19 agreed, 8 disagreed, and 1 did not know. Some thought it depended on the individual director and on how much support he or she gets from staff. There is, as described below, considerable flexibility in how each electoral area CRD director chooses to undertake the role.

On Salt Spring in recent years there has been the expectation that the CRD Director (or his Alternate) will attend virtually all the numerous meetings on SSI and in Victoria related to the role. There is also a longstanding tradition that the Salt Spring CRD Director spend minimal funds on an assistant or other staff. We contacted the other two Electoral Area CRD Directors to ask about their approach.

**Juan de Fuca CRD Director Mike Hicks**

The Juan de Fuca electoral area includes the west coast of Vancouver Island from Otter Point to Port Renfrew, and the geographically separate communities of East Sooke, Malahat and Willis Point. (The Juan de Fuca electoral area is not within the Islands Trust area.) Regional director Mike Hicks was first elected in 2009 and is running for a fourth term. A May 8, 2018 article in the Sooke Mirror quotes Hicks:

*"[The Juan de Fuca] has reached a point that it's recognized now as an entity within the CRD, I don't want anyone to forget that over the next four years..."* The article continues: *"When Hicks first ran for CRD director, he ran on a ticket of creating positive change. He said it took more than nine years to get there due to politics and bureaucracy..."*

We asked Director Hicks about his approach. He said he made a point of being available to his commission chairs and constituents 24/7 and made problem-solving a priority. He gave less priority to attending commission meetings, except for those that he had chosen to chair. He trusted the commissioners to handle their commissions and did not get involved unless asked to do so. Commission chairs contacted Director Hicks immediately if they had problems or a request for CRD. He asked for requests to be put in an email that he forwarded to the appropriate person at CRD. Director Hicks regarded his extensive contacts with CRD staff to be important to getting things done, as was his relationship with CRD senior management. He assisted CRD staff by writing grant applications when deadlines were tight, and went to bat for his community, especially when CRD staff had other priorities. He regarded problem-solving as the role of the elected CRD Director, not CRD management. Because there were six distinct communities in the electoral area, and to increase the number of local elected representatives, Director Hicks established elected commissions in each community to advise him. He concluded with this note: *"...the Director's job is to tell staff what he or she wants done. Staff's job is to get it done."*

**Southern Gulf Islands CRD Director David Howe**

The Southern Gulf Islands (SGI) electoral area includes Galiano, Mayne, the two Penders, and Saturna islands along with a number of other small islands within the Islands Trust area. David Howe has served as CRD Director since 2011.

When we asked Director Howe for an interview, he directed us to the SGI Legislative Coordinator who provided the following information. The SGI Legislative Coordinator is a new part-time contract position intended to aid communications between SGI residents and CRD management. The SGI Legislative Coordinator attends some commission meetings and acts as a communications link between the SGI and Victoria. Director Howe has a part-time Administrative Assistant whose role is to take minutes, organize meetings and send out agendas. Director Howe has two residences, one in the SGI and one on the Saanich peninsula. This arrangement makes it easier for him to attend meetings in Victoria and connect with his constituents on the various islands. We also understand that his Alternate attends many SGI commission meetings.

## **2.6 Summary of reported issues**

We grouped the concerns identified in the interviews and follow up questionnaire into the following broad categories:

**Access to information issues:** including lack of public access to a current SSI CRD work plan with priorities and progress, lack of access to information regarding the various commissions, and lack of access by commissioners to information specific to an individual commission.

**Accountability and representation issues:** ratepayers might reasonably expect a similar degree of accountability, transparency and representation from the CRD on SSI as they currently receive from Salt Spring's Local Trust Committee. Financial accountability was a concern of the water and sewer commissions. A limited number of ratepayers must cover the cost of any poor decisions made by CRD over which neither the ratepayers nor the commissioners have control. Commissions are prevented from contributing volunteer resources to help keep costs down.

**Community relations issues:** including the under-utilization of community resources such as local businesses, organizations and volunteers; what was perceived as disrespect on the part of CRD management to commissioners and other community volunteers; lack of a system to address complaints; and little priority placed by CRD on customer relations.

**Project delivery problems:** including project delays, and reports of CRD errors in planning, designing and managing some capital projects.

**Commission efficiency and effectiveness issues:** including under-utilization of the skills and professional qualifications of commissioners; an emphasis by CRD on process rather than results; insufficient use of a problem solving approach; and shortage of CRD staff time to adequately serve the many commissions.

**Coordination and collaboration needs:** including a mechanism to enable the key agencies providing services to SSI to share information on a regular basis, and the need for better coordination and collaboration between CRD commissions and related agencies.

A **structural issue** affected some local water and sewer service commissions. There were too few ratepayers in several of the local service areas to comfortably cover costs of water and sewer services.

### 3.0 Strategies and Recommendations

In this section we list potential strategies and recommend actions to address the concerns identified in the previous section. The suggestions that follow apply only to those aspects of CRD operations on SSI that have been identified as problematic and do not imply that other Salt Spring CRD functions are in need of attention.

We begin by presenting thirteen recommendations. These are followed by a one page summary table, Table 6, which summarizes the recommended strategies and also includes strategies for consideration which were suggested by the study participants and by the Positively Forward working group. The issues that each strategy would address are indicated by the checkmarks showing intended benefits.

#### ***Strategies to improve information flow, accountability and representation***

Each of the following three recommendations provides several benefits as indicated in Table 6.

##### **Recommendation 1**

###### **Provide a public, up-to-date Salt Spring CRD Work Plan with priorities and status reports**

Access to the current SSI CRD Work Plan would be useful for all the commissions and members of the public. The SSI CRD Work Plan should include overall priorities, a list of projects, including long-delayed items, and the status of each, along with the commission and CRD staff person handling the file. It should be available at the SSI CRD office, and online.

An example of how this information could be presented is provided in the SSI Local Trust Committee (LTC) meeting agenda packages. The agenda packages include work program priorities, projects, and list individual applications and the status of each item. This information provides transparency for the elected officials and the public.

There is no comparable list available to the public for SSI CRD projects. The CRD has a SSI Service Plan for 2016-2019 available online.<sup>7</sup> The plan provides an overview of services and projects that could form the basis for regular status updates, but it is not current.

The information to be provided in the SSI CRD Work Plan should already be available to the Salt Spring Manager and the CRD Director and this recommendation should therefore be easy to meet.

##### **Recommendation 2**

###### **Hold regular SSI inter-agency information meetings between CRD, Islands Trust, and other local service delivery agencies**

Inter-agency meetings were held on SSI in the past but the practice was discontinued. The CRD and the Islands Trust should re-establish regular inter-agency meetings to share information and trouble-shoot problems. Consideration should be given to both the Islands Trust and CRD passing bylaws to institutionalize the meetings to ensure they continue to occur regularly as part of ongoing business. An inter-agency agreement could establish shared procedures and responsibilities.

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<sup>7</sup> [https://www.crd.bc.ca/docs/default-source/corporate-communications-pdf/service-plans/ea-saltspringadmin.pdf?sfvrsn=7e0956ca\\_14](https://www.crd.bc.ca/docs/default-source/corporate-communications-pdf/service-plans/ea-saltspringadmin.pdf?sfvrsn=7e0956ca_14)

The following positions / agencies could be included:

- SSI CRD Director and commission chairs (and/or LCC chair if established)
- SSI Islands Trust Trustees
- Representatives of the emergency services (First Response, Fire Protection, Search and Rescue, BC Ambulance, Emergency and Disaster Response)
- North Salt Spring Waterworks District
- Royal Canadian Mounted Police
- Ministry of Transportation and Infrastructure, including the on-island maintenance contractor
- Others, when appropriate, such as Island Health, Community Services, Harbour Authority, BC Ferries, etc.

In our view these meetings should be advertised and open to the public. Ideally, there would be opportunity for public input. Operating funds and staff support should be provided by the CRD, Islands Trust or both. For workload and administrative purposes, a contractor could be hired to coordinate the meetings.

### **Recommendation 3**

#### **Establish an elected Salt Spring CRD Local Community Commission**

An elected Salt Spring CRD Local Community Commission (LCC)<sup>8</sup> would provide a strong institutional mechanism for coordination of projects and services, would be accountable to ratepayers, would increase local representation, and would provide more opportunity for public input and engagement. The provincial Local Government Act authorizes regional districts to create an LCC to oversee services in a rural area. The SSI LCC would be comprised of either 4 or 6 commissioners, elected at large, plus the CRD Director. The creation of an LCC would not change the role of the SSI CRD Director as the voting member on the CRD Board of Directors.

The LCC's powers would depend on the degree of delegation approved by the CRD Board and permitted by the Local Government Act. Initially the LCC might share some of the SSI CRD Director's responsibilities such as setting overall priorities for local services, budget preparation, overseeing the SSI CRD Advisory Commissions, and monitoring progress on major infrastructure projects.

The process to establish the SSI LCC must be championed by the CRD Director, and would begin with a study. Islanders must approve the LCC through referendum. The CRD Board would then pass an Establishment bylaw to create the Salt Spring LCC. A delegation bylaw would set out the authority and responsibilities delegated to the LCC.

The Province contributes \$5,000 per year toward the annual operating costs of each of the five existing LCCs, which serve smaller populations than Salt Spring. It would be reasonable to ask the Province to scale up its contribution to a Salt Spring LCC in view of our size. The appropriate amount for this provincial contribution might depend on the extent of powers delegated to the SSI LCC by the CRD Board.

Establishing a Salt Spring LCC will involve a lengthy public process and has cost implications. However it would provide a long-term solution for several SSI CRD issues and is therefore a key recommendation.

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<sup>8</sup> See Appendix C for more information on LCCs.

As an interim measure, the strategy of holding periodic public All-Commission meetings—Recommendation 4—would provide some of the benefits of an LCC and could be implemented in 2019.

***Strategies to improve the efficiency and effectiveness of all Salt Spring CRD Commissions***

The following five recommendations address the functioning of all the SSI CRD commissions. The strategies each provide several benefits as indicated in Table 6.

**Recommendation 4**

**Hold periodic public Salt Spring CRD All-Commission meetings**

Public information meetings involving representatives from each CRD commission would inform the commissions of each other's activities. The meetings would also create the opportunity for commissions to share resources, and would facilitate the formation of informal working groups on specific topics. All-Commission meetings should be informal and allow time for open discussion and public input. The meetings could be institutionalized through a CRD bylaw that made them mandatory, set the minimum frequency, and identified any required items for discussion such as the budget. This latter step should be taken if an LCC is not established.

All-Commission meetings could be established almost immediately. They require a modest level of coordination and administrative resources.

**Recommendation 5**

**Allow commissioners to meet in informal working groups**

Several SSI CRD commissions have requested permission to meet informally outside of regularly scheduled meetings and without the presence of CRD staff. Such meetings would enable commissioners to explore issues in more depth than is possible in a scheduled meeting and would provide opportunity for recommendations to be formulated to bring to scheduled meetings. Informal working group meetings would increase the effectiveness of commissions and would facilitate better use of commissioners' expertise.

Informal working group meetings are not a violation of legislated Open Meeting requirements if guidelines are followed<sup>9</sup>. Working groups should be able to meet without CRD staff present if discussions are informal and no decisions are made.

This recommendation can and should be implemented immediately. There are no costs or CRD staff requirements. The Open Meeting guidelines provided by the BC Ombudsperson clarify the status of informal meetings and the CRD should follow these guidelines.

**Recommendation 6**

**Appoint a Salt Spring CRD Commission Coordinator**

The commission coordinator would support the commissions by providing information and by coordinating meetings, and would act as the 'go-to' resource person for the commissions and commissioners. A coordinator would considerably improve the efficiency and effectiveness of the commissions by addressing information flow and management availability issues, and by generally supporting commission initiatives. Specific tasks could include:

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<sup>9</sup> See Appendix B for a summary of the BC Ombudsperson report on open meetings.



- Coordinate commission meetings and All-Commission meetings;
- Attend commission meetings;
- Assist the commissions in developing work plans;
- Support commission initiatives;
- Coordinate information flows;
- Handle commissioner requests for technical and other information from CRD staff and other agencies;
- Act as the conduit between the SSI CRD Senior Manager and the commissions.

The position would also support both the CRD Director and the SSI Senior Manager. The commission coordinator position could be structured in various ways, including the following:

- New CRD staff position, reporting to the SSI CRD Senior Manager;
- Reassigning existing CRD staff, reporting to the SSI CRD Senior Manager;
- New CRD contract position, reporting to the CRD Director;
- Included in the paid duties of the Alternate Director, reporting to the CRD Director.

There is, as shown above, considerable flexibility in determining how to create this new role. The decision should be made by the incoming SSI CRD Director in consultation with senior management.

### **Recommendation 7**

#### **Provide an annual orientation session for all commissioners**

An annual orientation session would include information for new commissioners, a refresher for existing commissioners, an update on the status of SSI CRD projects, and information on any changes to legislation and CRD policies and procedures that may affect commissions and commissioners. The annual session would also provide an opportunity for commissioners to connect with each other. The annual orientation would better inform commissioners of their roles and responsibilities, and would provide a common understanding of expectations. It would also provide an opportunity to build good community relations.

This recommendation has very modest associated costs and could be implemented immediately.

### **Recommendation 8**

#### **Allow and encourage commissioners to take on tasks for which they are qualified**

Volunteer contributions can play an important role in reducing project delays, and in reducing operational and capital costs. Below are examples of tasks that CRD commissioners and other volunteers have undertaken in the past and could be permitted to do again:

- Identifying grant opportunities and preparing draft grant applications for review by staff, e.g. Bike BC funding applications;
- Drafting work plans and critical paths for new programs for commission review, e.g. the PCP critical path;
- Recruiting and organizing volunteers to conduct surveys (e.g. annual bike count);
- Conducting research for commissions (e.g. obtaining crash statistics for problematic intersections which led to installation of a 4-way stop at Central);
- Preparing handbooks and historical summaries for each commission, e.g. the SSITC Retrospective Handbook;
- Communicating with water and sewer district ratepayers;

- Providing research to assist in planning specialized construction projects, and serving on a construction project oversight committee.

### ***Strategies to assist the Salt Spring CRD Local Service (water and sewer) Commissions***

The following two recommendations are specific to the seven local water and sewer service commissions. Recommendations 4—8 above also apply to local service commissions.

#### **Recommendation 9**

##### **Provide local water and sewer service commissions with ratepayer contact information**

Lack of this information makes it impossible for commissions to contact ratepayers with information about scheduled maintenance, water conservation measures, or in the event of an emergency. CRD staff may not be able to contact ratepayers in a timely manner.

Sections 33.1 and 33.2 of the BC Freedom of Information and Protection of Privacy Act<sup>10</sup> allow disclosure of personal information, including contact information, to specified categories of individuals—including officers and associates of service providers—if the information is necessary for the performance of their duties. If commissioners qualify as either officers or associates for the purposes of this legislation and if their duties were to include contact with users, it seems that they could be provided with user contact information. It is possible that commissioners could also be provided with usage records if their defined duties required access to this information.

#### **Recommendation 10**

##### **Consult with the local water and sewer service commissions on organizational improvements to better serve their ratepayers**

This recommendation would involve a public consultation process, led by the affected commissions, to review how their authority and organization could be improved to better serve their ratepayers.

The current CRD Director and CRD management are considering the amalgamation of local water and sewer service commissions. It is important to fully involve the local service commissions and their ratepayers in these discussions, and to consider a range of options.

For example, the local water and sewer service commissions may be interested in having more operational authority. This strategy could involve a request from the CRD Director to the CRD Board to pass new Establishment Bylaws for some commissions to receive greater operational authority, following local service ratepayers' approval.

There are four SSI water service Improvement Districts (not part of the CRD) operated by volunteer boards. Like the Improvement Districts, the local water and sewer commissions would hire qualified professionals to operate the service under their supervision. Currently much of the actual operation and maintenance of the water services is done by the North Salt Spring Waterworks District under contract with the CRD. This relationship could continue under an operational commission or non-profit organization. CRD may have concerns about accepting liability for the actions of an operational commission, or non-profit organization, however some

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<sup>10</sup> [http://www.bclaws.ca/Recon/document/ID/freeside/96165\\_03#division\\_d2e4176](http://www.bclaws.ca/Recon/document/ID/freeside/96165_03#division_d2e4176)

method is needed to relieve local water and sewer area ratepayers, who are currently financially liable, with no recourse, for everything that CRD does, or fails to do.

The key part of this recommendation is that any planned reorganization of the local water and sewer service commissions should be developed through a consultative process with the commissions and their ratepayers, and final approval should rest with the ratepayers.

***Strategies to foster stronger relationships with Salt Spring residents***

While the majority of our recommendations should help revitalize community relations, the following two recommendations focus on CRD's public image.

**Recommendation 11**

**Prioritize good community relations within CRD corporate culture**

Many local and Victoria based CRD staff have had excellent relationships with the SSI community. Current CRD procedures limit input and information flows between commissioners and other volunteers and the CRD. This arrangement may have internal efficiencies, but it comes at the cost of good community relations.

CRD should acknowledge the experience and dedication of commissioners and other volunteers and utilize their skills accordingly. Commissioners should be given full explanations if requests cannot be met, should be supported in searching for solutions to issues, and informed of the reasons why specific rules are in place.

Islanders also need to be respectful of the limitations of staff resources. Respect and understanding going both ways builds confidence and trust. Realistic and publicly known priorities (Recommendation 1) should reduce pressure on staff.

CRD staff who have supportive and positive relationships with commissioners and other community volunteers make themselves available, provide useful and meaningful assistance when needed, and communicate a sincere interest in helping islanders. These attributes should be included in job performance evaluations.

**Recommendation 12**

**Adopt a problem-solving approach**

CRD staff are capable of creative problem-solving. We suggest that when staff are asked to help solve a problem, they respond by giving the question careful consideration and exploring options. The community would welcome collaborative problem-solving to increase innovation and cost efficiencies.

***Strategy to reduce costs and project delays***

Our final recommendation highlights the importance of CRD partnerships with community organizations in providing timely and cost-effective service delivery.

**Recommendation 13**

**Continue and expand service delivery by Salt Spring's not-for-profit groups, by local contractors, and by other local service providers**

Non-profit societies currently provide services under contract with CRD or receive funding from CRD. The SSI Library is run by the Library Association, supported financially by a CRD property tax requisition. The SSI Recycling Depot is operated by Community Services, and the ArtSpring theatre and gallery receives a subsidy from the CRD. The SSI Partners Creating Pathways group provides an excellent example of the cost savings that can be achieved when the CRD partners with other agencies and a non-profit organization using local contractors<sup>11</sup>. All these initiatives should continue to be actively supported by the CRD.

Expanded use of local contractors, for-profit or non-profit, could reduce demands on staff and the CRD Director. For example, CRD could contract out some meeting coordination functions (See Recommendation 6). Other services could also be considered for partnerships or contracting out to local providers. For example on Pender, the Pender Islands Fire Protection Society operates the Pender Islands Fire Rescue service mainly funded by a CRD tax requisition<sup>12</sup>. A similar arrangement could be explored with the Salt Spring Island Fire Protection District for improved community priority-setting, access to grants, and other potential benefits.

The critical aspects of this final recommendation are that the existing relationships with community partners should be continued, and that the number of services delivered by community partners should be expanded wherever such arrangements are effective and cost-efficient.

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<sup>11</sup> See Appendix E for case study of Partners Creating Pathways.

<sup>12</sup> See Appendix D for more information on the Pender Islands Fire Protection Society model.

**Table 6: Possible strategies and their intended benefits**

Possible Strategies	Intended benefits					
	access to information	accountability & representation	coordination & collaboration	project delivery	commission efficiency & effectiveness	community relations & community resources
<b>Strategies included in report recommendations</b>						
Provide a public, up-to-date Salt Spring CRD Work Plan with priorities and status reports (e.g. see Local Trust Committee agenda packages).	✓	✓	✓	✓	✓	✓
Hold regular inter-agency information meetings.	✓		✓	✓		
Establish an elected Salt Spring CRD Local Community Commission.	✓	✓	✓	✓	✓	✓
Hold periodic public Salt Spring CRD All-Commission meetings and encourage informal information sharing between commissions and commissioners.	✓	✓	✓	✓	✓	✓
Allow commissioners to meet in informal working groups without the presence of staff, provided rules are followed.				✓	✓	✓
Appoint a Salt Spring CRD Commission Coordinator to support the commissions, the CRD Director and the SSI CRD manager.	✓	✓	✓	✓	✓	✓
Provide an annual orientation session for all commissioners to share information and review roles and responsibilities.	✓	✓	✓		✓	✓
Allow and encourage commissioners to take on tasks for which they are qualified.				✓	✓	✓
Provide local water and sewer service commissions with ratepayer contact information.	✓	✓			✓	✓
Consult with the local water and sewer service commissions on organizational improvements to better serve their ratepayers.		✓	✓	✓	✓	✓
Prioritize good community relations within CRD corporate culture.	✓	✓			✓	✓
Adopt a problem-solving approach.			✓	✓	✓	✓
Continue and expand service delivery by Salt Spring's not-for-profit groups and by other organizations.			✓	✓	✓	✓
<b>Additional strategies to consider</b>						
Establish a grievance procedure, including third party investigation through the CRD Director, and/or through a new CRD Ombudsperson.		✓				✓
Provide assistance for the CRD Director (or Local Community Commission if formed).		✓		✓	✓	
Adopt the collaborative 'Partners Creating Pathways' model for aspects of other capital projects.			✓	✓	✓	✓
Increase engineering resources and project management capacity by adding a SSI engineer, or by using Victoria engineering staff, or by engaging contract engineers and project managers.				✓	✓	
Hire staff who enjoy working with the public.	✓					✓
Support each SSI commission by providing necessary information and resources and by ensuring that commission recommendations are followed.	✓	✓	✓	✓	✓	✓
Reduce staffing of commission meetings by utilizing teleconferencing and contract minute-takers, and eliminate enforced time limits.					✓	✓
Address liability concerns by finding solutions rather than by limiting assistance by commissioners, volunteers and organizations				✓	✓	✓
Provide greater financial accountability to ratepayers through adjustments to financial reporting for affected commissions.	✓	✓			✓	✓
Provide administrative services to all commissions from CRD Director's administrative funds.	✓			✓	✓	

## APPENDICES

	<i>page</i>
<b>Appendix A</b> Questionnaire with responses	A1
<b>Appendix B</b> Summary of BC Ombudsperson guide to Open Meeting laws	A4
<b>Appendix C</b> Establishing an elected CRD Local Community Commission on SSI	A5
<b>Appendix D</b> Non-Profit Delivery of CRD “Contribution Services”	A6
<b>Appendix E</b> Case studies of successful CRD collaborations:	
1. Partners Creating Pathways	A9
2. Salt Spring Transit	A10
<b>Appendix F</b> Case studies of CRD projects experiencing problems:	
1. North Ganges Transportation Plan	A11
2. Maliview Sewage Treatment Plant and Outfall	A12

## APPENDIX A Follow-up Questions—Summary of questionnaire responses

The statements in this questionnaire came from participants in the initial round of interviews. The purpose of the questionnaire is to measure the degree to which the group of participants as a whole agrees or disagrees with the statements made by one or more participants in the earlier interviews.

*In what capacities have you been involved with the CRD? (please check all that apply):*

Commissioner on island-wide commission ☐; Local water or sewer commissioner ☐; Member of non-profit organization ☐; CRD Director ☐; CRD employee ☐; other (describe) \_\_\_\_\_

How many years associated with the CRD. \_\_\_\_\_

### Summary of roles of respondents

capacities	# respondents
Commissioner, island-wide commission	13
Local water or sewer commissioner	14
member of non-profit organization	11
SSI CRD director	3
CRD employee	2
other (describe)	7
How many years associated with CRD?	276 yrs

A. CRD Organization and Management		agree	disagree	neutral	don't know, N/A	# respondents	% agreement
1.	There should be a Salt Spring CRD Work Plan and Priorities List updated on a regular basis and available online (similar to the LTC).	26	1	0	1	28	93%
2.	The current CRD communications structure inhibits communications among commissioners and commissions and is ineffective for work at the local level where responsibilities often overlap.	20	4	2	2	28	71%
3.	A formal mechanism for inter-agency dialogue and collaboration is needed.	23	1	2	1	27	85%
4.	Lack of staff time to take on additional tasks is a major issue.	21	1	1	5	28	75%
5.	Given the large number of island facilities & projects—existing and authorized—at least two engineers dedicated to SSI projects are needed.	16	4	0	8	28	57%
6.	There is insufficient opportunity for public input and engagement.	18	7	3	0	28	64%
7.	The SSI CRD Director position involves too much work for one person.	19	8	0	1	28	68%
8.	There appears to be an over-emphasis on process rather than results.	20	2	1	3	26	77%
9.	There is unwillingness to utilize volunteer resources.	20	2	4	2	28	71%
10.	Staff abilities to interact effectively with the community and provide good customer/public service do not appear to be valued by CRD.	18	6	1	3	28	64%
11.	The CRD has become more hierarchical and bureaucratic over the last several years.	18	4	3	3	28	64%
12.	It appears to me that SSI does not receive its fair share of staff resources from Victoria.	9	6	3	9	27	33%
13.	CRD staff often appear to lack a problem-solving approach.	18	4	3	3	28	64%
14.	CRD should hire and retain staff who enjoy and work well with the community.	23	1	2	1	27	85%

**APPENDIX A Follow-up Questions—Summary of questionnaire responses (cont)**

<b>B. CRD Capital Projects</b>		agree	disagree	neutral	don't know, N/A	# respondents	% agreement
1.	It now takes an unacceptable amount of time for CRD to complete SSI projects that are funded and approved.	22	1	2	2	27	81%
2.	The process to approve, tender and award contracts is more appropriate to large multi-million dollar projects than for small SSI projects. .	16	7	2	3	28	57%
3.	When selecting contractors, CRD procurement procedures appear to select the lowest bid rather than giving weight to quality of work and materials	16	2	0	9	27	59%
4.	Projects could be completed more efficiently if qualified community organizations and volunteers were enlisted to help with certain aspects.	23	1	1	3	28	82%
5.	Liability concerns on the part of CRD limit the potential contributions of commissioners and other volunteers.	20	2	3	3	28	71%
6.	Liability concerns should be addressed by finding solutions rather than by limiting assistance by commissioners, volunteers and organizations	23	1	0	3	27	85%
7.	The number of stalled or delayed projects has increased in recent years.	21	0	0	7	28	75%
8.	The SSI Transportation Commission 'Partners Creating Pathways' model should be applied to other capital projects.	17	2	1	8	28	61%

<b>C. CRD Commissions</b>		agree	disagree	neutral	don't know, N/A	# respondents	% agreement
1.	SSI commissions are currently under-utilized.	15	4	1	1	21	71%
2.	As a commissioner, I have at times felt patronized and treated with a lack of respect by some CRD staff.	14	6	0	1	21	67%
3.	My skills, and those of other commissioners, are (or were) not being utilized appropriately.	16	2	3	0	21	76%
4.	SSI commissions are adequately supported by the CRD.	2	15	4	0	21	10%
5.	Lack of CRD staff resources limits SSI commissions.	15	1	4	1	21	71%
6.	Advice/recommendations provided by commissions is usually followed and is rarely ignored without explanation.	8	11	2	0	21	38%
7.	There is a lack of agreement between CRD staff and commissioners on their respective appropriate roles.	14	4	1	1	20	70%
8.	Commissioners are encouraged to take on tasks they are qualified for.	3	16	1	2	22	14%
9.	Commissioners have resigned or not continued as commissioners because of dissatisfaction with CRD management.	17	1	0	3	21	81%
10.	SSI commissions could be eliminated without noticeable impact on service delivery.	4	14	1	2	21	19%
11.	SSI commissions should be given more authority to increase their effectiveness.	12	4	1	4	21	57%
12.	Commission meetings are often over-staffed.	12	3	5	1	21	57%
13.	Apart from the manager responsible, senior staff should attend only those agenda items where their input is required.	11	7	1	2	21	52%
14.	Commissioners should be permitted to hold informal working group meetings without the presence of staff.	18	2	1	0	21	86%
15.	As a commissioner, I have not been informed about which of my commission's projects have priority, and why, and their target completion dates.	10	10	0	0	20	50%
16.	Better communications between various commissions are needed to avoid duplication of effort and lost opportunities.	17	1	1	2	21	81%
17.	As a commissioner, I have major concerns with how the commissions are being managed by the CRD.	14	5	2	0	21	67%
18.	The CRD Commissions were more effective in the past.	11	3	2	4	20	55%



**APPENDIX A Follow-up Questions—Summary of questionnaire responses (cont)**

<b>D. For CRD water and sewer commissioners</b> (answer for your local Commission only)		agree	disagree	neutral	don't know, N/A	# respondents	% agreement
1.	My water or sewer district was not accurately informed of the impact on costs before joining the CRD.	4	2	2	6	14	29%
2.	It is my belief that after accounting for inflation, both operating and capital costs under the CRD are greater than before joining the CRD.	9	0	2	3	14	64%
3.	CRD made mistakes in design decisions around the type of plant, location, etc. leading to higher costs to water service or sewer service ratepayers.	9	1	1	3	14	64%
4.	My commission complained to the CRD about cost overruns and requested explanation but did not receive an adequate response.	6	2	0	6	14	43%
5.	My commission now receives adequate reports on costs and operations.	5	4	0	5	14	36%
6.	My commission currently has larger than anticipated debts resulting from CRD construction.	4	4	1	5	14	29%
7.	Operating and capital costs place an excessive burden on the relatively small number of properties serviced.	10	0	1	3	14	71%
8.	My commission has insufficient authority to be effective.	7	4	1	2	14	50%
9.	Annual information-sharing meetings with other local commissions would be helpful.	9	0	3	2	14	64%
10.	My commission is has been holding an inadequate number of meetings per year. One reason is the cost to pay staff to be there.	9	1	1	3	14	64%
11.	My commission would like to hold meetings without staff being present.	8	1	0	5	14	57%
12.	CRD staff appear unaware of the impact of rising costs on ratepayers.	8	5	0	1	14	57%
13.	In hindsight, I regret my district's decision to join the CRD.	4	4	0	6	14	29%
14.	I believe my commission receives value for cost from CRD	2	6	3	3	14	14%

## APPENDIX B

## Summary of BC Ombudsperson guide to Open Meeting laws

### Open Meetings Best Practices Guidelines

#### Source Document

The following synopsis is based upon the Best Practices Guide published by the BC Ombudsperson, Special Report No. 34 to the Legislative Assembly of BC, September 2012. The Report clarifies what constitutes a “meeting” in order to assist local governments to recognize when open meeting laws apply.

#### When Do Open Meeting Laws Apply?

In order to comply with the open meeting legislation, it is important to know when it applies. The *Community Charter* does not define the word “meeting” so local governments are sometimes unsure about when an informal gathering is in fact a meeting subject to the open meeting requirements. Courts have determined “*a council meeting is any gathering to which all members of council have been invited; and that is a material part of council’s decision-making process.*”

#### The Nature of the Group

The composition of any gathering is key in determining whether a gathering is a meeting. The presence of a quorum or the full membership of a council or other body is more likely to constitute a meeting, while a gathering of smaller groups is less likely to do so. Groups that exercise a decision-making authority are more likely to have their gatherings considered meetings than groups who study issues or solely recommend action.

#### The Nature of the Discussion

A second key factor in determining whether a gathering constitutes a meeting is the nature of the discussion. This depends on whether a gathering involves discussing matters that deprive the public of “the opportunity to observe a material part of the decision-making process”.

#### The Nature of the Gathering

Where and how a meeting is conducted are less significant factors in determining whether a gathering is a meeting. Gatherings outside of scheduled meetings for training, research, planning or other purposes can be referred to as workshops, shirt sleeve sessions, retreats, etc. There can be uncertainty about whether these gatherings are in fact meetings that should be held in public. It is not possible to exhaustively define workshops and other less formal gatherings or to make generalizations about whether open meeting requirements apply to them.

#### Working Group Meetings

A gathering is less likely a meeting if:

- there is no quorum of board, council or committee members present
- the gathering takes place in a location not under the control of the council or board members
- it is not a regularly scheduled event
- it does not follow formal procedures
- no voting occurs

#### Conclusion

CRD Commissions on Salt Spring are free to form “Working Groups” for conducting research, for planning or for other purposes provided that:

- there is no quorum of Commission members present
- discussions take place on an ad hoc basis
- gatherings take place in locations which are not under the control of the CRD
- no formal procedures are followed
- the Group has no formal decision-making authority but exists to study issues and make recommendations
- the output of the Working Group is intended for presentation to the full Commission for consideration and discussion at a formal public meeting.

## **APPENDIX C                      Establishing an elected CRD Local Community Commission on SSI**

A Salt Spring Local Community Commission would provide a strong institutional mechanism for coordination of projects and services and would provide for active engagement by the public. Provincial law (the Local Government Act) authorizes regional districts (for SSI, the CRD) to create a Local Community Commission (LCC) to oversee regional district services in a rural area. The LCC would be comprised of either 4 or 6 commissioners (elected at large) plus the CRD Director. The creation of an LCC would not change the role of the CRD Director as the voting member on the CRD Board of Directors.

An LCC's powers would depend on the degree of delegation approved by the CRD Board and permitted by the Local Government Act. Initially an LCC might share the following responsibilities that are now the responsibility of the SSI CRD Director:

- set overall priorities for local services,
- recommend to the CRD board the allocation of Salt Spring's share of Gas Tax funding – currently \$600,000/year,
- over-see Salt Spring's CRD-appointed advisory commissions,
- prepare budgets for CRD Board approval - setting tax and expenditure levels ,
- monitor the delivery of local services, including the progress of major infrastructure projects,
- host public meetings to discuss local issues,
- communicate with local electors regarding local service delivery and other issues, and
- recommend new bylaws or bylaw amendments for passage by the CRD Board.

Additional responsibilities that could be delegated to an LCC include:

- approve expenditures within approved budgets,
- decide operational policies and procedures for local CRD services,
- taking over the duties of some existing CRD commissions,
- appointing commissioners to Salt Spring advisory commissions,
- plan local service delivery,
- develop or supervise the preparation of grant applications e.g. for infrastructure projects,
- provide guidance/direction to the CRD Director regarding matters to be decided by the CRD Board and/or the CRD Electoral Areas Committee,
- contract for services - including for delivery by non-profit or for-profit organizations,
- develop protocol agreements to provide for consultation and coordination with other agencies including the Islands Trust, Improvement Districts, MoTI, the RCMP and others.

Powers delegated to an LCC could change over time. A more limited set of powers might be delegated initially and more responsibilities added once the LCC has established a record of responsible governance. The Local Government Act requires that final approval of budgets and bylaws would remain the responsibility of the CRD Board.

As is currently the case, major new capital projects and services would require voter approval. Existing advisory commissions could remain in place. Alternatively, one or more of the existing commissions could be dissolved with the LCC assuming their responsibilities.

We suggest the LCC hold monthly meetings open to the public, with a "town hall" session for public comment similar to the Local Trust Committee meetings. We also suggest the LCC work with the CRD Director in establishing overall CRD project priorities, based on the needs of the various commissions, CRD services, and public priorities. Each LCC member should be assigned to oversee one or more commissions to ensure that recommendations from commissions are heard and acted upon.

The CRD Board would create the LCC through the of passing two bylaws. An Establishment bylaw would establish the LCC—setting out its structure and rules of operation. A separate delegation bylaw would set out the authority and responsibilities delegated to the LCC. Ideally, this process would be championed by the CRD Director, and would be negotiated with CRD senior management prior to approval by the CRD Board. This process would start out with an initial study of the implications of creating an LCC, followed by a referendum on SSI.

The Province contributes \$5,000 per year toward the annual operating costs of each of the five existing LCCs in BC. These are much smaller communities than Salt Spring. We recommend that the Province be asked to significantly scale up its grant for a Salt Spring LCC in view of our much greater population. The appropriate amount for this provincial grant might depend on the extent of powers delegated to the SSI LCC by the CRD Board.

## **APPENDIX D                      Non-Profit Delivery of CRD “Contribution Services”**

“Contribution Services” describes services that are financially supported by the CRD, but delivered by an external agency such as a non-profit society, rather than by the CRD itself. Typically, the CRD financial contribution covers only a portion of the non-profit’s total budget. The CRD acknowledges that the contribution services model is more arms-length than direct administration by CRD staff or by a CRD commission. This allows contribution service agencies more autonomy over their own governance.

Terms of such relationships are set out in contracts between the CRD and the non-profit agencies. Although the details can vary significantly from one contract to another, the contracts are designed to ensure adequate levels of accountability and transparency in the use of public funds. The contracts also contain provisions to address the important issue of liability. Recipient agencies may be required to purchase insurance coverage to levels specified by the CRD - although some insurance may be provided through the CRD itself. Funds contributed by the CRD may be applied to insurance costs.

Two very informative examples of contribution services within the CRD include the Salt Spring Island Public Library and Pender Islands Fire-Rescue. More detail will be provided on the latter service since it is less familiar to Salt Spring residents.

**The Salt Spring Island Public Library Association** has a 10-year lease agreement that allows the Association to operate the library within a building owned by the CRD. The rent is \$10/year. The Association is responsible for all operating costs and must maintain the building according to a maintenance plan approved by the CRD. Any alterations or sub-lets require CRD approval.

The lease agreement requires the Association to obtain insurance coverage for general liability, tenant liability, and all-risk (fire, earthquake, etc.). If the Association chooses, it can obtain the all-risk insurance through the CRD’s blanket insurance. The Association indemnifies the CRD against any claims. The CRD has the right to inspect the premises on 24 hours notice. If the Association defaults on the terms of the lease, the CRD can cancel the lease and take possession of the building. The lease also provides for a mediation process for dispute resolution.

The Library Association submits an annual request to the CRD for a contribution to support the library operation. In 2017, the CRD contributed \$340,570 to the Association for library operations. This was paid from a tax requisition previously approved by Salt Spring voters. The CRD contribution covered about 2/3 of the Library Association’s budget. The remaining revenues were provided by charitable donations, grants from the provincial and federal governments, investment income, and other revenues.

In addition, the library’s successful operation is crucially dependent on hours of labour contributed by many community volunteers. These hours are not factored into the association’s financial statements. Any Salt Spring resident who takes out a borrowing card automatically becomes a member of the Library Association and thus (except employees or those under age 18) eligible to vote in the selection of Association board members. The Salt Spring CRD Director is a member of the Association’s Board of Directors.

The total 2017 CRD tax requisition for the SSI Library Service was \$570,850 – which also covered almost \$200,000 in payments for principal and interest on the CRD-owned library building plus some additional minor allocations. Two thirds of the building’s construction costs were funded by federal-provincial infrastructure grants, with the remainder financed by borrowing through the Municipal Finance Authority.

**Pender Islands Fire-Rescue (PIFR)** is operated by the **Pender Islands Fire Protection Society (PIFPS)** – a non-profit registered charity. According to its website, PIFR has 4 full-time employees, 47 paid-on-call volunteer fire fighters and 51 volunteer support crew. It operates 3 fire halls, one training centre and meets the standards of a “full service fire department”. PIFR is managed by a Fire Chief who is an employee of and accountable to the Fire Protection Society. The Chief is responsible for day-to-day operations including human resources, customer service, and budget management.

The Pender Islands Fire Protection Society was created in 2004. Its membership is open to all residents or property owners on North or South Pender (\$2 fee per year). The PIFPS directors are elected annually by society

## Improving CRD Service Delivery on Salt Spring Island, BC: options for positive change

members and board meetings are open to the public. The Southern Gulf Islands CRD Director is also a member of the PIFPS board. The society's board appoints the Fire Chief and other officers and is responsible for oversight of PIFR, longer term direction, and planning for PIFR services. The PIFPS Board also manages the contractual relationship with the CRD.

In 2017, the CRD requisitioned \$850,310 from property owners on North and South Pender Islands for the fire protection and emergency response service. Of this, \$687,060 was paid as a contribution to PIFPS. The CRD owns the buildings, land, fire trucks and other apparatus used by PIFR, except for assets purchased out of PIFPS' own funds or provided by other organizations.

The CRD-PIFPS contract grants the Society a licence to occupy and use designated CRD-owned buildings, properties, and equipment. To ensure taxpayer resources are protected, PIFPS must:

- Provide CRD access to all financial records,
- obtain CRD approval in writing for any site plans, working drawings, specifications etc.,
- obtain relevant CRD building permits,
- maintain any structures and fire equipment to standards acceptable to the CRD,
- notify the CRD of any release of contaminants and remediate to the CRD's satisfaction,
- provide the CRD with PIFPS's up-to-date operational guidelines,
- provide the CRD with the PIFPS annual report, minutes of general meetings, and financial statements (the latter being in a form approved by the CRD),
- keep funds received from the CRD separate from other PIFPS funds in the PIFPS books,
- provide an annual report of the estimated replacement cost of all fire equipment,
- submit an annual budget for CRD approval for the performance of contracted services,
- report to the CRD any revenues generated using CRD-owned facilities,
- not approve any expenditures of CRD funds unless provided for in the CRD-approved budget,
- request instalment payments from the CRD during the year,
- return to the CRD any annual operating funds not spent by year end (for transfer to a reserve fund),
- follow purchasing processes approved by the CRD – which includes approval by the CRD of suppliers for purchases over \$200,000.

In addition, the CRD can terminate the agreement on 90 days notice if the PIFPS defaults on any terms of the contract or if the CRD decides to create a fire commission for the service area. In the event of contract termination, the CRD would take possession of all assets that have been purchased with CRD funds.

An independent operational and budget review conducted by FireWise Consulting in 2012 concluded that PIFR provides excellent value to the community for the taxes paid and that PIFPS provides excellent oversight to PIFR. This review also noted that the CRD has been innovative in providing liability insurance for an inherently high risk service.

The CRD-PIFPS contract provides that the Society's volunteer firefighters and support crew are indemnified under the CRD's Municipal Officials Indemnification Bylaw and the applicable CRD insurance policy, and that employees, directors and officers of the Society are covered by an insurance policy maintained at the cost of the CRD. The contract further states that the CRD shall indemnify the Society's Fire Chief, Deputy Fire Chief, Officers, volunteers, employees, directors and officers of the Society from all liabilities, losses, and claims arising out of any claim in connection with the performance of the contracted services - except in the case of specified categories of misconduct.

### **Conclusions**

It is apparent from the above examples that the CRD has been very flexible and creative in finding solutions to concerns regarding potential liabilities associated with contribution services delivered by non-profits societies and associations.

The CRD has also built in safeguards to ensure accountability and transparency in the use of public funds. Society boards of directors made up of community members and in some cases the CRD electoral area director also provide oversight that is accountable to society members. Provincial legislation and society bylaws also impose a degree of accountability and transparency.

## Improving CRD Service Delivery on Salt Spring Island, BC: options for positive change

Existing contribution services provide a range of models that could be used to expand service delivery by non-profits on Salt Spring.

### **Potential expansion of non-profit service delivery**

The CRD's *New Service Request Toolkit* sets out the procedure for establishing a new CRD service – including contribution services. Key requirements that must be met are:

- A purpose that aligns with the CRD's mandate;
- A service area that specifies who will benefit from and pay for the service;
- Demonstrated financial viability of the service's ability to cover all direct and overhead costs;
- Legislative authority for the service;
- Community support.

The Toolkit is provided on the CRD website at:

<https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/financeandcorporateservicescommittee/20130000/item-5-appendix-a-new-service-request-toolkitR.pdf?sfvrsn=0>

An excellent example of the application of this toolkit is provided by the current proposal to establish a new contribution service to support the Saturna Island Medical Clinic operated by the Saturna Community Club.

Supporting documents are available at: [https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/electoraleareaservicescommittee/20180314/2018-03-14agendapkg.pdf?sfvrsn=c61c16ca\\_2](https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/electoraleareaservicescommittee/20180314/2018-03-14agendapkg.pdf?sfvrsn=c61c16ca_2)

## **APPENDIX E Case studies of successful CRD collaborations**

### **1. Successful collaborations: Partners Creating Pathways**

#### **Construction of Pathways on Salt Spring Island through a Partnership between CRD and Community Groups**

##### **Introduction**

A community survey in 1991 by the Capital Regional District (CRD) Parks and Recreation Commission (PARC) demonstrated overwhelmingly support for bike and hiking paths. PARC also convened two separate community task forces, both of which proposed an off-road pathway network in the periphery of Ganges. In response, then CRD Director Gary Holman created the CRD Transportation Commission to facilitate construction of a Ganges Village Pathway Network (GVPN) and provide a community bus service.

##### **Partners Creating Pathways (PCP)**

In response, Island Pathways, a registered non-profit organization dedicated to promoting and building safe active transportation options, formed a committee called Partners Creating Pathways (PCP). PCP, with all its partners, has now successfully completed the GVPN and realized its vision of taking pedestrians, cyclists and mobility scooters off the road and onto a network of safe off-road pathways.

The success of this project is due to the collaborative nature of the PCP partnership with each partner contributing elements essential to its success. The partners are: the CRD, the Salt Spring Island Transportation Commission (SSITC), Island Pathways (IP) working with the provincial Ministry of Transportation and Infrastructure (MoTI).

##### **The “Critical Path”**

In 2011, the chair of the SSITC negotiated a “Critical Path” agreement to guide the building of pathways on Salt Spring. The CRD General Manager, the CRD Senior Manager for Salt Spring, the CRD Transportation Manager for SSI, the MoTI District Development Technician, the CRD Regional Director, the Chair of Island Pathways, the Chair of Partners Creating Pathways, and the SSITC all signed off on and endorsed the Critical Path.

The purpose of the document was:

- to guide the building of pathways on MoTI right-of-way
- to allow all key parties involved, namely CRD, PCP, IP, the SSITC and MoTI to fully appreciate who is responsible for what; and thereby
- to facilitate collaboration while expediting the process.

##### **Ongoing Collaboration**

Subsequent collaboration between the partners since 2011 has been faithfully guided by the Critical Path. The agreed division of labour meant that the SSITC helps to decide on projects and to fund them. As pathways are community amenities, the CRD is responsible for all liability and maintenance issues and handle the following (not a complete list):

- Contract administration,
- MoTI permit applications,
- Approval of design plans,
- Tendering the projects, contractor selection and contract signature.
- Final approval of work done by the contractor.

Island Pathways takes responsibility for:

- Raising some of the funds
- Project route surveys
- Preparing grant applications and final reports to funders
- Pathway designs
- Liaison with neighbours and all related stakeholders
- Drafting MoTI permit applications
- Construction drawings for tendering
- Volunteer project management during construction
- Kiosk and bench construction and installation
- Safety signage supply and installation
- Landscaping

## Improving CRD Service Delivery on Salt Spring Island, BC: options for positive change

Role of the SSITC: Each year, PCP requests SSITC endorsement of a pathway project for the following year and seeks a funding allocation from the SSITC transportation tax requisition.

### **The PCP Track Record**

The collaborative approach adopted by all Partners Creating Pathways members has been critical to the success of the timely completion of the GVPN. The Driftwood said *“One of the best facets of the network is that very little of the funding has come from local taxpayers. IP [Island Pathways] seems to have the magic touch when it comes to getting grants and leveraging both cooperation and funds from other agencies. As well, use of volunteer expertise and labour has minimized costs”*.

### **Conclusion**

This partnership has worked exceptionally well because it has been a true collaboration where each partner has contributed separate and essential tasks in the creation of at least one new pathway project annually for ten years. The partnership has saved the community enormous amounts of money and more importantly has taken pedestrians, cyclists and mobility scooter users off the road and put them on safe pathways...maybe saving lives.

## **2. Successful CRD collaborations: Salt Spring Transit Case Study**

The Salt Spring Island Transportation Commission (SSITC) serves in an advisory role to the CRD and to BC Transit on matters related to the transit service and to transportation related community needs and projects. The SSITC and Salt Spring Transit are unique in rural BC.

In 2003, CRD Director Gary Holman obtained funding for a Feasibility Study to establish a Salt Spring public transit system. The study was submitted to BC Transit and the CRD in September 2004. In 2007, a successful application was made to the federal government's Public Transit Infrastructure Program which funded a fleet of two minibuses to allow for the launching of SS Transit.

SSI Transit is a "stand-alone" system. It is not part of the CRD regional transit system. If SS Transit was part of the regional system, every household on SSI would pay the same tax rate as the rest of the region (about \$120 per household in 2007) with no guarantee that SSI would receive the same level of service. In order to establish our own basic stand alone system, with a per household cost of about \$12 per year initially, CRD Director Holman obtained approval from both the CRD Board and the Greater Victoria Transit Commission to opt out of the regional system.

Local taxpayer approval for the establishment of SSI Transit was obtained through the Alternative Approval Process rather than by referendum. Perhaps local taxpayers recognized that they were getting a good deal with roughly 50% provincial funding and two “free” buses. Less than 2% of registered voters signed the petition. SSI Transit began operations in January 2008.

Ridership numbers climbed rapidly in the first years of service and more than doubled initial estimates. While the feasibility study assumed 16,000 riders in year one, 45,000 passengers climbed on board. SSI Transit and its operator Ineke de Jong of Ganges Faerie Minishuttle received a Canadian Urban Transit Association award for the best startup of a transit service in a Canadian rural area.

In 2013, with support from CRD Director Garth Hendren, the Alternative Approval Process was used again to approve an increase of the SSITC annual transit requisition from \$80,000/year to a maximum drawdown of \$245,000. Ridership continued to climb and by 2017 exceeded 100,000 rides a year.

Former SSITC Chair Donald McLennan gave much of the credit to BC Transit's Senior Regional Transit Manager Myrna Moore for her hands-on approach to the oversight of the bus system. *“Ms Moore attends several SSITC meetings each year; she is available, collaborative, consultative and sharing with information.”* SS Transit earned 246% more revenue compared to other community transit systems in BC in 2016-17 and realized operating cost recovery of 43.8% compared to a tier average of 15.7%. *“It is phenomenal—absolutely phenomenal.”* according to Myrna Moore. (Driftwood December 6, 2017)



## **APPENDIX F Case studies of CRD projects experiencing problems**

### **1. North Ganges Transportation Plan**

The Salt Spring Island Transportation Commission (SSITC) serves in an advisory role to the CRD and to BC Transit on matters related to the transit service and to transportation related community needs and projects. The SSITC and Salt Spring Transit are unique in rural BC. As described in Appendix E, SS Transit and Partners Creating Pathways are community success stories, but the SSITC has experienced substantial delays in construction of some planned transportation infrastructure.

The North Ganges Transportation Plan (NGTP) aspect of the transportation file has had mixed results. The NGTP was initiated in response to community outcry after the death of a pedestrian on Lower Ganges Rd in 2004 and a student struck by a car on Rainbow Road. There were no sidewalks or bike lanes in either of these heavily-travelled locations. At the instigation of the CRD Director, gas tax funds were budgeted to enhance the safety of road users.

Consultants Richard James & Associates were engaged in 2007 to prepare a planning overview. In 2010, federal Community Works Program (gas tax) funds were allocated for a follow-up detailed engineering study by JE Anderson & Associates (JEA). The provincial Ministry of Transportation and Infrastructure (MoTI) approved Phase One in September 2011. Construction on Lower Ganges Road was completed in 2013. The project, consisting of a sidewalk, bike lane, bus pullout and intersection improvements, cost \$1.2m of which \$200,000 was contributed by local taxpayers through the SSITC. MoTI contributed \$450,000. Federal gas tax funds covered the remainder.

In order to complete further phases of the plan, SSI residents approved by referendum in November 2014 \$1 million in additional taxpayer funding by increasing the annual SSITC transportation requisition from \$146,000 to \$396,000 over 2015-2018.

Projects funded by the 2014 tax referendum have been delayed since that time. Engineering plans were complete in 2014 when islanders approved the \$1 million tax increase for transportation infrastructure to finish the NGTP and improve safety on Ganges Hill. The Driftwood editorial of Nov 12, 2014 stated *“Making sure SSITC and the CRD stay on course to get the job done on time and on budget will be of paramount importance during the next four years.”*

The only progress on this plan has been a \$30,000 pathway fronting Gulf Islands Secondary School that was designed and managed by a SSI community volunteer organization, Partners Creating Pathways. The CRD Capital Plan 2018-2022 confirms \$1,806,000 has accumulated in the SSI Transportation Commission (SSITC) reserve fund since 2014 for these stalled projects.

The situation was exacerbated by a further unanticipated delay in April 2018 because the CRD had neglected to consider archaeological requirements. The Driftwood reported (May 2, 2018): *“Commissioners voiced surprise the information was only coming to light now, when the project has been in the works for years. Conceptual designs for the NGTP were first submitted by consultants JE Anderson ... in 2010.”* Commissioner Nigel Denyer was quoted in the same article: *“It’s been four years since we went to referendum to get funding for this project and nothing much has happened in that four years.”*

According to former SSITC Chair Donald McLennan, delays executing the NGTP are especially alarming as grant opportunities were lost. In 2014, CRD received \$60,000 grant support for the NGTP from Bike BC. McLennan commented *“Since the NGTP funds remain unspent, CRD was ineligible to participate in the 2017-18 Bike BC grant program which offers \$1 million in infrastructure funding for NGTP-type projects”*.

## **APPENDIX F Case studies of CRD projects experiencing problems (cont)**

### **2. Maliview Sewage Treatment Plant and Outfall**

*based on interviews with Sharon Bywater, Maliview Sewer Local Services Commissioner*

The Capital Regional District (CRD) Maliview Sewer Local Services Commission serves the Maliview neighbourhood, a community of modest, affordable homes occupied mostly by working families and blue collar retirees. There are only 101 households connected to and paying for the system, which is managed and operated by the CRD.

In June 2004, the Sewer Commission approved the purchase of a new wastewater treatment plant for their sewer system. This was needed because the original plant, installed by the developer, did not meet the new provincial requirements for effluent quality and was approaching the end of its lifespan. The Maliview Sewer Service received a grant to help defray the costs of the new plant.

In November of 2005, the commission was notified that the new plant had been completed and that the inflows were double that of flows recorded at the prior plant. The CRD confirmed to the commission that the design of the new plant had been based on inaccurate data from a faulty meter in the old plant. In April 2006, the commission was told that winter inflow from non-sewage sources (rain and groundwater) had occasionally been six times the plant's design and that the plant was drastically undersized.

The unanticipated flow created a number of problems and a series of unexpected expenses. The treatment standard that was specified for the plant was based on a flow of 50 cubic meters per day or less. Since the flow was above that, a stricter standard would apply. To address the issue, CRD spent approximately \$85,000 of ratepayer funds building additions to make the undersized plant meet permit requirements and the needs of the community. This work did not fully address the problem. CRD staff tried to find the source of the non-sewage inflow. Residents were contacted regarding repairs and were asked to disconnect sump pumps. But flows were not reduced substantially.

In 2005 the commission had to increase the user fee by \$200 a year to help pay for the expenses incurred. In March of 2007, CRD staff reported that the extra installed equipment would raise operating costs for disposal of additional waste (sludge) and rates would have to be increased again. In May it was determined that the reserve fund had been exhausted and rates would have to be raised even more to try to replenish it.

By 2016 user fees were \$1,163.28 a year. The average consumption fee at that time was \$301 which meant that in 2016 the average ratepayer was paying \$1,464.28 a year for sewage treatment. In 2016 alone emergency repair costs were \$16,000. Many of these users were also paying increasing costs for water service.

The Maliview sewer system has been caught in a breakdown repair cycle since the new plant was installed. Despite steady user fee increases, the creation of a consumption fee, and cost savings measures, the service has been unable to build reserve funds.

An additional problem is that in 2014 the outfall structure had failed, resulting in a spill on the beach and beach closure. A temporary solution was proposed at a cost of \$135,000 but to this date, this work has not been completed. Commissioners fear that if another spill occurs, the ratepayers could incur clean-up costs in addition to repair costs.

Problems with the high rate of inflow to the plant continue, and commissioners think the inflow rates have resulted in many breakdowns leading to expensive repairs and will possibly decrease the life of the plant itself. Either the CRD or its contractor made the mistake of basing the new plant's design on data from a flow meter in a plant over 30 years old yet, unless the CRD Director provides assistance from community works/gas tax funds or other sources, all the additional costs fall on the ratepayers. If costs keep increasing, some residents fear they will be unable to afford to pay and will be forced out of their homes. The community currently has neither the right plant nor the funds to build one.

In 2016, the CRD Director secured CRD Board approval of approximately \$195,000 in community works/gas tax funds for a temporary repair to the outfall structure and to undertake some repair of mains carrying sewage from homes to the plant in order to reduce inflow from groundwater. But as of this date, this work is still at the engineering stage. The community feels that since CRD is responsible for this problem, it should secure funding to provide the sewage treatment plant which the community needs.

# **WHERE TO FROM HERE:**

**A Discussion Paper on  
Salt Spring Island Governance**

**Prepared by the  
Salt Spring Community Alliance  
Governance Working Group**

**September 2018**

## TABLE OF CONTENTS

ACKNOWLEDGEMENT AND DISCLAIMER .....	1
EXECUTIVE SUMMARY .....	2
INTRODUCTION.....	4
Purpose of this Report .....	4
Why Another Look at Salt Spring Island Governance? .....	4
REVIEWING POSSIBLE OPTIONS FOR CHANGE .....	6
Involvement of the Salt Spring Community Alliance .....	6
IDENTIFYING & ASSESSING GOVERNANCE OPTIONS .....	7
The Process .....	7
Identifying Options .....	7
Assessing Options .....	8
OPTIONS FOR CONSIDERATION .....	11
OPTION A: Status Quo .....	12
OPTION B: Inter-Agency Working Group .....	15
OPTION C: Restructuring of Regional District Commissions.....	18
OPTION D: Local Community Commission.....	21
OPTION E: Local Community Commission for Ganges Only .....	24
SUMMARY OF OPTIONS SCORING .....	27
OTHER POSSIBLE GOVERNANCE CHANGES .....	28
Islands Trust Improvements .....	28
Improvement Districts.....	30
Enhanced Attention to Key Local Issues .....	32
Other Tools to Enhance Local Government Service Delivery .....	33
OTHER INITIATIVES WE CONSIDERED .....	35
RECOMMENDATIONS AND NEXT STEPS.....	38
APPENDIX 1: COMMUNITY OUTREACH IN DEVELOPING THIS REPORT	40
APPENDIX 2: EVALUATION CRITERIA .....	42
APPENDIX 3: NOTES ON THE SCORING OF OPTIONS .....	46
Inter-Agency Working Group .....	46
Restructuring of CRD Commissions.....	48
Local Community Commission.....	50
APPENDIX 4: SELECTED REFERENCES .....	52

## **ACKNOWLEDGEMENT AND DISCLAIMER**

This is a report of the Salt Spring Community Alliance Governance Working Group<sup>1</sup>. Written in plain language, we often use the terms ‘we’ and ‘our’ in this document. When we do that, we mean the working group.

We are indebted to the countless individuals and organizations who, over the past decades, worked to improve local government on Salt Spring Island. Their efforts helped us in our attempts to identify and evaluate promising governance options.

We do not intend this discussion paper to be the last word on island governance. We recognize that change will require broad community participation and the commitment of government agencies and non-governmental organizations. There is much to be done to reach a community consensus.

This document is an attempt to restart a discussion on possible improvements to island governance and to encourage others to participate in the process. It is the work of community volunteers who, like so many Salt Springers, love the island and believe in its future.

While neither the participants of the Community Alliance nor the community at large have had an opportunity to review this document prior to its release, we are hoping it will spark many fruitful discussions throughout the Alliance and the community.

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<sup>1</sup> Regular participants in the working group’s discussions included Linda Adams, Gayle Baker, Howard Baker, Ian Clement, John Gauld, Wayne Glover, Peter Grove, Gary Holman, Richard Kerr, Maxine Leichter, Bob MacKie, Darryl Martin, Donald McClennan, Bob Moffatt, Maggie Squires and Brian Webster.

## **EXECUTIVE SUMMARY**

The Governance Working Group, one of six working groups of the Salt Spring Community Alliance, includes volunteers who supported both sides in the 2017 incorporation referendum and some who remained neutral. We came together believing there were ways we could enhance how local government works within our current unincorporated system. We believe it is important to enhance democratic participation and decision-making on Salt Spring and improve the effectiveness and efficiency of service delivery.

In February 2018, we began researching and analyzing governance options in hopes of spurring an-island-wide discussion of Salt Spring's future. We identified a range of options for improvement and developed criteria to assess them. We discussed each option in depth, first testing it against three "screening criteria" to identify which options were feasible. Options that passed these criteria were scored using 17 evaluation criteria.

The highest-scoring option was a Local Community Commission (LCC), an elected body charged with the responsibility for addressing regional district services. This option scored well partly due to its potential for strengthening local decision-making by adding locally-elected commissioners and providing a structure within which additional local government services could be consolidated in the future.

Members of the Working Groups also recommend the establishment of an Inter-Agency Working Group, comprised of elected officials and decision-making agencies. Regularly-scheduled meetings open to the community would focus on a coordinated approach to solving island-wide issues. While not a decision-making body, this group would provide a forum for enhanced communication and integration among Salt Spring's decision-making agencies.

We also discussed and analyzed a variety of other initiatives that could enhance local governance on Salt Spring. The initiatives that appeared to have the greatest merit are included in our recommendations.

### **Recommendations**

1. We recommend that Salt Spring Island's locally-elected representatives convene a multi-agency meeting shortly after 2018 local government elections to identify actions that can be taken immediately to enhance local government decision-making and coordination. Such actions might include:
  - Creating an Inter-Agency Working Group
  - Implementing an annual survey of community needs and local government performance
2. We recommend that Salt Spring Island's locally-elected representatives seek provincial funding for a community-led action plan for longer-term enhancements to Salt Spring Island governance and service delivery. This work should begin as soon as possible after the 2018 local government elections, have its scope and terms of reference developed in consultation with the community, target completion within 12 months and include the full involvement of the Capital Regional District, the Islands Trust and other relevant agencies. Development of the action plan should determine whether the Province is open to legislative and policy changes in the areas mentioned in this report and should include consideration of:
  - Establishing a Salt Spring Island Local Community Commission
  - Enhancing the role of non-profit agencies in local government service delivery on Salt Spring
  - Strengthening CRD collaboration with and support for existing improvement districts
3. We recommend that the Province of British Columbia fund and support a community-led process to develop an action plan for longer-term enhancements to Salt Spring Island governance and service delivery.
4. We recommend that Islands Trust Council:
  - Follow through on its proposed review of Trust governance and service delivery, including examination of ways to substantially reduce or eliminate Salt Spring's subsidization of local planning services on other islands
  - Commission an independent evaluation of the Salt Spring Island Watershed Protection Alliance to determine whether its current tax requisition is delivering value for money
5. We recommend that the Capital Regional District and the Salt Spring Island Electoral Area Director:
  - Facilitate dedicated administrative support for the Salt Spring CRD Director
  - Involve commissioners and community members at an early stage of any consideration of restructuring CRD commissions

## **INTRODUCTION**

### **Purpose of this Report**

Governance is about who has a voice in making decisions for our community, how decisions are made and how people making and implementing those decisions are held accountable. Local government includes the structures that are created to formalize governance decisions and carry them out.

The Governance Working Group began meeting in February 2018 and, through the Salt Spring Island Community Alliance, welcomed Salt Spring residents to attend meetings and contribute to the discussions. This report explores governance and local government options for Salt Spring Island in light of the 2017 decision of island residents to not incorporate as a municipality.

We expect that many Salt Spring residents believe our existing local government system meets their needs, while others may feel that significant improvements need to be made to achieve our community's potential. Our purpose in developing, writing and sharing this report is to help the community focus on where to go from here and begin the process of building a consensus on how we should be governed in the future.

### **Why Another Look at Salt Spring Island Governance?**

During the multi-year process that led up to the 2017 incorporation referendum, island residents on both sides of the referendum question said there were ways we could and should enhance how local government works on the island. Even as people differed over the merits of incorporation as a solution, we observed widespread agreement on one key point: Salt Spring Island's current system of local government can be improved.

Numerous studies and reports over the years have discussed these issues in some detail. However, over the last 20 years, little research focused on possible improvements to our island's existing rural, unincorporated governance system. This report sets out to remedy that.

We have identified two broad issues that most members of the working group believe are deficiencies of our current system.

#### **Accessible Democratic Decision-making**

Salt Spring Island has many people involved in decision-making, some elected and some appointed. For many island residents, there are four elected bodies making local government decisions that affect them: Islands Trust, Capital Regional District, Salt Spring Island Fire Protection District and North Salt Spring Waterworks District. Each of these has its own elected board, with elections taking place on three different cycles. Participation of island residents in improvement



district elections is generally very low and these bodies have sometimes had difficulty in attracting sufficient candidates to fill all open positions.

Despite the many decision-makers, most regional district decisions -- which cover a wide range of local government services -- are ultimately made by the Capital Regional District (CRD) Board on the recommendation of a single locally-elected individual, the Salt Spring Island Electoral Area Director. Many island residents are concerned that this may impose too much responsibility and too heavy a workload on the Director.

The development of CRD initiatives often involves input from commissions, which meet with varying frequency and -- with the exception of the Director, who sits on all of them -- are populated entirely by appointed community members. Commission meetings often take place with very few or no other community members in attendance.

### **Efficient and Effective Service Delivery**

Many people on both sides of the 2017 referendum question believe that local government decision-making and service delivery, with its numerous agencies and decision-makers, can be confusing and inefficient. Consolidation of some of these bodies, and better coordination among all of them, is possible within our unincorporated local governance model.

Local government decisions on Salt Spring Island are sometimes made without consideration of other agencies' directions and plans and often are not reflective of a clear set of overall community priorities. While the 2017 referendum result indicates that many island residents likely support maintaining the island's longstanding separation of land use decision-making from other local government decision-making, we believe it is possible to improve the coordination of decision-making on Salt Spring within our unincorporated local government model.

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**In our opinion, these issues are important and deserve attention. We believe that significant improvements to local government on Salt Spring are possible without revisiting incorporation. And we believe the process of developing and implementing such changes should be community-led. Those improvements are precisely what this discussion paper attempts to identify and explore.**

## **REVIEWING POSSIBLE OPTIONS FOR CHANGE**

### **Involvement of the Salt Spring Community Alliance**

The Salt Spring Community Alliance began meeting shortly before the 2017 incorporation referendum. Its purpose is to support a broad and diverse group of islanders to address community concerns by:

- identifying, researching and prioritizing issues
- informing Salt Springers
- initiating conversations on community issues
- identifying strategic solutions

In its early meetings, Alliance participants identified six categories of important local issues and formed working groups to address each of them. One of these categories is governance.

The Alliance has met monthly throughout the year, offering information and regular community conversations. It is also beginning to identify solutions to complex issues. Having recently achieved non-profit status, the Alliance hopes to acquire funding to expand community participation through outreach, a greatly-improved website and an expanded social media presence.

Although still in a formative period, we believe the Community Alliance has the potential to become an organization that plays a significant role gathering community input and seeking solutions to important Salt Spring issues.

### **The Community Alliance Governance Working Group**

The Governance Working Group was formed in early 2018 to gather and present fact-based information to the community on options and possible solutions for improving island governance and service delivery.

Participation in the working group arose from the Community Alliance meetings and through those meetings, we invited Salt Spring residents to take part. It included members who supported both sides in the 2017 incorporation referendum as well as some who remained neutral. The working group welcomed new participants to join at any point in its work. Many brought with them extensive experience in public or private sector governance, including here on Salt Spring.

Between 17 and 20 people attended most of the working group's meetings, which often took place weekly over the seven-month period of research, analysis, discussion and report development.

## IDENTIFYING & ASSESSING GOVERNANCE OPTIONS

### The Process

The working group set out to discuss governance on Salt Spring Island and identify strategies that might address improvements. Through this process, we identified a range of options and developed criteria on which to comparatively assess them.

The group discussed each option in depth, first testing it against three “screening criteria.” We then went through a detailed assessment of each option that met those initial criteria.

In all of our discussions, we sought to achieve consensus. On some points where there were differing views, we did our best to find common ground and - where there were still differences - made a choice through a majority vote.

This report shares the information we gained through our work with the Community Alliance and the community. Our intent is to generate discussion and help work toward a community consensus on options to enhance governance on Salt Spring.

### Identifying Options

The working group set out to define issues that currently exist with Salt Spring’s system of governance and then identify solutions that may be able to address them.

While a comprehensive study of all possible governance options was beyond the scope of our work, we did make efforts to consider as many possibilities as time and information permitted. We cast our net wide, agreeing that it was best to identify all options and then focus on those we believe are feasible by testing them against clear screening criteria.

### Review of Past Proposals

Several members of the working group reviewed past reports and discussions of governance issues on Salt Spring, looking to extract from them past issues and ideas that appear to remain relevant. This review included documents going back to the early 1990s.

### Review of Other Jurisdictions

Working group members also looked at what some other jurisdictions have done to address their own governance issues. For example, we looked at the use of a non-

#### Note

Some members of the working group believe that incorporation is the best option for Salt Spring. The will of the majority was followed by setting aside incorporation and other options that did not meet all three screening criteria. However, some members of the working group believe this report would be stronger if it had fully evaluated options that did not meet those criteria.

profit group to deliver services on Hornby Island and at how the Regional District of Okanagan-Similkameen has considered using Local Community Commissions.

### **Committee Members' Brainstorming**

In addition to discussing the results of research and analyses, there were also free-wheeling discussions during which all were welcomed to offer options or propose tweaks to options that had already been identified. This brainstorming was highly productive. It helped all members of the working group gain greater understanding of the potential strengths and weaknesses of the various options as well as the concerns and priorities of the other working group members.

### **Outreach to the Community**

As part of the process of developing this report, we reached out to the community, both through meetings with organizations and a presentation at one of the monthly Community Alliance meetings. More information on this part of the process is described in Appendix 1.

## **Assessing Options**

Throughout the process of comparative assessment, we identified a variety of options. Through lengthy discussions of their characteristics, strengths and weaknesses, we sought to identify important elements of any possible changes to the status quo.

This led us to develop two sets of criteria:

- Screening criteria - Three fundamental requirements that an option would need to meet in order to receive further consideration in our development of this report.
- Evaluation criteria - A set of 17 specific points against which to score each option that met all three screening criteria.

### **Screening Criteria**

Our assessment of each option began by testing it against three criteria designed to identify its general feasibility and determine whether it warrants detailed assessment as part of the development of this report.

The three screening criteria are:

#### **1. Can the option be implemented without change to Provincial legislation?**

British Columbia's local government system defines the roles and responsibilities of 27 regional districts, 162 municipalities and numerous other local government bodies, including the Islands Trust. In our view, any option requiring Provincial legislative change -- particularly if it would apply only to Salt Spring Island -- is

less realistic. Therefore, we set aside any option that would require change to Provincial legislation.

**2. Does the option maintain the role of the Islands Trust and separate land use planning from local government service delivery?**

Our assessment of the 2017 incorporation referendum, which resulted in a 61.9 percent 'NO' vote, is that many voters supported land use control by a body separated from decision-making on other local government services. Therefore, we set aside any option that would combine the current role of the Islands Trust with other local government decision-making.

**3. Is it realistic to expect that the option would be acceptable to the Province?**

We believe it is essential for our community to move forward with tangible, positive change to local government on Salt Spring Island. We concluded that options that are contrary to longstanding provincial government policy or otherwise are unlikely to be acceptable to the B.C. government would be set aside. Options that were set aside included several incorporation options, joining a different regional district or creating a new one, a multi-service Improvement District and additional Islands Trust Trustees.

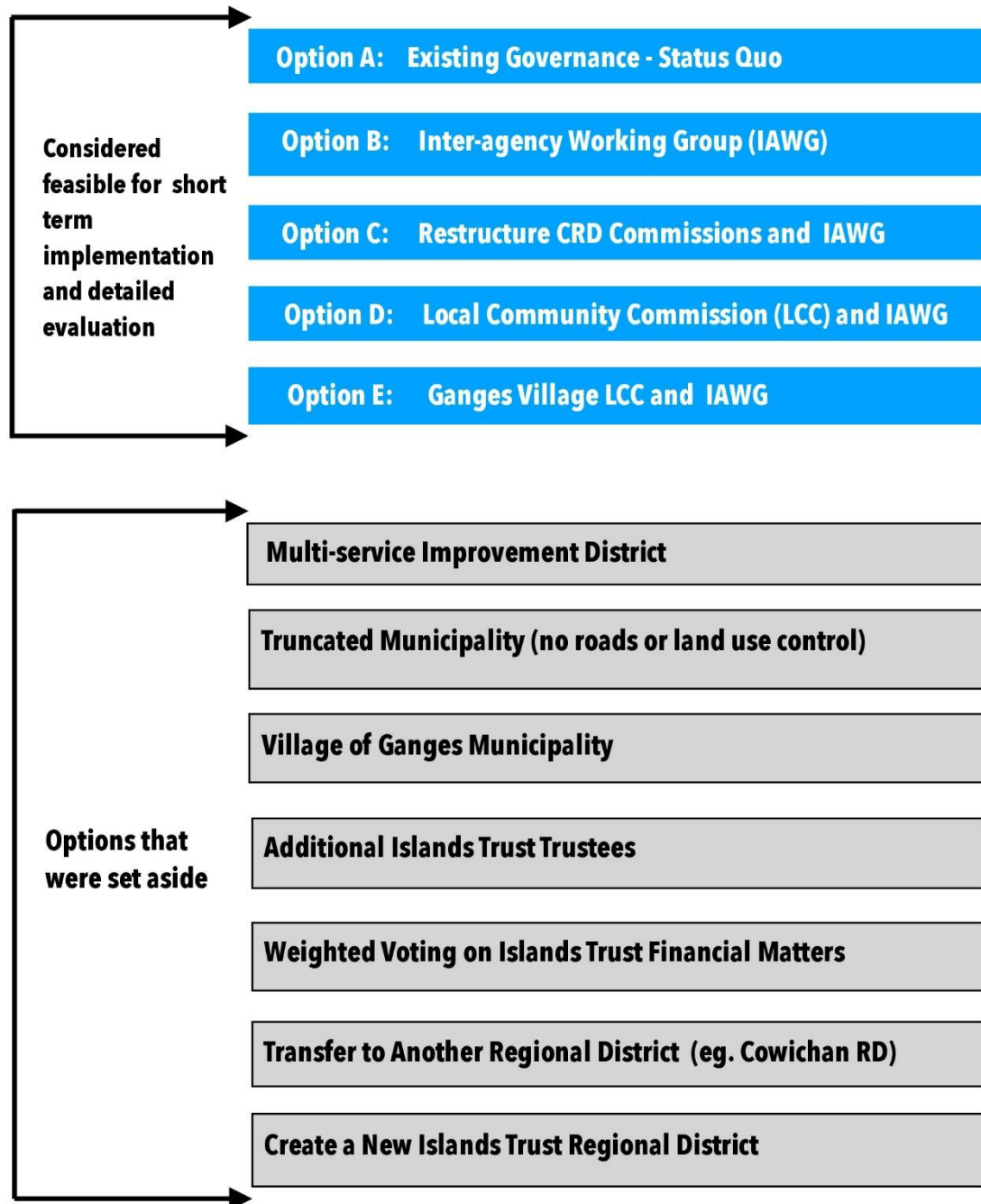
**Evaluation Criteria**

After setting aside options that did not meet the screening criteria, we scored the remaining options on 17 specific evaluation criteria. We organized these criteria under four general categories:

1. Representation/democratic decision-making
2. Accessibility
3. Efficient and effective service delivery
4. Feasibility and sustainability

These evaluation criteria are described in detail in Appendix 2.

### Summary of Identified Options



*Note: The options are listed in no particular order*

## OPTIONS FOR CONSIDERATION

In addition to options set aside because they did not meet the three screening criteria, others were identified as not being full-fledged governance options. These were not subjected to full evaluation, but are described later in this report. That left four options that are described in this section, plus the status quo.

The fully assessed options are:

- Status Quo
- Inter-Agency Working Group
- Restructure Regional District Commissions
- Local Community Commission
- Local Community Commission for Ganges Only

These options differ primarily in how they address CRD services (current and potential), as a wide range of local government services are within the purview of the regional district.

The following pages describe each of these options in turn, concluding with a summary of how the option scored on the evaluation criteria and a graphic representation that looks similar to an organizational chart. Detailed information on the scoring of most of these options can be found in Appendix 3.

## **OPTION A: Status Quo**

### **Key Characteristics of this Option**

- No changes to local government on Salt Spring
- No implementation costs
- No action to address deficiencies of the current system

The working group assessed and scored the status quo in order to provide a baseline against which to compare other governance options and in acknowledgement of the fact that our community has achieved a great deal under our current system of governance. For example, the island's library and indoor swimming pool were developed under our current governance system, along with other initiatives.

Some members of the working group believe that this success has been at least partly due to our unique system of governance, while others believe our successes have largely been in spite of our current governance system.

The status quo involves local government services that are the responsibility of Capital Regional District (CRD), the Islands Trust, the Salt Spring Island Fire Protection District, North Salt Spring Waterworks District and others. As an unincorporated area, roads are the responsibility of the Provincial Ministry of Transportation and Infrastructure. Policing is funded by the Province and the federal government and delivered by the RCMP. Salt Spring taxpayers contribute toward funding both roads and policing through the Provincial Rural Tax and the Police Tax.

Currently, some local community services on the island are delivered directly by the agencies responsible for them (such as the CRD, Islands Trust, Fire Protection District and North Salt Spring Waterworks District, for example), while others are provided through a variety of volunteer, not-for-profit and other associations.

Non-profit agencies providing services partially paid for by local taxes and other funds channelled through the CRD include, but are not limited to Salt Spring Island Community Services Society (recycling depot), the Salt Spring Island Public Library, Island Arts Centre Society (ArtSpring) and the Salt Spring Island Arts Council. Island Pathways and the Trail and Nature Club have partnered with the CRD and other agencies on pathway construction.

The CRD has a variety of commissions on the island, which are appointed, volunteer groups that also include our CRD Electoral Area Director. They provide advice to the CRD on local government services in several areas, such as parks and recreation, transportation, community economic development and others. Each commission has its own terms of reference, as provided for in a CRD bylaw.



There is one locally-elected person (the Electoral Area Director) responsible for CRD decision-making on the island. This person sits on the 24-member CRD Board. Regional district-related agenda items introduced by the Salt Spring CRD Director are considered by the Electoral Area Services Committee prior to the CRD Board. Voting at the CRD Board on items that pertain to finances and bylaws are decided by weighted voting (by population).

There are two locally-elected Islands Trust representatives, who sit on the Local Trust Committee with one other Trustee from another island. These representatives also sit on the Trust Council, which provides overall guidance for the Trust. Voting at the Island Trust Council is not weighted by population.

The electors for the CRD Director and the Islands Trust Trustees include all qualified island property owners and residents; elections are held every four years coincidental with local government elections throughout B.C.

Each of the two large improvement districts has a governing board. These hold separate elections, with one-third of each board elected annually, to three-year terms. The electors for the Fire Protection District Board include property owners only within the boundaries of the district, which includes the entire island except for offshore islands and the Musgrave area. The electors for the North Salt Spring Waterworks District Board include property owners only within the boundaries of the district, which includes just over 2,000 properties (about 40 per cent of the properties on the island).

#### **Scoring of this Option**

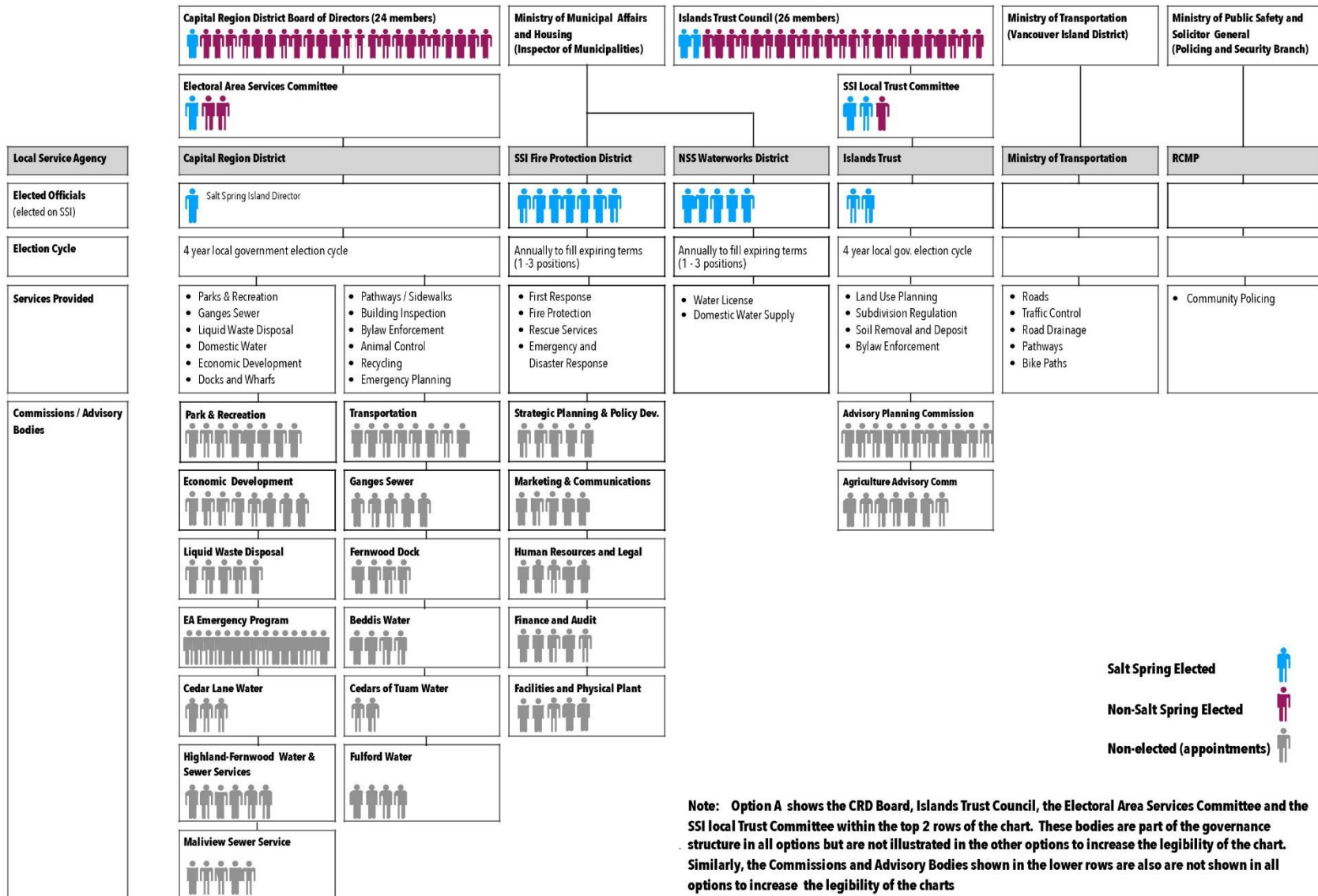
The status quo scored lower than any of the other four options that were scored. It scored particularly poorly in the areas of representation and democratic decision-making.

# A Discussion Paper on Salt Spring Island Governance

**Preliminary Draft**  
for Discussion Only  
August 30, 2018

## Governance Option A - Status Quo

Prepared by the Governance Working Group of the Salt Spring Island Community Alliance



## **OPTION B: Inter-Agency Working Group**

### **Key Characteristics of this Option**

- Regular public meetings of decision-makers
- Participation of agencies would be voluntary
- Low cost and easy to implement
- Focused on coordination
- Not directly able to make legally-binding decisions

The Inter-Agency Working Group would be a regularly-scheduled meeting of elected officials and others involved with local government service decision-making and delivery to address island-wide issues. Focused on integration and coordination among agencies, this working group would not have decision-making authority, but would provide a forum for inter-agency communication and shared problem-solving.

The Working Group's discussions could lead into agreements to follow through with joint initiatives, such as strategic planning, communications or resource-sharing, although this would need the separate approval of each agency.

The working group's meetings would be open to the public, include a 'town hall' portion and have minutes taken and made publicly available. The Inter-Agency Working Group would involve limited costs for items such as meeting room rental, coordination and record-keeping.

Inter-Agency Working Group meetings would provide an opportunity for community members to be informed by their local service agencies and to directly address their local service representatives in an open public meeting. Items of business raised at the working group would return with agency representatives to their respective decision-making bodies and those bodies' decisions could return to subsequent working group meetings as information items.

Members would include the CRD Director, Islands Trust Trustees, chairs of the Improvement District Boards and representatives of the Ministry of Transportation and the RCMP. The membership of the working group might also include other local agency representatives such as the school board, Island Health, ambulance service and library board. Alternatively, other agencies might be invited to attend as guests when inter-agency coordination would be beneficial. Agency staff would typically attend the meetings to support elected officials.

Establishing an Inter-Agency Working Group requires no legislative or structural changes to existing agencies. The terms of reference and procedures for the working group would be established by consensus of the participating agencies. The agencies may choose to enter into a memorandum of understanding and/or

approve bylaws to establish their commitment to the working group and any financial or human resources they may contribute to the working group. Working group meetings might be held quarterly or bi-monthly.

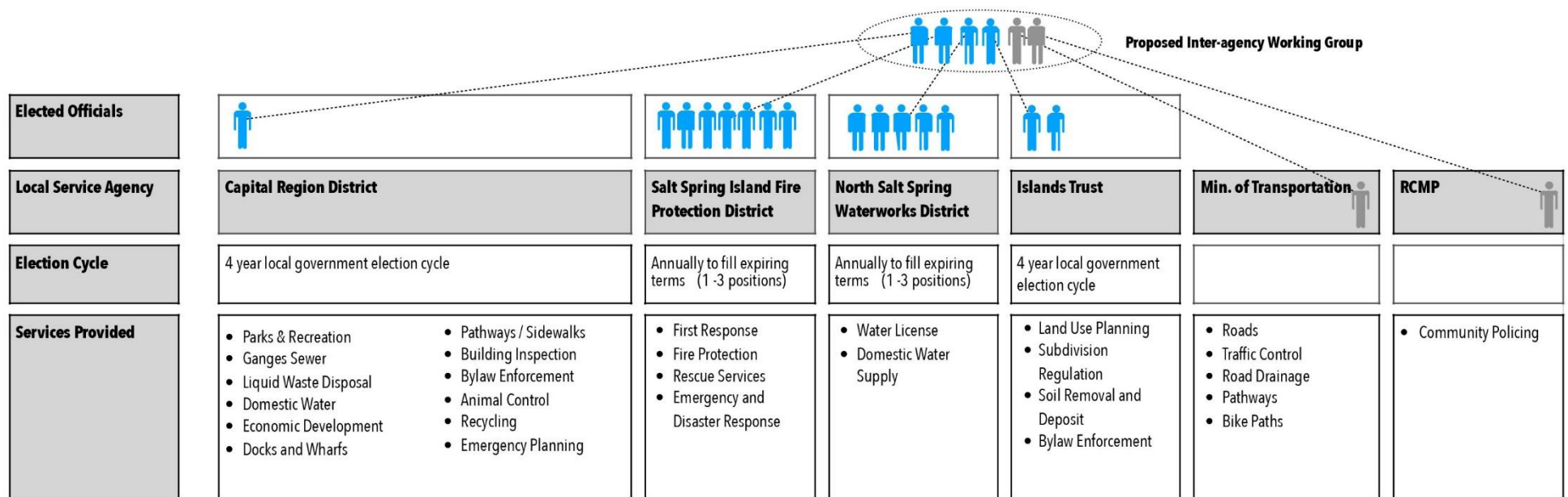
### **Scoring of this Option**

We assessed the Inter-Agency Working Group option both as a stand-alone option added to the status quo and as a component of the other scored options. We did this because working group members saw merit to this option while recognizing that, in the absence of other changes, it would provide only modest improvements to local government decision-making and service delivery. Therefore, while this option scored only slightly better than the status quo, we believe it deserves consideration for implementation as part of a more comprehensive package of governance improvements.

**Preliminary DRAFT**  
for Discussion Only  
August 30, 2018

## Governance Option B - Inter-agency Working Group

Prepared by the Governance Working Group of the Salt Spring Island Community Alliance



## **OPTION C: Restructuring of Regional District Commissions**

### **Characteristics of this Option**

- Involves reorganizing and amalgamating current regional district commissions
- A CRD local services board could be comprised of the chairs of the restructured commissions to provide a forum for coordination of CRD services and support for the Director
- Would require bylaw changes and potentially one or more referenda, depending on the nature of changes
- Would not otherwise change elected representation or local government services

Commission restructuring would involve changes to the existing Capital Regional District commissions on Salt Spring Island in order to provide for greater coordination of services and decision-making. It would require the CRD Board to approve bylaw amendments to restructure commissions. More research is required to determine if referenda are required to restructure the existing commissions.

In our discussions, we noted that some existing commissions are inactive and some areas of regional district activity on the island are not the responsibility of any commission. We saw potential for restructuring commissions, potentially amalgamating some current commissions and adjusting the responsibilities of others.

Senior CRD staff have said publicly that they have been working on changes to some Salt Spring commissions, but have not indicated whether that process will involve consultation with potentially affected commissions or the larger Salt Spring community. We consider such local involvement to be an important aspect of any restructuring.

While we discussed various specific ideas as to how commissions might be restructured, we recognized that a detailed proposal for such changes would require consultation with existing commission members and regional district staff, which was beyond the scope of this project.

As a result, the option that we assessed is conceptual and did not include specific proposals for the restructuring that could take place. The chart on the following page is intended to be illustrative in nature and does not represent a specific proposal for restructuring.

### **Scoring of this Option**

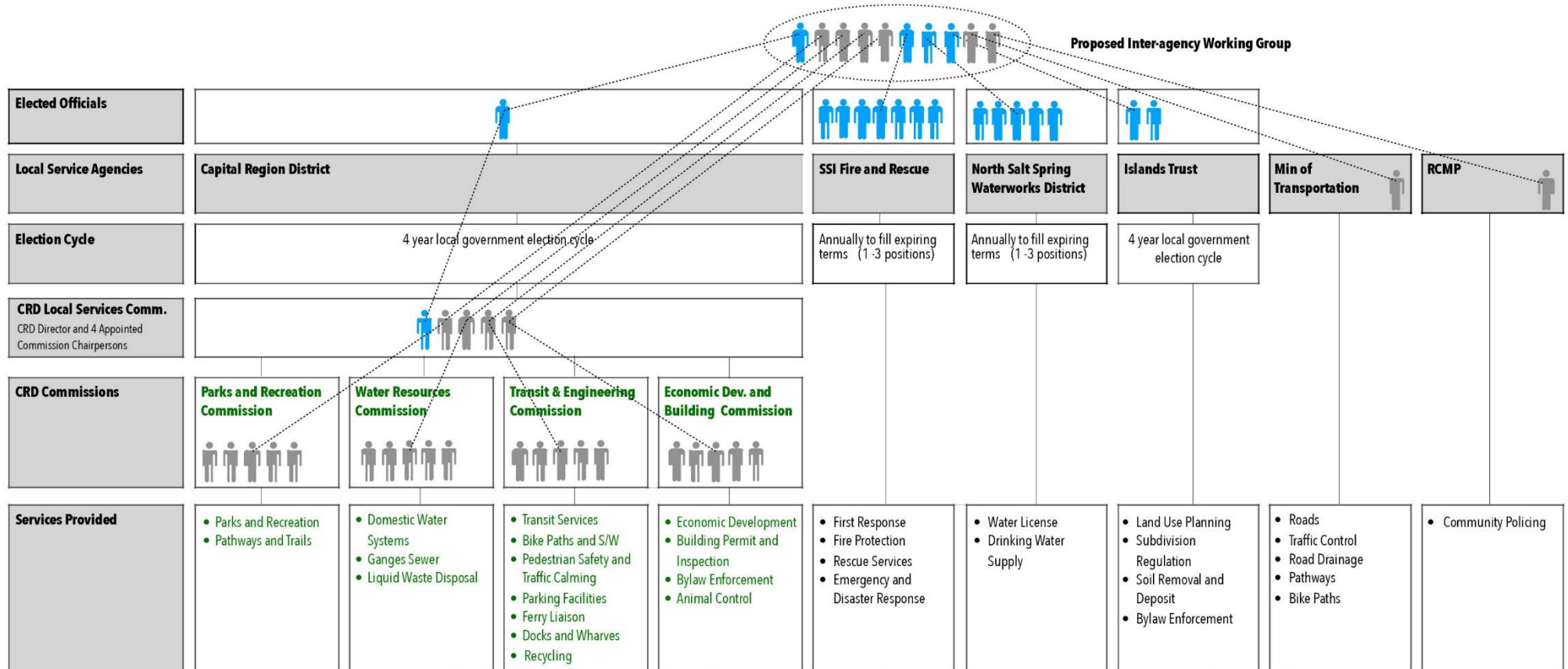
We assessed this option on the assumption that it would be implemented in combination with the Inter-Agency Working Group. While it scored higher than the

status quo and slightly higher than implementing just an Inter-Agency Working Group, its score was significantly lower than the highest-scoring option, in large part because it did not score as well on criteria relating to representation and democratic decision-making.

**Preliminary DRAFT**  
for Discussion Only  
August 30, 2018

## Governance Option C - Restructure CRD Commissions and Inter-agency Working Group

Prepared by the Governance Working Group of the Salt Spring Island Community Alliance



The restructured CRD Commissions and Services Provided as shown here are illustrative only. The restructuring of the existing Commissions would be decided by the CRD Board in consultation with the CRD Director, existing commissions and the community



## **OPTION D: Local Community Commission**

### **Key Characteristics of this Option**

- Four locally-elected commissioners elected every four years
- Would work with our Electoral Area Director on regional-district-related matters
- Implementation would require a referendum and regional district bylaws
- Its authority would be negotiated with the CRD, with a final decision by the regional district board, which may or may not meet community expectations
- The addition of other services is possible, but could be a complex process

A Local Community Commission (LCC) would be an elected body dealing with Salt Spring Island-related matters within the responsibility of our regional district. It would add additional locally-elected voices to decision-making and provide a structure within which additional local government services could be consolidated in the future.

Under an LCC, Commissioners would be elected island-wide at the same time as the CRD Director and Islands Trust Trustees. Commissioners could be paid or voluntary.

To establish an LCC, the Capital Regional District would need to pass an establishment bylaw and a delegation bylaw. Salt Spring residents would need to pass a referendum to approve its establishment. The commission would include either four or six commissioners elected island-wide, plus Salt Spring's Electoral Area Director. The working group agreed that four members would be most appropriate, at least initially.

The authority of the LCC would be negotiated between the community and the Capital Regional District, as the legislation provides for it to be anywhere from a purely advisory body to one with extensive delegated authority.

This option could include restructured and/or additional CRD commissions such as a Ganges Village Commission and would provide a structure within which improvement districts could amalgamate with the regional district and be governed by the LCC, should they choose to do so in the future. CRD commissions would become advisory to the LCC, with one or two elected LCC Commissioners assigned responsibility for serving as liaison with each advisory commission.

An LCC would serve as a 'clearinghouse' for all regional district-related decisions for Salt Spring Island. Its potential areas of responsibility could include:

- Setting overall priorities for local services provided by the regional district

- Holding public meetings, listening to and considering input and communicating with local residents
- Allocating Salt Spring's share of gas tax funding (currently \$600,000 per year)
- Establishing, structuring and managing Salt Spring's CRD-appointed advisory commissions (parks and recreation, transportation, economic development and others)
- Endorsing budgets for CRD Board approval
- Monitoring the delivery of local services
- Recommending new bylaws or amendments to the regional district board

Other powers could be delegated to the Local Community Commission over time, particularly if additional services came under the regional district. For example, it could potentially take responsibility for planning local service delivery, contracting, developing or supervising grant applications and approving expenditures within approved budgets.

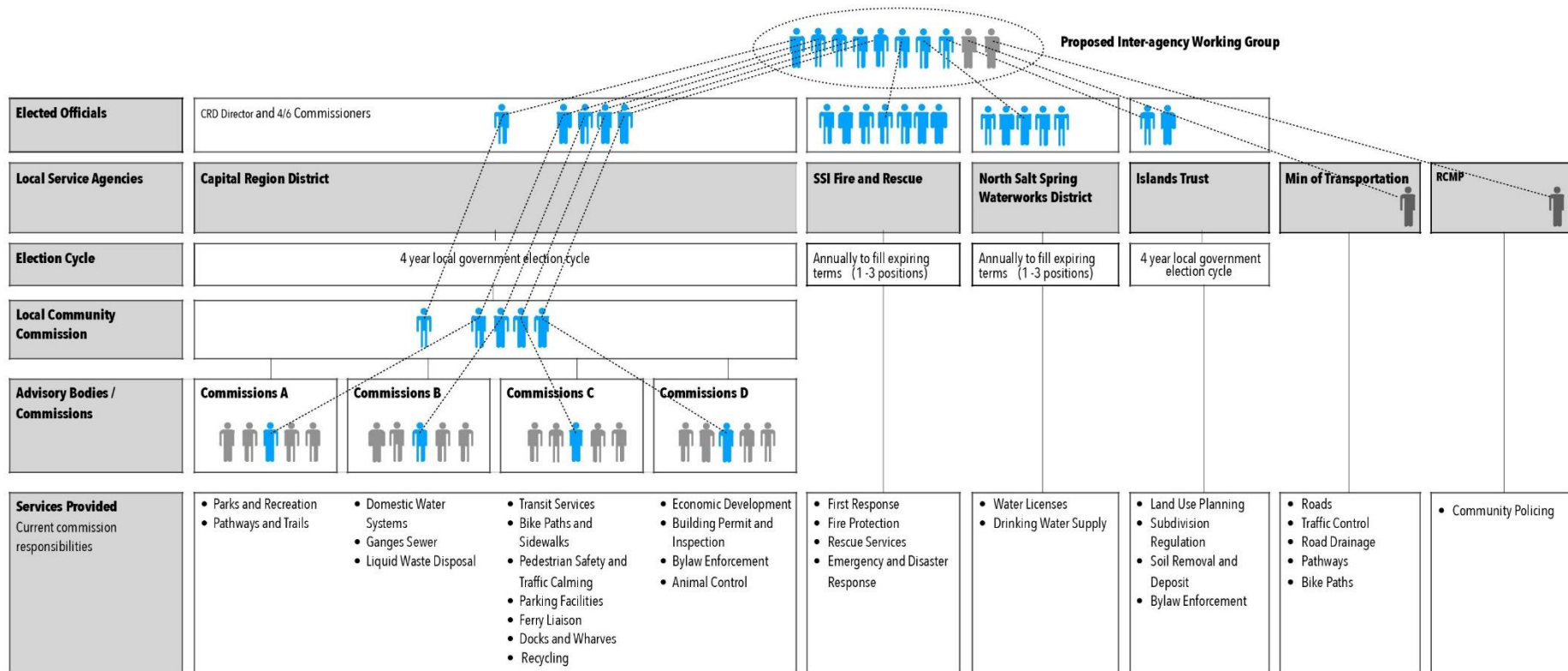
#### **Scoring of this Option**

We assessed this option on the assumption that it would be implemented in combination with the Inter-Agency Working Group. This was the highest-scoring option among the five that we fully assessed, scoring relatively well in most areas, except those relating to implementation challenges and costs.

**Preliminary DRAFT**  
for Discussion Only  
August 30, 2018

## Governance Option D - CRD Local Community Commission and Inter-agency Working Group

Prepared by the Governance Working Group of the Salt Spring Island Community Alliance



**Creation of an LCC could leave existing CRD Commissions in place or could be accompanied by a restructuring/consolidation of these commissions. This would be determined by the CRD Board following discussion with the community. Community approval could be required for some changes**

## **OPTION E: Local Community Commission for Ganges Only**

### **Key Characteristics of this Option**

- Boundaries would be set dividing the area included within the commission from the rest of the island
- Could be a step toward establishing an island-wide LCC
- May require dividing some current regional district services between Ganges and the rest of the island
- Would require a referendum and regional district bylaws

We assessed the possibility of creating a Local Community Commission (LCC) that would cover just the area of Ganges, leaving the rest of the island under its current system of governance.

The nature of such a commission would be as described in the previous option for an island-wide Local Community Commission, except that only the area included within the to-be-defined boundary of Ganges would be included.

A Ganges Local Community Commission would require the CRD Board to prepare an LCC establishment bylaw, amalgamate service bylaws and conduct a local referendum on the question of establishing a Ganges LCC. The CRD bylaw could also restructure existing commissions and create new Ganges commissions at that time.

The Ganges and Rural Commissions shown in the chart are representative only; the restructuring of existing Commissions, creation of new Commissions and division of powers between the Ganges and Rural Commissions would be resolved among the CRD Director, CRD staff and Board, the new Ganges Local Community Commission and the existing island-wide Commissions.

This option anticipates that the services provided by the Ganges Local Community Commission would not duplicate existing services, however the scope of services might expand in the future.

Some of the same services may be provided by both the Ganges Local Community Commission and the CRD for the rest of the island, however the same CRD staff would support both entities, providing for potential efficiencies.

The CRD Director would be a member of the Ganges Local Community Commission as well as continuing to represent the entire electoral area at the CRD Board. More research is required to determine whether referenda are required to restructure existing commissions.

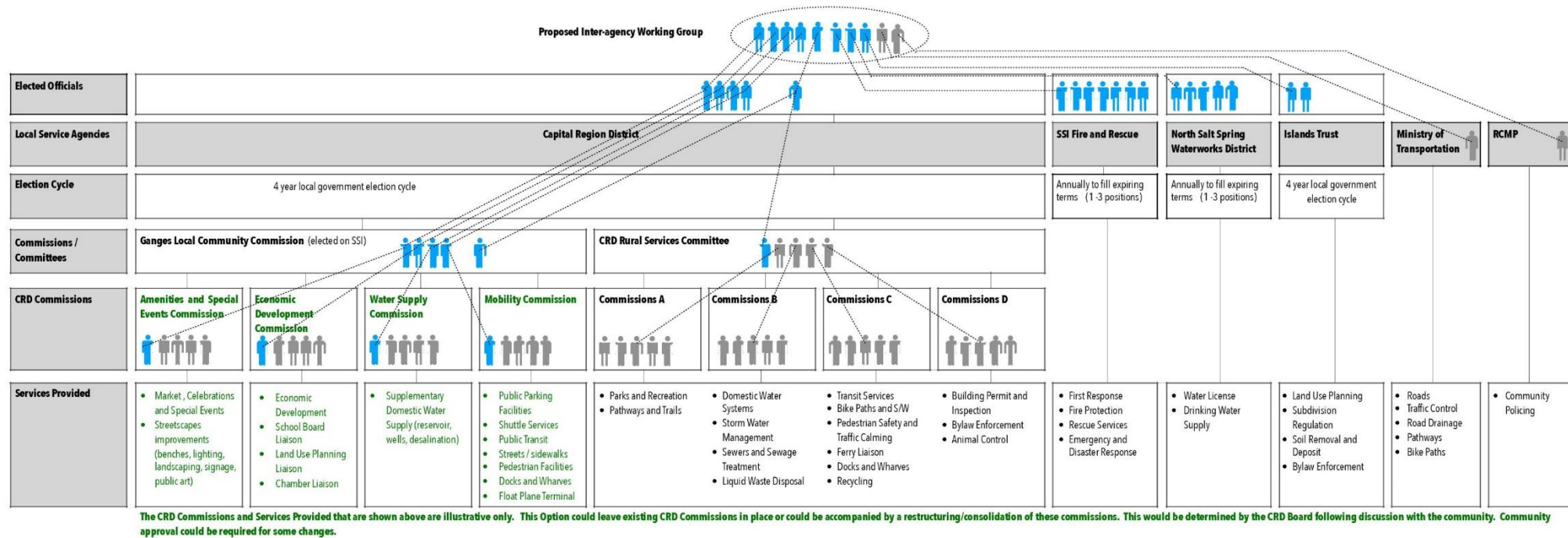
### **Scoring of this Option**

We assessed this option on the assumption that it would be implemented in combination with the Inter-Agency Working Group. This was the lowest-scoring option that we fully assessed, aside from the status quo, in part because of lower scoring in representation, democratic decision-making and efficiency of service delivery.

Preliminary DRAFT  
for Discussion Only  
August 30, 2018

## Governance Option E - Ganges Village Local Community Commission, Restructure CRD Commissions and Inter-agency Working Group

Prepared by the Governance Working Group of the Salt Spring Island Community Alliance



## SUMMARY OF OPTIONS SCORING

### Salt Spring Island Governance Options

Prepared by the Governance Working Group of the Salt Spring Island Community Alliance

Evaluation Criteria Preliminary Draft for Discussion August 30, 2018		Ranking/ Multiplier	Option A Statu Quo / Current Model	Option B Inter-agency Working Group (IAWG)	Option C Restructure CRD Commissions and IAWG	Option D Local Community Commission (LCC) and IAWG	Option E LCC for Ganges and IAWG
<b>Total Evaluation Score</b>		<b>135</b>	<b>59</b>	<b>70</b>	<b>73</b>	<b>99.5</b>	<b>63.5</b>
<b>1.0 Representation / Democratic Decision-making</b>		<b>35</b>					
1.1	Number of elected representatives relative to population and workload	2.0	1.0	1.0	1.0	5.0	2.5
1.2	Coordination and priority setting among agencies	1.0	0.5	2.5	3.0	4.0	2.5
1.3	Voicing community priorities to other levels of government	1.0	1.0	3.0	3.0	4.0	2.5
1.4	Potential for dispute resolution among local service providers	1.0	0.5	2.5	3.0	4.0	2.5
1.5	Voter participation rates in local elections (incl'd improvement districts)	1.0	0.5	0.5	0.5	4.0	2.0
1.6	Timely on-island decision making and financial controls	1.0	2.0	2.5	2.5	3.5	2.5
<b>2.0 Accessibility</b>		<b>25</b>					
2.1	Decision-making at open public meetings	2.0	1.5	2.0	2.5	4.0	2.5
2.2	Opportunity for community participation (input?) in local decisions	1.0	2.5	3.0	3.5	4.0	2.5
2.3	Access to elected representatives and staff	1.0	2.5	3.0	3.5	4.0	3.0
2.4	Clear(er) understanding of roles of local service providers	1.0	0.5	2.0	2.5	3.5	0.5
<b>3.0 Efficient and Effective Service Delivery</b>		<b>35</b>					
3.1	More cost effective, efficient local service delivery and potential for process streamlining (number of local agencies)	3.0	2.0	2.5	3.0	4.0	2.5
3.2	Ability to implement alternative and innovative "island" service delivery methods (volunteerism / non-profits) and adapt to future community needs	3.0	2.0	2.0	2.0	4.0	2.5
3.3	Ability to implement OCP and other Community Goals	1.0	2.0	2.5	3.0	4.0	2.5
<b>4.0 Feasibility and Sustainability</b>		<b>40</b>					
4.1	Feasibility of legislative changes and overall implementation	3.0	5.0	4.5	3.5	2.5	2.0
4.2	Cost of implementation of Option	1.0	5.0	4.5	4.0	3.0	2.0
4.3	Cost On-going operations	2.0	2.5	2.5	2.5	2.0	1.5
4.4	Model is robust and durable (entrenched in bylaws / legislation)	2.0	2.5	3.0	3.5	4.0	3.5

Evaluation Ranking/Score	
High	3.5 - 5.0
Moderate	2.0 - 3.0
Low	0.0 - 1.5

## OTHER POSSIBLE GOVERNANCE CHANGES

### Islands Trust Improvements

The working group discussed the role and functions of the Islands Trust at length, as this agency plays a critical role in delivering land use planning and regulation services on Salt Spring Island. While not considered a full-fledged local governance option, we did identify issues relating to the Trust that we believe deserve attention.

In September 2016, the Islands Trust Council approved a plan addressing the possibility that Salt Spring might vote “NO” to incorporation, which included the following action item:

***“ACTION 64: Upon delivery of a ‘NO’ result in an incorporation vote for Salt Spring Island for the Islands Trust to consider a governance and service delivery review.”***

Among the issues acknowledged by the Trust was possible ‘inequitable taxation levels,’ as the plan estimated that Salt Spring taxpayers contributed \$540,000 more to the Trust’s Local Planning Services than they received in planning services. We acknowledge that estimates of the subsidy may vary, but we are confident that it is substantial.

Eliminating this subsidy would lead to an estimated average \$40 property tax increase on the other islands. More efficient delivery of planning services might reduce this increase.

The working group briefly discussed the possibility of increasing the number of Trustees elected on Salt Spring from two to four, as was the subject of a failed referendum in the past. While several participants expressed enthusiasm for this idea, we set it aside, as it would require Provincial legislative change.

We also discussed the merits of implementing weighted voting (by population) for Islands Trust Council financial decisions. However, we did not reach consensus on the merits of this idea.

Another possibility for reducing the Trust’s tax impact on Salt Spring might be for the Province to restore its financial support for the Trust to its previous higher levels. The current \$180,000 Provincial grant to the Islands Trust covers only three per cent of its annual budget, significantly lower than in the 1990s, for example.

A potential additional source of funds could be the almost \$100,000 Salt Spring taxpayers currently pay annually through the Trust as a supplemental levy to support the Salt Spring Island Watershed Protection Alliance. An independent



evaluation of that organization could help determine whether Salt Spring taxpayers are receiving good value for these tax dollars.

Attention to these funding issues could free up resources to implement other governance improvements on Salt Spring at reduced net cost or even at no net increase in cost to local taxpayers.

In our discussions, we agreed that Islands Trust Council should follow through on its earlier commitment to review its governance and service delivery, including the examination of ways to substantially reduce or eliminate Salt Spring's subsidization of local planning services on other islands.

We note that in September 2017, the Islands Trust Council created a Working Group on Service Integration under its Trust Programs Committee. This group met on Salt Spring in April 2018 and heard from community members, including members of the Community Alliance's Governance Working Group. We asked it not to implement any policy or process changes before this report was published.

## Improvement Districts

Improvement districts are legal entities with a long history of delivering local government services across British Columbia. Our island has two large improvement districts, the Salt Spring Island Fire Protection District and the North Salt Spring Waterworks District. These account for a significant proportion of local government budgets on the island and are regulated by the Province under the provisions of the *Local Government Act*.

In our discussions, members of the working group had varying opinions on how effectively improvement districts are able to provide their important services.

Having served Salt Spring for more than 70 years, improvement districts have demonstrated strengths that include:

- Relatively small, organic and responsive administrations
- High levels of local knowledge and sensitivity to local needs
- A strong focus on results
- Timely, accessible local decision-makers.

However, while we recognized their strengths, some members of the working group were concerned about the ability of improvement districts to fully meet community needs in the future. We heard a range of concerns about improvement districts:

- Low voter turnout for board elections
- The ineligibility of renters to vote in those elections
- The general unavailability of provincial and federal funding for improvement district capital projects
- The fact that improvement district budgeting allows for unlimited property tax increases without taxpayer approval, unlike regional district services where there is a clear ceiling on tax increases that can be imposed without ratepayer approval

In addition, some members of the working group expressed concerns over how the existence of improvement districts in addition to the regional district, the Islands Trust and other agencies makes it even more challenging to coordinate local government services across the island.

For many years, the provincial government has been encouraging improvement districts to transfer their services to local governments. We recognize the sole authority of improvement districts to determine their future, however we did discuss the potential of various governance options to absorb improvement districts should they make a future decision to transfer their services to another agency.

In exploring their options, we hope the improvement districts, Capital Regional District and any other involved parties will consider the merits and challenges of a range of possible future approaches, including:

- Closer day-to-day links without formally amalgamating
- Co-locating of offices to achieve cost savings and improve communication
- Exploring the feasibility of providing improvement districts with access through the regional district to gas tax and other federal-provincial funding
- Contracting some regional district services to improvement districts, where that might lead to efficiencies and/or service improvements, as is done now with North Salt Spring Waterworks District
- Transferring services to the regional district under the administration of:
  - A locally-elected Local Community Commission, or
  - A CRD-supported non-profit using a model such as the Pender Islands Fire Protection Society, or
  - A commission such as those that exist elsewhere in the CRD

## **Enhanced Attention to Key Local Issues**

During our assessment of options, the working group identified several local issues deserving attention in considering governance changes. While these are not presented as discrete options, we believe that several of the options presented in this report would improve our community's ability to address these issues more effectively. Future governance changes should be assessed - in part - on their potential contribution to dealing with these issues.

### **Housing**

As we carried out our work, concerns over the island's inadequate supply of affordable housing gained an increasingly high profile. Several agencies are working on housing-related issues, but we believe the island would benefit from stronger and more coordinated leadership on housing. We discussed various ways this could be accomplished, from the establishment of a housing commission to strengthening of the existing Housing Council or the establishment of a new non-profit housing agency.

We did not attempt to reach a consensus on the specific measures that should be taken, but agreed that local government agencies should enhance their support for housing initiatives and coordination.

### **Drinking Water**

Salt Spring residents have long been aware that limitations on our water supply during the dry summer months are a significant issue. Currently, responsibility for drinking water is divided among multiple agencies, including our regional district and several improvement districts. Additionally, the Salt Spring Island Watershed Protection Alliance is funded by local taxpayers. The largest water provider on Salt Spring is North Salt Spring Waterworks District, which has put limitations on new water connections for several years. Affordable housing projects and other initiatives have been delayed by this policy and/or forced to consider alternate water sources.

As with the housing issue, the working group did not attempt to prescribe how drinking water might be more effectively managed by local government agencies. However, we believe that this deserves attention and the assessment of future governance changes should consider the importance of effective coordinated water management.

### **Ganges Village**

We recognize that Ganges, as the village core of Salt Spring Island, is of vital importance to all island residents and deserves the focused attention of local government. Depending on other changes that take place to local governance, this could be in the form of a CRD commission or other changes to ensure that the particular issues and needs of Ganges receive coordinated attention in the future.

## **Other Tools to Enhance Local Government Service Delivery**

During our discussions, working group members brought many good ideas to the table. Several of these were not in the form of governance options but rather as ideas that should be considered regardless of what larger governance changes may ultimately be implemented.

### **Annual Citizen Survey**

Many B.C. communities undertake regular surveys to track resident satisfaction with local government services and help identify future priorities. Salt Spring currently has no such survey, except for the Vital Signs report, which is issued only once every four years.

Access to this kind of community input on a more frequent basis could be valuable to local government decision-makers, so we believe such a survey should be implemented.

### **Enhanced Role for Non-Profit Organizations**

Salt Spring, an island rich with volunteers, has a plethora of well-functioning non-profit organizations providing services as well as advocating for important island issues.

In our discussions, several working group members spoke passionately about the importance of non-profits both in service delivery and in directly engaging the community. Salt Spring's public library and recycling depot are frequently mentioned as examples of local government services that are successfully delivered by non-profit organizations under contract with the Capital Regional District.

Non-profit organizations and the volunteers that power them are a vital part of our community and our culture, and we consider it essential that future governance changes on Salt Spring recognize and make enhanced use of this tremendous resource in the future.

Issues of liability, budget approval and safeguarding of taxpayer resources have been successfully addressed in some past CRD contracts with non-profit service providers. These could provide models for further expansion of service delivery by non-profit organizations.

### **Improved Support for Elected Regional District Representative(s)**

We noted that Salt Spring's Electoral Area Director receives no dedicated administrative support. This is problematic, given the vital services delivered by the regional district and the importance of the Director's role in ensuring that community concerns and priorities are reflected in decision-making and service delivery.

Among the ideas that deserve consideration are the following:

- Dedicated part-time administrative support for the Director provided by an employee reporting to the Director
- Increased attention to annual service plan goals and performance measures specific to Salt Spring services
- Enhanced use of the Director's Alternate to ensure coverage of commission meetings and other duties
- Increased attention to commission member recruitment

## OTHER INITIATIVES WE CONSIDERED

The following ideas were considered by the working group and set aside because they did not pass our three screening criteria. Each of these was considered by at least one working group member to have merit, but none were determined by the working group to be a viable governance option at this time.

### **Improvement District Modifications**

As discussed previously, the working group discussed potential changes to improvement districts, including changes that might make them eligible for provincial and federal capital funding and changes to their election timing and voter eligibility. We also discussed the idea of creating one larger multi-service improvement district to efficiently deliver several services.

However, the B.C. Government has made clear over a period of many years that its focus is on assisting improvement districts wishing to transfer their services to their regional districts. Because the Province appears to not be open to establishing new improvement districts or changing its policy on capital funding, we set aside an option that would have required significant modification of improvement district letters patent.

Such modifications would require the Province to alter its general policy on improvement districts to recognize the unique history, scale, capabilities and context of the improvement districts on Salt Spring. Should the Province change its policy on improvement districts in the future, there could be value in taking another look at ideas for improvement district modifications.

### **Truncated Municipality**

This option contemplated a new model of incorporation under which Salt Spring Island would become a municipality, but with responsibility for land use planning and regulation left with the Islands Trust and responsibility for roads and policing left with the Province of B.C.

While this option addresses three of the major issues that were considered obstacles to incorporation, the working group felt that this option should be set aside because it would require changes to several provincial laws (*Local Government Act, Community Charter, Police Act*, among others) and would be contrary to longstanding provincial practice, which requires all municipalities to be responsible for land use planning and regulation, roads and policing.

Our decision to set aside this option was not unanimous, as some members of the working group believe that incorporation, whether in this form or another, should continue to be considered a viable option. In addition, several working group members believe that this option would deserve further exploration if the Province indicated a willingness to create a form of municipality that excluded responsibility

for land use planning, roads and policing. Alternatively, responsibility for roads and policing could be transferred to a Salt Spring Island municipality, but with greater recognition by the Province of the additional financial burden faced by the island due to its high per capita road length.

### **Incorporation of Ganges as a Municipality**

This option would involve creating a municipality for the core village area of Ganges, while leaving the remainder of Salt Spring Island as an unincorporated area. In 1967, an unsuccessful referendum was held to incorporate Ganges as a municipality.

We determined that this option would not be evaluated because it would not protect the role of the Islands Trust by separating land use decisions from local service decisions. It also would be contrary to provincial policy, which requires any island contemplating incorporation to do so entirely or not at all.

Again, several working group members believe that this option would deserve further exploration if the Province indicated a willingness to change its policies on island incorporation.

### **Change of Regional Districts**

Some members of the working group expressed dissatisfaction with Salt Spring Island being within the Capital Regional District. Because of this, we discussed three concepts of how Salt Spring might move to a different regional district:

- Moving to the Cowichan Valley Regional District
- Becoming part of a new Islands Trust Regional District
- Becoming part of a new regional district composed of the Southern Gulf islands and, possibly, portions of the Saanich Peninsula

We determined that the first concept had to be set aside because moving Salt Spring from one regional district to another would require change to provincial legislation and likely would not be acceptable to the Province. The idea of creating an Islands Trust Regional District also would require legislative change and would combine land use planning and regulation with other local government service delivery. The third concept - dividing a regional district - is provided for in provincial legislation, but since the Province has rarely changed the composition of regional districts over the past five decades, we deemed this as being unlikely to be acceptable to the Province.

### **Multi-Service Society (the 'Hornby Model')**

Members of the working group looked into how Hornby Island has developed a well-functioning non-profit society that has taken on delivering many local government services on that island. We discussed whether we should develop a similar option for consideration.



We concluded that the creation of a single non-profit society to take on the wider range of local government services already provided on Salt Spring was not realistic. We based this assessment on Salt Spring's existing plethora of well-functioning non-profits, some already delivering local government services. In addition, the much larger size of Salt Spring's population would present challenges to establishing and operating a local non-profit society with potentially more than 10,000 members.

While we decided not to develop an option similar to 'the Hornby model,' we continue to see a very significant role for non-profit organizations in delivering local government services and gathering and disseminating community input on Salt Spring, which is described earlier in this report.

## RECOMMENDATIONS AND NEXT STEPS

In the process of developing this discussion paper, the working group discussed at length the merits of providing specific recommendations for change versus identifying options and leaving others to act on them or not.

Our conclusion was that we believe there is a need for action to improve governance on Salt Spring, while we recognize that change will require the full participation and cooperation of our community as well as the Capital Regional District, Islands Trust and the Province of British Columbia.

With this in mind, we offer five recommendations in the hope that this discussion paper will provide a starting point for action:

- 1. We recommend that Salt Spring Island's locally-elected representatives convene a multi-agency meeting shortly after 2018 local government elections to identify actions that can be taken immediately to enhance local government decision-making and coordination. Such actions might include:**
  - **Creation of an Inter-Agency Working Group**
  - **Implementation of an annual survey of community needs and local government performance**
  
- 2. We recommend that Salt Spring Island's locally-elected representatives seek provincial funding for a community-led action plan for longer-term enhancements to Salt Spring Island governance and service delivery. This work should begin as soon as possible after the 2018 local government elections, have its scope and terms of reference developed in consultation with the community, target completion within 12 months and include the full involvement of the Capital Regional District, the Islands Trust and other relevant agencies. Development of the action plan should determine whether the Province is open to legislative and policy changes in the areas mentioned in this report and should include consideration of:**
  - **The establishment of a Salt Spring Island Local Community Commission**
  - **Enhancing the role of non-profit agencies in local government service delivery on Salt Spring**
  - **Strengthening CRD collaboration with and support for existing improvement districts**

3. **We recommend that the Province of British Columbia fund and support a community-led process to develop an action plan for longer-term enhancements to Salt Spring Island governance and service delivery.**
4. **We recommend that Islands Trust Council:**
  - **Follow through on its proposed review of Trust governance and service delivery, including examination of ways to substantially reduce or eliminate Salt Spring's subsidization of local planning services on other islands**
  - **Commission an independent evaluation of the Salt Spring Island Watershed Protection Alliance to determine whether its current tax requisition is delivering value for money**
5. **We recommend that the Capital Regional District and the Salt Spring Island Electoral Area Director:**
  - **Facilitate dedicated administrative support for the Salt Spring CRD Director**
  - **Involve commissioners and community members at an early stage of any consideration of restructuring CRD commissions**

## APPENDIX 1: COMMUNITY OUTREACH IN DEVELOPING THIS REPORT

### Community Alliance

On June 25, 2018 at the regular Community Alliance meeting, the Governance Working Group presented its screening and evaluation criteria as well as some promising options, including the Inter-Agency Working Group and a Local Community Commission. While the group of 48 participants were interested and engaged in the discussion of options, there was confusion about the evaluation criteria. The detailed description of criteria in Appendix 2 of this report aims to address that confusion.

Participants expressed interest in decision-making silos being broken down, allowing for more inter-agency communication. Several criteria address this important concern:

- 1.2 Coordination and priority setting among agencies,*
- 1.4 Potential for dispute resolution among local service providers,*
- 2.4 Clearer understanding of roles of local service providers,*
- 3.0 Efficient and effective service delivery, and*
- 3.1 More cost-effective, efficient local service delivery and potential for process streamlining (number of local agencies).*

Diversity was another priority expressed at the meeting. While diversity and access to underserved populations is complex and requires concerted outreach efforts, we believe that two criteria assess a governance system on its ability to effectively reach out to all in its decision-making processes:

- 2.2 Opportunity for community participation in local decision-making, and*
- 2.3 Access to elected representatives and staff.*

Maintaining our unique Salt Spring culture as well as our strong system of volunteerism was also mentioned as an important consideration. Two criteria address these critical elements:

- 3.2 Ability to implement alternative and innovative “island” service delivery methods (such as volunteerism / non-profits) and adapt to future community needs, and*
- 3.3 Ability to implement our Official Community Plan and other community goals.*

This conversation with the community through the Alliance has only just begun. We have sought to work collaboratively with other Alliance working groups. Four members of this group regularly attend liaison meetings with the facilitators of other working groups. Members of this group have met with members of three

other working groups and some members of the Governance Working Group are also members of other working groups. The report of the June 25 meeting was sent to all Community Alliance participants, and this report will also be sent to them. Additionally, in September and October, Alliance participants - as well as all other interested community members - will be invited to workshops concerning this report.

### **Consultation with Community Groups**

During our analysis of governance options, members of the working group have communicated with a number of groups and individuals. These include:

- Ministry of Municipal Affairs and Housing
- North Salt Spring Waterworks District
- Salt Spring Island Fire Protection District
- CRD Director and senior Salt Spring CRD staff
- Housing representatives
- Islands Trust Programs Working Group
- Islands Trust Chief Administrative Officer
- Salt Spring Island Chamber of Commerce
- *Positively Forward*
- Salt Spring Island Community Economic Development Commission
- CRD Forum, August 13, 2018

In addition to these outreach activities, members of this Governance Working Group serve also on a wide variety of other agencies and organizations in the community. They brought their knowledge of these groups and their priorities to working group meetings while also relaying information about this group to those organizations.

These other organizations include:

- Islands Trust (one Trustee, former CAO, former Regional Planning Manager, and one Advisory Planning Commissioner,)
- CRD (alternate),
- CRD Commissioners from PARC (2), Economic Development, and Liquid Waste,
- Chamber of Commerce (a Board member and committee member),
- Fire Protection District (one trustee, two committee members, and three directors of the Fire Rescue Foundation),
- *Positively Forward* (4),
- Former MLA/CRD Director, and
- Former Transportation, PARC, Economic Development, water and sewer commissioners.

While we recognize that there could always have been more outreach, we believe these initial outreach activities have provided a solid foundation for the next steps.

## **APPENDIX 2: EVALUATION CRITERIA**

### **1.0 Representation/Democratic Decision-making**

These criteria relate to the extent to which the option advances democratic participation and decision-making on Salt Spring Island. We scored each assessed option on a scale of zero to five on each criterion and weighted them to reflect the working group's sense of their relative importance.

#### *1.1 Number of elected representatives relative to population and workload*

This criterion assesses the number of island-wide elected local government representatives that would exist under each option. Under our current system, there are three such positions: one Capital Regional District Director and two Islands Trust Trustees. Trustees for the Salt Spring Island Fire Protection District and North Salt Spring Water Improvement District are also elected, but only property owners within the boundaries of each are eligible to vote.

In our discussions, many participants expressed concern regarding the challenging workload of the single elected regional director who is responsible for the full range of regional district services.

#### *1.2 Coordination and priority-setting among agencies*

This criterion assesses the extent to which each option would enable effective priority-setting and coordination across a range of local government service areas, such as from land use planning through parks and recreation, from drinking water provision through emergency services and from transportation through fire protection. We took the view that greater coordination overall and island-wide priority-setting is desirable in order to provide services efficiently and ensure that the most important issues get priority.

#### *1.3 Voicing community priorities to other levels of government*

This criterion assesses the extent to which each option would enable clear and effective communication of the Salt Spring community's priorities to government decision-makers. Our view was that the current system may hamper Islanders' ability to express community priorities to other levels of government.

#### *1.4 Potential for dispute resolution among local service providers*

This criterion assesses the extent to which each option would make it possible for local government service providers to resolve differences. This could be achieved in several ways, including providing enhanced opportunities for them to communicate and discuss priorities or by making it easier and more feasible for them to come together in more substantial ways

#### *1.5 Increased voter participation rates in local elections*

This criterion assesses the extent to which each option is likely to enhance the participation of all Salt Spring Island residents in local government elections.

Currently, the CRD director and Islands Trust trustees are elected once every four years as part of province-wide local government elections, while others (improvement districts) have more frequent elections in which only property owners are eligible to vote and turnout tends to be low. We took the view that more participation by more island residents in elections is desirable.

#### *1.6 Timely on-island decision-making and financial controls*

This criterion assesses the extent to which each option maximizes decision-making by Salt Spring Island residents and the extent to which they are able to ensure that adequate financial controls exist over the spending of local tax dollars. Our position is that greater on-island decision-making is good, as are more financial controls by island residents.

### **2.0 Accessibility**

These criteria relate to the extent to which the option enhances the accessibility of local government decision-making to Salt Spring Island residents. As with the other areas, we scored each assessed option on a scale of zero to five on each criterion and weighted them to reflect the working group's sense of their relative importance.

#### *2.1 Decision-making at open public meetings*

This criterion assesses the extent to which each option provides open public meetings on Salt Spring Island where local government decisions are made. In our view, it is desirable to maximize the amount of local government decision-making that is made on the island at public meetings.

#### *2.2 Opportunity for community participation in local decision-making*

This criterion assesses the extent to which each option allows for members of the community to provide input or otherwise participate directly in local government decision-making. It is our position that more, rather than less, community participation is desirable.

#### *2.3 Access to elected representatives and staff*

This criterion assesses the extent to which each option provides local residents with ease of access to services, elected representatives and local government staff. In our view, more, rather than less, accessibility to elected representatives and local government staff is desirable.

#### *2.4 Clearer understanding of roles of local service providers*

This criterion assesses the extent to which each option provides a local government system that is easy for local residents to understand and navigate. We believe that a system that is easy to understand and navigate offers the potential of a more accessible and responsive local government.

### **3.0 Efficient and Effective Service Delivery**

These criteria relate to the extent to which the option provides opportunities for more efficient and effective delivery of local government services to Salt Spring Island residents. As with the other areas, we scored each assessed option on a scale of zero to five on each criterion and weighted them to reflect the working group's sense of their relative importance.

#### *3.1 More cost-effective, efficient local service delivery and potential for process streamlining*

This criterion assesses the extent to which each option has the potential to enhance the cost-effectiveness of local government services and provide opportunities for streamlining. We define cost-effectiveness as delivering the greatest possible benefit to the community for a given investment of tax dollars. By streamlining, we mean the potential for reducing duplication of effort and/or expense in delivering the same (or enhanced) local government services. We believe cost effectiveness, efficiency and streamlining are desirable because they have the potential to provide the same level of local government services at a lower cost to taxpayers or an enhanced level of service at the same cost.

#### *3.2 Ability to implement alternative and innovative "island" service delivery methods and adapt to future community needs*

This criterion assesses the extent to which each option draws on the island's strong culture of innovation and volunteerism to adapt to new and different ways of delivering local government services. Our position is that it is desirable for local governance on Salt Spring to be flexible enough to reflect and take advantage of the community's strengths.

#### *3.3 Ability to implement our Official Community Plan and other community goals*

This criterion assesses the extent to which each option is able to support and respond to the community's priorities. Although our Official Community Plan provides a foundation for expressing a range of land use-related community priorities, other priority areas are also critically important. It is our position that it is desirable for local government to respond effectively to a wide variety of community priorities.

### **4.0 Feasibility and Sustainability**

These criteria relate to the extent that the option is feasible and likely to be sustainable over the long-term. As with the other areas, we scored each assessed option on a scale of zero to five on each criterion and weighted them to reflect the working group's sense of their relative importance.

#### *4.1 Feasibility of legislative changes and overall implementation*

This criterion assesses the extent to which each option is straightforward to implement and is already permitted in legislation. Where an option requires



changes to bylaws or agreements among agencies, we assessed their feasibility. In our view, it is desirable that changes to local government be easily implemented. Despite this, we recognize that options bringing the greatest benefits to the community are likely to be ones that involve more significant change and, therefore, could involve more complex implementation.

#### *4.2 Cost of implementation of option*

This criterion assesses the predicted additional cost of each option. While we did not carry out full costing of the options, we assessed each as to whether it would have relatively low, medium or high implementation costs. We believe that lower implementation costs are desirable, but also recognize that some options with the potential of substantial benefits may involve more significant implementation costs than other options that offer smaller benefits.

#### *4.3 Cost of ongoing operations*

This criterion assesses the extent to which each option is likely to have low ongoing costs. Again, it was beyond the scope of our work to develop full costing for options, but we did assess each as to whether it would have relatively low, medium or high ongoing costs. We believe that lower ongoing costs are desirable, while also recognizing that an option may be desirable despite significant ongoing costs if the benefits to the community more than outweigh those costs.

#### *4.4 Option is robust and durable (entrenched in bylaws/legislation)*

This criterion assesses the extent to which each option is likely to provide lasting benefits through long-term sustainability. For example, an option may be relatively robust and durable if it is supported by legislation and/or bylaws, and it may be less robust and durable if it depends only on voluntary participation. In our view, it is desirable for solutions to be lasting.

## APPENDIX 3: NOTES ON THE SCORING OF OPTIONS

Note: Evaluation notes are not available for the status quo or Ganges LCC options.

### Inter-Agency Working Group

#### Evaluation Notes

Criteria	Rating	Notes/Rationale
1.1 Number of elected representatives relative to population and workload	1.0	<ul style="list-style-type: none"> <li>Same rating as Option A (status quo)</li> </ul>
1.2 Coordination and priority setting among agencies	2.5	<ul style="list-style-type: none"> <li>There would be improvement over status quo because it would formalize inter-agency meetings.</li> </ul>
1.3 Voicing community priorities to other levels of government	2.5	<ul style="list-style-type: none"> <li>This criterion assumes that the Inter-Agency Working Group would continue with each successive group of elected officials, and it scores lower because of the risk that it might not last.</li> </ul>
1.4 Potential for dispute resolution among local service providers	2.5	<ul style="list-style-type: none"> <li>There would be a slight improvement over the status quo because it would formalize inter-agency meetings.</li> </ul>
1.5 Voter participation rates in local elections	0.5	<ul style="list-style-type: none"> <li>There would be a slight improvement over the status quo because it would formalize inter-agency meetings.</li> </ul>
1.6 Timely on island decision making and financial controls	2.5	<ul style="list-style-type: none"> <li>No change, or it may slow decision making down.</li> <li>The assumption is that the Inter-Agency Working Group would meet bi-monthly and that meetings would be open to the community.</li> <li>There may be a slight improvement in responsiveness if there are regular meetings with agencies such as the Ministry of Transportation (MOTI).</li> </ul>
2.1 Decision making at open public meetings	2.0	<ul style="list-style-type: none"> <li>There would be a slight improvement over the status quo because it would be a public process rather than staff-to-staff meetings.</li> </ul>
2.2 Opportunity for community participation in local decision-making	2.5	<ul style="list-style-type: none"> <li>The assumption would be that there would be a town hall session at each meeting</li> </ul>
2.3 Access to elected representatives	3.0	<ul style="list-style-type: none"> <li>There may be a slight improvement over the status quo.</li> </ul>

## A Discussion Paper on Salt Spring Island Governance

2.4 Clearer understanding of roles of local service providers	2.0	<ul style="list-style-type: none"> <li>There may be a slight improvement over the status quo.</li> </ul>
3.1 Cost effective efficient local service deliver and potential for process streamlining (number of local agencies)	2.5	<ul style="list-style-type: none"> <li>There would be a slight improvement over the status quo.</li> </ul>
3.2 Ability to implement alternative and innovative island service delivery methods (volunteerism / non – profits)	2.0	<ul style="list-style-type: none"> <li>Same rating as Option A (status quo).</li> </ul>
4.1 Feasibility of legislative changes and overall implementation	4.5	<ul style="list-style-type: none"> <li>There would be a positive change, but there may be an agency that would not agree to attend.</li> </ul>
4.2 Cost of implementation of option	4.5	<ul style="list-style-type: none"> <li>There would be a modest increased cost due to admin costs (coordinator and/or minute taker).</li> </ul>
4.3 Cost of ongoing operations	2.0	<ul style="list-style-type: none"> <li>Would cost slightly more than the status quo due extra administration costs for meetings.</li> </ul>
4.4 Change of model is robust and durable (entrenched in bylaws / legislation)	2.5	<ul style="list-style-type: none"> <li>The Inter-Agency Working Group could break down at any time and then could be reduced to status quo.</li> <li>The Inter-Agency Working Group would have voluntary involvement – there is no binding contract.</li> <li>There would be a slight improvement if there was formal Memorandum of Understanding between agencies.</li> <li>Would likely not have bylaws or legislation so the changes would not be robust and durable.</li> <li>Option B includes the status quo because it is the current governance system with the working group added – the core is still robust and durable.</li> </ul>
4.5 OCP and other Community Goals	3.0	<ul style="list-style-type: none"> <li>Rating to reflect potential gains compared to the status quo.</li> </ul>

## Restructuring of CRD Commissions

### Evaluation Notes

Criteria	Status Quo	Rating	Notes/Rationale
1.1 Number of elected representatives relative to population and workload	1.0	1.0	<ul style="list-style-type: none"> <li>No change</li> </ul>
1.2 Coordination and priority setting among agencies	1.0	3.0	<ul style="list-style-type: none"> <li>Marginal improvement due to regular meetings.</li> </ul>
1.3 Voicing community priorities to other levels of government	1.0	3.0	<ul style="list-style-type: none"> <li>This option retains the interagency group.</li> </ul>
1.4 Potential for dispute resolution among local service providers	0.5	3.0	<ul style="list-style-type: none"> <li>Marginal improvement due to regular meetings of Commission chairs.</li> </ul>
1.5 Voter participation rates in local elections	0.5	0.5	<ul style="list-style-type: none"> <li>No change</li> </ul>
1.6 Timely on island decision making and financial controls	2.0	2.5	<ul style="list-style-type: none"> <li>No change</li> </ul>
2.1 Decision making at open public meetings	1.5	2.5	<ul style="list-style-type: none"> <li>Marginal improvement could encourage cooperation due to meeting of the chairs.</li> </ul>
2.2 Opportunity for community participation (input?) in local decisions	2.5	3.5	<ul style="list-style-type: none"> <li>There is an assumption that there would be a town hall portion.</li> <li>Marginal improvement due to it being a public process.</li> <li>There would be an opportunity to speak as a delegation.</li> </ul>
2.3 Access to elected representatives	2.5	3.5	<ul style="list-style-type: none"> <li>Some improvement due to improved access to elected officials and staff.</li> </ul>
2.4 Clearer understanding of roles of local service providers	0.5	2.5	<ul style="list-style-type: none"> <li>Open public meetings.</li> </ul>
3.1 Cost effective efficient local service deliver and potential for process streamlining (number of local agencies)	2.0	3.0	
3.2 Ability to implement alternative and innovative island service delivery methods	2.0	2.0	<ul style="list-style-type: none"> <li>No improvement</li> </ul>

## A Discussion Paper on Salt Spring Island Governance

(volunteerism / non – profits)			
3.3 Ability to implement OCP and other Community Goals	2.0	3.0	
4.1 Feasibility of legislative changes and overall implementation	5.0	3.5	<ul style="list-style-type: none"> <li>• There are a lot of moving parts.</li> <li>• A small benefit that may require a series of referenda.</li> <li>• May have a difficult time selling this to the community.</li> <li>• It would be less feasible due to requiring funding approval.</li> <li>• Need to clarify whether the CRD could internally merge commissions without referenda.</li> </ul>
4.2 Cost of implementation of option	5.0	4.0	<ul style="list-style-type: none"> <li>• Marginal costs due to additional administration support.</li> <li>• Could be savings if there is consolidation of commissions.</li> </ul>
4.3 Cost of ongoing operations	2.5	2.5	<ul style="list-style-type: none"> <li>• Same as status quo.</li> </ul>
4.4 Change of model is Robust and durable (entrenched in bylaws / legislation)	2.5	3.5	<ul style="list-style-type: none"> <li>• Should be an improvement.</li> </ul>

## Local Community Commission

### Evaluation Notes

Criteria	Rating	Notes/Rationale
1.1 Number of elected representatives relative to population and workload	5	<ul style="list-style-type: none"> <li>Given the 2017 referendum result, there is no other currently available model that would provide this level of elected representation.</li> </ul>
1.2 Coordination and priority setting among agencies	4.0	<ul style="list-style-type: none"> <li>There are still other agencies that would not initially be included in the LCC.</li> </ul>
1.3 Voicing community priorities to other levels of government	4.0	<ul style="list-style-type: none"> <li>Significant improvement due to public forum where decisions are made and services determined.</li> <li>Would become an opportunity for greater focus on priorities in the community.</li> <li>Provides a mechanism to broaden the ability to address issues.</li> <li>Not given the highest possible rating because other agencies such as Islands Trust, Improvement Districts, MOTI would not be included in the LCC.</li> </ul>
1.4 Potential for dispute resolution among local service providers	4.0	<ul style="list-style-type: none"> <li>The majority of service delivery under one umbrella.</li> <li>Slight improvement due to broader elected group – it is clear that the authority would rest within the group of elected officials, and there would be less debate about who represents the community.</li> </ul>
1.5 Voter participation rates in local elections	4.0	<ul style="list-style-type: none"> <li>Not the highest possible rating as there are still other agencies, such as Islands Trust, Improvement Districts, and MOTI that would not have representation on the LCC.</li> </ul>
1.6 Timely on island decision making and financial controls	3.5	<ul style="list-style-type: none"> <li>Assuming significant delegation of powers by the CRD, the LCC would be making many local decisions on SSI.</li> </ul>
2.1 Decision making at open public meetings	4.0	
2.2 Opportunity for community participation (input?) in local decisions	4.0	
2.3 Access to elected representatives	4.0	<ul style="list-style-type: none"> <li>Improved over other options.</li> <li>Does not guarantee any change to the accessibility of staff.</li> </ul>

## A Discussion Paper on Salt Spring Island Governance

2.4 Clearer understanding of roles of local service providers	3.5	<ul style="list-style-type: none"> <li>• Not a higher rating due to the reality that Improvement Districts are not included.</li> <li>• There is the potential for clearer understanding.</li> </ul>
3.1 More cost effective, efficient local service deliver and potential for process streamlining (number of local agencies)	4.0	<ul style="list-style-type: none"> <li>• Improved</li> <li>• An LCC offers a structure for more efficient and effective local services.</li> </ul>
3.2 Ability to implement alternative and innovative island service delivery methods (volunteerism / non – profits)	4.0	<ul style="list-style-type: none"> <li>• Improved local control.</li> </ul>
3.3 Ability to implement OCP and other Community Goals	4.0	<ul style="list-style-type: none"> <li>• Would significantly increase the ability to meet community priorities.</li> <li>• Improved liaison with MOTI and Improvement Districts.</li> <li>• May be greater potential for conflict between Islands Trust and LCC regarding land use issues.</li> </ul>
4.1 Feasibility of legislative changes and overall implementation	2.5	<ul style="list-style-type: none"> <li>• Does not require legislative change.</li> <li>• Would require a referendum.</li> <li>• The CRD would have significant work implementing an LCC.</li> </ul>
4.2 Cost of implementation of option	3.0	<ul style="list-style-type: none"> <li>• There would be costs, such as consultant study costs, referendum costs and staff time to evaluate.</li> <li>• There could be cost sharing opportunities with the Province.</li> </ul>
4.3 Cost of ongoing operations	2.0	<ul style="list-style-type: none"> <li>• Rating is lower than the status quo because there are ongoing costs.</li> </ul>
4.4 Change of model is Robust and durable (entrenched in bylaws / legislation)	4.0	<ul style="list-style-type: none"> <li>• LCC would be entrenched in bylaws and legislation.</li> <li>• There is some risk that the CRD would have the power to change what authority is delegated.</li> </ul>

## APPENDIX 4: SELECTED REFERENCES

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## REQUEST FOR DECISION

**To:** Trust Programs Committee      **For the Meeting of:** October 15, 2018  
**From:** Clare Frater      **Date Prepared:** October 10, 2018  
**SUBJECT:** Sea Level Rise Workshops Project Charter

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**RECOMMENDATION:** That the Trust Programs Committee approve the Sea Level Rise project charter dated October 15, 2018.

**DIRECTOR COMMENTS:** This project will offer an opportunity to bring sea level rise information to islands in the Trust Area and raise the profile of the Islands Trust.

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**1 PURPOSE:** To seek TPC endorsement for a project charter for a project to deliver sea level rise workshops with Living Oceans Society in the Trust Area.

**2 BACKGROUND:**

In August 2018, the Trust Programs Committee endorsed partnering with Living Oceans Society to deliver sea level rise workshops, requested staff to develop a project charter, and agreed to provide up to \$3,000 to support workshop delivery.

The workshop presentations will focus on topics such as causes of sea level rise, prediction ranges, types of impact, how to calculate appropriate setbacks, tools to mitigate/adapt, and helpful resources. The workshop goals are to start the conversation about appropriate adaptation measures and provide local governments and property owners with tools to cope with rising waters.

**Community Engagement and Involvement:**

- Map sea level rise impacts
- Identify important coastal assets
- Prioritize vulnerable areas
- Assess the interest and influence of coastal stakeholders
- Explore adaptation options
- Support the creation of community working groups
- Identify next steps and action items

The Islands Trust Bylaw Enforcement Manager has been invited to sit on the advisory committee for the project. Trust Area Services staff will provide assistance with workshop organizing though tasks such as

- Booking meeting halls and catering
- Advertising
- Invitations to regional districts
- Review of workshop materials.
- Notetaking

### 3 IMPLICATIONS OF RECOMMENDATION

**ORGANIZATIONAL:** The work can be undertaken within existing TAS staff resources. Hosting workshops on the islands will require coordination with local trustees and local planning staff.

**FINANCIAL:** Budget of \$3,000 from the TPC \$25,000 budget to support workshop delivery.

**POLICY:** None. Delivery of an additional workshop series will allow staff to refine and finalize internal procedures that guide delivery of workshops.

**IMPLEMENTATION/COMMUNICATIONS:** Staff will implement the activities in the charter as proposed which will include public communication activities.

**FIRST NATIONS:** The project may offer opportunities for relationship building with First Nations.

**OTHER:** None.

### 4 RELEVANT POLICY(S): Procurement Procedure (6.5.iii)

### 5 ATTACHMENT(S):

1. Sea Level Rise Project Charter, dated October 15, 2018

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### RESPONSE OPTIONS

**That the Trust Programs Committee approve the Sea Level Rise project charter dated October 15, 2018.**

#### **Alternative:**

- 1) Request additional information from staff or Living Oceans Society

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**Prepared By:** Lisa Wilcox, Acting Senior Policy Advisor

**Reviewed By/Date:** Clare Frater, Director, Trust Area Services, October 10, 2018

# Sea Level Rise Workshops - Charter v1

Trust Area Services

Date: 2018-10-15

**Purpose** To guide delivery of sea level rise workshops in partnership with the Living Oceans Society.

**Background** Living Oceans requested that Islands Trust provide a staff person to sit on the project advisory group and provide assistance with organizing sea level rise workshops. The workshop presentations will focus on topics such as causes of sea level rise, prediction ranges, types of impact, how to calculate appropriate setbacks, tools to mitigate/adapt, and helpful resources. The workshops will be delivered by the end of March 2019. Living Oceans had initially suggested up to two workshops but there may be the potential for four or five if the Islands Trust provides funding. Living Oceans has not yet selected islands for the workshops and is open to advice from Islands Trust.

## Objectives

- Education on impacts, mitigation, and adaptation to sea level rise
- Education on climate change
- Raise awareness of Island Trust

## In Scope

- Booking meeting halls and catering
- Advertising
- Invitations to regional districts
- Review of workshop materials.
- TAS and LPS staff travel and attendance
- Notetaking
- Reporting to Trust Programs Committee

## Out of Scope

- Planning advice at the workshops
- New publications
- Advice on land use planning tools
- Honoraria for workshop presenters

## Workplan Overview

Deliverable/Milestone	Date
<i>[this is a short list of key deliverables/milestones. The detailed charter for internal use only will have more items.]</i>	
Booking of locations, invitations, and outline of workshop plan	November 2018
Outline of workshop presentations and activities, promotion	December, January 2018/19
Invitations to Regional Districts, Delivery of first workshops	January to March 2019
Recording and compiling of comments and outcomes	March to April 2019
Final report and outcomes for policy and procedure development	April 2019

## Project Team

Karen Wristen, Living Oceans/Clare Frater, Islands Trust	Project Managers
Bylaw Enforcement Manager	Advisory Group
Living Oceans Consultant	Workshop Delivery
Senior Policy Advisor	Secretariat Support

### Staff Approval:

Clare Frater

**Date: Oct. 9, 2018**

### TPC Endorsement:

Resolution #:

**Date:**

## Budget

Budget Source: Trust Programs Committee

Fiscal	Item	Cost
2018/19	Advertising	\$800
2018/19	Meeting hall Costs	\$500
2018/19	Staff travel costs	\$1,000
2018/19	Catering	\$200
2018/19	Contingency	\$500
	<b>Total</b>	<b>\$3,000</b>

# BRIEFING

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<b>To:</b>	Trust Programs Committee	<b>For the Meeting of:</b>	October 15, 2018
<b>From:</b>	William Shulba	<b>Date Prepared:</b>	October 11, 2018
<b>SUBJECT:</b>	Freshwater Data Gaps		

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**PURPOSE:** To provide Trust Programs Committee with an update of staff work to identify freshwater data gaps in the Islands Trust Area.

**BACKGROUND:** In May 2018, the Trust Programs Committee passed the following resolution:

**TPC-2018-015**

**It was MOVED and SECONDED,**

that the Trust Programs Committee request staff to develop a report that analyzes freshwater data gaps in the Islands Trust Area and proposes recommendations to address those gaps.

The Senior Freshwater Specialist has engaged with staff in the Islands Trust Information Services and Local Planning Services departments, regional districts, and the Province of British Columbia to identify data gaps and challenges to addressing those data gaps. Staff have identified that there is a high volume of complex data sets and that there are multiple agencies with jurisdiction over data collection, storage, and methodology. There are also vast differences in the quality and quantity of data for the different local trust areas and Bowen Island. These differences seem to result from the amount of on-island coordination of freshwater initiatives and the historical top priorities of the LTC/BIMs. Significant differences exist between Islands Trust, the regional districts, and the Province with respect to watershed mapping, streams, and water use data. Harmonization of freshwater data sets is on-going, yet data gaps exist.

Ensuring the future sustainability of freshwater quality and quantity depends on evidence-based decisions making using appropriate watershed and water use data. At this time, the Islands Trust Geographic Information System (GIS) mapping has limited information to support evidence-based decision making regarding freshwater.

The information identified to date is summarized below using two themes: watershed protection and freshwater sustainability.

## **Watershed Protection**

For communities and ecosystems in the Trust Area to be sustainable it is crucial that they have reliable source of water into the future. To understand the water systems that support island communities and ecosystems it is important to identify and map watershed ecosystems. Watershed protection focuses on the natural landscape that contributes to healthy watershed ecosystems.

Watershed protection is focused on inventorying watershed ecosystems to support land-use decisions and monitoring needs to protect the natural function of watershed hydrology and ecology that support freshwater resources by creating evidence-based policies.

Watershed ecosystems are the interconnectivity and interactions between biotic and aquatic components of a watershed. Watershed functions are the vital cyclic events that are necessary for the continuation of life in aquatic and terrestrial systems. These functions are essential sources of ecological services that support water quality in drinking water lakes.

The most sensitive locations with respect to watershed functions outside of riparian areas and streamside protection and enhancement area are the uplands of the watershed, which are considered the “headwaters”. Watershed headwaters are important for a number of intrinsic reasons, as well as for their impact on maintenance of downstream environments. Headwaters are sources of a large proportion of the energy used to fuel watershed food webs via organic matter that enters headwaters in the form of leaf litter from riparian vegetation. Finally, the cumulative effects of small, incremental alterations to headwater channels may have significant impacts on downstream environments.

### ***Watershed Boundary Mapping***

Watershed mapping can be accomplished in several ways. These include delineating topographic divides of drainage basins, mapping watershed ecosystem functions, and modelling storm water drainage. Watershed boundaries are mapped either as a desktop or field-based processes. Determination of the boundary is dependent on the purpose of the mapping project. A storm water engineer will need different mapping products than a watershed ecosystems specialist.

With any watershed ecosystem mapping, boundaries should be taken as an approximation and should be considered as a buffer zone. Unlike in lower reaches of a watershed where slope and flow strengthen the direction of flow within the watershed; the health of upland reaches of watersheds is determined by not only the health of the ecosystem within the particular watershed, but also the health of the adjacent watersheds. This is present in what watershed scientists call upland triple points, where multiple watersheds meet a divergence. It would be reasonable to assume that upland watershed impacts such as clear cutting, contamination and other landscape alterations can have impacts on adjacent watersheds by disrupting contiguous biotic, fungal, and aquatic ecosystems that are difficult to study and identify on a localized scale. A buffer of 100 metres or larger of a drainage boundary is considered to be a conservative approach in protecting upland and adjacent watershed ecosystems.

**Data Gap:** Watershed mapping has been completed by the Province of BC under the TRIM program and provided to regional districts and other local governments including Islands Trust. Regional districts and Islands Trust have engaged in their own watershed boundary mapping. In some cases there is lack of consensus over the boundary polygons as watershed boundary delineation can be determined from drainage divides which can be dependent on the quality of topographic modelling or determined from ecosystem function which is a more esoteric science.

### ***Stream and Water Body Mapping***

Stream, lakes, and wetlands are essential watershed ecosystem features and there are many ways to identify their location, function, and nature. These include desktop analysis using modelling techniques, or on-the-ground Global Positioning System (GPS) surveys and hydrological assessment.

The Province has undertaken large mapping projects including the Terrain Resource Information Management (TRIM) that provides base data for the Province of British Columbia with respect to streams and wetlands. TRIM is a set of three-dimensional digital files that support development and management of land-related information. Unfortunately, the provincial data was based on coarse 1:20,000 scale imaging. In complex topography and watershed hydrology, such as in the Islands Trust Area, the stream locations are not accurate.

A common issue with stream mapping using drainage modelling is that the model wants to connect surface bodies together using streams to conserve a water balance. Dug ponds and shallow wetlands complicate traditional drainage methodology as many ponds are only collecting rainwater or shallow groundwater due to their construction and the geology that they are dug into. This is exacerbated when in low lying topography and in areas of land alteration (land clearing), such as low lying areas of the islands near the beach and agricultural areas.

Some local trust committees have engaged in ground-truthed GPS locating of streams for *Riparian Area Regulation* initiatives, development permit areas and other specific land-use applications. These have resulted in more accurate data sets than those offered through the TRIM modelling.

**Data Gap:** Generally, there are large data gaps about hydrologically controlled wetlands that may not have sensitive ecosystems that have triggered detailed mapping work. For example, upland wetland benches that host alder tree groves may not indicate a sensitive ecosystem, however their importance to watershed hydrology and groundwater recharge is great. Wet areas mapping using topographic methodology may be deployed to capture wetlands and other watershed hydrology, not captured by TRIM, RAR, or sensitive ecosystem mapping.

### ***Hydrological Monitoring***

As a requirement of water-use licences, there is hydrological monitoring in water bodies that are salmon-bearing and in major lakes that are used as drinking water sources.

**Data Gap:** Real-time water monitoring can be located on the Provincial database, called Aquarius. Environment Canada also has hydrometric monitoring program although both of the programs have limited coverage in the Islands Trust Area and is specific to certain projects. Regional districts may also have monitoring programs. For example, the Regional District of Nanaimo Watershed and Drinking Water Protection Program has an extensive hydrometric monitoring program.

### ***Groundwater Wells Monitoring***

The Provincial Groundwater Observation Well Network program collects, interprets and reports information about groundwater quantity and chemistry.

Approximately 186 observation wells provide data from various developed aquifers in B.C. The network was established in 1961, and archived data from previous years allows for the monitoring of groundwater patterns and trends.

The network monitors water conditions of key aquifers across the province to support the effective management, protection and sustainable use of our groundwater resources and associated ecosystems and is recording on many of the islands in the Islands Trust Area.

Within the provincial network, groundwater levels are continuously monitored using pressure transducers. Almost two-thirds of the observation wells in the network transmit information through satellite telemetry, allowing decision makers and the public to observe groundwater levels as they rise and fall in near real time.

**Data Gap:** The coverage of groundwater well monitoring is on the island-scale. If there are public observation wells there will be only several on each island which provides only a general view of the aquifer system. Only Gabriola Island (Regional District of Nanaimo Watershed and Drinking Water Protection Program) and Salt Spring Island (Salt Spring Island Watershed Protection Alliance) have monitoring of groundwater on a planning-watershed scale. Historical monitoring events were held on Hornby Island.

### ***Groundwater Recharge Zones***

Identifying groundwater recharge zones is important for protecting aquifer resources. Mapping these locations supports local trust committees and Bowen Island Municipality protection of sensitive recharge zones by the way of land-use planning such as Development Permit Areas and conservation areas.

**Data Gap:** There are many significant groundwater recharge zones in the Islands Trust Area that have largely not been delineated. Dedicated groundwater recharge mapping has occurred on Galiano, Gabriola, and Hornby Islands. On these islands, groundwater recharge mapping supported the adoption of land-use bylaws that protect these areas.

### **Freshwater Sustainability**

Freshwater sustainability focuses on how island communities use and manage water resources, including groundwater.

#### ***Domestic (non-licensed) water-use monitoring***

There is no regulation for monitoring domestic water use. Improvement districts, municipalities, and other water purveyors may have bylaws that require monitoring of single-family dwellings as part of their service, however for those on domestic groundwater the Province does not require well monitoring.

**Data gap:** Domestic water-use is not monitored outside improvement districts. Most water-use monitoring that does exist is not public and not available for island-scale water planning.

#### ***Non-domestic (licensed) water-use monitoring***

Monitoring of water use is dependent on the type of surface water or groundwater license and is of the discretion of water authorizations at the Ministry of Forests, Lands, Natural Resources, and Rural Development.

**Data gap:** Most water-use monitoring is not available publically for use in island-scale water planning. Furthermore, monthly water-use monitoring is not typically available and only annual reporting is necessary; therefore seasonal water-balance assessments are difficult to perform.

#### ***Drinking water quality monitoring***

Monitoring of water quality is dependent on the type of surface water or groundwater license and the type of utility. In many cases monitoring is at the discretion of water authorizations at the Ministry of Forests, Lands, Natural Resources, and Rural Development.

**Data gap:** Water quality monitoring is limited spatially and the parameters are usually project specific.

### ***Groundwater Wells Inventory***

As part of the *Water Sustainability Act*, all new groundwater wells must be registered with the Province. Historical groundwater wells were voluntarily registered and therefore many groundwater wells are not in the Provincial Wells Database. Historical well records are being located in groundwater reports from subdivision applications and from drilling companies' archives.

**Data gap:** Historical wells may not be located on the Provincial WELLS database and in most cases where there are multiple wells per parcel, only one is identified. There is also a significant backlog of wells to be registered in the provincial databases and it may be several months before a new well is registered in the database. This data gap obscures the number of water users on the islands. However, identifying water-use can be completed indirectly through zoning or BC Assessment. This indirect method does not identify where in the aquifer the water is coming from so does not help in aquifer water balance efforts.

### **ATTACHMENT(S):**

1. None

**FOLLOW-UP:** Staff will continue to analyze the data gaps and will report to Trust Programs Committee in February. Staff may also begin a detailed analysis of freshwater data gaps by local trust area/Bowen Island to develop a freshwater data framework that could be used for spatial decision support system (SDSS) such as water balances, carrying capacity, and identification of climate change trends. Conducting detailed analysis of data gaps for each LTA through a structured framework would create a foundation to assess the freshwater carrying capacity of each LTA through a spatial decision support system (SDSS). Staff anticipates undertaking further work in the following areas that relate directly to Islands Trust jurisdiction:

- A review of the Terrain Resource Information Management (TRIM) mapping to identify errors in the Islands Trust Area.
- Encouraging harmonization of streams, lakes, wetlands and watershed boundary mapping between the regional districts and Islands Trust;
- Encouraging registration of groundwater well records located in the Islands Trust land-use applications;
- Analysis of water use data per land parcel;
- Water balance analysis considering domestic and non-domestic water use, environmental flow needs, and climate change; and
- Analysis of carrying capacity of the major islands with respect to future water resource availability and zoning build out projections.

Staff will also continue to coordinate with regional districts and the Province to improve data quality and to mutually harmonize data methodologies and content.

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**Prepared By:** William Shulba, Senior Freshwater Specialist

**Reviewed By/Date:** Clare Frater, Director, Trust Area Services



Brian Crumblehulme,

Chair

Trust Programs Committee

September 25, 2018

Re: Good News from Denman Island

Dear Brian,

The Association of Denman Island Marine Stewards (ADIMS) and the K'omoks First Nation (KFN) are co-sponsors of a research project which has received almost \$90,000 from the National Contaminants Advisory Board. The successful research project will investigate the ingestion of microplastics by herring larvae and juveniles in Baynes Sound.

The Islands Trust's senior policy advisor, Karen Hurley, advised ADIMS' chair, Dorrie Woodward, to investigate the National Contaminants Advisory Board's funding priorities, and provided that critical link that lead to our success. We at ADIMs are so appreciative of the close attention and good advice Karen gave us.

Baynes Sound is where the largest herring spawn on the Pacific coast occurs, and where scientists have identified a hotspot for microplastics. The purpose of the study is to describe whether and to what extent microplastics are consumed by herring while they're growing in Baynes Sound, which is well known as a retention area, or nursery, for herring.

Leading the research will be Dr. Brian Hunt of UBC's Institute for the Oceans and Fisheries, a biological oceanographer who has recently collaborated on studies on the growth and survival of herring and salmon. Supporting him will be Dr Juan Jose Alava, a marine eco-toxicologist, from the same institution.

The K'omoks First Nation's Guardian Watchmen will take the researchers out for ten sampling trips following the 2019 herring spawn in Baynes Sound, from the time the herring hatch until they're juveniles. The herring, collected at early stages in their development, will be examined for microplastics. Plankton will also be collected and examined for microplastics.

Once we have results from the lab, and know more about the situation in Baynes Sound, we can plan whether it necessary to follow-up next year with research on the possible impacts of microplastics on the development and survival of herring.

Happy to have such exciting news to share,

Dorrie Woodward

Chair

Association for Denman Island Marine Stewards



## Top Priorities

## Trust Programs Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
<b>Director, Trust Area Services</b>					
1	Improve the Delivery and Integration of Services	Identify changes that could improve the delivery and integration of services		Clare Frater Russ Hotsenpiller	
2	Trust Secretariat	Provide a report to Trust Council with information about the implications of the Islands Trust taking on a secretariat role for the Howe Sound Community Forum that considers the needs of existing and potential regional coordination processes in the Baynes Sound/Lambert Channel and Saanich Inlet regions.	20-Jun-2018	Clare Frater Russ Hotsenpiller	
3	Review the Islands Trust Policy Statement	Implement Policy Statement engagement plan State of the Islands project		Clare Frater	

## Projects

## Trust Programs Committee

Description	Activity	R/Initiated
Improve cooperation and integration with other levels of government.	Explore opportunities and benefits of cooperating with First Nations and others to seek nominations of the Trust Area as a UN Biosphere Reserve.	

## Trust Programs Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
	Amend Crown Land Cooperation Agreements	Engage Bowen Island Municipality and the Province of B.C. in updating and consolidating existing agreements into one. (Consider implications for First Nations relationships.)			
	Enhance (protect / restore) community character, socio-economic diversity and economic sustainability	Develop advocacy program for sustainable, appropriate agriculture  Facilitate exploration of intra and inter-island transportation routes			