



Islands Trust Council

Committee of the Whole Special Meeting Agenda

Date: Monday, July 8, 2024
Time: 9:00 a.m. - 12:00 p.m.
Location: Electronic Meeting
Public venue to watch the livestream:
Islands Trust's Victoria Office: 200 - 1627 Fort Street, Victoria, BC V8R 1H8

	Pages
1. CALL TO ORDER / LAND ACKNOWLEDGEMENT	
2. APPROVAL OF AGENDA	
3. CLOSED MEETING	
That the Islands Trust Council Committee of the Whole close this meeting to the public subject to Section 90(1) (i) of the Community Charter in order to consider matters related to the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and that staff be invited to remain in the meeting.	
4. RISE AND REPORT	
5. TRUST AREA SERVICES	
5.1 <u>May 30, 2024, Background on the updated draft Policy Statement - BRF</u>	3 - 44
6. ADOPTION OF MINUTES	
6.1 <u>Draft Trust Council Committee of the Whole Meeting Minutes of May 30, 2024</u>	45 - 48
For review and adoption.	
7. FOLLOW UP ACTION LIST AND UPDATES	
7.1 <u>Trust Council Committee of the Whole Follow-Up Action List</u>	49 - 49
8. NEW BUSINESS	
8.1 <u>Chair of future Committee of the Whole meetings</u>	
Verbal update	
9. NEXT MEETING	
9.1 <u>Scheduling future Committee of the Whole meetings</u>	
Verbal update	

10. ADJOURNMENT



BRIEFING

To: Committee of the Whole **For the Meeting of:** May 30, 2024
From: Trust Area Services **Date Prepared:** May 6, 2024
SUBJECT: Background on the updated draft Policy Statement

PURPOSE: To provide the Committee of the Whole with an updated draft Policy Statement, and relevant supporting materials, for consideration during development of recommendations to Trust Council.

BACKGROUND:

General background on the Policy Statement

Section 15 of the *Islands Trust Act* states that Trust Council must adopt, by bylaw, an Islands Trust Policy Statement that applies to the Islands Trust Area as a whole. The Act specifies that:

- the Policy Statement must be a general statement of the policies of Trust Council to carry out the Islands Trust Object,
- that it may establish different policies for different parts of the Islands Trust Area, and
- that it must be approved by the Minister of Municipal Affairs prior to adoption, who will consider the provincial interest and the Crown’s duty to consult with First Nations.

It is the foundational document for implementing the Islands Trust’s preserve and protect mandate. While the Policy Statement is often looked to as a regional planning or growth strategy, its singular purpose (as defined in the *Islands Trust Act*) is to establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area.

The Islands Trust Council is responsible for establishing and amending the Policy Statement. The Act stipulates that official community plans (OCPs) and regulatory bylaws submitted to Executive Committee or Trust Council must not be approved if they are contrary to or at variance with the Policy Statement; thus, the Policy Statement plays a key role in guiding the development of OCPs and regulatory bylaws by local trust committees and island municipalities. This ensures that the Islands Trust Object is at the core of all land use decision making in the Islands Trust Area. The Policy Statement also guides the work of Trust Council’s Strategic Plan, advocacy activities, and programs.

General background on the Policy Statement Amendment Project

In 2019, Islands Trust Council launched the Policy Statement Amendment Project (Islands 2050) to update the Islands Trust Policy Statement to adapt to current and future challenges and opportunities, and to reflect its commitments related to Reconciliation, climate change, and affordable housing. Since 2019, over \$280,000 has been spent on public engagement, First Nations engagement, and other project related expenses, in addition to considerable staff hours.

Following substantial Trust Council discussions in the 2019-2022 term, multiple phases of engagement with First Nations and the public, and requests for changes by Trust Council in 2022, a revised draft of an Islands Trust Policy Statement Bylaw No. 183 is being presented to the Committee of the Whole for

consideration for the purpose of developing recommendations to Trust Council. This draft specifically responds, with principles and policies available within the Trust’s jurisdiction, to Trust Council’s:

- [Reconciliation Declaration](#)
- [Climate Change Emergency Declaration](#)
- [Housing Equity and Workforce Shortage Crisis Declaration](#)
- [32 resolutions](#) (June and September 2022) which were in response to the feedback received from First Nations, referral agencies, and the public on a July 2021 draft version.

Background on the drafting process

After receiving direction from Trust Council in September, 2022 to redraft the document, staff have been working towards developing an updated draft for Trust Council review. Early and ongoing engagement to date has facilitated important relationship building opportunities with First Nation government staff. As a result, several First Nations have provided Trust Council with valuable feedback on how Policy Statement amendments can assist Trust Council to better recognize and respect Indigenous rights and preserve and protect culturally significant sites, areas, and species for Indigenous Peoples, consistent with its commitments to Reconciliation. This feedback, and feedback unrelated to the Policy Statement, will also be provided to planning and Conservancy staff to inform their advice to Islands Trust bodies.

As indicated in the December 2023 update to Trust Council, in early September 2023, staff provided First Nations (those that had requested capacity funding from Islands Trust) and staff at the Agricultural Land Commission (ALC), Ministry of Agriculture and Food (MAF), Bowen Island Municipality and Island Trust Conservancy, with an early revised working-draft of the Policy Statement, and have received their input. Staff have updated the draft with changes that reflect comments and suggestions. Staff have also made a few changes to language based on continued staff-to-staff reflections and considerations, and deleted a section that is not viewed as required.

Highlights of changes since the July 2021 draft

- A more simple structure and improved readability
- Removal of preamble language about interpretations of the Object
- Removal of advocacy policies, including an advocacy policy about the Trust seeking tree-cutting authority for local trust committees
- Removal of policy about desalination plants
- Refinement of policies about seawalls, private docks, and agriculture
- Use of the term Indigenous Governing Bodies rather than First Nations (this is in keeping with term in *Declaration on the Rights of Indigenous Peoples Act*)
- New principles and policies addressing reconciliation and cooperation with Indigenous Governing Bodies
- Addition of a glossary

This draft is meant to be read and interpreted as a whole.

Note that a major change staff made to the draft since it was provided to First Nations/select governments/ agencies is deleting preamble language relating to interpretation of the Islands Trust Object.

Although Trust Council has reflected on its interpretation of the Islands Trust mandate and released [a statement](#) about its interpretation, and has adopted the following vision statement

“While on a journey of Reconciliation, Islands Trust Council envisions a vibrant tapestry of caring, diverse and rural communities within the Salish Sea that flourish in harmony with nature”

there is no requirement to include a specific breakdown of the Object, to include a definition of unique amenities, or to include vision statement in the Policy Statement bylaw; indeed the document has never had these definitions, but rather goals/objectives and policies.

The Policy Statement approved by Trust Council, read as a whole, will offer Trust Council's:

- vision towards the future of the Trust Area
- its understanding of the unique amenities it wishes preserved and protected
- expression of how it wishes to balance the elements (unique amenities and environment) specified in the Object.

For this reason, staff reflected on the challenges that the Islands Trust Object interpretation section (1.3 in the September 2023 consultation draft) presented in relation to the value offered, and comments received from First Nations, are recommending this section not be included. This would not affect Official Community Plans beginning with a context statement nor Trust Council providing comment on the Object elsewhere.

General notes on feedback from First Nations:

Staff engagement with First Nations is ongoing, and input on the draft Policy Statement from First Nations may continue to arrive through 2024. Staff will provide this input, and any associated recommendations, to the Committee of the Whole/Trust Council as it is received.

During the engagement with First Nations, staff found that many of the comments received were of similar sentiment and many suggestions helped to refine the document.

While it is hard to generalize, staff have the impression that the principles and values expressed are generally appreciated and there is support for more emphasis on cultural heritage protection. First Nations also raised topics and concepts that staff have not been able to accommodate in the draft, as they are either out of scope of the current direction from Trust Council or beyond the current legislative framework. Staff heard an interest from First Nations in knowing about Trust Council's plan for updating official community plans and land use bylaws and for properly resourcing an actionable implementation plan for a new Policy Statement, once adopted. Staff advised that Trust Council has directed development of a companion handbook, which will be drafted after approval in principle is given to a updated Policy Statement, and that Trust Council will consider actionable implementation items through its Strategic Planning processes.

Staff also heard general support for the guiding principles. For example shíshálh First Nations staff explained that acknowledging the interdependencies between healthy communities and healthy ecosystems is a core shíshálh world view, and that the precautionary principle is very important to the shíshálh so that where they are unclear – they err on side of caution rather than risk impacts.

Prior to first reading staff will provide Trust Council will a fulsome summary of feedback from First Nations that is not directly to the Policy Statement to inform decision-making and reconciliation actions into the future.

Staff have heard strongly from several First Nations that it would have been better for Trust Council to co-design the Policy Statement amendment process and timelines with First Nations; and that the Policy Statement drafting work should go further in:

- acknowledging Indigenous self-governance and inherent rights to be self-governing decision-makers within their respective territories, and to be stewards;
- reflecting that the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) affirms First Nations' right to participate in decision-making matters and requires the obtainment of First Nations' free, prior and informed consent.

However, there was general support for the project to proceed as a new approved Policy Statement would be an improvement until more foundational provincial direction occurs. Several First Nations asked staff to convey that it is their preference that Trust Council view a new Policy Statement as an interim improvement.

While the Province has not yet amended local government legislation (including the *Islands Trust Act*) to be consistent with UNDRIP, there would be relationship-building and practical benefits of Islands Trust Council working towards better cooperation in anticipation of local government specific legislated requirements. Staff advise that Trust Council and local trust committees continue efforts towards achieving protocol agreements and administrative letters of understanding.

In discussions with First Nations' staff regarding the First Nations' interest in co-governance/participation in decision-making/consent, Islands Trust staff have advised that the current method for achieving joint decision-making is a UN Declaration Act Agreement with the Province of BC concerning an Islands Trust body, and at least one First Nation expressed support for the mention of these agreements in the draft.

In acknowledgment of the shifting legislative landscape with respect to UNDRIP and First Nation comment with respect to interest in co-governance and acknowledgement of title and rights, the updated draft includes language that is intended to be applicable to, and supportive of, new decision-making frameworks as they emerge.

Where staff has received consent to make them public, the project library at the bottom of the Islands 2050 webpage contains copies of recommendations and comments from First Nations.

As directed, Trust Council's new vision statement was provided to participating First Nations. The only feedback received was from Cowichan Tribes staff in their first comment in their response document (linked below).

As staff reviewed the on the document, guided by Trust Council's 32 resolutions, staff identified additional changes to the document that Trust Council may wish to make:

Change	Section	Topic/ Policy	Rationale
Add new directive policy	Ecosystem Protection	Islets and Small Islands Identify and prioritize the preservation, protection, and restoration of relatively undisturbed islets and small islands.	Staff have heard repeatedly from trustees, public and First Nations that there has historically been too little emphasis on the preservation, protection, and restoration of relatively undisturbed islets and small islands.
Remove directive policy 3.4.16	Transportation	Recommend removal of emergency helicopter policy	This policy is in the 1992 version and no direction to change to date, but is outside Islands Trust jurisdiction (<i>ultra vires</i>)

Staff have also drafted the document to include tables that list the applicable principles from the Truth and Reconciliation Commission of Canada, the principles established in the United Nations Declaration on the Rights of Indigenous Peoples, and the principles for change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls. These tables add three pages to the draft. Should Trust Council wish to keep the document as short as possible, it could request staff to amend the document to simply list the relevant principles by letter/number in the applicable policy instead.

The Committee of the Whole could recommend these changes to Trust Council by resolution.

Further reading

To inform conversation at Committee of the Whole and Trust Council meetings, the following documents are posted to the Islands 2050 webpage:

1. [Concordance table showing the changes from the July 2021 draft to the updated April 2024 draft](#)
2. [Report on what we heard in phase 3 of public engagement and what we have done in response in the updated draft Policy Statement](#)
3. First Nations and ALC/MAF feedback on the [September 2023 draft](#). Note, also available is a [version showing staff edits to the September 2023 draft](#) that respond to the feedback below and staff insights since initial drafting. (Note: There are no written responses from Bowen Island Municipality and Island Trust Conservancy as this was primarily done collegially).
 - a. [Cowichan Tribes feedback](#)
 - b. [Malahat First Nation feedback](#)
 - c. shíshálh (Sechelt) Nation feedback (verbal advice to staff/written response date TBA)
 - d. [K'ómoks First Nation feedback](#)
 - e. [Squamish First Nation feedback](#)
 - f. Ts'uubaa-asatx (Lake Cowichan) First Nation feedback (due to Islands Trust administrative error response date TBA)
 - g. Xelaltxw (Halalt) First Nation feedback (verbal advice to staff/written response date TBA)
 - h. Snaw-naw-as First Nation (written response expected in mid-May)
 - i. Penelakut First Nation feedback (verbal advice to staff/written response date TBA)
 - j. Lyackson First Nation (verbal advice to staff/endorsees Cowichan Tribes feedback)
 - k. [S̓ÁÚTW \(Tsawout\) First Nation feedback](#)
 - l. [Agricultural Land Commission feedback](#)
 - m. [Ministry of Agriculture and Food feedback](#)
4. A [March 2021 discussion paper on “The Islands Trust Object: Past, Present, and Future”](#)
5. [Public excerpt of Nov 2000 legal opinion re Policy Statement directive policies](#)
6. [November 2020 public legal opinion regarding questions pertaining to amendment of Policy Statement](#)
7. [Trust Council’s Policy Statement Amendment Project Charter \(V8\)](#)

For further history on the project, and for additional helpful resources please see the [Islands 2050 webpage](#).

ATTACHMENT(S):

1. [Updated Draft Policy Statement](#) (incorporates previous Trust Council direction, as well as input from engagement with First Nations and select agencies, and additional staff review)
2. [2022 Trust Council resolutions and how they were addressed](#)

3. [Prior Trust Council resolutions about the Policy Statement Amendment Project since 2016](#)

FOLLOW-UP: The Committee of the Whole should take all the time it needs, possibly through multiple meetings, to deliberate on the updated draft and consider the content.

Once ready, it can recommend the updated draft, or changes to the updated draft, to Trust Council for consideration of approval in principle. Once Trust Council refines the document to its satisfaction, it can direct staff to proceed with public engagement on the approval-in-principle draft.

Staff will continue to advise the public that public engagement will follow approval in principle. If public correspondence is received about the draft prior to consideration of approval in principle it will be added to the public correspondence folder on the Islands 2050 webpage. Trustees can review this folder at any time. Staff will add the correspondence to the Trust Council agenda when approval in principle is being contemplated.

Please note: There is a companion briefing in this agenda package setting out options for next steps for consideration of the updated draft.

Prepared By: Clare Frater, Director, Trust Area Services/May 2, 2024

Reviewed By/Date: Tyler Brown, Senior Policy Advisor/May 2, 2024
Russ Hotsenpiller, CAO/May 3, 2024



Islands Trust

**DRAFT for COMMITTEE OF
THE WHOLE/TRUST COUNCIL**

**Islands Trust Policy Statement
Draft Bylaw No. 183**

May 3, 2024

Acknowledgement

Islands Trust Council respectfully acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous Peoples since time immemorial and that their relationship to these lands and waters continues to this day. Islands Trust Council acknowledges that residential schools, forced removal, and colonial laws and restrictions of Indigenous governance and cultural practices have displaced and dispossessed Coast Salish peoples and disrupted their relationships with the islands and waters of the Salish Sea. Islands Trust Council is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

The Islands Trust Area is located within Coast Salish Territory, in the treaty lands and territories of:

- **BOKÉCEN** (Pauquachin) First Nation
- **K'ómoks** (Comox) First Nation
- **MÁLEXEŁ** (Malahat) First Nation
- **Qualicum** First Nation
- Quw'utsun Nation (comprised of **Cowichan Tribes**, **Xeláłtxw** (Halalt) First Nation, **Lyackson** First Nation, **Spune'luxutth'** (Penelakut Tribe) and **Stz'uminus** (Chemainus) First Nation
- **scáwaθən** (Tsawwassen) First Nation
- **səlilwətał** (Tsleil-Waututh) First Nation
- **SEMYOME** (Semiahmoo) First Nation
- **shíshálh** (Sechelt) Nation
- **Skwúwúmesh** (Squamish) First Nation
- **Snaw-naw-as** (Nanoose) First Nation
- **Snuneymuxw** (Nanaimo) First Nation
- **Songhees** First Nation
- **SṪÁUTW** (Tsawout) First Nation
- **łaʔəmen** (Tla'amin) First Nation
- **Ts'uubaa-asatx** (Lake Cowichan) First Nation
- **Wei Wai Kum** (Campbell River) First Nation
- **We Wai Kai** (Cape Mudge) First Nation
- **W JOŁŁŁP** (Tsartlip) First Nation
- **W SIKEM** (Tseycum) First Nation
- **Xwémalhkwu** (Homalco) First Nation
- **Xwsepsum** (Esquimalt) First Nation
- **xʷməθkʷəy̓əm** (Musqueam) First Nation

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Part 1: The Islands Trust Act

In 1974, the Government of British Columbia established the *Islands Trust Act* to preserve and protect the region’s unique amenities and environment against unrestrained growth and development. The Act establishes Islands Trust as a special-purpose provincial government agency equipped with a suite of land use planning powers and a conservation-oriented mandate to preserve and protect the region in cooperation with others. This unique governmental mandate was defined in Section 3 of the *Islands Trust Act* and is commonly referred to as the “Islands Trust Object”:

1.1 – The Islands Trust Object

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

1.2 – Map of the Islands Trust Area



NOTE: This map is a placeholder only. A new map of the Islands Trust Area will be created, identifying the boundaries of each local trust area and island municipality, and will include a legend, scale and recognition of the Indigenous Nations within whose territory Islands Trust operate

1.3 – Indigenous Inherent Rights Acknowledgment

Islands Trust Council respectfully acknowledges Indigenous inherent rights as protected under section 35 of the Constitution Act, 1982. Islands Trust Council respectfully acknowledges Indigenous rights to self-governance and the expressed interest of Indigenous Governing Bodies in working toward co-governance of the Islands Trust Area.

Given the *Declaration on the Rights of Indigenous Peoples Act* and the evolving legislative landscape in British Columbia, this bylaw serves as a starting point for improved cooperation with Indigenous Governing Bodies. Islands Trust Council acknowledges this document does not serve as an endpoint, and commits to an ongoing effort to co-develop processes with Indigenous Governing Bodies within the Islands Trust Area that deliver on the affirmed rights enshrined in the United Nations Declaration on the Rights of Indigenous Peoples.

1.4– Purpose and Structure of the Policy Statement

Purpose of the Policy Statement:

Section 15 of the *Islands Trust Act* states that Trust Council must adopt, by bylaw, an Islands Trust Policy Statement that applies to the Islands Trust Area as a whole. The Act specifies that the Policy Statement must be a general statement of the policies of Trust Council to carry out the Islands Trust Object, that it may establish different policies for different parts of the Islands Trust Area, and that it must be approved by the Minister prior to adoption.

The Islands Trust Council is responsible for establishing and amending the Policy Statement, which in turn guides the development of more specific official community plans and regulatory bylaws by local trust committees and island municipalities across the region. The Act stipulates that official community plans and bylaws submitted to Executive Committee or Trust Council must not be approved if they are contrary to or at variance with the Policy Statement. This ensures that the Islands Trust Object is at the core of all land use decision making in the Islands Trust Area.

The Policy Statement represents Trust Council’s vision for the preservation and protection of the Islands Trust Area and its unique amenities and environment. It aspires to reflect the values and interests of island communities, Indigenous government bodies and Indigenous Peoples, partner agencies, and all British Columbians, as well as the silent voices of island ecosystems, species at risk, and future generations.

Two Types of Policies in the Policy Statement:

1. **Guiding Principles** (as listed in Part 2 of the Policy Statement) are intended to establish general commitments of Trust Council that centre the Islands Trust Object in all daily decision-making across the Islands Trust Area by Islands Trust bodies that are bound by the Policy Statement.
2. **Directive Policies** (as listed in Part 3 of the Policy Statement) are policies that local trust committees and island municipalities must address in their work on local regulatory bylaws and official community plans. These are general policies that are deemed integral to carrying out the Islands Trust Object, but which are general enough that they can be appropriately adapted to local circumstances. Where a directive policy starts with “shall strive to...”, the local body should make best efforts to implement the policy.

All of the policies contained within the Policy Statement are interconnected and interrelate to each other in multiple ways. Therefore, the document should always be considered in its entirety to interpret its intended meaning and vision.

Part 2: Guiding Principles

In its decision making, Trust Council shall be guided by the following guiding principles:

2.1 – General Guiding Principles

In its efforts to carry out the Islands Trust Object, Trust Council commits to the following set of shared principles and priorities to guide daily planning and decision making by all bodies across the Islands Trust Area:

Trust Council commits to be guided by the following principles in its efforts to advance the Islands Trust Object:

Guiding Principles and Priorities:	
2.1.1	Acknowledge and Respect Indigenous Rights To grow understanding of the history and legacy of colonialism in the Islands Trust Area, to acknowledge and respect the rights of Indigenous Peoples in decision making, and to work together with Indigenous Governing Bodies and Indigenous Knowledge Holders to preserve and protect culturally significant areas, sites, and species.
2.1.2	Prioritize Environmental and Indigenous Cultural Heritage Protection To place priority on preserving, protecting and restoring the environment, and preserving, protecting and supporting restoration of Indigenous cultural heritage in all decision making.
2.1.3	Limit the Rate and Scale of Development To define and maintain appropriate limits for the rate and scale of development in order to preserve and protect the unique amenities and environment.
2.1.4	Foster Sustainable, Inclusive, and Resilient Communities To support land use planning decisions that foster sustainable, inclusive, and resilient communities, acknowledging the interdependencies between healthy communities and healthy ecosystems.
2.1.5	Take Guidance From the Precautionary Principle To be guided by the precautionary principle in all decision making to safeguard the environment and cultural heritage where there may be uncertainty over the threats of serious or irreversible damage from development.
2.1.6	Account for Cumulative Effects To strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, culturally sensitive areas and cultural heritage sites, and Islands Trust Area species and their habitats.

2.1.7	<p>Foster Informed and Balanced Decision Making</p> <p>To be informed by a broad range of sources in its decision making processes, including the best available science, Indigenous Knowledge, and local community knowledge.</p>
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2.2 – Cooperation Principles

While Trust Council must provide the necessary leadership to carry out the Islands Trust Object, its mandate requires cooperation with partners who each have unique roles to play in preserving and protecting the region.

Trust Council commits to be guided by the following principles in its cooperation efforts to advance the Islands Trust Object:

Trust Council’s Cooperation Principles:	
2.2.1	<p>Collaborate with the Islands Trust Conservancy Board</p> <p>To collaborate closely with, and be informed by, the Islands Trust Conservancy Board, particularly in the areas of science-based conservation planning, ecosystem mapping, identification of core conservation areas and protected area networks, and protection of species and ecosystems at risk.</p>
2.2.2	<p>Work Towards Collaborative Governance with Indigenous Governing Bodies</p> <p>To work towards building strong relationships and foundations for collaborative governance with Indigenous Governing Bodies, including through the development of shared decision-making agreements under the Declaration on the Rights of Indigenous Peoples Act.</p>
2.2.3	<p>Work Towards Strategic Inter-Agency Coordination</p> <p>To work towards establishing effective inter-agency coordination mechanisms with different levels of government, academic institutions and organizations who have important roles to play in supporting the Islands Trust Object.</p>
2.2.4	<p>Work Towards Accessible and Inclusive Public Communications and Engagement</p> <p>To work towards accessible and inclusive public communications and engagement strategies that engage a wide range of Islands Trust Area residents, communities, local organizations, and British Columbians.</p>
2.2.5	<p>Provide Public Education Opportunities</p> <p>To provide education opportunities to Islands Trust Area residents, communities, local organizations, and visitors, highlighting tangible ways they can contribute to preserving and protecting the region’s unique amenities and environment, while respecting the confidentiality interests of Indigenous Peoples and Indigenous Governing Bodies.</p>

2.3 – Reconciliation Principles

Trust Council has declared its commitment to reconciliation with Indigenous Peoples of the Islands Trust Area, with the understanding that this commitment is a long-term relationship building and healing process.

Trust Council’s Reconciliation Principles:	
2.3.1	Guidance from Truth and Reconciliation Commission To be guided by the 10 principles established by the Truth and Reconciliation Commission of Canada (TRC) (Table 1).
2.3.2	Guidance from United Nations Declaration on the Rights of Indigenous Peoples To be guided by the principles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) including, but not limited to, the following UNDRIP articles (Table 2).
2.3.3	Guidance from Missing and Murdered Indigenous Women and Girls Calls for Justice To be guided by the principles for change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls (Table 3).

Table 1 - Truth & Reconciliation Commission of Canada (TRC) – 10 Principles ¹ :	
A	The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is the framework for reconciliation at all levels and across all sectors of Canadian society.
B	First Nations, Inuit, and Métis peoples, as the original peoples of this country and as self-determining peoples, have Treaty, constitutional, and human rights that must be recognized and respected.
C	Reconciliation is a process of healing of relationships that requires public truth sharing, apology, and commemoration that acknowledge and redress past harms.
D	Reconciliation requires constructive action on addressing the ongoing legacies of colonialism that have had destructive impacts on Aboriginal peoples’ education, cultures and languages, health, child welfare, the administration of justice, and economic opportunities and prosperity.

¹ From - https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/indigenous-people/aboriginal-peoples-documents/calls_to_action_english2.pdf

D	Reconciliation must create a more equitable and inclusive society by closing the gaps in social, health, and economic outcomes that exist between Aboriginal and non-Aboriginal Canadians.
E	All Canadians, as Treaty peoples, share responsibility for establishing and maintaining mutually respectful relationships.
F	The perspectives and understandings of Aboriginal Elders and Traditional Knowledge Keepers of the ethics, concepts, and practices of reconciliation are vital to long-term reconciliation.
G	Supporting Aboriginal peoples' cultural revitalization and integrating Indigenous knowledge systems, oral histories, laws, protocols, and connections to the land into the reconciliation process are essential.
H	Reconciliation requires political will, joint leadership, trust building, accountability, and transparency, as well as a substantial investment of resources.
I	Reconciliation requires sustained public education and dialogue, including youth engagement, about the history and legacy of residential schools, Treaties, and Aboriginal rights, as well as the historical and contemporary contributions of Aboriginal peoples to Canadian society.

Table 2 – Applicable UN Declaration on the Rights of Indigenous Peoples (UNDRIP) Articles²:

Article 3	Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
Article 4	Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
Article 10	Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.
Article 11.1	Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

Article 12.1	Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
Article 13.1	Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to reserve and retain their own names for communities, places and persons.
Article 18	Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions
Article 24	<ol style="list-style-type: none"> 1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services. 2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
Article 25	Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
Article 26	<ol style="list-style-type: none"> 1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. 2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired. 3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.
Article 29.1	Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
Article 31.1	Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

Article 32	<ol style="list-style-type: none"> 1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources. 2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
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Table 3 – Principles for Change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls³:	
Focus on Substantive Equality and Human and Indigenous Rights	Indigenous women, girls, and 2SLGBTQQA+ ⁴ people are holders of inherent Indigenous rights, constitutional rights, and international and domestic human rights. In addition, many Indigenous Peoples in Canada are rights holders under various Treaties, land claims, and settlement agreements.
Decolonizing Approach	Recognizes inherent rights through the principle that Indigenous Peoples have the right to govern themselves in relation to matters that are internal to their communities; integral to their unique cultures, identities, traditions, languages, and institutions; and with respect to their special relationship to their resources, which many witnesses described as their relatives
Inclusion of Families and Survivors	Include the perspectives and participation of Indigenous women, girls, and 2SLGBTQQA people with lived experience, including the families of the missing and murdered and survivors of violence
Self-Determined and Indigenous- Led Solutions and Services	Services and solutions must be led by Indigenous governments, organizations, and people
Recognizing Distinctions	Implement in an equitable and non-discriminatory way, addressing the needs of distinct Indigenous Peoples, and taking into account factors that make them distinct such as self-identification, geographical or regional- specific information, residency, and a gendered lens and framework
Cultural Safety	Incorporate services and processes that empower Indigenous Peoples
Trauma-Informed Approach	Incorporate knowledge of trauma into all policies, procedures, and practices of solutions and services

Part 3: Objectives and Directive Policies

Objective 1:

Advancing Reconciliation

This objective advances Guiding Principle 2.1.1 [Acknowledge and Respect Indigenous Rights]. Trust Council is committed to reconciliation and to long-term healing and relationship building with Indigenous Governing Bodies and Indigenous Peoples across the region. The policies in this section aim to acknowledge the history and legacy of Indigenous Peoples in the area since time immemorial, to recognize and respect the existing rights of Indigenous Governing Bodies regarding land use decisions that impact their territories, and to build foundations for collaborative governance and shared decision making.

Directive Policies - Reconciliation

Local trust committees and island municipalities shall...

3.1.1	Cooperate with Indigenous Governing Bodies Engage with Indigenous Governing Bodies on discretionary land use decisions that they deem may have potential significant impacts on their territories and the ecological health of the Salish Sea, and when addressing all Policy Statement directive policies (i.e. those under Part 3's Objectives 2, 3, 4, and 5)
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Objective 2:

Preserving and Protecting Indigenous Cultural Heritage and Culturally Significant Areas, Sites, and Species

This objective advances Guiding Principle 2.1.2 [Prioritize Environmental and Indigenous Cultural Heritage Protection]. Trust Council recognizes Indigenous cultural heritage as a unique amenity in the Islands Trust Area that must be preserved, protected, and where possible, restored. The Islands Trust Area is home to many culturally significant areas, sites, and species of importance to present and future generations of Indigenous Peoples. This section lays out general types of Indigenous cultural heritage and culturally significant areas, sites, and species that should be identified and protected in each local planning area; this should be guided by Indigenous Peoples, Indigenous governing bodies and Indigenous Knowledge Holders and undertaken in a culturally sensitive manner that respects confidentiality protocols around the sharing of Indigenous Knowledge.

Directive Policies - Indigenous Cultural Heritage & Culturally Significant Areas, Sites and Species

Local trust committees and island municipalities shall...

3.2.1	Indigenous Cultural Heritage Sites Through engagement with Indigenous Governing Bodies, identify and protect Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, and pictographs, and known (registered), unregistered, or newly discovered archaeological sites.
3.2.2	Indigenous Harvesting Areas Through engagement with Indigenous Governing Bodies, identify and protect Indigenous harvesting areas on land and marine foreshores including, but not limited to, fish weirs, clam gardens, camas meadows, and other areas used for Indigenous hunting, fishing, trapping, and gathering of plants and medicines.
3.2.3	Other Culturally Significant Areas for Indigenous Peoples Through engagement with Indigenous Governing Bodies, identify and protect areas of importance for Indigenous cultural, spiritual, medicinal and ceremonial practices and gathering areas
3.2.4	Culturally Significant Species and Medicinal Plants Through engagement with Indigenous Governing Bodies, identify and protect and support restoration of culturally significant species and medicinal plants.

Objective 3:

Preserving and Protecting Healthy and Biodiverse Ecosystems

This objective advances Principle 2.1.2 [Prioritize Environmental Protection]. Trust Council acknowledges that preserving and protecting the ecological integrity of the Islands Trust Area is essential to the Islands Trust Object and to supporting community well-being across the region. The policies in this section aim to identify and protect key ecosystem types and characteristics that safeguard biodiversity (excluding invasive species) and promote resilience to climate change.

Directive Policies - Ecosystem Integrity

Local trust committees and island municipalities shall...

3.3.1	Protected Area Networks Identify, establish, and maintain a network of protected areas of sufficient size and distribution to preserve the environmental integrity of ecosystems in their planning area.
3.3.2	Sensitive Ecosystems Identify and prioritize the preservation, protection, and restoration of sensitive ecosystems in the Islands Trust Area, classified as the following ecosystem types: cliff; freshwater; herbaceous; old and mature forest; riparian; wetland; and woodland.
3.3.3	Forest Ecosystems Identify forest ecosystems and prioritize the preservation, protection, and restoration of unfragmented forest ecosystems, with particular focus on remaining stands of relatively undisturbed Coastal Douglas-fir, Arbutus, Garry oak, and Coastal Western Hemlock and their associated ecosystems.
3.3.4	Watershed Ecosystems Identify and prioritize the preservation, protection, and restoration of watershed ecosystems, freshwater sources, and groundwater recharge areas.
3.3.5	Marine Shorelines and Nearshore Areas Identify and prioritize the preservation, protection, and restoration of eelgrass meadows, kelp forests, forage fish spawning areas, clam beds, estuaries, tidal salt marshes, mud flats, and coastal wetlands.
3.3.6	Critical Habitat for Species at Risk Identify and prioritize the preservation, protection, and restoration of critical habitat for species at risk.

Objective 4:

Fostering Sustainable, Inclusive, and Resilient Communities

This objective advances Principle 2.1.2 [Limit the Rate and Scale of Growth and Development], and Principle 2.1.4 [Foster Sustainable, Inclusive, and Resilient Communities]. Trust Council recognizes that the Islands Trust Object is for the benefit of residents of the Islands Trust Area (as defined in section 1.3 – Interpretations of the Trust Object, and includes Coast Salish Peoples) and all British Columbians, who in turn have a role in preserving and protecting this region. The policies in this section support the preservation and protection of unique island character and aim to foster sustainable, inclusive, and resilient island communities.

Directive Policies - Managing Growth and Development

Local trust committees and island municipalities shall...

3.4.1	Sustainable Development Ensure development is compact, energy-efficient, and appropriately situated on the island and on the site in order to: <ul style="list-style-type: none">• reduce dependency on private automobile use, and support increased use of trail systems, public transportation, and active transportation• be compatible with preservation and protection of the area’s unique amenities and environment, and• limit impacts on Indigenous cultural heritage, harvesting and hunting areas.
3.4.2	Density Limits Establish appropriate density limits for efficient and sustainable use of the land base that help to safeguard protected area networks, and is compatible with preservation and protection of the area’s unique amenities and environment.
3.4.3	Impacts of Development Consider the aesthetic, environmental, and social impacts of development.
3.4.4	Community Facilities and Services Ensure that each community’s current and projected long-term needs for educational, institutional, community, health, cultural, and recreational facilities and services are considered and planned for.
3.4.5	Climate Change Mitigation and Adaptation Identify land use strategies, and consider nature-based solutions, to minimize greenhouse gas emissions, and adapt to climate change-related vulnerabilities.
3.4.6	Hazardous Areas Identify, with consideration of climate change, areas hazardous to development activities, including, but not limited to, areas subject to flooding, erosion, wildfire, or slope instability, and direct development away from such hazards.

3.4.7	<p>Economic Activities</p> <p>Support economic activities that are compatible with preservation and protection of the area’s unique amenities, environment, and community character.</p>
3.4.8	<p>Community Heritage Sites</p> <p>Identify, preserve, protect, and support the restoration of community heritage sites.</p>

Directive Policies - Housing

Local trust committees and island municipalities shall...

3.4.9	<p>Appropriate Locations for Densification</p> <p>Identify appropriate locations where density increases could support the development of safe, secure, diverse and affordable housing while reducing dependency on private automobile use, and increasing use of trail systems, public transportation, and active transportation, and without adversely impacting the area’s unique amenities and environment.</p>
3.4.10	<p>Short-Term Rentals</p> <p>Identify and assess the impacts of short-term rentals of dwellings on the availability of safe, secure, and affordable housing and, where necessary, regulate and limit the number of short-term rentals accordingly.</p>
3.4.11	<p>Floor Area and Lot Coverage Limits</p> <p>Determine appropriate floor area and lot coverage limits for residential development to minimize greenhouse gas emissions and cumulative impacts to the area’s unique amenities and environment, including impacts on agricultural land.</p>
3.4.12	<p>Housing Diversity</p> <p>Support a diversity of housing tenures, including rentals, co-operatives and other alternatives to fee simple ownership.</p>

Directive Policies - Transportation

Local trust committees and island municipalities shall...

3.4.13	<p>Public and Active Transportation Networks</p> <p>Identify and establish appropriately situated, safe, comfortable, and equitable transportation networks, both on the islands and to the islands that reduce dependency on private automobile use, encourage electric vehicles, and support increased use of trail systems, public transportation, and active transportation.</p>
3.4.14	<p>Road Systems</p> <p>Strive to ensure that road location, design, construction, and road systems are compatible with preservation and protection of area’s unique amenities and environment.</p>
3.4.15	<p>Rural Roadways</p> <p>Identify and protect rural roadways, including scenic and/or heritage roads.</p>

3.4.16	<p>Emergency Helicopters Identify appropriate areas for the landing of emergency helicopters that do not adversely impact the area’s unique amenities and environment.</p>
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Directive Policies - Waste

Local trust committees and island municipalities shall...

3.4.17	<p>Disposal of Waste Identify appropriate locations for waste transfer stations for the removal of waste from the Islands Trust Area on islands with vehicle ferry service that are compatible with the preservation and protection of the area’s unique amenities and environment.</p>
3.4.18	<p>Septic Systems Establish requirements for the location and siting of new septic systems to mitigate adverse impacts on the area’s unique amenities and environment, including Indigenous Peoples’ cultural heritage sites and marine harvesting areas.</p>

Directive Policies - Recreation

Local trust committees and island municipalities shall...

3.4.19	<p>Preservation of Natural Heritage Identify, preserve, protect, and support the restoration of natural heritage sites.</p>
3.4.20	<p>Location and Types of Recreational Facilities Identify appropriate locations and types of facilities for low-impact and active recreational activities, and discourage high-impact recreational facilities that may adversely impact the preservation and protection of the area’s unique amenities and environment.</p>
3.4.21	<p>Access to Recreational Facilities Identify appropriate locations, types, and safe public access to recreational facilities</p>
3.4.22	<p>Access to Community Marinas, Boat Launches, and Docks. Identify safe public access to community marinas, boat launches, and docks.</p>
3.4.23	<p>Access to Anchorages Identify appropriate and safe small-craft anchorage public-access locations.</p>
3.4.24	<p>Trail Systems Identify appropriate locations, types, and safe public access to public pedestrian, equestrian and bicycle trail systems to support active recreation that is compatible with preservation and protection of the area’s unique amenities and environment.</p>
3.4.25	<p>Public Shoreline Access Identify and protect areas providing safe public access to marine shorelines and along marine shorelines that are appropriate for low-impact, public recreational use and do not adversely impact unique amenities and the environment.</p>

3.4.26	<p>Destination Gaming Facilities</p> <p>Prohibit destination gaming facilities such as casinos and commercial bingo halls.</p>
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Objective 5:

Fostering Sustainable Stewardship of Lands and Waters

This objective advances Principle 2.1.3 [Limit the Rate and Scale of Growth and Development] and Principle 2.1.2 [Prioritise Environmental Protection]. Trust Council recognizes that sustainable use of lands and waters in the Islands Trust Area is important to the long-term well being and resilience of ecosystems in the Islands Trust Area and the communities that depend on them. This section lays out policies for sustainable land and water use that support the long-term health of ecosystems and sustainability of freshwater.

Directive Policies - Freshwater

Local trust committees and island municipalities shall...

3.5.1	<p>Freshwater Sustainability</p> <p>Ensure that neither the density, nor intensity of land use is increased in watersheds where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable.</p>
3.5.2	<p>Freshwater Demand and Supply Projections</p> <p>Ensure that existing, anticipated, and seasonal water demand and water availability are considered.</p>
3.5.3	<p>Freshwater Quality</p> <p>Strive to ensure that freshwater quality is maintained or remediated.</p>
3.5.4	<p>Freshwater Self-Sufficiency</p> <p>Ensure that islands are self-sufficient in their supply of freshwater.</p>
3.5.5	<p>Freshwater Uses</p> <p>Strive to ensure that freshwater use is not to the detriment of other uses of the waterway such as fish and fish habitat uses, Indigenous cultural and spiritual uses, aesthetic and recreational uses, and the maintenance of water quality in lakes, streams, and wetlands.</p>

Directive Policies - Forest Lands

Local trust committees and island municipalities shall...

3.5.6	<p>Forest Lands for Sustainable Management</p> <p>Retain large land holdings and parcel sizes to support sustainable forest management practices that are compatible with preservation and protection of the area’s unique amenities and environment.</p>
3.5.7	<p>Forest Lands and Road Systems</p> <p>Ensure that road systems and utility corridors are appropriately situated to minimize the fragmentation of forest lands.</p>
3.5.8	<p>Forest Lands and Wildfire Risk Management</p> <p>Identify land use strategies that mitigate wildfire risk and that are appropriate to the unique biogeoclimatic zones and settlement patterns of each local planning area.</p>

Directive Policies - Agricultural Lands

Local trust committees and island municipalities shall...

3.5.9	<p>Protection of Agricultural Lands</p> <p>Identify and protect agricultural lands for current and future use consistent with the Agricultural Land Commission Act and its regulations for agricultural land within the Agricultural Land Reserve while considering downstream impacts, wildlife habitat, and adjacent properties.</p>
3.5.10	<p>Agriculture and Adjacent Properties</p> <p>Minimize any adverse impacts of land uses from adjacent properties on agricultural lands.</p>
3.5.11	<p>Agriculture and Road Systems</p> <p>Ensure that roads and utility corridors are appropriately situated to minimize fragmentation of agricultural lands.</p>
3.5.12	<p>Sustainable Agriculture</p> <p>Strive to preserve, protect, and encourage sustainable farming and sustainability of farming.</p>
3.5.13	<p>Economic Viability of Farms</p> <p>Strive to address land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land or adversely impacting the area’s unique amenities and environment.</p>

Directive Policies - Soil and Fill

Local trust committees and island municipalities shall...

3.5.14	<p>Soil Removal and Deposit Foster the preservation, protection, and restoration of soils in the Islands Trust Area.</p>
3.5.15	<p>Soil and Fill from Middens and Foreshore Areas of Cultural Significance Prohibit alteration, removal or excavation of soil or fill from middens or foreshore areas identified as culturally significant areas.</p>

Directive Policies - Marine Shorelands

Local trust committees and island municipalities shall...

3.5.16	<p>Aquaculture Tenures Direct commercial aquaculture tenures to appropriate locations that will not adversely impact areas of cultural, spiritual, archaeological, medicinal or recreational significance, or established or designated upland land uses, anchorages or moorages.</p>
3.5.17	<p>Setbacks from the Sea Consider the current and anticipated impacts of sea level rise and storm surge, and determine appropriate shoreline buffers and setbacks from the sea, taking into account best practices recommended by the federal and provincial governments.</p>
3.5.18	<p>Soft Shoreline Protections Consider and foster soft shoreline approaches first, such as those identified by the “Green Shores” program, to set requirements for shoreline preservation, and to mitigate erosion of shoreline and foreshore cultural heritage sites.</p>
3.5.19	<p>Marinas Identify requirements for the location, size, and nature of marinas that are compatible with preservation and protection of the area’s unique amenities and environment.</p>
3.5.20	<p>Sharing of Coastal Facilities Identify opportunities for the sharing of coastal facilities such as docks, wharves, floats, jetties, boat houses, board walks, and causeways.</p>
3.5.21	<p>Private Docks Limit or prohibit new private docks in areas identified as culturally significant by Indigenous Governing Bodies and Indigenous Knowledge Holders, in areas that provide critical habitat for species at risk, and in areas of recreational significance; and consider the cumulative effects of docks.</p>

Directive Policies - Emissions

Local trust committees and island municipalities shall...

3.5.22	<p>Emissions to Air, Land, and Water. Regulate land use and development to reduce detrimental emissions, including greenhouse gas emissions, to air, land, and water.</p>
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Part 4: Implementation

4.1 – Policy Statement Implementation

Statutory Bylaw Approval Process:

The main implementation mechanism to ensure that the Policy Statement is implemented in local land use decision making is the statutory bylaw referral process, as stipulated in the *Islands Trust Act*.

Local Trust Committees: Under Section 27 (1) of the *Islands Trust Act*, a local trust committee must submit its bylaws to Executive Committee for approval before adoption. If Executive Committee returns a bylaw with requested changes or refuses to approve a bylaw, the local trust committee may refer the bylaw to Trust Council for approval. A bylaw has no effect until it is approved by Executive Committee or Trust Council. A bylaw adopting or amending an official community plan has no effect until it is approved by the Minister.

Island Municipalities: Under Section 38 (1) of the *Islands Trust Act*, the council of a municipality, all or part of which is in the Islands Trust Area, must submit certain bylaws to Executive Committee for approval before adoption. If Executive Committee returns a bylaw with requested changes or refuses to approve the bylaw, the municipality may refer it to Trust Council for approval. If Trust Council returns or refuses to approve a bylaw, the municipality may submit it to the Minister for approval. Bylaws have no effect until they are approved by Executive Committee, Trust Council, or the Minister.

Executive Committee Approval: Under Section 15(4) of the *Islands Trust Act*, bylaws submitted to the Executive Committee must not be approved by the Executive Committee, or Trust Council, if they are contrary to or at variance with the Islands Trust Policy Statement. As interpreted by the courts, "contrary to or at variance with," means that there is an absolute and direct collision between the local trust committee or island municipality bylaw and the Policy Statement.

Organizational Policy Alignment:

All Islands Trust bodies should take general policy direction from the Policy Statement to ensure that all decisions and activities of the organization are centred on carrying out the Islands Trust Object. The Guiding Principles of the Policy Statement should form the basis of Trust Council's strategic planning process. To ensure consistency between the Policy Statement and the activities of Islands Trust bodies, staff should reference the Policy Statement and its relevant sections in meetings, staff reports, work programs, inter-governmental agreements (including protocols, letters of understanding and memoranda of understanding) and responses to referrals from other agencies. All inter-governmental coordination agreements, external communications, and advocacy should be consistent with the principles and policies set out in the Policy Statement.

Monitoring and Evaluation:

Trust Council will report on its progress in implementing the objectives contained in the Policy Statement each year through the Islands Trust Annual Report.

4.2 – Policy Statement Amendments

Policy Statement Amendment Projects:

At the beginning of each term, in conjunction with its strategic planning process, Trust Council can identify any Policy Statement amendment tasks to be undertaken that term. Newly elected Trust Councils shall cooperate with Indigenous Governing Bodies, and may wish to engage with key partners and interested and affected parties across the Islands Trust Area to define priorities for Policy Statement amendments that term. Any topics that are not able to be addressed in a particular term could be noted on a “Policy Statement Amendment Topic Review Inventory” for consideration by Trust Council at a later date. Once an amendment project is initiated, Trust Council could assign the Executive Committee or a council committee the task of leading and coordinating the Policy Statement review and amendment project, with the support of other committees as appropriate. As part of its annual budget cycle, Trust Council should consider allocating resources required for a Policy Statement amendment project, including for any related communications and engagement.

Communications, Engagement, and Referrals:

As soon as practicable after the initiation, in cooperation with Indigenous Governing Bodies, of a Policy Statement amendment process, the assigned committee should adopt a communications and engagement plan appropriate to the scope and scale of the amendment project. Referrals are required to Indigenous Governing Bodies and regional district boards. While there are no statutory requirements for public engagement or public hearings related to the Policy Statement, in cases where major amendments are being considered, Trust Council should inform and consult members of the public and relevant partner agencies. Engagement and referral partners could include, but would not be limited to: local trust committees and island municipalities; the Islands Trust Conservancy Board; residents and non-resident property owners in the Islands Trust Area; residents of British Columbia; municipal councils, improvement district boards operating within the Islands Trust Area;; relevant provincial government agencies; and other persons and organizations who would be interested and affected by the proposed Policy Statement amendments.

Legislative Process:

Adoption of a Policy Statement amendment bylaw occurs only after Trust Council has undertaken four readings of the proposed Policy Statement bylaw and received approval by the Minister.

Implementation of Policy Statement Amendments:

Policy Statement amendment bylaws become effective upon date of adoption and are not retroactive. Following the adoption of Policy Statement amendments, Trust Council should in consultation with each local trust committee and island municipality develop a “Policy Statement Implementation Plan”. The Policy Statement Implementation Plan will set a timeline for official community plans and regulatory bylaw amendments to bring them into compliance with the amended Policy Statement. As part of its budget processes, Trust Council may allocate resources to support local trust committees and island municipalities to undertake this work.

Glossary of Terms

NOTE: The source references listed in this draft glossary would be removed prior to first reading and are included here solely for informational purposes during the amendment review process. Citations are not typically included in glossaries.

<p>Aboriginal (see Indigenous Peoples)</p>	<p>This is a collective name for all of the original peoples of Canada and their descendants. The Constitution Act of 1982 specifies that the Aboriginal Peoples in Canada consist of three groups – First Nations, Inuit and Métis – with unique heritages, languages, cultural practices and spiritual beliefs. The term Aboriginal peoples should not be used to describe only one or two of the groups. Because Aboriginal peoples is the term used in Canada’s constitution, it has specific importance within a Canadian legal context. Other terms include Indigenous Peoples, Native Peoples, Original Peoples, or First Peoples. For our purposes, the term “Indigenous Peoples” is currently the preferred and most respectful term to use. (Source: Assembly of First Nations)</p>
<p>Archaeological Sites</p>	<p>Archaeological sites consist of the physical remains of past human activity. All archaeological sites in British Columbia are protected under the <i>Heritage Conservation Act</i>. This applies whether sites are located on public or private land, and whether the site is known or unknown. Protected archaeological sites may not be altered or changed in any manner without a permit. There are over 60,000 archaeological sites recorded in BC’s Provincial Heritage Register including the remains of village and other habitation sites, as well as resource procurement activities such as fishing weirs and culturally modified trees. These sites may date anywhere from recent times to 14,000+ years ago, and studies continue to uncover new information. (Source: BC Archaeology Branch)</p>
<p>Biodiversity</p>	<p>Biodiversity (biological diversity) is the variety of living things, including diversity within species (genetic diversity), diversity between species, and diversity of ecosystems. When biodiversity characteristics are assessed for any location or region, three attributes are considered: 1) composition (describes the parts of each biodiversity component in that area – e.g. habitat types, species present, genetic diversity within species); 2) structure (refers to the physical characteristics supporting that composition – e.g. size of habitats, forest canopy structure, etc.); 3) function (means the ecological and evolutionary processes affective life within that structure – e.g. pollination, natural disturbances, predator-prey relationships). (Source: Biodiversity BC)</p>
<p>Colonialism</p>	<p>Colonizers are groups of people or countries that come to a new place or country and steal the land and resources from Indigenous peoples, and develop a set of laws and public processes that are designed to violate the human rights of the Indigenous peoples, violently suppress the governance, legal, social, and cultural structures of Indigenous peoples, and force Indigenous peoples to conform with the structures of the colonial state. Historical and ongoing colonialism, including the dispossession of lands, has a deep and devastating impact on Indigenous people and communities. (Source: BC Addressing Racism Working Glossary; BC Office of the Human Rights Commissioner)</p>
<p>Community Heritage Site</p>	<p>A community heritage site is real property that is considered to be heritage property. (Source: Local Government Act)</p>
<p>Conservation</p>	<p>Actions, legislation, or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or areas of human heritage value or character.</p>

Critical Habitat	Under the federal <i>Species at Risk Act</i> , critical habitat is the habitat that is necessary for the survival or recovery of listed extirpated, endangered, or threatened species, and that is identified as critical habitat in a recovery strategy or action plan. Extirpated species means a wildlife species that no longer exists in the wild in Canada, but exists elsewhere in the wild. Endangered species means a wildlife species that is facing imminent extirpation or extinction. Threatened species means a wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction. (Source: <i>Species at Risk Act</i>)
Land Use Density and Intensity	Density is regulated through zoning. Density may be defined by the number of units per given area of land. Density may also be measured by dividing the built area including all floor area, by the total area of the lot, e.g., floor area ratio (FAR) is an example Intensity of use refers to the impacts of different types of land uses, e.g., certain types of commercial or industrial uses could be more intense with more impacts than residential or vice versa. Of note, density and intensity of use can combine to increase cumulative impacts of the land use.
Ecosystem	An ecosystem is a collection of communities of both living and non-living things that are connected. The biotic elements in an ecosystem include living things such as plants and animals. The abiotic elements found in an ecosystem include non-living things like land forms or climate. Healthy ecosystems provide important “services,” like clean air and water, healthy forests and farms, and habitat for plants and animals. (Source: Government of BC)
Ecosystem Integrity	Ecosystems have integrity when their native components, such as native species, biological communities, natural landscapes and ecological functions, are intact and are likely to persist. (Source: Government of Canada)
Environment	The components of the Earth, including: 1. land, water and air, including all layers of the atmosphere, 2. all organic and inorganic matter and living organisms, and 3. the interacting natural systems that include components referred to in paragraphs (a) and (b). (Source: Impact Assessment Agency of Canada)
Equity / Equitable	Equity refers to achieving parity in policy, process and outcomes for historically and/or currently underrepresented and/or marginalized people and groups while accounting for diversity. It considers power, access, opportunities, treatment, impacts and outcomes. (Source: Equity & Inclusion Glossary, UBC)
First Nations	First Nations is not a legal term but came into common use in the 1970s to replace Indian, which some people found offensive. Many communities have also replaced “band” with “First Nation” in their names. Symbolically, the term elevates First Nations to the status of “first among equals” alongside the English and French founding nations of Canada. It also reflects the sovereign nature of many communities, and the ongoing quest for self-determination and self-government. First Nations people may live on or off reserve, they may or may not have legal status under the <i>Indian Act</i> , and they may or may not be registered members of a community or nation. “First Nations” should be used exclusively as a general term as community members are more likely to define themselves as members of specific nations or communities within those nations. (Source: Assembly of First Nations)

Groundwater Recharge Areas	Groundwater recharge areas are terrain that inherently provide geographical and ecological conditions for the infiltration of water from the land surface to the subsurface through soils, sediments, and fractured bedrock to replenish groundwater sources. Groundwater recharge areas can be <i>diffuse</i> where widespread precipitation on the landscape infiltrates into groundwater sources or <i>localized</i> where discrete surface water sources such as streams, lakes, septic fields, and/or irrigation fields infiltrate into groundwater sources. Groundwater recharge areas that have a significant groundwater recharging effect for drinking water sources or groundwater dependent ecosystems in the Islands Trust Area are defined as <i>Critical Aquifer Recharge Areas</i> .
Heritage Site	Heritage site means, whether designated or not, land, including land covered by water, that has heritage value to British Columbia, a community or an aboriginal people. (Source: BC Heritage Conservation Act)
Inclusive / Inclusion	Inclusion is an active, intentional, and continuous process to address inequities in power and privilege, and build a respectful and diverse community that ensures welcoming spaces and opportunities to flourish for all. (Source: Equity & Inclusion Glossary, UBC)
Indigenous Cultural Heritage	Indigenous Peoples understand and describe cultural heritage according to their distinct perspectives, traditions, and languages. For Indigenous Peoples, cultural heritage refers to ideas, experiences, objects, artistic expressions, practices, knowledge, and places that are valued because they are culturally meaningful, connected to shared memory, or linked to collective identity. Indigenous cultural heritage cannot be separated from either Indigenous identity or Indigenous life. Indigenous cultural heritage can be inherited from ancestors or it can be created by people today as a legacy for future generations. Indigenous Peoples have a right to identify their own cultural heritage, interpret its meaning, and safeguard its value. (Source: Indigenous Heritage Circle)
Indigenous Governing Body	Indigenous Governing Body means an entity that is authorized to act on behalf of Indigenous peoples that hold rights recognized and affirmed by section 35 of the <i>Constitution Act, 1982</i> .
Indigenous Knowledge / Knowledge Holders	There is no single definition of Indigenous Knowledge. For our purposes, we understand "Indigenous Knowledge" as a term that refers to a set of complex knowledge systems based on the worldviews of Indigenous peoples. Indigenous Knowledge reflects the unique cultures, languages, values, histories, governance and legal systems of Indigenous peoples. It is place-based, cumulative and dynamic. Indigenous Knowledge systems involve living well with, and being in relationship with, the natural world. Indigenous Knowledge systems build upon the experiences of earlier generations, inform the practice of current generations, and evolve in the context of contemporary society. Different First Nations, Inuit and Métis communities each have distinct ways of describing their knowledge. Knowledge Holders are the only people who can truly define Indigenous Knowledge for their communities. It is important to note that some Indigenous communities are struggling to maintain their Indigenous Knowledge due to ongoing impacts of colonialism. (Source: Impact Assessment Agency of Canada)
Indigenous Peoples (see Aboriginal Peoples)	Indigenous Peoples has the same meaning as aboriginal peoples in section 35 of the <i>Constitution Act, 1982</i> . The Assembly of First Nations also states: There is no official definition of Indigenous Peoples. In part, Indigenous communities, peoples and nations can be described as those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories. Other terms include Aboriginal Peoples, Native Peoples, Original Peoples, or First Peoples. (Source: Assembly of First Nations)

Indigenous Rights	The term 'Indigenous Rights' is to be interpreted in accordance with the Province of British Columbia's Distinctions-Based Primer, December 2023.
Middens	<p>Midden, or 'shell midden' archaeological sites are indicative of past First Nations settlement activity. Formed by the accumulation of stratified cultural deposits over thousands of years, shell midden sites represent some of the most complex archaeological sites in the world.</p> <p>Source: McLay et al (2008) <i>A'lhut tu tet Sul'hweentst Respecting the Ancestors</i></p> <p><i>Note:</i> A midden may be an archaeological indicator of village and burial sites, and may contain ancestral remains</p>
Nature-based solutions	<p>Nature-based solutions are actions to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges effectively and adaptively, simultaneously benefiting people and nature.</p> <p>Nature-based Solutions address societal challenges through the protection, sustainable management and restoration of both natural and modified ecosystems, benefiting both biodiversity and human well-being. Nature-based Solutions are underpinned by benefits that flow from healthy ecosystems. They target major challenges like climate change, disaster risk reduction, food and water security, biodiversity loss and human health, and are critical to sustainable economic development.</p> <p>(Source: International Union for Conservation of Nature (IUCN))</p>
Precautionary Principle	<p>Principle 15 of the Rio Declaration, known as the precautionary principle, states: "In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation." Four central components of the precautionary principle include: taking preventive action in the face of uncertainty; shifting</p>
	<p>the burden of proof to the proponents of an activity; exploring a wide range of alternatives to possibly harmful actions; and increasing public participation in decision making. (Source: <i>The Precautionary Principle in Environmental Science</i>, Kriebel et al., 2001)</p>
Preservation	To maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.
Protection	To maintain over the long term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.
Reconciliation	Reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behavior. (Source: Truth & Reconciliation Commission)
Restoration	Restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Ecological restoration seeks to initiate or accelerate ecosystem recovery following damage, degradation, or destruction. (Source: Society for Ecological Restoration)

<p>Sensitive Ecosystems</p>	<p>Sensitive ecosystems are classified as ‘sensitive’ because of their rarity and vulnerability to disturbances such as human impacts and climate change. The BC Sensitive Ecosystems Inventory identifies sensitive ecosystem types, which have been adapted by the Islands Trust Conservancy to identify sensitive ecosystems commonly found in the Islands Trust Area, including:</p> <p><u>Cliff</u>: Steep slopes, often with exposed bedrock. Very little soil accumulation, and only exceptionally hardy trees and plants. Cliffs are important vegetation refugia because they are often inaccessible to deer browsing or livestock grazing and can be important nesting habitat for birds.</p> <p><u>Freshwater</u>: all freshwater networks including but not limited to streams, lakes, wetlands, groundwater sources, springs, and precipitation⁵.</p> <p><u>Herbaceous</u>: Shallow soils characteristic of herbaceous ecosystems support low-growing vegetation, such as grasses, forbs (low, broad-leaved plants), wildflowers, mosses and lichens. Few trees and shrubs survive on these sites due to the fast-drying and often shallow nature of the exposed soils.</p> <p><u>Old and Mature Forest</u>: Dry to moist forests dominated by conifer or deciduous tree species with a canopy cover of over 30%. Old forests have a stand age of over 250 yrs.; Mature forests have a stand age of 80–250 yrs.</p> <p><u>Riparian</u>: Located adjacent to lakes, streams and rivers and characterized by plant communities and soils dependent on increased moisture. Influenced by erosion, sedimentation, flooding and seepage.</p> <p><u>Wetland</u>: Feature moisture-dependent plants that thrive in an environment where water remains at or above the surface of the soil during most of the year. Can be bog, fen, marsh, swamp, shallow water, wet meadow or a mixture of these types.</p> <p><u>Woodland</u>: Dry and open forests dominated by a mix of broadleaf and coniferous tree species with canopy coverage of 10–30%. Generally restricted to south-facing slopes and ridges with shallow soils and bedrock outcroppings. (Source: BC Sensitive Ecosystems Inventory, as adapted in Islands Trust Conservancy Regional Conservation Plan 2018-2027)</p>
<p>Species At Risk</p>	<p>An extirpated, endangered, threatened species, or a species of special concern. Extirpated species means a wildlife species that no longer exists in the wild in Canada, but exists elsewhere in the wild. Endangered species means a wildlife species that is facing imminent extirpation or extinction. Threatened species means a wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction. Species of special concern means a wildlife species that may become a threatened or an endangered species because of a combination of biological characteristics and identified threats. (Source: Federal <i>Species at Risk Act</i>)</p>
<p>Stewardship</p>	<p>Voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities in the Islands Trust Area</p>
<p>Sustainable</p>	<p>Capable of being maintained indefinitely; capable of meeting the environmental, economic, and social needs of current generations without compromising the ability of future generations to meet their needs.</p>
<p>Treaties / Treaty Nations</p>	<p>Treaties are constitutionally protected, government-to-government agreements that identify, define and implement a range of rights and obligations, creating long-term, mutually binding commitments. Treaties negotiated through the BC treaty negotiations process are tripartite agreements between the governments of Canada, British Columbia, and a First Nation. The goal of treaties is reconciliation. Treaties signed with First Nations in Canada between 1701 and 1923 are commonly referred to as historic treaties. In BC, there are Douglas treaties, signed with First Nations on Vancouver Island, and Treaty 8 covering a portion of northeastern BC. Treaties signed today are called modern treaties, and cover where there are no historic treaties, and can also deal with matters not addressed in historic treaties. (Source: BC Treaty Commission)</p>



Policy Statement Amendment Project

2022 Trust Council Resolutions and how they were addressed in April 2024 draft of the Policy Statement

Part 1 – Structural Revisions:

	<u>Trust Council Resolution</u>	<u>Notes on how Resolutions were addressed</u>
1	<i>Reformat the draft Trust Policy Statement to simplify the structure and shorten the length to improve readability and understanding, for example, separate the mandatory directive policies from the remainder of the text.</i>	Completed. The structure was simplified and directive policies separated. The document is shorter than typical regional growth strategies which range in length from 65 – 150 pages in regional districts across the Trust Area.
2	<i>Develop a Glossary of Terms used in the Trust Policy Statement to be an appendix to that document.</i>	Completed. See draft glossary at end of revised draft.
3	<i>Remove detailed coordination policies from each subsection and instead develop more general coordination principles in accordance with the object of the Trust.</i>	Completed. See draft section 2.2
4	<i>Remove detailed “commitments of Trust Council” from each subsection and instead develop more general guiding principles in accordance with the object of the Trust.</i>	Completed. See draft section 2.1 and 2.3
5	<i>Add a new category of “recommendation policies” that local trust committees and island municipalities should address in addition to the existing category of “directive policies” (must include in local official community plans and regulatory bylaws).</i>	Not Completed or Recommended. A new category of recommendation policies was not deemed necessary after completing the rewrite. Instead the phrasing “shall strive to” was used in certain policies. See explanation of two types of policies in draft section 1.4.
6	<i>Draft a companion handbook to foster better understanding for Trustees and across the Trust that includes greater detail on the rationale for policies and how local trust committees and island municipalities are expected to implement each policy.</i>	In-Progress. This work is underway. Preliminary work has begun on how the organization can implement a new Policy Statement. The companion handbook could include both implementation information and greater detail on policies. Although preliminary work has begun, the companion handbook would be primarily drafted after Trust Council has given approval-in-principle to a draft document to ensure the effective use of resources. The draft companion handbook would be

		provided to Trust Council prior to its consideration of first reading of Policy Statement bylaw.
7	<i>Separate out introductory/history sections from the official bylaw and place them in the companion handbook.</i>	Completed. Introduction/History sections were removed. Underway. Preliminary companion handbook drafting is underway, but will be more fully developed once Trust Council have provided approval in principle.
8	<i>Explore updating and integrating Trust Council’s Policy Statement Amendment Policy 1.2.1 and Policy Statement Implementation Policy 1.3.1 into the draft Policy Statement bylaw.</i>	Completed. See Part 4 This recommendation was explored by staff. It was determined it was not possible to include Trust Council policies 1.2.1 and 1.3.1 in their entirety without significantly adding to the length and complexity of the Policy Statement. Instead, key implementation and amendment guidelines suitable for a general audience were added in Part 4. It is recommended that Trust Council update and maintain the separate, more detailed Trust Council policies 1.2.1 and 1.3.1 at a later date rather than including all procedural details within the Policy Statement.

Part 2 – Revisions to Existing Content:

9	<i>Remove the draft directive policy to prohibit new desalination plants.</i>	Completed.
10	<i>Change the term “Indigenous ways of knowing” to “<u>Indigenous Knowledge</u>”.</i>	Completed.
11	<i>Reword “seven generations” language to better reflect relationships to past, present, and future generations.</i>	Completed.
12	<i>Refine the draft directive policy and recommendation policies prohibiting new private docks to highlight areas of concern, for example prohibiting or limiting new private docks in areas that have been identified as culturally significant for First Nations, identified for community use, or in locations that provide critical habitat for species at risk, and/or requiring cumulative effects assessments prior to approval of applications.</i>	Completed. See draft policy 3.5.21. Also note draft policies 3.2.1-3.2.4.
13	<i>Refine the draft agricultural policies and recommendation policies to highlight the value of sustainable agriculture in the Trust Area, while also suggesting preferred</i>	Completed. See draft policies 3.5.9 – 3.5.13. Mostly reverted to original directive policies from Policy Statement Bylaw 17 as other “new ideas” have been captured elsewhere. This draft section has been reviewed

	<i>approaches that are aligned with the object of the Trust, and First Nations’ rights and interests.</i>	by Ministry of Agriculture/Agricultural Land Commission staff to ensure each policy is implementable and advisable in the context of the Trust Object and our roles with respect to agriculture.
14	<i>Refine the draft directive policy and recommendation policies prohibiting new seawalls or hard shoreline armouring to instead direct local trust committees and island municipalities to consider guidelines as found in Green Shores or other soft shoreline approaches to set requirements for shoreline preservation.</i>	Completed. See draft policy 3.5.18.
15	<i>Remove the draft commitment/ coordination policies and recommendation policies advocating for authority to regulate tree cutting, acknowledging that Trust Council may continue to advocate for this irrespective of the topic’s inclusion in the Policy Statement.</i>	Completed.
16	<i>Explore the inclusion of general guiding principles, recommendation policies, and/or directive policies that aim to ground all decision-making in the ‘Precautionary Principle’, with a clear definition of this term in the Glossary and related implementation guidelines in the companion handbook.</i>	Completed. See draft principle 2.1.5 (Guiding Principle). Definition of the ‘Precautionary Principle’ is included in the Glossary. In-Progress. Staff intend to include that implementation guidelines in the companion handbook.

Part 3 – Development of Additional Content:

17	<i>Provide options for draft policy language for the draft Policy Statement to encourage preservation of forest cover in the Trust Area, this will include reference to sustainable forest management practices.</i>	Completed. See draft policies 3.5.6-3.5.8 .
18	<i>Reaffirm Trust Council’s Reconciliation Declaration of March 2019 and its inherent commitment to be responsive to First Nations engagement on the Trust Policy Statement as dictated by the Declaration on the Rights of Indigenous Peoples.</i>	Completed. See draft principles 2.1.1, 2.1.2, the draft Reconciliation Principles in 2.3 , and draft directive policy 3.1.1 that gives greater priority and profile to Reconciliation.
19	<i>Provide more explanatory context on First Nations rights and responsibilities, and implications of the Declaration on the Rights of Indigenous Peoples Act, with</i>	Completed. See draft principles 2.1.1, 2.2.2 , the draft Trust Council Reconciliation Principles in 2.3, and draft directive policy 3.1.1 that gives greater priority and profile to reconciliation.

	<i>corresponding “recommendation policies” to guide First Nations engagement and reconciliation work.</i>	In-Process. Greater context can be given in the “companion handbook”. Work on the handbook is underway.
20	<i>Add greater detail on First Nations’ co-governance interests and the need for collaborative frameworks to work together at all stages of policy development and implementation, and in all decision-making.</i>	Completed. See draft section 1.3, draft principles and policies in 2.1, the draft Trust Council Reconciliation Principles in 2.3 , and draft directive policy 3.1.1, and in particular draft principle 2.2.2. In-Progress. Greater context can be given in the “companion handbook”. Work on the handbook is underway.
21	<i>Strengthen policy language around First Nations’ constitutional rights to access culturally significant areas and healthy ecosystems for their cultural, spiritual, and economic uses.</i>	Completed. See draft section 1.3 which specifically addresses this resolution, as well as draft new principles 2.1.1, 2.2.2, and draft Reconciliation Principles in 2.3.
22	<i>Strengthen policy language around preservation and protection of the coastal and marine environment to support First Nations’ food security in Indigenous marine harvesting areas.</i>	Completed. See draft policies 3.2.1, 3.2.2, and 3,2,3, as well as draft policy 3.4.18.
23	<i>Strengthen policy language around engaging with First Nations and cultural monitors to better protect known and unknown cultural heritage sites, through clearly defined collaborative frameworks.</i>	Completed. See draft section 3.1.1 which specifically addresses this resolution. In addition, draft policies under Part 3, Objective 2 .
Part 4 – Coordination with Referral Agency Partners:		
24	<i>Work with Bowen Island Municipality staff and Islands Trust Conservancy staff to integrate their specific amendment requests.</i>	Completed. Amendment requests have been integrated. Staff have met with BIM and ITC staff.
25	<i>Work with Ministry of Agriculture & Food, and Agricultural Land Commission staff to refine the wording of the draft agricultural policies.</i>	Completed. Wording of the draft agricultural policies has been refined. Staff have worked with Ministry of Agriculture & Food and the Agricultural Land Commission staff.
26	<i>Address regional district staff recommendations for revisions to policies relating to active recreation, active transportation, trails, and climate emergency preparedness, as appropriate.</i>	Completed. As appropriate, amendment requests have been integrated into new structure/content. See draft policies within Part 3, Objective 4.

27	<i>Address improvement district recommendations around water management, including rainwater harvesting, septic filtering, and water conservation, as appropriate.</i>	Completed. As appropriate, amendment requests have been integrated to new structure/content, including draft new septic policy 3.4.18.
28	<i>Postpone the deferred referrals to local trust committees until the next draft of the document has been received by the incoming Trust Council and its committees.</i>	Completed.

Part 5 – Engagement, Reviews, and Next Steps:

29	<i>Continue to build staff-to-staff relationships with First Nations who provided input to the Policy Statement Amendment Project in Phases 1 and 2 of early and meaningful engagement, and provide additional capacity funding to support continued First Nations engagement on this project.</i>	<p>Completed: Additional capacity building funding was provided to 11 First Nations. These Nations have provided comment on the current draft of the Policy Statement, or will provide comment.</p> <p>In-Progress. Building staff to staff relationships with First Nations is an ongoing process.</p>
30	<i>Coordinate the provision of expert advice and training to the incoming Trust Council, early in the new term, on the theme of public engagement and consultation, building on lessons learned from the first three phases of Islands 2050 public engagement from 2019 – 2022.</i>	Not Completed. Senior staff will recommend this take place separate from the Policy Statement Amendment Project deliverables – as a training session for Trust Council at a later date.
31	<i>Prepare a new Policy Statement Amendment Project Charter for the consideration of the incoming Executive Committee and Trust Council in early 2023.</i>	Completed.
32	<i>Prepare a Policy Statement Amendment Project Communications Strategy for the consideration of the incoming Executive Committee and Trust Council in early 2023.</i>	<p>Completed. Communications Strategy was provided to Executive Committee and Trust Council in early 2023.</p> <p>In-Progress. Implementation of the Communications Strategy is underway. It is designed to be adaptable to respond to the project and to community need.</p>



Islands Trust Council resolutions on the Islands Trust Policy Statement Amendment Project since 2016

Meeting	Resolution #	Resolution (with some rephrasing for clarity)
March 2016	TC-2016-028	That Trust Council replace “Policy 1.2.i Policy Statement Amendment Policy” dated March 6, 1998 with “Policy 1.2.i Policy Statement Amendment Policy” dated March 23, 2016.
	TC-2016-029	That Trust Council replace “Policy 1.3.i Policy Statement Implementation Policy” dated June 16, 2005 with “Policy 1.3.i Policy Statement Implementation Policy” dated March 23, 2016.
	TC-2016-030	That the Islands Trust Council rescind Procedure 1.3.ii Policy Statement Topic Review Framework dated March 10, 2005
Sept. 2016	TC-2016-064	That Trust Council request the Executive Committee to propose amendments to section 9.1 of the Strategic Plan to include a new phase in the Policy Statement amendment process to: <ol style="list-style-type: none"> 1. raise public awareness of the role and importance of the Policy Statement in shaping the future of the islands; and 2. develop an effective and progressive program to establish a spirit of reconciliation with First Nations.
	TC-2016-077	That the Islands Trust Council endorse a review of the Islands Trust Policy Statement to ensure that it includes a clear and well-thought out definition of ‘affordability’; includes a clearly articulated vision, goal and objectives for affordable housing; gives affordable housing a greater profile for its role in sustainable communities; and includes a reference to affordable housing in its policy direction to local trust committees and municipalities.
June 2017	TC-2017-026	That Trust Council add Species at Risk to the Policy Statement Topic Review Inventory.
	TC-2017-044	That Trust Council assign the Executive Committee, with involvement from Trust Programs Committee as appropriate, to co-ordinate a review of the Introduction, Part I, Part II and Schedule 1 – Definitions sections of the Policy Statement.
June 2018	TC-2018-064	That Trust Council request Executive Committee and Trust Programs Committee to incorporate climate change themes during the engagement processes for the Policy Statement amendment project in 2018-19
March 2019	TC-2019-021	That Trust Council add climate change mitigation, resilience, and adaptation policies to the Islands Trust Policy Statement amendment project. (Part of larger Climate Change Emergency Declaration resolution)

	TC-2019-038	That Trust Council refer to the Executive Committee, for investigation and report back to Trust Council, the following question - do the provisions of section 4.4.2 of the Trust Policy Statement preclude the approval of developments in which the supply of potable water is solely from rainwater catchment and storage?
Sept. 2019	TC-2019-096	That Trust Council refer Trustee Wright's May 28, 2019 submission re: Islands Trust Act interpretation be referred to Trust Programs Committee for the Policy Statement review process.
	TC-2019-098	That Trust Council refer Trustee Langereis' submission dated September 12, 2019 re Object and Policy Statement to Trust Council be forwarded to Trust Programs Committee project on the review of the Islands Trust Policy Statement.
	TC-2019-099	That Trust Council refer P. Frinton's submission 14.4 re: Islands Trust Policy Statement to Trust Programs Committee for the Policy Statement review process.
Sept. 2020	TC-2020-095	That Trust Council direct staff to address the public engagement concerns raised by the Salt Spring Solutions & Non-Profit Community Groups re: Collective Concern for the Islands 2050 Consultative Process within the development and implementation of ongoing public engagement related to the Policy Statement Update Project.
Dec. 2020	TC-2020-108	That Trust Council request the Trust Programs Committee to prepare questions for trustees regarding themes that have been emerging during discussion of the Policy Statement Amendment Project, with the responses to be provided to the Trust Programs Committee no later than the end of January, 2021.
	TC-2020-109	That Trust Council request Executive Committee to allocate up to a full day of discussion around the Policy Statement at the March Trust Council meeting, 2021.
March 2021	TC-2021-009	That Trust Council define the words "unique amenities" to be inclusive of the cultural heritage of Indigenous Peoples within the Islands Trust Area and that this aspect is prioritized.
	TC-2021-009	That Trust Council affirm its understanding that the object (and thus the mandate) of the Trust contained in s. 3 of the <i>Islands Trust Act</i> includes the concept of and protection of healthy and inclusive communities including (but not limited to) housing and transportation.
	TC-2021-009	That Trust Council affirms its understanding that preservation and protection of the natural terrestrial and marine environment is central to the mandate of the Islands Trust and that this responsibility must be given special and profound consideration in all our decisions and in all we do.
	TC-2021-010	That Trust Council request the Trust Programs Committee and the Executive Committee continue their work on developing proposals for revising the Trust Policy Statement in accord with the current Project Charter including policy related to Sustainable Communities and affordable housing.

July 2021	TC-2021-069	That Trust Council postpone consideration of first reading of Bylaw No. 183, cited as 'Islands Trust Policy Statement Bylaw, 2021' to December 2021.
	TC-2021-072	That Trust Council request staff to develop a revised project charter for public engagement on the draft new Policy Statement for approval and implementation by the Islands Trust Executive Committee by the end of August 2021.
	TC-2021-073	That Trust Council receive the draft new Policy Statement and request that the draft new Policy Statement be referred to First Nations, Bowen Island Municipality, Local Trust Committees, the Islands Trust Conservancy Board, Regional Districts, Improvement Districts, School Districts and Provincial and Federal government agencies or departments having jurisdiction in the Trust Area.
	TC-2021-075	That Trust Council ask all Trustees to share the draft Trust Policy Statement with their Local Trust Area constituents between now and Sept., asking for feedback to be provided to Islands2050@islandstrust.bc.ca .
	TC-2021-077	That Trust Council approve an additional transfer of up to \$75,000 from the general revenue surplus fund in fiscal 2021/2022 for enhanced community and First Nations engagement on the draft new Policy Statement subject to approval of the revised engagement project charter by Trust Council.
Sept. 2021	TC-2021-082	That Trust Council approve the Islands 2050 Phase 3 Public Engagement Project Charter scenario 3 and approve a budget of an additional \$82,000, consisting of an additional transfer of \$62,000 from the general revenue surplus fund and the remainder to be funded by any reallocation of funds from the approved 2021/2022 budget to support implementation.
Dec. 2021	TC-2021-133	That Trust Council refer delegation items 7.1.1 Gulf Islands Alliance - Draft Bylaw No. 183 Trust Policy Statement and Affordable Housing and, 7.1.5 Jennifer Margison - Friends of the Gulf Islands Petition to the Trust Programs Committee for consideration as part of the Policy Statement Project.
June/ Sept. 2022	See 32 resolutions document	
March 2023	TC-2023-012	That Trust Council reduce the proposed Policy Statement Amendment Project budget from \$50k to \$30k in recognition of the fact that Executive Committee has proposed a project charter that has shifted public engagement to the 2024/25 fiscal year
	TC-2023-018	That Trust Council approve Policy Statement Amendment Project Charter v6. (Trust Council also received for information an associated Policy Statement Amendment communications strategy)

Sept. 2023	TC-2023-073	That Trust Council approve Policy Statement Amendment Project Charter v7.
March 2024	TC-2024-035	That Trust Council request Staff to create a detailed work plan in addition to the existing project charter to clarify, and specify, the work involved within each step of the Policy Statement Amendment Project.
	TC-2024-036	That Trust Council request that the 'Policy Statement Amendment Project - Project Charter V8' be amended to have the Draft Policy Statement be initially provided to Trust Council at a special meeting.
	TC-2024-037	That Trust Council endorse the Policy Statement Amendment Project Charter Version 8 as amended.



Trust Council Committee of the Whole Minutes of a Special Meeting

Date: Thursday, May 30, 2024
Location: Electronic Meeting

Executive Present:

1. Peter Luckham, Chair, Thetis Island
2. Tobi Elliott, Vice-Chair, Gabriola Trustee
3. David Maude, Vice-Chair, Mayne Trustee
4. Timothy Peterson, Vice-Chair, Lasqueti Trustee

Trustees Present:

5. Sue Ellen Fast, Bowen Island Municipal Trustee
6. Judith Gedye, Bowen Island Municipal Trustee
7. Sam Borthwick, Denman Trustee
8. David Graham, Denman Trustee
9. Susan Yates, Gabriola Trustee
10. Lisa Gauvreau, Galiano Trustee
11. Ben Maberley, Galiano Trustee
12. Joe Bernardo, Gambier Trustee
13. Kate-Louise Stamford, Gambier Trustee
14. Alex Allen, Hornby Trustee
15. Grant Scott, Hornby Trustee
16. Jeanine Dodds, Mayne Trustee
17. Deb Morrison, North Pender Trustee
18. Laura Patrick, Salt Spring Trustee
19. Lee Middleton, Saturna Trustee
20. Kristina Evans, South Pender Trustee
21. Dag Falck, South Pender Trustee
22. Ken Hunter, Thetis Trustee
23. Mikaila Lironi, Lasqueti Trustee
24. Mairead Boland, Saturna Trustee
25. Jamie Harris, Salt Spring Trustee

Trustees not present: 26. Aaron Campbell, North Pender Trustee

Staff Present:

Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director, Legislative Services
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Stefan Cermak, Director, Planning Services
Tyler Brown, Senior Policy Advisor
Alexandra Trifonidis, Acting Executive Coordinator/Recorder

Members of the public present: Two members of the public were present.

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1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Chair Luckham called the meeting to order at 9:30 a.m. Trustees introduced themselves.

2. APPROVAL OF AGENDA

The Committee discussed Committee of the Whole meeting logistics.

By general consent the agenda was approved as presented.

3. GENERAL BUSINESS ARISING – None.

4. TRUST AREA SERVICES

Chair Luckham provided introductory remarks.

4.1 Discussion Items

4.1.1 Background on the updated draft Policy Statement – BRF

Director Frater provided a PowerPoint presentation. Highlights included:

- Islands Trust Policy Statement Amendment Project history
- Engagement process and referral feedback, including engagement with First Nations
- Project timeline – The project is currently in the October 2022 - Fall 2024 phase.
- Highlights of changes to the draft Policy Statement since July 2021
- Implementation considerations

Trustees asked for a correction in the briefing in the section “Background on the drafting process” in the last paragraph on page 2, stating that Trust Council did not come to consensus on the interpretation of the Trust Object but instead came to a collective understanding around the legal opinion provided to them regarding the Trust Object.

Senior Policy Advisor Brown briefly went over the draft Policy Statement document starting at section 2.

Senior Policy Advisor Brown took over facilitating the meeting welcoming direction and guidance from trustees on process and/or content any time during the lifetime of the project.

Trustee Lironi joined the meeting at 10:18 a.m.

Committee and Staff discussion took place regarding:

- Reconciliation, inherent rights of First Nations, and best terms and language to use to describe who the Trust is building relationships with (First Nations, Indigenous Governing Bodies, Indigenous Peoples).
- Islands Trust historical legislation, and how the Policy Statement was adopted by Trust Council.

Trustee Lironi left the meeting at 10:35 a.m.

DRAFT

- The possible need to provide clarification on the understanding of the Object.
- When and how often, legal advice should be sought through the Policy Statement amendment process, and the associated cost.

Trustee Boland joined the meeting at 10:59 a.m.

The meeting recessed for a break at 11:02 a.m. and reconvened at 11:15 a.m.

- Ambiguity of the Islands Trust Act.
- Directive Policies and Guiding Principles language in the draft document.
- Policy Statement foundational values, which inform the work done with the document meant to be read as a whole.
- Possible differences between Executive Committee, Trust Council, and the local trust committees' interpretation and implementation of the document.
- Cooperation principles and how cooperation with Islands Trust Conservancy, Indigenous Governing Bodies, and interagency coordination is going to work and be reflected in the document.

Trustee Harris joined the meeting at 11:40 a.m.

- Choice of language used in the document specifically use of verbs such as 'shall', and 'must', the language that follows, and the possible legal implications of using directive language.
- Inclusion of language regarding co-governance/engagement with First Nations in the document, Trust Council's views on co-governance with First Nations in general, and where Islands Trust might fit into the Province's plan regarding implementation of the Declaration on the Rights of Indigenous Peoples Act.
- Best approach to reviewing and revising the draft Policy Statement document.

4.1.2 Next steps for consideration of draft updated Policy Statement – BRF

Senior Policy Advisor Brown reflected on the themes and process comments heard throughout the meeting, and turned over the facilitating to Chair Luckham who opened conversation about next steps for the amendment project.

TC-COW-2024-001

It was MOVED by Trustee Patrick, and SECONDED by Trustee Peterson, that the Committee of the Whole recommend that Trust Council request staff to provide a staff briefing that presents examples from other jurisdictions' (e.g., regional growth strategies) goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies.

CARRIED

DRAFT

TC-COW-2024-002

It was **MOVED** by Trustee Elliott, and **SECONDED** by Trustee Bernardo, that the Committee of the Whole recommends to Trust Council that it have legal counsel available for a future Committee of the Whole meeting.

CARRIED

TC-COW-2024-003

It was **MOVED** by Trustee Morrison, and **SECONDED** by Trustee Mabberley, that the Committee of the Whole recommend to Executive Committee to provide significant time for discussion of the Trust Policy Statement in Committee of the Whole format at the June 2024 Trust Council meeting.

DEFEATED

TC-COW-2024-004

It was **MOVED** by Trustee Fast, and **SECONDED** by Trustee Allen, that the Committee of the Whole recommend to Trust Council that it amend the draft updated Policy Statement (April 2024 version) by adding a new directive policy re: Islets and Small Islands, to identify and prioritize the preservation, protection, and restoration of relatively undisturbed islets and small islands.

CARRIED

5. CLOSED MEETING (If needed)

The Committee did not go into a closed session.

6. RISE AND REPORT – None.

7. NEW BUSINESS – None.

8. NEXT MEETING

The Committee did not schedule a subsequent meeting.

9. ADJOURNMENT

By general consent the Committee adjourned the meeting at 12:58 p.m.

Certified correct:

Peter Luckham, Chair

Alexandra Trifonidis, Recorder

Minutes are not official until adopted at a subsequent meeting.

Follow Up Action Report

Committee Of The Whole

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
100%	1 Staff to forward COtW's recommendation to Trust Council that legal counsel be available for a future Committee of the Whole meeting.	Clare Frater	Meeting: 30-May-2024 Target: 01-Jul-2024	Completed

Senior Policy Advisor

Progress	Activity	Responsibility	Dates	Status
0%	1 Staff to forward COtW's recommendation to Trust Council asking staff to provide a briefing that presents examples from other jurisdictions' (e.g., regional growth strategies) goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies.	Jason Youmans	Meeting: 30-May-2024 Target: 24-Sep-2024	In Progress
0%	2 Staff to forward COtW's recommendation to Trust Council that staff amend the draft updated Policy Statement (April 2024 version) by adding a new directive policy re Islets and Small Islands, to identify and prioritize the preservation, protection, and restoration of relatively undisturbed islets and small islands.	Jason Youmans	Meeting: 30-May-2024 Target: 24-Sep-2024	In Progress