



Islands Trust Council

Decision and Information Items Agenda

Date Tuesday, June 11 - Thursday, June 13, 2013

Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

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ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

1.1

RESOLUTION WITHOUT MEETING NO. RWM-01-2013

It was Moved by Trustee David Graham and Seconded by Trustee Sheila Malcolmson:

"That Islands Trust Council Bylaw No. 153, cited as "Islands Trust Council Trustee Remuneration Bylaw, 2013-14" be adopted.

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
Ken Hancock	April 3, 2013	In Favour
Gisele Rudischer	April 4, 2013	In Favour
Peter Grove	April 4, 2013	In Favour
Louise Decario	April 4, 2013	In Favour
Sue French	April 4, 2013	In Favour
George Grams	April 4, 2013	In Favour
Pamela Janszen	April 4, 2013	In Favour
Mike Jones	April 4, 2013	In Favour
Brian Crumblehulme	April 4, 2013	In Favour
Peter Luckham	April 4, 2013	In Favour
Sheila Malcolmson	April 4, 2013	In Favour
Alex Allen	April 4, 2013	In Favour
David Graham	April 4, 2013	In Favour
Liz Montague	April 4, 2013	In Favour
Tony Law	April 4, 2013	In Favour
Laura Busheikin	April 4, 2013	In Favour
Jeanine Dodds	April 4, 2013	In Favour
Gary Steeves	April 4, 2013	In Favour
Peter Johnston	April 4, 2013	In Favour
Sandy Pottle	April 5, 2013	In Favour
Jan Hagedorn	April 5, 2013	In Favour
Susan Morrison	April 6, 2013	In Favour
Kate-Louise Stamford	April 7, 2013	In Favour
Paul Brent	April 7, 2013	In Favour
Andrew Stone	April 12, 2013	In Favour

TRUSTEES VOTE NOT AVAILABLE
Wolfgang Duntz

FINAL VOTE COUNT

25 IN FAVOUR
OPPOSED
CARRIED

THE CHAIRPERSON DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON APRIL 12, 2013.



CHAIR'S SIGNATURE



RECORDER'S SIGNATURE



**ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES**

RESOLUTION WITHOUT MEETING NO. RWM-02-2013

It was Moved by Trustee Sheila Malcolmson and Seconded by Trustee Ken Hancock:

"That Islands Trust Council Bylaw No. 151, cited as "Islands Trust Financial Plan Bylaw, 2013/2014" be adopted.

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
Brian Crumblehulme	April 23, 2013	In Favour
Ken Hancock	April 23, 2013	In Favour
Peter Grove	April 23, 2013	In Favour
Tony Law	April 23, 2013	In Favour
Susan Morrison	April 23, 2013	In Favour
Sandy Pottle	April 23, 2013	In Favour
Gary Steeves	April 23, 2013	In Favour
Mike Jones	April 23, 2013	In Favour
Jeanine Dodds	April 23, 2013	In Favour
Louise Decario	April 23, 2013	In Favour
Peter Johnston	April 23, 2013	In Favour
Peter Luckham	April 23, 2013	In Favour
David Graham	April 23, 2013	In Favour
Paul Brent	April 24, 2013	In Favour
Andrew Stone	April 24, 2013	In Favour
Laura Busheikin	April 24, 2013	In Favour
Liz Montague	April 24, 2013	In Favour
Kate-Louise Stamford	April 25, 2013	In Favour
Alex Allen	April 25, 2013	In Favour
Sue French	April 26, 2013	In Favour
Jan Hagedorn	April 29, 2013	In Favour
George Grams	April 29, 2013	In Favour
Sheila Malcolmson	April 29, 2013	In Favour
Gisele Rudischer	April 29, 2013	In Favour

TRUSTEES VOTE NOT AVAILABLE

Wolfgang Duntz
Pam Janszen

FINAL VOTE COUNT

24 IN FAVOUR
OPPOSED
CARRIED

THE CHAIRPERSON DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON APRIL 29, 2013.



CHAIR'S SIGNATURE



RECORDER'S SIGNATURE



ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. RWM-03-2013

It was Moved by Trustee Sheila Malcolmson and Seconded by Trustee Ken Hancock:

"That Islands Trust Council Bylaw No. 152, cited as "Revenue Anticipation Borrowing Bylaw, 2013 - 2014" be adopted.

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
Brian Crumblehulme	April 23, 2013	In Favour
Ken Hancock	April 23, 2013	In Favour
Peter Grove	April 23, 2013	In Favour
Tony Law	April 23, 2013	In Favour
Susan Morrison	April 23, 2013	In Favour
Sandy Pottle	April 23, 2013	In Favour
Gary Steeves	April 23, 2013	In Favour
Mike Jones	April 23, 2013	In Favour
Jeanine Dodds	April 23, 2013	In Favour
Louise Decario	April 23, 2013	In Favour
Peter Johnston	April 23, 2013	In Favour
Peter Luckham	April 23, 2013	In Favour
David Graham	April 23, 2013	In Favour
Paul Brent	April 24, 2013	In Favour
Andrew Stone	April 24, 2013	In Favour
Laura Busheikin	April 24, 2013	In Favour
Liz Montague	April 24, 2013	In Favour
Kate-Louise Stamford	April 25, 2013	In Favour
Alex Allen	April 25, 2013	In Favour
Sue French	April 26, 2013	In Favour
Jan Hagedorn	April 29, 2013	In Favour
George Grams	April 29, 2013	In Favour
Sheila Malcolmson	April 29, 2013	In Favour
Gisele Rudischer	April 29, 2013	In Favour

TRUSTEES VOTE NOT AVAILABLE

Wolfgang Duntz
Pam Janszen

FINAL VOTE COUNT

24 IN FAVOUR
OPPOSED
CARRIED

THE CHAIRPERSON DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE ISLANDS TRUST ACT ON APRIL 29, 2013.



CHAIR'S SIGNATURE



RECORDER'S SIGNATURE

 5

ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. RWM-04-2013

It was Moved by Trustee David Graham and Seconded by Trustee Sheila Malcolmson:

That the Islands Trust Council:

- 1. Authorize the Chair to execute Land Title Act Form C, dated October 25, 2012, which will grant, to BC Hydro and TELUS Communications Inc., a Statutory Right of Way approximately 3 m by 94 m in size along the front lot line of the land described as "Lot A, Section 17, Denman Island, Nanaimo District, Plan 14174, PID 004-356-284" in return for \$1,500 in compensation from BC Hydro;***
- 2. Authorize the CAO and the Director of Administrative Services to execute the Agreement to Grant Statutory Right of Way, dated December 18, 2012 in regards to the same property; and***
- 3. Authorize staff to transfer the \$1,500 that Trust Council receives in compensation from BC Hydro to the Denman Island Residents Association to assist with conservation of the Marcus Isbister Old School Centre.***

TRUSTEES CONTACTED

DATE VOTE RECEIVED

VOTE

Liz Montague	May 13, 2013	In Favour
Andrew Stone	May 13, 2013	In Favour
Laura Busheikin	May 14, 2013	In Favour
George Grams	May 14, 2013	In Favour
David Graham	May 14, 2013	In Favour
Sheila Malcolmson	May 14, 2013	In Favour
Pamela Janszen	May 14, 2013	In Favour
Kate-Louise Stamford	May 14, 2013	In Favour
Louise Decario	May 14, 2013	In Favour
Alex Allen	May 14, 2013	In Favour
Jeanine Dodds	May 14, 2013	In Favour
Peter Luckham	May 14, 2013	In Favour
Susan Morrison	May 15, 2013	In Favour
Mike Jones	May 15, 2013	In Favour
Sue French	May 15, 2013	In Favour
Gary Steeves	May 15, 2013	In Favour
Paul Brent	May 16, 2013	In Favour
Tony Law	May 16, 2013	In Favour
Brian Crumblehulme	May 16, 2013	In Favour
Jan Hagedorn	May 16, 2013	In Favour
Peter Grove	May 17, 2013	In Favour
Wolfgang Duntz	May 23, 2013	In Favour

TRUSTEES VOTE NOT AVAILABLE

Gisele Rudischer
Sandy Pottle
Peter Johnston
Ken Hancock

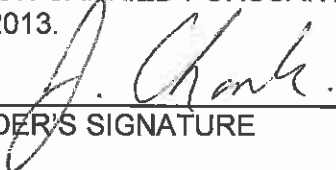
FINAL VOTE COUNT

22 IN FAVOUR
OPPOSED
CARRIED

THE CHAIRPERSON DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE ISLANDS TRUST ACT ON MAY 23, 2013.



CHAIR'S SIGNATURE



RECORDER'S SIGNATURE

 6

Draft – Subject to Council Approval

Minutes of Islands Trust Council Meeting March 5-7, 2013, Thetis Island, BC

Present:

Executive Committee: Sheila Malcolmson, Chair (Gabriola)
David Graham, Vice Chair (Denman)
Ken Hancock, Vice Chair (North Pender)
Peter Luckham, Vice Chair (Thetis)

Trustees:

Wolfgang Duntz, Bowen
Andrew Stone, Bowen
Laura Busheikin, Denman
Gisele Rudischer, Gabriola
Louise Decario, Galiano
Sandy Pottle, Galiano
Jan Hagedorn, Gambier
Kate-Louise Stamford, Gambier
Alex Allen, Hornby
Tony Law, Hornby
Peter Johnston, Lasqueti
Susan Ann Morrison, Lasqueti
Jeanine Dodds, Mayne (March 6 & 7)
Brian Crumblehulme, Mayne
Gary Steeves, North Pender
George Grams, Salt Spring
Paul Brent, Saturna
Pam Janszen, Saturna
Mike Jones, South Pender
Liz Montague, South Pender
Sue French, Thetis

Regrets:

Peter Grove, Salt Spring
Jeanine Dodds, Mayne (March 5)

Staff:

Linda Adams, Chief Administrative Officer
Lisa Gordon, Director, Trust Area Services
David Marlor, Director, Local Planning Services (March 6 & 7)
Cindy Shelest, Director, Administrative Services
Marie Smith, Executive Coordinator (Recorder)

TUESDAY, MARCH 5, 2013

Call to Order

The meeting was called to order at 1:45 pm. Twenty-five trustees were in attendance.
Trustees Absent: Jeanine Dodds–Mayne; Peter Grove–Salt Spring.

Chair Sheila Malcolmson welcomed everyone to the meeting and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Approval of Agenda/Notice of New Items

6. Correspondence

- 6.2 W. Hewitt re: Support for Council Agenda Item 3.6
- 6.3 Denman Community Land Association Rural Affordable Housing Project
Re: Support for Council Agenda Item 2.5

By General Consent, the Agenda for the March 2013 Trust Council meeting was approved as amended.

COMMUNITY PRESENTATION – THETIS ISLAND MARINE ASSOCIATION

Trustees received a presentation from members of the Thetis Island Marine Association, a group that promotes and advises on the safe, orderly and equitable management of the Water Zones surrounding Thetis Island.

2013/14 BUDGET OVERVIEW

Director of Administrative Services Cindy Shelest provided an overview of the Financial Planning Committee's draft recommendations for the 2013/14 budget, including discretionary and non-discretionary revenue and expenses, a review of the proposed OCP/LUB budget, and a preliminary proposal for a 1.3% property tax increase.

DECISION AND INFORMATION ITEMS

1. GENERAL

1.1 Resolutions Without Meeting

No items.

1.2. December 2012 Trust Council Meeting - Draft Minutes

By General Consent, the December 2012 Trust Council Meeting Minutes were approved, as amended.

1.3 Trust Council Follow-Up Action List

The Trust Council Followup Action List, dated February 20, 2013, was provided for information.

By General Consent, Section 2 – Local Planning Services was deferred to March 6 when the Director of Local Planning Services would be in attendance.

3. EXECUTIVE

3.1 Chief Administrative Officer's Report

Provided for information.

3.2 Executive Committee Work Program Report

By General Consent, the Executive Committee Report was endorsed, as presented. The top work program priorities as of February 2013 were: 1) Advocacy Initiatives; 2) Strategic Planning; and 3) Organizational Effectiveness.

3.3 Trust Council Plan for Continuous Learning 2011-2014

Provided for information.

3.4 Islands Trust Council Strategic Plan - Amendments to Align With Trust Council's 2013/2014 Budget

This item was deferred to March 6 following the 2013/14 Budget Decision session.

3.5 Preparation of a Draft Bylaw to Delegate Specific Trust Council Powers to the Salt Spring Island Local Trust Committee

Salt Spring Island Local Trustee George Grams provided background information about the issue facing the Salt Spring Island Local Trust Committee (SSILTC) and the desire for Trust Council to delegate some of its powers to the SSILTC to improve collaborative efforts in the protection of the island's water resources. Initially, the Salt Spring Island Local Trust Committee is seeking to work on a specific project – to collaborate with regional and provincial agencies and with improvement districts that provide drinking water on Salt Spring Island to preserve and protect St. Mary Lake and its watershed. As a number of the anticipated activities necessary to accomplish this initiative may be outside the local trust committee's current powers for land use planning and regulation, staff time and budget cannot be clearly expended on them.

Resolution TC 100-2013

It was Moved by Trustee George Grams and Seconded by Trustee Tony Law:

That the Islands Trust Council request the Executive Committee to develop a draft Trust Council bylaw that would delegate specific Trust Council powers to the Salt Spring Island Local Trust Committee (SSILTC) to assist it in collaborative watershed management activities.

Initial discussion raised both support for the initiative and concern about what this would mean policy wise, what level of community support there was on Salt Spring Island and whether all other options have been explored for collaboration with the regional district and water district. Some trustees expressed concern with what this could add to the Strategic Plan work load and the need to talk to the community first on interest before investing time on changing the current governance abilities of the local trust committee. Other trustees supported local autonomy and developing a draft bylaw for review and consideration before making a decision to go ahead.

Because of the lateness of the day, some trustees expressed a desire to defer consideration of this motion to March 6.

Resolution TC 101-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Ken Hancock:

To table the motion.

In Favour - 17

Opposed – 7

(Stone-Bowen; Law-Hornby; Crumblehulme-Mayne; Grams-Salt Spring;
Brent-Saturna; Janszen-Saturna; Luckham-Thetis)

CARRIED

Resolution TC 102-2013

It was Moved by Trustee Peter Luckham and Seconded by Trustee Ken Hancock:

That the Islands Trust Council meeting be closed to the public subject to Sections 90(1)(g) and (i) of the Community Charter in order to distribute documents related to litigation affecting the Islands Trust, and receipt of advice that is subject to solicitor-client privilege; and staff be invited to attend the meeting.

CARRIED

The meeting closed to the public at 5:50 pm and reopened at 5:52 pm.

The meeting recessed at 5:52 pm.

WEDNESDAY, MARCH 6, 2013

The meeting reconvened at 8:34 am. Twenty-five trustees were present. Trustees absent: Peter Grove-Salt Spring.

CLOSED SESSION

Resolution TC 103-2013

It was Moved by Trustee Peter Luckham and Seconded by Trustee Ken Hancock:

That the Islands Trust Council meeting be closed to the public subject to Sections 90(1)(c),(g) and (i) of the Community Charter in order to consider matters related to: labour relations and other employee relations, litigation affecting the Islands Trust, and receipt of advice that is subject to solicitor-client privilege; and that CAO Linda Adams be invited to attend the entire meeting, and that Islands Trust staff be invited to attend Parts 2, 3 and 4 of the meeting.

CARRIED

The meeting closed to the public at 8:35 am and reopened at 9:17 am.

DECISION AND INFORMATION ITEMS

2. LOCAL PLANNING

2.1 Director of Local Planning Services Report

Provided for information.

2.2 Local Planning Committee Work Program Report

By General Consent, the Local Planning Committee Report was endorsed as presented. The top work program priorities as of February 2013 were: 1) Develop Mechanism for Proactive Bylaw Enforcement of Illegal Structures on the Foreshore; 2) Development of Water Quality and Quantity Tool Kit; and 3) Renewable Energy Technology in the Trust Area.

2.3 Three Year Briefing

The Local Planning Services 2011-2014 Plan was provided for information. This report includes projects and top priorities of local trust committees, allocation of staff resources, work carried out by the Local Planning Committee and proactive policy work by the Bylaw Enforcement office.

2.4 Bylaw Enforcement Investigations Report Briefing

Staff highlighted the current status of bylaw enforcement investigations in the Trust Area, and provided a chart detailing the Bylaw Enforcement Notice Dispute Adjudication System.

Trustees requested to be notified at the local trust committee level of new files, noting this was not always happening, either in writing or in person.

The meeting recessed at 11:35 am and reopened at 1:05 pm.

WORKING WITH THE ISLANDS TRUST FUND

Members of the Islands Trust Fund and Trust Fund Board provided a informative presentation to Council members in order to increase awareness of Islands Trust Fund programs/services and understanding of how the Islands Trust Fund and trustees and local trust committees can work together.

DELEGATIONS AND TOWN HALL

1. Gulf Islands Alliance, Salt Spring Island

On behalf of the Gulf Islands Alliance, David Steen, Graham Brazier, Will Lennox addressed Council members regarding a number of issues, including Salt Spring governance, the Islands Trust Policy Statement, marine advocacy, the Islands Trust communication strategy and the oath of office for trustees.

2. Thetis Island Nature Conservancy

Maureen Loiselle and Stephanie Cottell provided a presentation about the work of the Thetis Island Nature Conservancy.

3. Tom Varzeliotis, Salt Spring Island

The delegate was not in attendance. A written submission was provided to trustees entitled "Stone Wall on Keats – Groyne in Salt Spring".

4. Peter Lamb and Elizabeth White, Salt Spring Island

Peter Lamb and Elizabeth White presented Trust Council members with their concerns regarding climate change.

2013-14 BUDGET SESSION

Staff asked trustees for any amendments to the proposed 2013/14 Budget.

4.6 2013/14 Financial Plan Bylaw No. 151

Resolution TC 104-2013

It was Moved by Trustee Jan Hagedorn and Seconded by Kate Louise Stamford:

That the Islands Trust Council request staff to include the Associated Islands in Year 1 of the Eelgrass and Forage Fish Mapping program where efficiencies and budget allow and during the 2014/15 budget cycle to propose the remaining Associated Islands be included in Year 2 of the Eelgrass and Forage Fish mapping programs.

CARRIED

Resolution TC 105-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Gisele Rudischer:

That Islands Trust Council Bylaw 151, cited as the “Financial Plan Bylaw, 2013/14” be read a First Time.

CARRIED

Resolution TC 106-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Gisele Rudischer:

That Islands Trust Council Bylaw 151, cited as the “Financial Plan Bylaw, 2013/14” be read a Second Time.

CARRIED

Resolution TC 107-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Gisele Rudischer:

That Islands Trust Council Bylaw 151, cited as the “Financial Plan Bylaw, 2013/14” be read a Third Time.

CARRIED

Resolution TC 108-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Gisele Rudischer:

That Islands Trust Council Bylaw 151, cited as the “Financial Plan Bylaw, 2013/14” be forwarded to the Minister of Community, Sport and Cultural Development for approval consideration.

CARRIED

2.5 Local Trust Committees Consideration of Development Approval Information Bylaws

Resolution TC 109-2013

It was Moved by Trustee Louise Decario and Seconded by Trustee Sue French:

That the Islands Trust Council forward the Request for Decision regarding Local Trust Committees Consideration of Development Approval Information Bylaws to all local trust committees that have not adopted a Development Approval Information bylaw for consideration.

Adoption of a Development Approval Information (bylaw can ensure that a local trust committee has appropriate information on which to base an informed decision when considering development applications.

CARRIED

Resolution TC 110-2013

It was Moved by Trustee Louise Decario and Seconded by Trustee Sue French:

That the Islands Trust Council encourage local trust committees to consider adoption of Development Approval Information bylaws.

CARRIED

Resolution TC 111-2013

It was Moved by Trustee Louise Decario and Seconded by Trustee Sue French:

That the Islands Trust Council direct Local Planning Committee to propose amendments to council policy 2.1viii on Development Approval Information Bylaws, specifically to attach a new model bylaw based on the Galiano and North Pender Development Approval Information Bylaws.

Resolution TC 112-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Ken Hancock:

To Amend the Motion as follows:

That the Islands Trust Council direct Local Planning Committee to propose amendments to council policy 2.1viii on Development Approval Information Bylaws, specifically to attach a new model bylaw reflecting current best practices ~~based on the Galiano and North Pender Development Approval Information Bylaws.~~

On the Amendment

CARRIED

On the Motion as Amended

CARRIED

3.5 Preparation of a Draft Bylaw to Delegate Specific Trust Council Powers to the Salt Spring Island Local Trust Committee - continued

Chief Administrative Officer Linda Adams explained that the proposed motion is to prepare a draft bylaw that would be brought back to Council for further discussion and would have information about financial and policy implications for review and consideration. Further information would be included on the process of creating an advisory group on Salt Spring and a legal review would occur.

Resolution TC 113-2013

It was Moved by Trustee Peter Luckham and Seconded by Trustee Laura Busheikin:

To untable the Motion: That the Islands Trust Council request the Executive Committee to develop a draft Trust Council bylaw that would delegate specific Trust Council powers to the Salt Spring Island Local Trust Committee to assist it in collaborative watershed management activities.

CARRIED

Resolution TC 114-2013

It was Moved by Trustee George Grams and Seconded by Trustee Paul Brent:

To Amend the Motion:

That the Islands Trust Council request the Executive Committee to develop a draft Trust Council bylaw that would delegate specific Trust Council powers exclusive of the powers to acquire land or to implement or carry out the policies of other agencies to the Salt Spring Island Local Trust Committee to assist it in collaborative watershed management activities.

On the Amendment

CARRIED

Concern was raised on missing information considered significant that would explain options for collaboration and whether a decision could be deferred to the June Council meeting to have an opportunity to review the report.

Resolution TC 115-2013

It was Moved by Trustee Louise Decario and Seconded by Trustee Andrew Stone:

To table the motion.

In Favour – 10

Opposed – 15

(Busheikin-Denman; Graham-Denman; Malcolmson-Gabriola; Stamford-Gambier; Law-Hornby; Johnston-Lasqueti; Morrison-Lasqueti, Dodds-Mayne; Crumblehulme-Mayne; Grams-Salt Spring; Janszen-Saturna; Brent-Saturna; Montague-South Pender; French-Thetis; Luckham-Thetis)

DEFEATED

On the Amended Motion

In favour – 16

Opposed – 9

(Duntz-Bowen; Stone-Bowen; Rudischer-Gabriola; Decario-Galiano; Pottle-Galiano; Allen-Hornby; Hancock-North Pender; Steeves-North Pender; Jones-South Pender)

CARRIED

Resolution TC 116-2013

It was Moved by Trustee George Grams and Seconded by Trustee Brian Crumblehulme:

That the Islands Trust Council request staff to identify grant opportunities related to collaborative watershed management.

In Favour – 24
Opposed - 1
(Duntz-Bowen)
CARRIED

Resolution TC 117-2013

It was Moved by Trustee George Grams and Seconded by Trustee Paul Brent:

That the Islands Trust Council request the Executive Committee to identify and recommend policy amendments that may be required in regard to the delegation of powers to the Salt Spring Island Local Trust Committee.

Resolution TC 118-2013

It was Moved by Trustee George Grams and Seconded by Trustee Gisele Rudischer:

To Amend the motion as follows

That the Islands Trust Council request the Executive Committee to identify ~~and recommend~~ policy amendments that may be required in regard to the delegation of powers to the Salt Spring Island Local Trust Committee.

On the Amendment

In Favour - 23
Opposed – 2
(Duntz-Bowen; Steeves-North Pender)
CARRIED

On the Amended Motion

In Favour - 20
Opposed – 5
(Duntz-Bowen; Allen-Hornby; Steeves-North Pender;
Hancock-North Pender; Jones-South Pender)
CARRIED

Resolution TC 119-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Gisele Rudischer:

That the Draft bylaw specify that the anticipated expenditures of the Salt Spring Island Local Trust Committee related to powers delegated by section 2 of this bylaw, a special tax requisition under section 47 (2)(a)(ii) of the *Islands Trust Act* will be made in respect of the Salt Spring Island Local Trust Area.

In Favour – 13
Opposed – 12
(Stone-Bowen; Busheikin-Denman; Decario-Galiano; Stamford-Gambier; Law-Hornby;
Dodds-Mayne; Crumblehulme-Mayne; Grams-Salt Spring; Janszen-Saturna; Brent-Saturna;
Montague-South Pender; French-Thetis)
CARRIED

The meeting recessed at 6:02 pm.

THURSDAY, MARCH 7, 2013

The meeting reconvened at 8:33 am.

Trustees Absent: Peter Grove – Salt Spring.

DECISION AND INFORMATION ITEMS

4. ORGANIZATIONAL/FINANCE

4.1 Director of Administrative Services Report

Provided for information.

4.2 Financial Planning Committee Work Program Report

1. By General Consent, the Financial Planning Committee Report was endorsed as presented. The top work program priorities as of February 2013 were: 1) Finalize the 2013/14; 2) Conduct the 2012/13 Year-End and Audit; 3) Develop a Policy on Carbon Neutrality in conjunction with Trust Programs Committee; and 4) Complete Review of Purchasing Procedures Policy 6.5.iii and staff recommendations for any changes.

4.3 December 31, 2012 Quarterly Financial Statement

Resolution TC 120-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Ken Hancock:

To approve the December 31, 2012 Quarterly Financial Report as presented.

CARRIED

4.4 Financial Forecast for March 31, 2013 Year End Briefing

Provided for information.

4.5 Trustee Remuneration Bylaw No. 153

Resolution TC 121-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Laura Busheikin:

That Islands Trust Council Bylaw 153, cited as the "Islands Trust Council Trustee Remuneration Bylaw, 2013-14" be Read a First Time.

CARRIED

Resolution TC 122-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Laura Busheikin:

That Islands Trust Council Bylaw 153, cited as the "Islands Trust Council Trustee Remuneration Bylaw, 2013-14" be Read a Second Time.

CARRIED

Resolution TC 123-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Brian Crumblehulme:

That Islands Trust Council Bylaw 153, cited as the "Islands Trust Council Trustee Remuneration Bylaw, 2013-14" be Read a Third Time.

CARRIED

4.7 Revenue Anticipation Borrowing Bylaw No. 152

Resolution TC 124-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Brian Crumblehulme:

That Islands Trust Council Bylaw 152, cited as the "Revenue Anticipation Borrowing Bylaw 2013/14" be Read a First Time.

CARRIED

Resolution TC 125-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Sue French:

That Islands Trust Council Bylaw 152, cited as the "Revenue Anticipation Borrowing Bylaw 2013/14" be Read a Second Time.

CARRIED

Resolution TC 126-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Paul Brent:

That Islands Trust Council Bylaw 152, cited as the "Revenue Anticipation Borrowing Bylaw 2013/14" be Read a Third Time.

CARRIED

Resolution TC 127-2013

It was Moved by Trustee Gary Steeves and Seconded by Trustee Sue French:

That Islands Trust Council Bylaw 152, cited as the "Revenue Anticipation Borrowing Bylaw 2013/14" be forwarded to the Minister of Community, Sport and Cultural Development for approval consideration.

CARRIED

5. TRUST AREA SERVICES

5.1 Director of Trust Area Services Report

Provided for information.

5.2 Trust Fund Board Report

Trustee Tony Law, Chair of the Trust Fund Board highlighted the Board's accomplishments as of February 2013 in the areas of Strategic Planning/Administration, Covenant and Property Acquisition, Property and Covenant Management, Communications and Fundraising. A written report was provided for information.

5.3 Natural Area Protection Tax Exemption Program Procedure

The intent of this policy revision is to provide a mechanism for landowners to increase the conservation value of conservation covenants secured through the Natural Area Protection Tax Exemption Program (NAPTEP).

Resolution TC 128-2013

It was Moved by Trustee Tony Law and Seconded by Trustee Ken Hancock:

To amend draft Procedure 2.1.x Administration of Natural Area Protection Tax Exemption Program, under Section 26 as follows:

If the Trust Fund Board determines that the proposed covenant amendment may reduce its conservation value, ~~the Trust Fund Board will consult it will do so only after consulting~~ Trust Council. If Trust Council determines that the proposed amendment would not result in a change to the natural area exemption certificate, Trust Council will advise the Trust Fund Board that it may approve the amendment.

CARRIED

Resolution TC 129-2013

It was Moved by Trustee Tony Law and Seconded by Trustee Sue French:

To amend draft Procedure 2.1.x Administration of Natural Area Protection Tax Exemption Program, under Section 16 as follows:

Where a contravention of a protection covenant takes place, the Trust Fund Board will ~~may~~ give notice to the owner of the contravention and require ~~requiring~~ that the contravention be rectified.

CARRIED

Resolution TC 130-2013

It was Moved by Trustee Tony Law and Seconded by Trustee Sue French:

That the Islands Trust Council amend Policy 2.1.x, Administration of Natural Area Protection Tax Exemption Program, of the Islands Trust Policy Manual, as amended March 7, 2013.

CARRIED

5.4 Trust Programs Committee Work Program Report

By General Consent, the Trust Programs Committee Report was endorsed as presented. The top work program priorities as of February 2013 were: 1) Community Stewardship Awards; 2) Encourage Understanding and Voluntary Stewardship of Water Resources; and 3) Create Linkages to Share Economic Development Models.

5.5 2013 Community Stewardship Awards

A Briefing advising Trust Council of the tasks staff are now completing to deliver the 2013 awards program was provided for information.

5.6 Letter re BC Ferry Commission

Resolution TC 131-2013

It was Moved by Trustee Paul Brent and Seconded by Trustee Tony Law:

That the Islands Trust Council remove from its Follow-Up Action List the task “Draft letter to Minister of Transportation.”

The December 2012 submission to the BC Coastal Ferries Consultation and Engagement process has effectively conveyed many of points that might have been made in the letter currently assigned in Trust Council’s follow up action list.

CARRIED

5.7 Coastal Douglas-fir Partnership

Resolution TC 132-2013

It was Moved by Trustee Tony Law and Seconded by Trustee Sue French:

That the Islands Trust Council endorse the Coastal Douglas-fir and Associated Ecosystem Conservation Partnership (CDFCP) Terms of Reference and Statement of Cooperation and direct the Chair to sign the Statement of Cooperation on behalf of the Islands Trust.

The CDFCP objectives are consistent with the object of the Islands Trust and support the preservation of rare ecosystems in the Islands Trust Area.

CARRIED

3.4 Islands Trust Council Strategic Plan - Amendments to Align With Trust Council's 2013/2014 Budget

Resolution TC 133-2013

It was Moved by Trustee Louise Decario and Seconded by Trustee Peter Johnston:

That the Islands Trust Council amends the Local Planning Committee Work Program dated February 7, 2013 by adding Strategic Plan item *1.6.1 Explore model land use planning tools that protect species and ecosystems at risk* to the list of On-Going items.

CARRIED

Resolution TC 134-2013

It was Moved by Trustee Peter Luckham and Seconded by Trustee David Graham:

That the Islands Trust Council endorse the activities, phases and success measures identified for 2011-2014 in the document entitled “*Islands Trust Council Strategic Plan 2011-2014 – Adopted September 2012, Updated March 2013.*”

CARRIED

Trustees Paul Brent, Jeannine Dodds, Gary Steeves, Brian Crumblehulm and Kate Louise Stamford left the meeting.

3.6 Advocacy Regarding Housing in the Agricultural Land Reserve

Resolution TC 135-2013

It was Moved by Trustee Tony Law and Seconded by Trustee Sue French:

That the Islands Trust Council request the Executive Committee to explore the implications for staff resources of adding advocacy regarding provincial regulations for housing in the Agricultural Land Reserve to Trust Council's 2011-14 Strategic Plan, and make recommendations to Trust Council in June 2013.

Some concerns were raised that this issue is not on the Strategic Plan and not all local trust committees have this as a priority in their community. Others supported the motion as a scoping exercise to see if the Agricultural Land Commission would be willing to amend its regulations on small islands and expressed the need for affordable farm worker housing on their island.

Resolution TC 136-2013

It was Moved by Trustee Louise Bell and Seconded by Trustee Sandy Pottle:

To amend the motion as follows:

That the Islands Trust Council request the Executive Committee to explore the implications for staff resources of adding advocacy, should the Agricultural Land Commission review Agricultural Land Commission regulations, in order to address housing required to support active farming in the Agricultural Land Reserve in the Trust Area. ~~regarding provincial regulations for housing in the Agricultural Land Reserve to Trust Council's 2011-14 Strategic Plan,~~ and make recommendations to Trust Council in June 2013.

Resolution TC 137-2013

It was Moved by Trustee Louise Decario and Seconded by Trustee Sandy Pottle:

To amend the amendment as follows:

That the Islands Trust Council request the Executive Committee to explore the implications for staff resources of adding advocacy, should the Agricultural Land Commission review ALC regulations, in order to address housing required to support active farming in the Agricultural Land Reserve in the Trust Area. ~~regarding provincial regulations for housing in the Agricultural Land Reserve to Trust Council's 2011-14 Strategic Plan,~~ and make recommendations to Trust Council in June 2013.

On the amendment to the amendment

In Favour – 14

Opposed - 6

(Stone-Bowen; Duntz-Bowen; Malcolmson-Gabriola; Rudischer-Gabriola;
Hancock-North Pender; Jones-South Pender)

On the amended Amendment

CARRIED

On the Motion as Amended:: That the Islands Trust Council request the Executive Committee to explore the implications for staff resources of adding advocacy, in order to address housing required to support active farming in the Agricultural Land Reserve in the Trust Area and make recommendations to Trust Council in June 2013.

In Favour – 15

Opposed - 5

(Stone-Bowen; Duntz-Bowen; Decario-Galiano; Pottle-Galiano;
Janszen-Saturna; Jones-South Pender)

CARRIED

6. CORRESPONDENCE

6.1 Tom Varzeliotis re Open Government (Jan 28/13)

6.2 W. Hewitt re Support for Council Agenda Item 3.6

6.3 Denman Community Land Association Rural Affordable Housing Project Re support for Council Agenda Item 2.5

The above noted correspondence was provided for information.

7. SUMMARY/UPDATES

7.1 Trustee Updates

7.1.1 BC Ferries

Trustee Tony Law provided a verbal update on the activities of the ferry advisory council in regards to BC Ferries.

7.1.2 First Nations

Verbal updates were provided by Trustee Peter Luckham and Trustee Kate Louise Stamford about First Nations issues in their respective trust areas.

7.1.3 Gulf Islands National Park Reserve Advisory Committee

Trustee Pam Janszen provided a verbal update in her role as a member of the Gulf Islands National Park Reserve Advisory Committee.

7.1.4 Association of Vancouver Island Coastal Communities (AVICC)

Ken Hancock provided a verbal update on behalf of AVICC Executive member Trustee Steeves on recent activities and discussions of the AVICC Executive, including Trustee Steeves' intention of running for the AVICC Executive at the 2013 Convention in April and the desire to see an amendment at Council to the AVICC/UBCM policy to pay expenses for trustees serving on the AVICC Executive.

7.2 Priorities Chart

The Islands Trust Priorities Chart highlights the current top priorities of Trust Council and its Committees, the Trust Fund Board and Local Trust Committees.

By General Consent, the Islands Trust Council approved the Priorities Chart, as presented.

7.3 Draft June 2013 Trust Council Agenda Program

A proposed schedule for June 2013 Trust Council meeting to be held on Mayne Island was provided for information.

7.4 Disposition of Delegations and Town Hall Requests

By General Consent, the Islands Trust Council requested the Chair to write to the delegation participants and to thank them for their submissions.

8. NEW BUSINESS

There was no new business.

TRUSTEE ROUNDTABLE

Trustees met in an informal roundtable format to provide updates on activities in their local trust areas.

ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 12:15 pm.

Next meeting: June 11-13, 2013 on Mayne Island.

Sheila Malcolmson, Chair, Islands Trust Council

Marie Smith, Executive Coordinator & Recorder

Codes

TC	Trust Council	TFB	Trust Fund Board
EC	Executive Committee	LTC	Local Trust Committees
FPC	Financial Planning Committee	LPS	Local Planning Services Unit
TPC	Trust Programs Committee	()	Staff Member Lead for Action Required
LPC	Local Planning Committee	LA—Linda Adams; LG—Lisa Gordon; DM—David Marlor; CS—Cindy Shelest; CF—Clare Frater; KN—Kris Nicholls; MS—Marie Smith; JE—Jennifer Eliason; CT—Carmen Thiel; JC — Jas Chonk	

MEETING/Item	Action By/To	Target/ Status
* Next TC Agenda ▲ to Bowen Island Municipality		
<u>Previous Meetings</u>		
Riparian Areas Regulation Status report to Council until completed	LPC (DM) to TC	Ongoing
Integrated Watershed and Shoreline Mapping * Develop and implement strategy to integrate maps into TAPIS & operations (DM) to TC		Sept
Integrated Shoreline/Watershed Protection Approach * Final report to Council	LPC (DM) to TC	Sept
Food Security Develop internal policies and procedures re procurement (CS) Review food security topics in existing protocols and in protocol devt process (LA)		2013 2013
Carbon Neutral Operations Policy * Develop carbon neutral operations policy	FPC (CS) to TC	(on agenda)
Islands Trust Fund 2011-2015 Regional Conservation Plan Draft proposed updates to Policy 3.3.ii	(JE/DM)	Pending
NAPTEP Certificates - Issue subject to survey, covenant and baseline report - SSI-NAP 2012.1 - HO-NAP-2011.1 and 2011.2 - HO-NAP 2011.3	(LG/JE) Application Expired April 2013	Pending Pending
Legislative Monitoring Chart Post to new website	(LG/CF)	Pending
Howe Sound Planning Advocate for a Howe Sound management plan	(LG/CF)	2013
Local Government Restructure Briefing * Refer to Financial Planning Committee re tax impact details	FPC (CS) to TC	(on agenda)
Oil Spill Cost Assessment Refer to Executive Committee	EC (LG)	Done
<u>March 2013 Meeting</u>		
December 2012 Minutes Amend and post	MS	Done
Continuous Learning Plan Add options re property tax requisition, UBCM and decision-making	EC (LA)	Done

Local Planning Committee Work Program

Add item re protection of species and ecosystems at risk	LPC (DM)	Done
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Bylaw Enforcement Policy

* Provide advice re LTC notification of files	DM to TC	Sept
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Elgrass and Forage Fish Mapping

Request TFB staff to include associated islands in mapping programs	LG	Done
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2013/14 Budget Bylaw 151

Forward to minister for approval	CS	Done
Develop RWM for consideration of adoption	CS	Done

Development Approval Information Bylaw

Circulate RFD to LTCs as requested	DM	Done
* Prepare draft amendments to Policy 2.1.viii	LPC (DM/KN) to TC	2013

Trust Council Delegation Bylaw

Develop draft bylaw	EC (LA)	(on agenda)
Identify grant opportunities re collaborative watershed management	SS	pending
Identify potential policy amendments	EC (LA)	(on agenda)

Trustee Remuneration Bylaw 153

Develop RWM for consideration of adoption	EC (CS)	Done
Implement new remuneration levels and advise trustees of new levels	CS	Done

Revenue Anticipation Bylaw 152

Forward to minister for approval	CS	Done
Develop RWM for consideration of adoption	EC (CS)	Done

NAPTEP Policy Amendments

Amend policy, circulate and post to website	LG (JC)	Done
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Trust Council FUAL

Amend re letter to MOT - BC Ferries Commissioner's Report	LA	Done
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Coastal Douglas Fir Conservation Partnership

Draft Chair correspondence as directed	LG (CF)	Done
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Strategic Plan

Amend as directed, update and post	LA	Done
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Implications of Advocacy re housing/farming

* Explore implications/staff resource needs re advocacy initiative	EC (LG/CF) to TC	(on agenda)
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Correspondence

Advise Balke of TC decision - advocacy re housing/farming	(SM)	Done
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Followup Letters

Acknowledge Delegates	(LG)	Done
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Next Trust Council

Dec 2012 Council minutes to website	(MS)	Done
Follow Up Action List to Trustees and staff	(MS)	Done
Mar 2013 Council meeting decision highlights to website	EC (MS)	Done
News Release and Agenda for Jun 2013 Council meeting	EC (MS)	Done
Invitations – Area MLAs, MPs, RD Director, former trustees	(MS)	Done
Post notice on community bulletin boards (on island of meeting only)	(MS)	Done
Agenda Package - Review/Distribution to Trustees	EC (MS)	Done

DIRECTOR OF LOCAL PLANNING SERVICES 2013-2014 FIRST QUARTER REPORT

2.1

Date: May 2013

ACTIVITIES COMPLETED SINCE LAST REPORT	NEXT QUARTER ACTIVITIES
1. Islands Trust Executive Committee (and Islands Trust Council):	
<ol style="list-style-type: none"> 1. Bylaw enforcement report – revised format and presentation 2. Attended and reported to Executive Committee meetings 3. Attend March Trust Council 	<ol style="list-style-type: none"> 1. Implementation of bylaw enforcement reporting. 2. Attended and reported to Executive Committee meetings 3. Attend June Trust Council
2. Local Planning Committee:	
<ol style="list-style-type: none"> 1. Developing mechanisms for proactive bylaw enforcement – Planning staff initiated work. 2. Development of water quality and quantity tool kit – project charter to LPC in May 2013 3. Renewable energy technologies – micro-hydro on the work program – no work undertaken this quarter. 4. Integrated watershed and shoreline protection approach – mapping workshops completed. 5. Green Shores for Homes – sat on project steering committee. 6. Letter of agreement with the Ministry of Transportation and Infrastructure – met with senior staff in April 2013 (annual meeting). Next meeting in April 2014. 	<ol style="list-style-type: none"> 1. Developing mechanisms for proactive bylaw enforcement – ascertaining LTC interest and report back to LPC in August. 2. Development of water quality and quantity tool kit – Report to LPC in fall 2013 3. Renewable energy technologies – micro-hydro on the work program – project charter to be developed once planner resources available. 4. Green Shores for Homes – continue to sit on project steering committee. Canvass LTCs for interest in piloting Green Shores for Homes. 5. Work with Islands Trust Fund staff on incorporation of implementation of Regional Conservation Plan into Local Planning Services three-year work plan (fall)
3. Management of the Local Planning Services (LPS) Unit:	
<ol style="list-style-type: none"> 1. Monthly meetings with Regional Planning Managers (RPMs) and Coordinators 2. Worked with RPMs and coordinators to implement programs based on approved budgets 3. Provided support to RPMs and coordinators as necessary 4. Took on role of bylaw enforcement management due to personal leave. Hired temporary part-time bylaw officer to assist with workload in absence of the Bylaw Enforcement Manager. 5. Participated in review of administrative services support in collaboration with other units. 6. Professional development day on May 22, 2013 – included the Bowen Island Planner and Trust Area Services Policy Analyst. 7. Worked with Northern Regional Planning Manager to recruit for vacancies in that office (total of five hires). 8. Worked with Southern Regional Planning Manager to recruit upcoming vacancy in that office. 	<ol style="list-style-type: none"> 1. Monthly meetings with Regional Planning Managers (RPMs) and Coordinators 2. Work with RPMs and Director of Administrative Services to manage LPS work program budgets. 3. Provided support to RPMs and coordinators as necessary 4. Continue role of bylaw enforcement management due to personal leave. Hire temporary part-time bylaw officer to assist with workload in absence of the Bylaw Enforcement Manager. 5. Participate in continuation of review of administrative services support in collaboration with other units. 6. Professional development day on May 22, 2013 – included the Bowen Island Planner. 7. Professional development day Scheduled for September 2013 – Bowen Island Planner invited and other Islands trust staff depending on agenda 8. Continue to work with Southern Regional Planning Manager to recruit for upcoming vacancy in that office.
4. Planning support to Local Trust Committees:	
<ol style="list-style-type: none"> 1. Continued work with Bylaw Enforcement on adjudication system and implementation of system in all local trust areas 2. Worked with RPMs on various issues related to planning coordination and establishment of Local Trust Committee work programs 	<ol style="list-style-type: none"> 1. Continue to work with RPMs on providing planning services to local trust committees 2. Work with RPMs to continue to review and improve service delivery and resource allocation 3. Work with directors to provide support to regional offices and to Island Planners

ACTIVITIES COMPLETED SINCE LAST REPORT	NEXT QUARTER ACTIVITIES
Comprehensive Community Planning Initiatives::	
<ol style="list-style-type: none"> 1. Worked with San Juan County, City of Seattle, Pacific Climate Action Consortium and Green Shores on Islands Trust Green Shores for Homes Project 2. Worked with Trust Area Services on improving communications 3. Worked with regional planning managers to bring official community plans and land use bylaws into compliance with the Riparian Areas Regulation 4. Worked with bylaw enforcement office to deliver on development of policies for Executive Committee and local trust committees 	<ol style="list-style-type: none"> 1. Continue to work with San Juan County, City of Seattle, Pacific Climate Action Consortium and Green Shores on Islands Trust Green Shores for Homes Project 2. Continue to worked with Trust Area Services on improving communications 3. Continue to work with regional planning managers to bring official community plans and land use bylaws into compliance with the Riparian Areas Regulation 4. Work with bylaw enforcement office to deliver on development of policies for Executive Committee and local trust committees
Processing of Applications for Land Use Changes:	
<ol style="list-style-type: none"> 1. On-going work with RPMs and Legislative Services Manager to develop consistent approaches in regional offices 2. Ongoing work on improving minute taking and agenda preparation system 3. On-going work with regional planning managers to continue to review and improve service delivery and resource allocation 4. Implementation of procedures for use of new website (delayed) 5. Improve operations of Bylaw Enforcement office 6. Work with staff to implement eScribe in LPS with aim to have staff using eScribe for all meetings by fall of 2013 	<ol style="list-style-type: none"> 1. On-going work with RPMs and Legislative Services Manager to develop consistent approaches in regional offices 2. Ongoing work on improving minute taking and agenda preparation system 3. On-going work with regional planning managers to continue to review and improve service delivery and resource allocation 4. Implementation of LPS procedures for use of new website in collaboration with Trust Area Services 5. Improve operations of Bylaw Enforcement office 6. Work with staff to implement eScribe in LPS with aim to have staff using eScribe for all meetings by fall of 2013
Support for the Chief Administrative Officer, and liaising with other Directors:	
<ol style="list-style-type: none"> 1. Interim project managing eScribe and SharePoint implementation for Islands Trust 2. Participate in management meetings 3. Continue working with Trust Area Services and Administrative Services to develop standards for cooperative tasks 4. Continue with collaboration training and look at ways to implement in organisation 	<ol style="list-style-type: none"> 1. Hand-off of project managing eScribe and SharePoint implementation for Islands Trust to Administrative Services 2. Participate in management meetings 3. Continue working with Trust Area Services and Administrative Services to develop standards for cooperative tasks 4. Continue with collaboration training and look at ways to implement in organisation

David Marlor, MCIP
Director of Local Planning Services

LOCAL PLANNING COMMITTEE WORK PROGRAM REPORT

To: Islands Trust Council

Date: May 9, 2013

WORK PROGRAM

1. **DEVELOP MECHANISM FOR PROACTIVE BYLAW ENFORCEMENT OF ILLEGAL STRUCTURES ON THE FORESHORE (Strategic Plan 2.2)**

Current – Canvas Local Trust Committees regarding interest in piloting project.

Planned – To be determined if there is interest from Local Trust Committees.

2. **DEVELOPMENT OF WATER QUALITY AND QUANTITY TOOL KIT (Strategic Plan 3.3)**

Current – Begin research on tool kit for water quality and quantity. Develop report and RFD.

Planned – Development permit areas for water conservation

3. **RENEWABLE ENERGY TECHNOLOGIES IN THE TRUST AREA**

Current - Model policy and regulatory wording to address micro-hydro projects.

Planned – Model policy and regulatory wording to address domestic tidal power.

ON-GOING ITEMS

INTEGRATED WATERSHED & SHORELINE STEWARDSHIP PROTECTION APPROACH (Strategic Plan 2.1) – Canvas LTCs to see if there is interest in piloting a project. LPC is monitoring progress.

IT GREEN SHORES FOR HOMES PROJECT (Strategic Plan 2.1) – Steering committee and technical committee working on credits and incentives. Invite Brian Emmett to come back to talk about Green Shores credits. LPC is monitoring progress.

LETTER OF AGREEMENT WITH THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE – including discussion around access to water - Staff working with the MOTI to address the Letter of Agreement; next meeting planned for Spring 2014. LPC is monitoring progress.

OCP/LUB PROGRAM STATUS – LPC is monitoring progress and funding availability.

DOMESTIC WIND POWER – Update report as required.

PROTECTION OF SPECIES AND ECOSYSTEMS (Strategic Plan 1.6) – Staff to draft report and report back to LPC

DEVELOPMENT APPROVAL INFORMATION MODEL BYLAW – Staff to draft amendments to model bylaw.

David Marlor
Designate Staff

Louise Decario
Chair





Local Planning Services

Three-Year Work Plan

December 2011 to November 2014

To: Islands Trust Council

For the Meeting of: June 11 - 13, 2013

Date: May 1, 2013

PURPOSE

The purpose of the three-year term plan is to ensure resources and budgets are coordinated to support the work programs of the local trust committees and local planning committee. The first report was provided to Trust Council in June, 2012 and then at every Council meeting thereafter to the end of the term.

UPDATING AND REPORTING

The plan will be updated as changes in resources, budgets or priorities change and submitted quarterly to Trust Council for information.

STRATEGIC PLAN

Pursuant to the Islands Trust Strategic Plan adopted in September 2012 and updated in December 2012, the following strategic plan items are relevant (please see the noted sections of the Strategic Plan for more details on specific actions and status):

- | | |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 1.3 Protect fish habitat by implementing Riparian Areas Regulation | 1.3.1 Identify unassigned RAR watersheds |
| | 1.3.2 Improve mapping of some riparian areas on SSI |
| | 1.3.3 Improve mapping of additional riparian areas on SSI and northern islands |
| | 1.3.4 Adopt new bylaws to implement RAR on selected islands |
| | 1.3.5 Adopt new bylaws to implement RAR on all islands where still required |
| 1.6 Use land use planning tools and decisions to increase protection of special areas | 1.6.1 Explore model land use planning tools that protect species and ecosystems at risk |
| | 1.6.3 Develop policy, OCP and LUB amendments that include protective measures for biodiversity |
| 1.7 Reduce greenhouse gas emissions | 1.7.1 Include GHG emission reduction targets, policies and actions in all OCPs, as required |

	1.7.2	Use new planning tools to reduce greenhouse gas emissions to implement OCP policies LTCs adopted last term
2.1 Encourage understanding of shoreline processes and voluntary stewardship of coastal and marine ecosystems	2.1.1	Develop integrated shoreline and watershed protection mapping for major islands
	2.1.3	Pilot green a Green Shores for homes credit rating incentive system in one LTA
	2.1.4	Host a shoreline stewardship landowner workshop on one island
2.2 Use land use planning tools and decisions to improve protection of coastal areas	2.2.1	Adopt regulatory bylaws with respect to integrated shoreline and watershed protection mapping
	2.2.2	Develop mechanisms for proactive bylaw enforcement of illegal structures on the foreshore
2.3 Participate in planning for National Marine Conservation Area	2.3.2	Participate in NMCA workshop and consultation opportunities
	2.3.3	Respond to NMCA implementation steps with complementary activities, as required
2.5 Advocate for appropriate regulation of aquaculture	2.5.1	Collaborate with DFO regarding shellfish regulation through local government advisory committee as a pilot project for one LTC (Denman)
2.6 Advocate for effective regulation of marine sewage	2.6.2	Amend OCP policies to require sewage pump-outs as a condition of new/expanded marinas
3.3 Use land use planning tools and decisions to protect water quality and quantity	3.3.1	Develop toolkit for use by LTCS/BIM that illustrates options for using planning tools to protect water quality and quantity
	3.3.2	Amend LUBs to include new regulation for water resource protection
	3.3.3	Amend LUBs to include new regulation aimed at protection of water quality and quantity
	3.3.4	Develop model DPAs that LTCs and BIM may consider in regards to water conservation
	3.3.5	Adopt new DPAs to enhance water conservation
3.4 Explore alternative tools for improving watershed management	3.4.2	Consider one pilot project for coordination of watershed protection within one LTA
4.3 Use land use planning tools and decisions to improve the availability of affordable/accessible/appropriate housing	4.3.1	Amend OCPs to include affordable housing policies
	4.3.2	Amend LUBs to improve availability of affordable housing

- | | | |
|--------------------------------------------------------------------------------------------------------------|-------|----------------------------------------------------------------------|
| 4.4 Use land use planning tools and decisions to increase local food security and farmland protection | 4.4.1 | Amend OCPs to include food security and farmland protection policies |
| | 4.4.2 | Amend LUBs to improve food security |
| 6.2 Improve cost-recovery from development application fees | 6.2.1 | Develop model fees bylaw for consideration by LTCs |
| | 6.2.2 | consider adoption of amended fees bylaw |
-

STAFF RESOURCES

The total resources available to Local Planning Services are listed below (FTE):

	Mapping	Bylaw Enforcement	Director LPS Support	Northern Planning Team	Salt Spring Planning Team	Southern Planning Team
Regional Planning Manager				1	1	1
Island Planner				3	1	3
Planner 2				1	1	
Planner 1				1	2	0.6
Planning Clerk				1	0.8	1
Planning Secretary				1	1	1
Office Assistant				1	1	
Bylaw Enforcement Manager		1				
Bylaw Enforcement Officer		1.6				
Secretary		0.6	0.4			
GIS Coordinator	1					
GIS Technician	1					
Totals	2	3.2	0.4	9	7.8	6.6

LOCAL PLANNING COMMITTEE

Resources Allocation:

Effective with the November 2012 meeting, the Local Planning Committee is attached to the Southern Team and will have dedicated planner resources allocated. Resource allocation includes the Director of Local Planning Services and a portion of the Bylaw Enforcement Secretary's time to provide secretarial support to the Local Planning Committee and a portion of a Southern Region planner's time for undertaking project work.

Local Planning Committee Top Priorities:

The Top Priorities of the Local Planning Committee are detailed in the ***Local Planning Committee Program Report*** in the Council Agenda Package.

Local Planning Committee work program expectations:

The Local Planning Committee responds to referrals by Trust Council. As such, the work program is as approved by Trust Council and presented in the ***Local Planning Committee Program Report*** in the Council Agenda Package.

NORTHERN TEAM

Resources Allocation:

Courtney Simpson, Regional Planning Manager, is responsible for the overall management of the Northern Team and the Northern Office, and the management and delivery of the local trust committee work programs. For this period, Courtney will take the lead on planning for Gabriola LTC with support from the planners as required.

The five planners assigned to the Northern Office are allocated as follows:

- Aleksandra Brzozowski, Island Planner – Thetis and Gambier Island Local Trust Areas – policy planning and major applications.
- Sonja Zupanec, Island Planner (on leave April 30 - November 18, 2013)
- Rob Milne, Island Planner – Denman and Hornby local trust areas – policy planning and major applications.
- Linda Prowse, Planner 2 – policy planning for Lasqueti Island Local Trust Area, and general planning application processing and enquiries for all local trust areas served by the Northern Office
- Marnie Eggen, Planner 1 (currently Acting Planner 2) – policy planning for Ballenas – Winchelsea Local Trust Area, general planning application processing and enquiries for all local trust areas served by the Northern Office
- Jason Youmans – Student Planner (May 6 to Aug 23, 2013)
- Seth Wright – Student Planner (May 6 to Aug 23, 2013)

Note: Gabriola will be resourced with the Regional Planning Manager as the lead and various planners assigned to projects and applications. Two Co-op students have been hired for May 7 to August 23 and will be assisting with a variety of projects and applications for the Northern Region.

In general, Northern Office Planning Staff allocates its time (after administrative requirements) one-third for local trust committee meetings, one-third for application processing and enquiries, and one-third for undertaking local trust committee top priority work program initiatives.

The three administrative support staff allocate their time proportionally to all Northern Office local trust areas:

- Lisa Webster-Gibson, Planning Clerk
- Becky McErlean, Planning Secretary
- Penny Hawley, Office Assistant (one year position starting May 27, 2013 to fill for maternity leave).

Local Trust Committee Top Priorities:

The top priorities for each local trust committee are detailed in the **Priorities Chart** in the Council Agenda Package.

LTC work program expectations:

The following are items that local trust committees are considering working on over the three-year term. The following list and timing is subject to approval by each local trust committee. For the 2012/13 fiscal year, the items are taken from each LTC top priorities list. For 2013/14 and 2014/15 fiscal years, the list is derived from expected carry work from the 2012/13 fiscal and from items noted in LTC Project lists.

2012/13 Fiscal Year

Denman

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Agriculture Plan		Completed		
Review of OCP section C3 with a view to addressing the impacts of shellfish farming on the natural marine environment and residential properties, and review of associated LUB regulations		X	X	
Implementing Riparian Areas Regulations: Mapping of streams and wetlands for RAR, and follow-up bylaw work	1.3.5	X	X	
Review of Housing Policies E.1 with respect to secondary cottages and suites in residential designations.			X	P
Food Security Bylaw amendments	4.4.2		P	P
Development of Protected Area Network	1.6.3		P	P
Housekeeping Bylaw Amendments			P	P
Review of Wind Energy Regulations	1.7.2		P	P
Affordable Housing Strategy	4.3.1		P	P
Review of Floor Area regulations for dwellings			P	P
Regulations to promote greenhouse gas emissions reduction	1.7.2		P	P
Review of Development Procedures Bylaw No. 71			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Executive Islands (Ballenas – Winchelsea)

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Complete OCP/LUB		X	X	
Consider amending/adopting all necessary administrative bylaws			P	
Amend adopt all necessary administrative bylaws			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Gabriola

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Exploring the use of alternate consultation methods for OCP Review Process		Completed		
Gabriola Planning Area OCP Review, including Hazardous and Steep Slopes DPA, Riparian Areas Regulation Implementation, update of build out map and report, rezoning of RDN parks and ITF nature reserves, implement OCP climate change policies into LUB, amendments to increase local food security and farmland protection, review form and character DPA guidelines and amendments to make village core more pedestrian-friendly, adopt policies for archaeological site protection, policies regarding cottage densities for density banking, include biodiversity protection, improve protection of coastal areas, and protect water quality and quantity	1.3.5 1.7.2 4.4.2	X	X	
Integrated Watershed and Shoreline Mapping Workshop	2.1.1	Completed		
Snuneymuxw First Nation Protocol Agreement Implementation			P	P
Development Approval Information Bylaw		X	X	
Mudge and DeCourcy Island Greenhouse Gas Emission Inventories	1.7.2		P	P
DeCourcy Island Official Community Plan Review and APC appointments			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Gambier

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Land Use Bylaw for SCRD Islands		X	X	
RAR Implementation	1.3.3	X	X	
Foreshore Protection/stewardship (including February 2013 shoreline mapping for Keats and Thormanby)	2.2.1	X	X	P
Development Approval Information Bylaw			P	P
Trail Map Amendment for Keats Island OCP			P	P
Project Overview of Gambier Island Comprehensive Land Use Planning Project			P	P
Review of additional dwellings on Keats Island			P	P
Examine proactive approaches for GHG emission reductions through land use planning	1.7.2		P	P
Develop a sustainability checklist in consultation with SCRD			P	P
Food Security implementation into OCPs	4.4.2		P	P
Initiate dialogue with Squamish First Nation			P	P
Strategic Planning Review for Howe Sound			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Hornby

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Vacation Home Rentals Review		Completed		
OCP and LUB Review		X	X	P
RAR Implementation	1.3.3	X	X	
Home Occupation Regulations Review			P	P
Review of Development Procedures Bylaw			P	P
Continued relationship building with K'omoks First Nation			P	P
Facilitate GHG Emission reduction with community organizations	1.7.2		X	P
Develop communications strategy for OCP and LUB project			X	P
Review Community Profile			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Lasqueti

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
RAR Implementation	1.3.3	X	X	
False Bylaw Parking and Master Plan		X	X	
Integrated Shoreline and Watershed Mapping Workshop	2.1.1	Completed		
Update OCP with intertidal zone policies using specific recommendations from Forage Fish workshops	2.2.1	X	X	
Update OCP to require pump-out stations for marinas	2.6.2		P	P
Update OCP to include provisions for food security	4.4.2		P	P
Develop Protocol Agreement with Sliammon First Nation			P	P
Review of Lasqueti Crown Lands			P	P
Targeted Review/Update of OCP and LUB			X	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Thetis

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Associated Islands OCP and LUB creation		X	X	
Shoreline DPA	2.2.1	X	X	
OCP amendment indicating RAR Compliance	1.3.4	X	X	
Protocol Agreement and MOU with Penelakut First Nation			P	P
Joint Proactive enforcement with the CVRD			P	P
Revise Protocol Agreement with Lyackson First Nation			P	P
Development Approval Information Bylaw			X	P
Housekeeping Amendments for LUB			P	P
Sustainability Guidelines for Thetis Island in collaboration with CVRD		Complete		
Island-wide watershed protection			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

SALT SPRING

Resource Allocation:

Leah Hartley, Regional Planning Manager, is responsible for the overall management of the Salt Spring Team and the Salt Spring Office, and the management and delivery of the local trust committee work programs.

The four planners assigned to the Salt Spring Office are allocated as follows:

- Justine Starke, Island Planner – policy planning and major applications
- Stefan Cermak, Planner 2 – policy planning and application processing
- Chris Larson, Planner 1 – enquiries and application processing
- Caitlin Brownrigg, Planner 1 – enquiries and application processing

The three administrative support staff allocate their time proportionally to all Salt Spring Office local trust areas:

- Pauline Brazier, Planning Clerk
- Claire Olivier, Planning Secretary (80%), Planning Clerk (20%)
- Lisa Floritto, Administrative Support

In general, the Salt Spring Office Staff allocates its time one-third for organizational responsibilities including local trust committee meetings, one-third for application processing and development enquiries and one-third for undertaking local trust committee policy work.

Local Trust Committee Top Priorities:

The top priorities for the Salt Spring Island Local Trust Committee are detailed in the **Priorities Chart** in the Council Agenda Package.

LTC work program expectations:

The following are items that Salt Spring Island Local Trust Committee is considering working on over the three-year term. The following list and timing is subject to approval by the Salt Spring Island Local Trust Committee.

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
LUB: Industrial (incl Land Needs Assessment)		X	X	
LUB Update: Secondary Suites	4.3.1	Completed		
OCP Review: DPA4/RAR mapping	1.3.3	X	X	
Advisory Committees Review T of Ref		Completed		
OCP Review: watershed management	2.1.1	X	X	
Video Recording Pilot and Evaluation		Completed		
Community Engagement Pilot		Completed		
OCP Review: Village Area planning			X	
Ganges Harbour Management Plan			X	
OCP & LUB Review: Subdivision for a Relative, Farmworker Housing			X	
LUB Update: Technical Amendments			X	
OCP Affordable Housing – Monitor Suites	4.3.1		X	
Quality Management Procedures			X	
Development Approval Information Bylaw			X	
Prop. National Marine Conservation Area Reserve internal boundaries	2.3.3		P	
Soil Bylaw Implementation				P
LUB Update - cottages	4.3.1			P
OCP/LUB : climate change adaptation	1.7.2	X		P
LUB Update- Affordable Housing	4.3.1			P
Bill 27 Piers Island OCP Update				P
Community Economic Sustainability & Security			P	P
Ganges Storm Water Management Plan				P
X = highest priorities - pending budget and timing				
P = planned – subject to budget and LTC direction				

SOUTHERN TEAM

Resources Allocation:

Robert Kojima, Regional Planning Manager, is responsible for the overall management of the southern Team, and the management and delivery of the local trust committee work programs.

The four planners assigned to the Southern Office are allocated as follows:

- Andrea Pickard, Island Planner – North Pender Island Local Trust Area and South Pender Island Local Trust Area – policy planning and major applications
- Gary Richardson, Island Planner – Mayne Island Trust Area and Saturna Island Trust Area – policy planning and major applications
- Kris Nichols, Island Planner – Galiano Island Local Trust Area and support to Local Planning Committee – policy planning and major applications
- Kim Farris, Planner 1 – general planning application processing and enquiries for all local trust areas served by the Southern Office

The administrative support staff allocate their time proportionally to all Southern Office local trust areas:

- Kathy Jones, Planning Clerk (retiring June 2013) – competition underway to fill the position
- Sharon Lloyd-deRosario, Planning Secretary

In general, the Southern Office Planning Staff seek to allocate their time one-third for local trust committee meetings, travel, leave and general administration, one-third for enquiries and application processing, and one-third for undertaking local trust committee policy work.

Local Trust Committee Top Priorities: The top priorities for each local trust committee are detailed in the **Priorities Chart** in the Council Agenda Package.

LTC work program expectations: The following are items that local trust committees are considering working on over the three-year term. The following list and timing is subject to approval by each local trust committee.

Galiano

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Land Use Bylaw Update (Phase 1)		X	X	
Implement DPA: replace DAI bylaw, develop public communications tools, implementation administrative steps		X		
Groundwater DPA Implementation		P	X	
LUB Update (Phase 2)			X	
Soil Removal and Deposit bylaw			P	P
STVR Review			X	
Amendments to F1 zoning			P	P
Associated Islands Parking issues			P	P
Heritage conservation review			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

Mayne

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Consider amendments to OCP/LUB to implement recommendations of Housing Options Task Force report – Secondary suites		X	X	
Consider amendments to OCP/LUB to implement recommendations of Commercial Land Use Review Task Force report		X	P	
Implement Riparian Areas Regulation	1.3.4	X	X	
Climate Change adaption	1.7.2		P	
Agricultural building riparian setbacks			P	
Review LUB requirements for proof of water for boundary adjustment subdivisions		X	X	
Review Density provisions for larger lots			P	
X = budgeted and committed P = planned – subject to budget and LTC direction				

North Pender

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Complete review and update of Associated Islands OCP and LUB pertaining to Sidney Island.		Completed		
Shoreline Development Review – Phase I completed, Phase II initiated	2.2.1	Completed (Phase I)	X	
Pedestrian and bicycle route designations		Completed		
Conservation Subdivision Review			X	
Affordable housing implementation	4.3.1		P	
Climate adaptation and community resilience	1.7.2		P	
Various OCP policy implementation			P	P
Various LUB amendments			P	P
Geological hazard implementation			P	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

Saturna

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Amend zoning and OCP designations for community park lands		Completed		
Amend OCP to implement RAR	1.3.4	Completed		
Consider amendment to LUB for ocean loop geo-thermal		Completed		
Targeted LUB review			X	
Review of Community Amenity Density Reserve policies			X	
Implement SEM, steep slope and raptor nest mapping	1.6.3		P	P
East Point water conservation	1.7.2		P	P
Agricultural building watercourse setbacks			P	
National Park Lands OCP and LUB amendments			P	
X = budgeted and committed P = planned – subject to budget and LTC direction				

South Pender

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
LUB review and update		X	X	
Shoreline protection	2.2.1	X	X	
On-line survey (Completed)		Completed		
Ocean Loop Geothermal			P	
DAI Bylaw				P
Forest land zoning review			P	
Implement SEM mapping	1.6.3		P	P
Steep slope Mapping implementation			P	P
Raptor Nests protection implementation	1.6.3		P	P
Parks and recreation OCP amendments			P	
X = budgeted and committed P = planned – subject to budget and LTC direction				

BYLAW ENFORCEMENT

Resources Allocation:

The four bylaw enforcement staff members are allocated as follows:

- Miles Drew , Bylaw Enforcement Manager (on leave) – management of the Bylaw Enforcement Office and programs and policy planning for Trust Council, Executive Committee and all local trust committees.
- Peter Phillips, Bylaw Enforcement Officer – responding to bylaw enforcement enquiries, investigations and bylaw compliance concentrating on the Northern region
- Geoff Kinnear, Bylaw Enforcement Officer – responding to bylaw enforcement enquiries, investigations and bylaw compliance concentrating on Salt Spring Island and Sothern Region. Part time position three days per week.
- Dan Jones, Bylaw Enforcement Officer – auxiliary part-time assistance to help backfill Bylaw Enforcement Manager leave.
- Stephanie Somers, Administrative Assistant – administrative support to the bylaw enforcement manager and officers-part time position.

In general, the Bylaw Enforcement staff allocates its time 30% for policy development and 70% for enquiries and enforcement investigation and compliance.

Note: In the absence of the Bylaw Enforcement Manager, the Director of Local Planning Services is managing the bylaw enforcement office.

Bylaw Enforcement Priorities:

For this reporting period, the bylaw enforcement staff members are focusing on the following policy development:

- 1 Bylaw Enforcement Notification bylaws (implementation in all 12 LTCs)
2. Foreshore strategic enforcement
3. Unconventional unlawful housing enforcement

Bylaw Enforcement Work Program Expectations: The following are items that Bylaw Enforcement Office is considering working on over the three-year term. The following list and timing is subject to approval by the relevant local trust committee, Executive Committee or Trust Council.

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
Bylaw Enforcement Notification bylaws (implementation in all 12 LTCs)		X		
Finish STVR project		X	X	
Unlawful Foreshore structures (via EC – with LPC)	2.2.2		X	P
Unlawful dwellings (via EC)			P	P
Thetis Trust Area Unlawful structures on outer islands		X	X	P
X = budgeted and committed P = planned – subject to budget and LTC direction				

GIS DEPARTMENT (MAPPING)

Resources Allocation:

The two GIS staff members are allocated as follows:

- Mark Van Bakel, GIS Coordinator – management of the GIS office and programs and GIS and mapping technical support.
- Barb Dashwood, GIS Technician – GIS and mapping technical support.

In general, the mapping department allocates its time based on the needs of the organisation. The mapping department meets regularly with the Regional Planning Managers to determine priorities.

GIS Department Priorities

For this reporting period, the GIS department staff members are focusing on the following:

1 TAPIS application renewal

2 TAPIS custom reporting and workflow design and implementation

3 Mapping web site development and implementation

GIS Department Work Program Expectations:

The following are items that GIS Department Staff members are considering working on over the three-year term. These items may change depending on local trust committee requirements, organisational requirements and funding requirements.

Project	Strategic Plan Reference	2012/13	2013/14	2014/15
TAPIS application renewal		X	X	
TAPIS custom reporting		X	X	
Mapping web site development			P	P
X = budgeted and committed				
P = planned – subject to budget and LTC direction				

**ISLANDS TRUST
BRIEFING****To: Trust Council****For the Meeting of: June 11-13, 2013****Date: May 23, 2013****SUBJECT: BYLAW ENFORCEMENT REPORT**

DESCRIPTION OF ISSUE: A report on the number of enforcement files; organized by local trust area, and by the type of enforcement.

BACKGROUND:

Attached are two tables and two pie charts presented that provide information on bylaw enforcement activity.

Table 1 shows the total number of bylaw enforcement files for each local trust area by Fiscal year and the number of files remaining open at the end of the Fiscal year. Information is provided for the 2010/11, 2011/12 and 2012/13 Fiscal years. For the 2012/13 fiscal year the information is broken down by Quarter, in addition to providing a total for the 2012/13 Fiscal year.

Chart 1 shows the number of files open at the end of the most recent reporting Quarter (March 31, 2013).

Table 2 shows the number of open files by violation type. The table includes the more common categories of enforcement types. The "other" column includes a mix of enforcement types that do not fit in the larger categories.

Chart 2 shows the percentage of open files by type.

ATTACHMENT(S):

Bylaw Enforcement File Volume Report
Bylaw Enforcement by Violation Type Report

AVAILABLE OPTIONS:

1. Receive for information.
2. Request additional information to be presented in the report.

FOLLOW-UP: Report will be updated and presented every quarter to Trust Council.

Prepared By: David Marlbor, Director, Local Planning Services

Reviewed By/Date: Local Planning Committee – May 9, 2013
Executive Committee – May 28, 2013

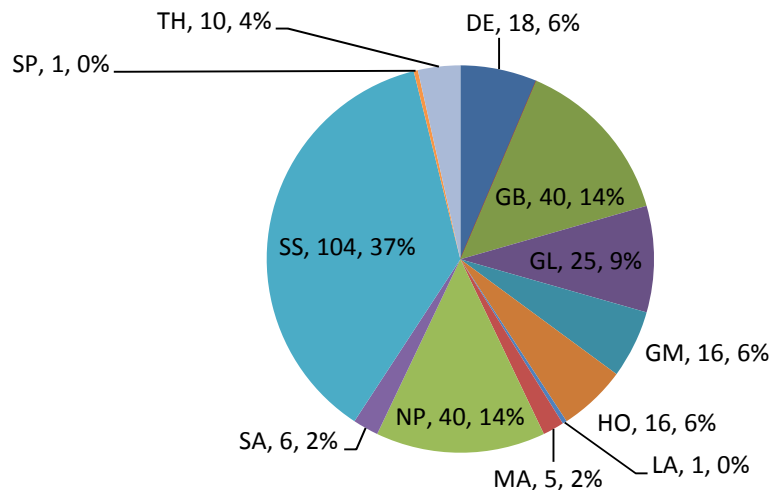
Linda Adams, Chief Administrative Officer

Bylaw Enforcement by Type (2012 Open)

TABLE 1:

LTC	Fiscal 2010/11				Fiscal 2011/12				Fiscal 2012/13							
	Total	%	Open	%	Total	%	Open	%	Q1	Q2	Q3	Q4	Total	%	Open	%
DE	24	7%	14	5%	23	6%	15	5%	13	10	15	19	19	6%	18	6%
EX	0	0%	0	0%	0	0%	0	0%	0	0	0	0	0	0%	0	0%
GB	45	13%	34	12%	46	12%	28	10%	32	36	30	40	40	13%	40	14%
GL	34	10%	31	11%	35	9%	28	10%	27	27	25	25	25	8%	25	9%
GM	15	4%	12	4%	14	4%	14	5%	14	14	15	16	16	5%	16	6%
HO	18	5%	16	5%	23	6%	21	7%	17	15	16	17	17	6%	16	6%
LA	1	0%	1	0%	1	0%	1	0%	1	1	1	1	1	0%	1	0%
MA	21	6%	19	6%	34	9%	18	6%	12	11	8	8	8	3%	5	2%
NP	63	18%	48	16%	61	16%	41	14%	42	45	42	43	43	14%	40	14%
SA	7	2%	7	2%	8	2%	8	3%	8	8	8	8	8	3%	6	2%
SS	119	34%	105	36%	131	34%	99	35%	89	103	106	112	112	37%	104	37%
SP	1	0%	1	0%	1	0%	1	0%	1	1	1	1	1	0%	1	0%
TH	6	2%	6	2%	13	3%	12	4%	12	11	10	12	12	4%	10	4%
Tot.	354	100%	294	100%	390	100%	286	100%	268	282	277	302	302	100%	282	100%

Chart 1: Open Files to March 31, 2013



Total = total number of files for the period including files from the previous period and new files

Open = number of files remaining open at end of the period, including legal files

% = percentage of the total or open complaint volume for the entire Islands Trust Area

Q1 = April 1 to June 30 - reported to September Trust Council

Q2 = July 1 to September 30, Report to December Trust Council

Q3 = October 1 to December 31, Reported to March Trust Council

Q4 = January 1 to March 31, Reported to June Trust Council

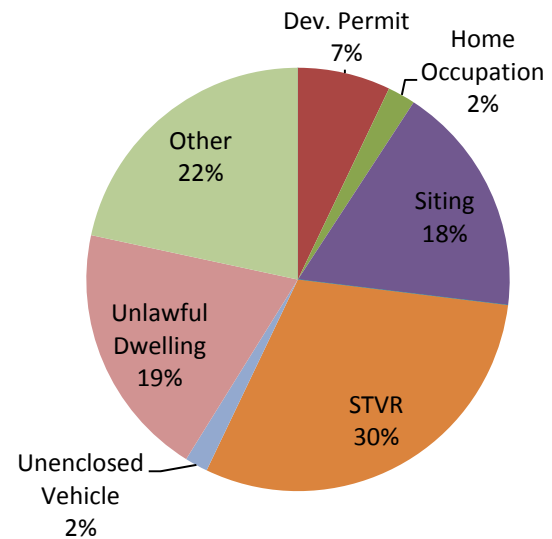
The numbers for each quarter are a running total of all open and closed files in the period.

Bylaw Enforcement by Type (2012 Open)

TABLE 2:

	Violation Type										Percentage
	LTC	Density	Dev. Permit	Home Occupation	Siting	Soil Bylaw	STVR	Unenclosed Vehicle	Unlawful Dwelling	Other	
DE	0	7	0	1	0	3	0	3	4	18	6%
EX	0	0	0	0	0	0	0	0	0	0	0%
GB	0	3	2	6	0	10	0	10	9	40	14%
GL	0	0	1	8	0	4	2	7	3	25	9%
GM	0	0	0	7	0	1	0	1	7	16	6%
HO	0	1	1	3	0	3	0	6	2	16	6%
LA	0	0	0	0	0	0	0	1	0	1	0%
MA	0	0	0	2	0	1	0	1	1	5	2%
NP	0	2	1	9	0	15	2	2	9	40	14%
SA	0	0	0	4	0	1	0	1	0	6	2%
SS	0	7	1	5	0	47	1	21	22	104	37%
SP	0	0	0	0	0	0	0	0	1	1	0%
TH	0	0	0	5	0	0	0	2	3	10	4%
Tot.	0	20	6	50	0	85	5	55	61	282	100%
%	0%	7%	2%	18%	0%	30%	2%	20%	22%	100%	

Chart 2: Open Files by Type



CHIEF ADMINISTRATIVE OFFICER 2013-2014 FIRST QUARTER REPORT

3.1

Date: May 28, 2013

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. TRUST COUNCIL & TRUSTEES <ul style="list-style-type: none"> Supervise all decisions and briefings to Trust Council Supervise implementation of Trust Council decisions Supervise quarterly meeting preparation <ul style="list-style-type: none"> Council sessions – Difficult Decision Making, San Juan County liaison, in camera session Strategic planning – monitor and report on status Advice to trustees re standards of conduct, fairness and legislative matters Development of draft trustee guide re conflict of interest matters 	<ul style="list-style-type: none"> Supervise implementation of Council decisions Supervise quarterly meeting preparation <ul style="list-style-type: none"> RFDs and briefings Council sessions – new Workplace BC regulations, FOIPPA Strategic planning – monitor and report on status Develop project charter re Islands Trust boundary issues
2. EXECUTIVE COMMITTEE <ul style="list-style-type: none"> Supervise tri-weekly meeting preparation Supervise implementation of EC decisions Develop draft bylaw and related decision package regarding Trust Council delegation bylaw Improvements to EC work program management <ul style="list-style-type: none"> New consolidated work program format New RFD format for EC decisions New draft policy for EC meeting preparations Staff liaison re SSI governance study <ul style="list-style-type: none"> Initial suggestions for Islands Trust Impact Assessment study Litigation defence management (3 files on-going, 1 active) Liaison with Ombudsperson office (no current complaints) Administrative Fairness Complaints (no new complaints this quarter) Communications assistance re litigation AVICC attendance Prepare discussion draft – CAO contingency succession strategy 	<ul style="list-style-type: none"> Supervise tri-weekly meeting preparation Supervise implementation of EC decisions Staff liaison re SSI governance study <ul style="list-style-type: none"> Coordinate input into Islands Trust Impact Assessment study Litigation defence management (1 active file) Finalize CAO contingency succession strategy Bylaw 154 – identify potential policy amendments (if bylaw proceeds) Initial steps in policy development and implementation improvement program <ul style="list-style-type: none"> Develop project charter Deliver staff training modules Prepare for UBCM attendance Liaison with new provincial government
3. EXECUTIVE SERVICES UNIT <ul style="list-style-type: none"> Unit budget request Most staff performance reviews completed 	<ul style="list-style-type: none"> Unit budget management Staff performance planning for next cycle
4. EXTERNAL LIAISON <ul style="list-style-type: none"> Ministry of Community, Sport and Cultural Development re Islands Trust issues National Marine Conservation Area liaison 	<ul style="list-style-type: none"> Ministry of Community, Sport and Cultural Development re Islands Trust issues Bowen Island Municipality – EC annual meeting preparations National Marine Conservation Area liaison

5. MANAGEMENT TEAM

- Bi-weekly coordination meetings
- Monthly meetings of leadership group
- Organizational training re collaboration/leadership, dealing with conflict

- Bi-weekly management coordination meetings
- Monthly meetings of leadership group
- Training focus: collaboration/leadership, problem solving/policy development



EXECUTIVE COMMITTEE WORK PROGRAM REPORT

To: Islands Trust Council

Updated: May 28, 2013

WORK PROGRAM (*Top Three Priorities*)

1. GOVERNANCE, POLICY, STRATEGIC PLANNING, TRUST COUNCIL (LA)

Top Priorities

- Develop draft watershed management bylaw (Trust Council delegation Bylaw 154)
- Improvements to Executive Committee work program and meeting preparation procedures
- Develop contingency CAO succession plan

Planned

- Clarify jurisdictional issues related to Islands Trust boundary
- Recommend policy amendments related to Bylaw 154
- Input into Islands Trust Impact Analysis (re SSI governance study)

2. COMMUNICATIONS, ADVOCACY, POLICY STATEMENT, INTERAGENCY AND PUBLIC RELATIONS (LG)

Top Priorities

- Website launch
- Annual report preparations
- Legislative Monitoring Chart

Planned

- Kinder Morgan session and follow-up
- Amendments to UBCM/AVICC policy
- Advocacy re industrial seaweed removal

3. ORGANIZATIONAL IMPROVEMENTS (DM/CS/CT)

Top Priority

- Improve reporting regarding bylaw enforcement (DM)
- Develop session and webinar for TC re carbon credits (CS)
- Identify potential amendments to correspondence-handling policy (CT)

Planned

- Identify potential amendments to application sponsorship policy (DM)
- Develop Trust Council session re special tax requisition (CS)
- Develop Trust Council session re Freedom of Information and Protection of Privacy (CT)

TRUST COUNCIL MEETING – SESSIONS and REQUEST FOR DECISION/INFORMATION ITEM(S)

Sessions

- Making Difficult Decisions
- San Juan County liaison
- Community Carbon Marketplace
- Kinder Morgan session
- In camera session

Decision Items

- Trust Council draft Bylaw 154 – Delegation of powers to SSILTC re preservation and protection of water resources
- NAPTEP application – Salt Spring Island
- 2012-2013 Annual Report
- Advocacy re housing in Agricultural Land Reserve

Information Items

- Executive Committee report
- Trust Council - Continuous Learning Plan (for discussion and suggestions)
- Organizational Priorities Chart
- CAO Quarterly Report
- Strategic Plan Update
- Briefing – Local Governance Restructure (reviewed by Financial Planning Committee)

PROVINCIAL LIAISON UPDATE**Completed**

- Association of Vancouver Island and Coastal Communities Conference

Planned

- Introductory meeting with Minister of Community, Sport and Cultural Development
- Introductory meetings with Trust Area MLAs (at UBCM)
- Introductory meetings with select provincial ministers

Linda Adams
Chief Administrative Officer

Sheila Malcolmson
Chair



REQUEST FOR DECISION

To: Trust Council

For the Meeting of:: June 12, 2013

From: Executive Committee

Date Prepared: May 27, 2013

SUBJECT: IMPROVED COORDINATION OF WATER RESOURCE PROTECTION ON SALT SPRING ISLAND - TRUST COUNCIL DELEGATION BYLAW 154 - DELEGATION OF CERTAIN POWERS TO THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE (SSILTC)

RECOMMENDATIONS:

1. That Islands Trust Council Bylaw 154, cited as the "Islands Trust Council Delegation Bylaw, 2013" is read a First Time.
2. That Islands Trust Council Bylaw 154, cited as the "Islands Trust Council Delegation Bylaw, 2013" is read a Second Time.
3. That Islands Trust Council Bylaw 154, cited as the "Islands Trust Council Delegation Bylaw, 2013" is read a Third Time.
4. That staff be requested to circulate a Resolution without Meeting that would provide for Fourth reading of Bylaw 154 in June 2013.
5. That the Islands Trust Executive Committee be requested to recommend consequential amendments to Islands Trust Council policies in regards to Bylaw 154, as outlined in the document entitled '*Appendix 3 - Initial Identification of Consequential Policy Amendments related to Draft Bylaw 154 – April 11, 2013*'.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: If adopted, Trust Council Bylaw 154 would share some of Trust Council's powers with the Salt Spring Island Local Trust Committee (SSILTC) to improve collaborative efforts in the preservation and protection of the quality and quantity of water resources in the Salt Spring Island Local Trust Area. The powers would primarily authorize and enable the SSILTC to lead a multi-agency approach to water resource protection, with an initial focus on the St. Mary Lake watershed. Bylaw 154 also provides for some conditions on the delegated powers and specifies how related work would be funded. Because some of Trust Council's policies would also require amendment to reflect any powers delegated to the SSILTC, the recommendations also refer to further work to identify such amendments for Council's consideration at a later meeting.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Bylaw adoption:

The recommended bylaw would delegate certain Trust Council powers to the Salt Spring Island Local Trust Committee, specifically related to the coordination of inter-agency work that could assist in the protection of water resources in the Salt Spring Island Local Trust Area. More details are included in the 'Background' section below.

Should Trust Council adopt draft Bylaw 154, work related to the additional powers would be primarily undertaken by staff that support the Salt Spring Island Local Trust Committee. The topic of watershed protection is currently a top priority of the local trust committee's work

program and a project charter for the related work has been approved (see Appendix 5). Depending upon future decisions of the SSILTC, the work could entail grant applications and the hiring of contractors or even additional staff at a later date.

If the SSILTC undertakes work related to delegated powers, such work would also be supported to some degree by Islands Trust administrative, financial and human resources staff who support the work programs of all local trust committees to some degree (i.e. development of contracts, communications, etc.). Delegation of new powers to the SSILTC could result in minor changes to the nature of that work, but does not imply an *increase* in the work required to support SSILTC initiatives. Work related to delegated powers would continue to be contained within the limits of the relevant staff work programs. Further development of policy amendments, as indicated in Appendix 3, will provide further clarity regarding implications for access to services such as those related to advocacy.

Policy amendment:

The development of recommended policy amendments is anticipated to require approximately 2 days of the CAO's time for initial drafting and discussion with the Executive Committee, plus some approximately 2 hours of additional time for review by each of the other three senior directors. Approximately 2 hours of time may be required from each of the Regional Planning Manager and the Island Planner for Salt Spring Island.

As noted, review of the policies identified in Appendix 3 may lead to the identification of other potential amendments, not related to Bylaw 154. It is estimated that approximately 1 day of the CAO's time may be required, if such other amendments are identified. Depending upon their significance, time from other directors or the Legislative Services Manager may also be required.

FINANCIAL:

Bylaw Adoption:

Adoption of Bylaw 154 would not, in itself, result in additional costs to the organization. However, with additional powers, the SSILTC could determine to take on additional work, specifically related to the coordination of watershed management activities. If the proposed work required new resources through Trust Council's budget, it would be subject to Trust Council's annual budget decisions.

Draft Bylaw 154 indicates that, (beginning in fiscal year 2014-15) where the SSILTC undertakes operations that are solely related to the powers delegated by draft Bylaw 154, these operations would be considered 'additional' operations of the SSILTC pursuant to s. 14(3)(iii) of the *Islands Trust Act*. This means that where future Trust Council's budgets set out anticipated expenditures that are solely related to such operations, the costs would be recovered through a special tax levy on the Salt Spring Island Local Trust Area. For example, if the SSILTC wished to hire a secretary to facilitate the meetings of the St. Mary Lake Watershed Working Group, or a contractor to assist the group in developing or coordinating policies and plans for watershed management, any associated costs would be recovered from taxpayers within the Salt Spring Island Local Trust Area, and not from the entire Islands Trust Area.

Because Trust Council's Policy 6.3.ii (Special Property Tax Requisition - <http://www.islandstrust.bc.ca/tc/pdf/tcpol6-3-iijun162005.pdf>) indicates that Trust Council would not consider a special levy for expenditures less than \$5000, this amount is reflected in the draft bylaw. Staff understand that it may not be feasible for the Ministry of Finance to implement a special levy for amounts less than \$5000, and are researching this matter to confirm it.

(Note: Section 14(3) of the Islands Trust Act permits Trust Council to apply a special levy to one local trust area, to fund 'additional operations' of an individual local trust committee. Trust Council's Policy 6.3.ii indicates that a local trust committee may propose that 'additional operations' should be funding in this way and sets out a process for local trust committees to

follow, including public consultation, during the regular cycle of budget development. However, the final decision about the Trust Council budget, including any decision about a special levy, remains with Trust Council.)

The SSILTC's project charter for Salt Spring Island Watershed Management (see Appendix 5) indicates a total budget of \$12,550 to \$17,550 in the current fiscal year (2013-2014), depending upon whether Trust Council delegates additional powers to the SSILTC. Trust Council has already allocated a portion of these funds in its annual budget and the remainder would be obtained through a combination of grants and contributions from the other agencies collaborating in watershed management activities.

In fiscal year 2014-2015, the project charter for Salt Spring Island Watershed Management indicates additional costs, some of which will be determined as the project evolves. If Bylaw 154 is adopted as proposed, any amount of \$5000 or more that related solely to the project and required funding through Trust Council's annual budget would form the basis of an SSILTC proposal for a special levy in Trust Council's 2014-2015 annual budget. Trust Council's Policy 6.3.ii currently indicates such proposals must be forwarded to the Financial Planning Committee by November 2013.

As requested by Trust Council in March 2013, staff are also investigating potential grant revenues. It appears that the Salt Spring Island watershed management project could be a good candidate for grant funds, especially from those granting agencies that provide incentives for innovative and collaborative approaches to environmental and community health issues. Further investigations of such grant opportunities and actual applications will depend upon Trust Council's decisions regarding Bylaw 154. If successful, grant applications could supplement funds available in the SSITLC's current budget allocation and could reduce the costs that would need to be recovered directly through property tax levies in future years.

Policy amendment:

The identification of potential policy amendments that are consequential to Bylaw 154 is not currently expected to require the expenditure of external funds. Some funds may be required for legal review if additional amendments, unrelated to Bylaw 154, are identified. Trust Council's annual budget would accommodate such expenditures.

POLICY:

Bylaw Adoption:

Adoption of the Bylaw 154 would not, in itself, lead to the amendment of any Islands Trust policies.

Policy Amendment:

The last part of the recommended resolution would lead to the identification of potential policy amendments for Trust Council's consideration at a later meeting. The types of amendments anticipated are outlined in Appendix 3.

IMPLEMENTATION/COMMUNICATIONS:

Bylaw Adoption:

If Trust Council gives three readings to Bylaw 154, then staff would prepare a Resolution without Meeting that would enable Council members to consider 4th reading, later in June, 2013. Pursuant to Section 10 of the *Islands Trust Act*, adoption must be approved by 2/3 of trustees available when the vote is considered.

A draft news release has been prepared to advise the public about the bylaw, subject to Trust Council's decision in regards to Bylaw 154. An initial draft of Questions and Answers (see Appendix 2) has also been prepared to provide additional information and this would be finalized for public distribution.

The SSILTC would be formally notified regarding the delegation bylaw by correspondence signed by the Chair of the Islands Trust Council.

Senior staff would meet with Salt Spring Island planning staff to further discuss the delegation bylaw and the type of work that could be undertaken with additional powers. Such discussions have been on-going during bylaw development and during development of the project charter for Salt Spring Island Watershed Management (Appendix 50).

Draft Bylaw 154 indicates that, should the SSILTC wish to enter into a coordination agreement with a period greater than 5 years pursuant to Bylaw 154, it would seek the authorization of the Islands Trust Council. Therefore, Trust Council may receive such a request, subject to the nature of coordination agreements that the SSILTC may develop.

The Islands Trust Council Annual Report would report progress related to the powers delegated to the SSILTC. Should it wish, Trust Council could request additional reports from the SSILTC, either formal or informal, to determine if the objectives of Bylaw 154 are being realized.

Policy Amendment:

Islands Trust staff will identify potential amendments to the policies noted in Appendix 3, for discussion with the Executive Committee and eventual recommendation to Trust Council.

Trust Council would consider the recommended policy amendments at one or more later meetings, likely in September or December 2013.

OTHER:

Should Bylaw 154 be adopted, and should the results be successful, other local trust committees may wish to consider seeking similar delegation of powers for similar or other purposes.

The use of special levies on Salt Spring Island may encourage broader use of this tool, where other local trust committees propose operations that could be seen as 'additional' to regular local trust committee operations.

BACKGROUND

HISTORY

- St. Mary Lake on Salt Spring Island is a significant source of drinking water, supplying over half of the residents of the island. It has a history of serious water quality problems, related to a number of factors described in the St. Mary Lake Watershed Management Plan. The plan was developed in 2008 by a group of community volunteers, many with expertise in watershed management topics: <http://www.islandstrust.bc.ca/lrc/ss/pdf/ssstmarylkwrshedmngtmplan.pdf>
- Implementation of the St. Mary Lake Watershed Management Plan requires the coordinated efforts of a number of agencies, including federal, provincial and regional government agencies and improvement districts, as well as the SSILTC.
- To date, the lack of a coordinating body and sufficient funding has hampered implementation of many of the activities identified in the St Mary Lake Watershed Management Plan that would support watershed protection.
- To address the coordinated management of the St. Mary Lake watershed, members of the SSILTC have taken a leadership role in creating and participating in a St. Mary Lake Watershed Working Group. It consists of representatives of government agencies such as the SSILTC, the Capital Regional District (CRD), provincial and regional agencies (Ministry of Health, Ministry of Environment, Vancouver Island Health Authority) and water providers

that draw upon St. Mary Lake (North Salt Spring Waterworks District, Fernwood Highland Water Commission).

- The SSILTC has had watershed management issues as a top priority work program item since mid-2012.
- The *Islands Trust Act* provides some unique tools that could enable the SSILTC to act as a coordinating body for watershed protection activities, subject to the agreement of other interested agencies.
- The *Islands Trust Policy Statement* indicates:
If the (Trust) Area' environment and unique character are to be preserved and protected, priorities must be defined and management strategies established. The Islands Trust Act identifies the need for leadership and assigns that role to the Islands Trust.
- Trust Council's Strategic Plan includes a strategy to:
consider a pilot project for coordination of watershed protection within one local trust area.
- At its meeting in August 2012, the SSILTC received a briefing (see page 33 at <http://www.islandstrust.bc.ca/ltc/ss/pdf/ssagendaaug302012pkg.pdf>) outlining options related to collaborative watershed governance and then passed the following resolution:
That the Salt Spring SSI-176-12 Island Local Trust Committee requests that the Executive Committee directs staff to investigate the option of Trust Committee delegating some of its powers under the Islands Trust Act to the Salt Spring Island Local Trust Committee, as described in the Islands Trust Briefing dated August 22, 2012, and provide more details.
- At its meeting on September 11, 2012, the Executive Committee passed the following resolution:
That the Executive Committee direct staff to investigate the option of Trust Council delegating some of its powers under the Islands Trust Act to the Salt Spring Island Local Trust Committee, as described in the Islands Trust Briefing dated August 22, 2012, and provide more details
- In February 2013, the SSILTC received an illustration draft of a delegation bylaw and a draft Request for Decision that outlined the powers that could potentially be delegated to it by Trust Council. On February 18, it passed a resolution requesting that the draft Request for Decision be forwarded to Trust Council.
- At its meeting on February 19, 2013, the Executive Committee reviewed the draft Request for Decision and forwarded it to Trust Council.
- On March 6, 2013, the Islands Trust Council considered the Request for Decision from the SSITLC, and passed the following three resolutions in response:
That the Islands Trust Council request the Executive Committee to develop a draft Trust Council bylaw that would delegate specific Trust Council powers (exclusive of the powers to acquire land or to implement or carry out the policies of other agencies) to the Salt Spring Island Local Trust Committee (SSILTC) to assist it in collaborative watershed management activities.

That the Islands Trust Council request staff to identify grant opportunities related to collaborative watershed management.

That the Islands Trust Council request the Executive Committee to identify policy amendments that may be required in regard to the delegation of powers to the Salt Spring Island Local Trust Committee.

That the Draft bylaw specify that the anticipated expenditures of the Salt Spring Island Local Trust Committee related to powers delegated by section 2 of this bylaw, a special tax requisition under section 47 (2)(a)(ii) of the Islands Trust Act, will be made in respect of the Salt Spring Island Local Trust Area.
- On March 15, 2013, the St. Mary Lake Watershed Working Group indicated a general consensus supporting the principle of the SSILTC playing a coordinating role regarding the working group.

- On March 19, 2013 the Executive Committee endorsed a schedule to coordinate development of a draft bylaw, as requested by Trust Council, with collaboration between the Islands Trust Executive Committee and the SSILTC between March and June 2013. For illustration, the schedule also shows related but independent steps that could be taken by the St. Mary Lake Watershed Working Group during the same time period. The schedule has been and will continue to be modified to reflect current status of the various steps undertaken (see Appendix 4 for current version).
- On March 21, 2013, the SSILTC also endorsed the schedule to coordinate bylaw development. Consistent with Executive Committee advice, Salt Spring Island local trustees have sought and obtained written confirmation of support for this initiative from the agencies represented on the St. Mary Lake Watershed Working Group. Related letters, and other letters from members of the public are included in Appendix 6.
- On April 11 and 23, 2013 respectively, the SSILTC and Executive Committee received a draft of Bylaw 154 and a related briefing. Both bodies endorsed the draft bylaw as presented and no further amendments were proposed.
- After reviews by the Executive Committee and the SSILTC, and before review by the Trust Programs Committee, staff added clause 5(c) for clarification.
- On May 13, 2013, the Trust Programs Committee reviewed a draft Resolution without Meeting document with attachments, including the draft Bylaw 154. It recommended that Trust Council adopt Bylaw 154 as presented.
- On May 23, 2013 the SSILTC reviewed a draft Resolution without Meeting document with attachments, including the draft Bylaw 154 and provided comments regarding it to assist the Executive Committee's preparation of the final decision package.

DRAFT BYLAW

In response to Trust Council's resolution of June 2013, staff have now prepared a draft bylaw and sought a legal review. It is attached as Appendix 1 - draft Trust Council Bylaw 154. As written, the draft Bylaw 154 has the following features, all specifically related to the preservation and protection of the quality and quantity of water resources in the Salt Spring Island Local Trust Area:

Delegation of coordination powers

1. It would delegate to the SSILTC the powers (from *Islands Trust Act* section 8.2(b)) to:
 - *coordinate* and *assist* in the *determination* of regional, improvement district and government of British Columbia policies¹
 - *coordinate* the *implementation* and *carrying out* of regional, improvement district and government of British Columbia policies.

With these powers, the SSILTC could undertake some of the following activities, as examples:

- a. Subject to agreements of other agencies, coordinate and assist in the development of policies of the agencies that currently play a role in the management of water resources and watersheds in the Salt Spring Island Local Trust Area.
- b. Coordinate the work of a group like the St. Mary Lake Watershed Working Group, assisting with meeting logistics, public consultation and the development of plans and actions that would work to protect watersheds, monitoring implementation and measuring success.

¹ Policy - a definite course or method of action selected from among alternatives and in light of given conditions to guide and determine present and future decisions; a high-level overall plan embracing the general goals and acceptable procedures, especially of a governmental body.

In accordance with Trust Council's resolution of March 6, 2013, draft Bylaw 154 indicates that the SSILTC would not be able to actually *assist* in *implementing* or *carrying out* the work of other agencies, although it could work to ensure their policies are implemented and carried out in a coordinated way. The following table illustrates the distinction in the powers that draft Bylaw 154 would delegate in relation to s. 8.2(b) of the *Islands Trust Act*.

Powers of Trust Council from s. 8.2(b) of the Islands Trust Act*		Would be delegated to the SSILTC by draft Bylaw 154
To coordinate	The <i>determination</i> of provincial, regional and improvement district policies	Yes
To assist	In the <i>determination</i> of provincial, regional and improvement district policies	Yes
To coordinate	The <i>implementation and carrying out</i> of provincial, regional and improvement district policies	Yes
To assist	In the <i>implementation and carrying out</i> of provincial, regional and improvement district policies	No
*subject to coordination agreements with other relevant agencies		

Delegation of advocacy powers

2. It would delegate to the SSILTC the power to make recommendations to the Lieutenant Governor in Council (the provincial cabinet) respecting the acquisition, use and disposition of government land within the Salt Spring Island Local Trust Area. This would formally authorize the SSILTC to make recommendations to the province about Crown land, including the waterbed of water bodies within the Salt Spring Island Local Trust Area.

3. It would delegate to the SSILTC the power to make recommendations directly to the Lieutenant Governor in Council (the provincial cabinet) respecting the determination, implementation and carrying out of policies. This would formally authorize the SSILTC to advocate to the provincial cabinet regarding provincial policies that could assist in the preservation and protection of water resources in the Salt Spring Island Local Trust Area. Currently, this power rests with the Islands Trust Council, which generally assigns its advocacy role to the Executive Committee through resolution or standing policy (e.g. *Policy 2.4.i – Executive Committee Terms of Reference, Policy 6.10.iii - Advocacy Policy*).

Delegation of powers regarding coordination agreements

4. It would delegate to the SSILTC the power to enter into formal coordination agreements with a variety of agencies for the above purposes. This power would be particularly useful as it would enable the SSILTC to enter into coordination agreements with the Capital Regional District and with provincial and federal agencies for purposes related to watershed management. Without this delegated power, local trust committees may only enter into coordination agreements with a smaller list of agencies and only for purposes related to land use planning and regulation. Note that the Islands Trust Act does not, perhaps due to an omission, enable coordination agreements with improvement districts. If necessary, such power could be requested of the Minister of Community, Sport and Cultural Development.

As written, the draft bylaw indicates that Trust Council approval would be required for any such coordination agreement with other agencies, if they have a term exceeding five years. In all cases, such agreements would require ministerial approval, pursuant to s. 9(2) of the *Islands Trust Act*.

Delegated powers must be in accordance with internal policies

5. It indicates that, when undertaking activities related to powers delegated from Trust Council, the SSILTC would need to adhere to the same policies and procedures that would apply to the Trust Council's exercise of those powers. Specifically, this section of the bylaw refers to:

a. Trust Council's Policy 2.1.iv (<http://www.islandstrust.bc.ca/tc/pdf/tcpol2-1-ivjun102004.pdf>), which includes the procedures to be followed in the development of coordination agreements.

b. Trust Council's Policy 6.10.iii (<http://www.islandstrust.bc.ca/tc/pdf/tcpol6-10-iiiadvocacypolicy.pdf>), that guides advocacy activities.

As indicated in Appendix 3, both of these policies would need some amendment to reflect the revised role of a local trust committee that had been delegated new coordination and advocacy powers.

Other Trust Council policies that currently apply to local trust committee activities would continue to apply as before.

Funding of work related to delegated powers

6. It indicates that, where the SSILTC undertakes operations that are solely related to the powers delegated by draft Bylaw 154, these operations would be considered 'additional' operations of the SSILTC pursuant to s. 14(3)(iii) of the *Islands Trust Act*, for the purpose of future budgets. The implications are more fully described under the heading of 'Financial Implications' above.

REPORT/DOCUMENT: Attached

Appendix 1: Draft Trust Council Bylaw 154 – including relevant excerpts from the *Islands Trust Act*.

Appendix 2: Draft Delegation Bylaw 154 – Discussion Draft of Questions and Answers

Appendix 3: Initial Identification of Consequential Policy Amendments related to Draft Bylaw 154 – April 11, 2013.

Appendix 4: Schedule to coordinate development of draft Trust Council Bylaw 154

Appendix 5: Project Charter: Salt Spring Island Watershed Management

Appendix 6: Correspondence related to Trust Council Draft Bylaw 154

KEY ISSUE(S)/CONCEPT(S): Delegation of certain Trust Council powers to the Salt Spring Island Local Trust Committee, enabling it to take a coordinating role in the preservation and protection of water resources within the Salt Spring Island Local Trust Area.

RELEVANT POLICY:

The Islands Trust Policy Statement includes several statements and policies that support leadership and collaborative actions by Islands Trust bodies, related to the protection of water quality and quantity. Some of the more relevant are quoted below:

If the (Trust) Area's environment and unique character are to be preserved and protected, priorities must be defined and management strategies established. The Islands Trust Act identifies the need for leadership and assigns that role to the Islands Trust.

The Islands Trust Council cannot effectively implement the Policy Statement without the support of all stakeholders. Assistance, cooperation and collaboration are required from local trust committees, island municipalities, the Trust Fund Board, the Provincial Government, other government agencies, non-government organizations, communities, First Nations, property owners, residents and visitors

3.1.9 Trust Council encourages actions and programs of other government agencies which:...

- prevent pollution of the air, land and fresh and marine waters of the Trust Area.

3.3.1 Trust Council holds that:

- the freshwater wetlands, bodies of surface water, natural drainage patterns, water courses, fish-bearing streams, watershed and groundwater recharge areas of the Trust Area should be identified, protected and, where possible, restored or rehabilitated...

- 3.3.3 *Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, watercourses, wetlands, riparian zones and aquatic wildlife habitats through voluntary donation, acquisition, conservation covenants and careful management.*
- 4.4.2 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:...*
- *water quality is maintained, and*
 - *existing, anticipated and seasonal demands for water are considered and allowed for.*

DESIRED OUTCOME: Delegation of certain Trust Council powers to the Salt Spring Island Local Trust Committee, to assist in the preservation and protection of water resources within the Salt Spring Island Local Trust Area.

RESPONSE OPTIONS

Recommended:

1. That Islands Trust Council Bylaw 154, cited as the "Islands Trust Council Delegation Bylaw, 2013" is read a First Time.
2. That Islands Trust Council Bylaw 154, cited as the "Islands Trust Council Delegation Bylaw, 2013" is read a Second Time.
3. That Islands Trust Council Bylaw 154, cited as the "Islands Trust Council Delegation Bylaw, 2013" is read a Third Time.
4. That staff be requested to circulate a Resolution without Meeting that would provide for Fourth reading of Bylaw 154 in June 2013.
5. That the Islands Trust Executive Committee be requested to recommend consequential amendments to Islands Trust Council policies in regards to Bylaw 154, as outlined in the document entitled 'Appendix 3 - Initial Identification of Consequential Policy Amendments related to Draft Bylaw 154 – April 11, 2013'.

Alternatives:

Regarding Bylaw Adoption:

1. Not to proceed further with Bylaw 154
2. To amend Bylaw 154 before proceeding further
3. Not to consider 4th reading until specified conditions are met

Regarding Policy Amendment:

1. Not to consider amendments to Trust Council policies in regards to Bylaw 154
2. To consider different amendments to Trust Council policies in regards to Bylaw 154

Prepared By: Linda Adams, Chief Administrative Officer

Reviewed By/Date: Internal Staff Reviews (April/May 2013)

- David Marlor, Director of Local Planning Services
- Lisa Gordon, Director of Trust Area Services
- Cindy Shelest, Director of Administrative Services
- Leah Hartley, Regional Planning Manager-Salt Spring

Trust Programs Committee – May 13, 2013
Salt Spring Island Local Trust Committee – May 23, 2013
Executive Committee – May 28, 2013



Linda Adams, Chief Administrative Officer

APPENDIX 1

DRAFT
**ISLANDS TRUST COUNCIL
BYLAW NO. 154**

**A BYLAW TO DELEGATE CERTAIN POWERS OF THE ISLANDS TRUST COUNCIL TO
THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE
RELATED TO PRESERVATION AND PROTECTION OF WATER RESOURCES IN
THE SALT SPRING ISLAND LOCAL TRUST AREA**

WHEREAS under sections 8 and 9 of the *Islands Trust Act* the Trust Council has certain powers for the purpose of carrying out the object of the Islands Trust, and section 10 of the *Islands Trust Act* provides that Trust Council may, by bylaw, delegate its powers under sections 8 and 9,

NOW THEREFORE the Trust Council, in open meeting assembled, enacts as follows:

Definitions

1. In this bylaw:

“**Salt Spring Island Local Trust Committee**” means the local trust committee for the Salt Spring Island Local Trust Area, pursuant to the *Islands Trust Act*.

“**Trust Council**” means the Islands Trust Council referred to in section 5 of the *Islands Trust Act*.

Delegation

2. Subject to the provisions of the *Islands Trust Act*, Trust Council hereby delegates the following powers to the Salt Spring Island Local Trust Committee **for the purpose of preserving and protecting the quality and quantity of water resources within the Salt Spring Island Local Trust Area:**

a. the power to:

i. *coordinate* and *assist* in the *determination* of regional, improvement district and government of British Columbia policies, and

ii. *coordinate* the *implementation* of regional, improvement district and government of British Columbia policies,

iii. *coordinate* the *carrying out* of regional, improvement district and government of British Columbia policies,

and for certainty, this power does not include

i. *assisting* in the *implementation* of the policies of a regional district or improvement district or the government of British Columbia;

ii. *assisting* in the *carrying out* of the policies of a regional district or improvement district or the government of British Columbia;

b. the power to make recommendations to the Lieutenant Governor in Council respecting the acquisition, use and disposition by the government of land located in the Salt Spring Island Local Trust Area;

c. the power to make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies affecting water resources in the Salt Spring Island Local Trust Area; and

d. the power to enter into, on its own behalf, and subject to approval of the minister pursuant to section 9(2) of the *Islands Trust Act*, agreements with one or more of the following respecting the coordination of activities related to the preservation and protection of water resources in the Salt Spring Island Local Trust Area:

- i. the government of British Columbia;
- ii. the government of Canada;
- iii. an agent of the government of British Columbia or Canada;
- iv. a regional district or board of school trustees; and
- v. a first nation.

3. The Salt Spring Island Local Trust Committee must not enter into an agreement under section 2(d) with a term exceeding five years, without the approval of the Trust Council.
4. The Salt Spring Island Local Trust Committee must exercise the powers delegated by this bylaw in accordance with the procedures that would apply to the Trust Council's exercise of the powers, and in particular the Local Trust Committee must follow the procedures outlined in the following policies:
 - a. Islands Trust Council Policy 2.1.iv – Coordination Agreement Process
 - b. Islands Trust Council Policy 6.10.iii – Advocacy Policy

Funding of Operations Related to Delegated Powers

5. For the purposes of the annual budget adopted by Trust Council and without fettering the discretion of the Trust Council with respect to the adoption of the annual budget for any such operations:
 - a. operations undertaken solely in relation to powers delegated by section 2 of this bylaw will be considered additional operations of the Salt Spring Island Local Trust Committee pursuant to section 14 (3)(iii) of the *Islands Trust Act*; and
 - b. if the annual budget sets out anticipated expenditures of the Salt Spring Island Local Trust Committee equal to or in excess of \$5000 that are solely related to powers delegated by section 2 of this bylaw, a special tax requisition under section 47 (2)(a)(ii) of the *Islands Trust Act* will be made in respect of the Salt Spring Island Local Trust Area.
 - c. Sections 5(a) and (b) will apply to each annual budget adopted by Trust Council after the 2013-2014 fiscal year.

Limitation on Delegation

6. Nothing in this bylaw prevents the Trust Council from itself exercising any of the powers delegated by section 2.

No Further Delegation

7. For certainty, the Salt Spring Island Local Trust Committee may not further delegate any power that has been delegated by this bylaw.

Citation

8. This bylaw may be cited as the "Islands Trust Council Delegation Bylaw, 2013".

READ A FIRST TIME THIS	day of	2013
READ A SECOND TIME THIS	day of	2013
READ A THIRD TIME THIS	day of	2013
ADOPTED THIS	day of	2013

SECRETARY

CHAIR

For reference only -- not part of draft bylaw

Excerpts from the *Islands Trust Act* – most relevant sections are underlined

Responsibilities of trust council

- 8 (2) For the purpose of carrying out the object of the trust, the trust council may
- (a) acquire and dispose of land,
 - (b) coordinate and assist in the determination, implementation and carrying out of municipal, regional and improvement district and government of British Columbia policies for the preservation and protection of the trust area and its unique amenities and environment,
 - (c) make recommendations to the trust fund board respecting priorities for the acquisition, use and disposition of property by the trust fund board,
 - (d) make recommendations to the Lieutenant Governor in Council respecting the acquisition, use and disposition by the government of land located in the trust area,
 - (e) make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies for the preservation and protection of the trust area and its unique amenities and environment.
- (2.1) Sections 186 and 187 of the *Local Government Act* apply to a disposition of land under subsection (2) (a).
- (3) The trust council must not, without the prior approval of the minister, incur liabilities or borrow money.

Coordination agreements with other government bodies

- 9 (1) For the purpose of carrying out the object of the trust, the trust council may enter into, on its own behalf or on behalf of one or more local trust committees, agreements with one or more of the following respecting the coordination of activities in the trust area:
- (a) the government of British Columbia;
 - (b) the government of Canada;
 - (c) an agent of the government of British Columbia or Canada;
 - (d) a municipality, regional district, board of school trustees or francophone education authority;
 - (e) a first nation.
- (2) An agreement under subsection (1) is subject to the approval of the minister.
- (3) If there is a conflict between an agreement under subsection (1) and a bylaw or agreement of a local trust committee, the agreement under subsection (1) prevails.

Delegation of powers

- 10 The trust council may, by bylaw adopted by at least 2/3 of its members present at the meeting at which the vote on adoption takes place, delegate its powers under sections 8 (1) (d) and (f) and (2) (a) to (f) and 9 (1), subject to any restrictions or conditions specified in the bylaw.

Budget

- 14 (1) On or before March 31 in each year, the trust council must, by bylaw, adopt an annual budget for the trust for the next fiscal year.
- (2) Subject to subsection (6), a bylaw under subsection (1) has no effect until it is approved by the minister.
 - (3) The budget must
 - (a) show separately revenues obtained from appropriations, including operating grants and anticipated recoveries from taxes levied under sections 48 and 49, and other sources,
 - (b) show appropriated surpluses of prior years, and
 - (c) set out separately the anticipated expenditure relating to
 - (i) operations of the trust council and of the executive committee, except the operations of the executive committee acting as a local trust committee under section 23 (5),
 - (ii) general operations of the local trust committees, including the operations of the executive committee acting as a local trust committee under section 23 (5) and excluding the operations referred to in subparagraph (iii),
 - (iii) operations of a local trust committee that are additional operations not included within the general operations of all the local trust committees under subparagraph (ii), and
 - (iv) administrative operations of the trust fund board.

Requisitions, apportionment and tax rates

47 (5) If the annual budget sets out anticipated expenditures under section 14 (3) (c) (iii) relating to additional operations of a local trust committee, a special requisition under subsection (2) (a) (ii) of this section may be made in respect of the local trust area.

Appendix 2



Islands Trust

(DRAFT)

Questions and Answers

Draft Trust Council Bylaw No. 154

(Delegation of powers to assist in the preservation and protection of water resources in the Salt Spring Island Local Trust Area)

May 23, 2013

What is a “Delegation Bylaw”?

Delegation is the sharing of specific powers by one organization with another -- in this case, from the Islands Trust Council to the Salt Spring Island Local Trust Committee (SSILTC). The *Islands Trust Act* gives specific powers to the Islands Trust Council and indicates that it can delegate some of those powers, by adopting a delegation bylaw. A delegation bylaw must specify the particular powers being delegated. It can also place various restrictions and conditions on the powers that are delegated.

What is the benefit of delegating Trust Council powers to the SSILTC?

All actions that a local government body undertakes must relate to the specific powers given to it by provincial legislation. Local government bodies confine their work and use of resources (including staff time, contractors and expenditures) to those things that are within their jurisdiction. In the case of a local trust committee, the *Islands Trust Act* gives it specific powers that are primarily related to land use planning and regulation within its local trust area. The *Islands Trust Act* also enables a local trust committee to enter into cooperative agreements with other bodies to coordinate actions related to land use planning and regulation.

The Islands Trust Council has broader powers to undertake other types of actions that are not limited only to land use planning and regulation. For example, it can enter into coordination agreements with a wider range of agencies for a wider range of purposes related to the preservation and protection of the Islands Trust Area, and its unique amenities and environment. Trust Council can coordinate the work of other agencies, and assist them in the determining what their policies should be. It can even assist other agencies in implementing and carrying out their policies, where they are related to the preservation and protection of the Islands Trust Area and its unique amenities and environment. Because such ‘coordination and assistance’ is dependent upon the agreement of other agencies, Trust Council can also enter into coordination agreements with a broader range of parties than a local trust committee can.

What Trust Council powers would Bylaw 154 delegate to the SSILTC?

Diagram 1 illustrates the broader jurisdiction of Trust Council and shows how it compares to the powers that would be delegated to the SSILTC by Bylaw 154. As currently written, the draft Bylaw 154 is focused on delegating a small subset of Trust Council’s broad powers to the

SSILTC for one purpose only – ‘*to preserve and protect the quality and quantity of water resources within the Salt Spring Island Local Trust Area*’. For that purpose, the bylaw would delegate the following powers to the SSILTC:

- the power to *coordinate* and *assist* in *determining the policies* of regional, improvement district and government of British Columbia agencies.
- the power to *coordinate* regional, improvement district and government of British Columbia agencies in *implementing and carrying out their policies*.
- the power to make recommendations to the provincial cabinet about the acquisition, use and disposition of provincial government land within the Salt Spring Island Local Trust Area.
- the power to make recommendations to the provincial cabinet about provincial policies.
- The power to enter into formal coordination agreements with a variety of agencies (e.g. the CRD, provincial and federal agencies).

What is not being delegated?

Trust Council can only delegate powers that it holds, so it cannot delegate the authority of other agencies, including any of their current regulations, legislation, functions or responsibilities.

Some of the powers that Trust Council holds cannot be delegated to other bodies, so the draft bylaw does not delegate any such powers. For example, Trust Council cannot delegate its authority for taxation.

The draft bylaw does not delegate all of the powers that Trust Council could potentially delegate to other bodies. The following powers are in that category and would NOT be delegated by the draft bylaw:

- The power to hold acquire and dispose of land
- The power to assist in implementing and carrying out of the policies of other agencies.

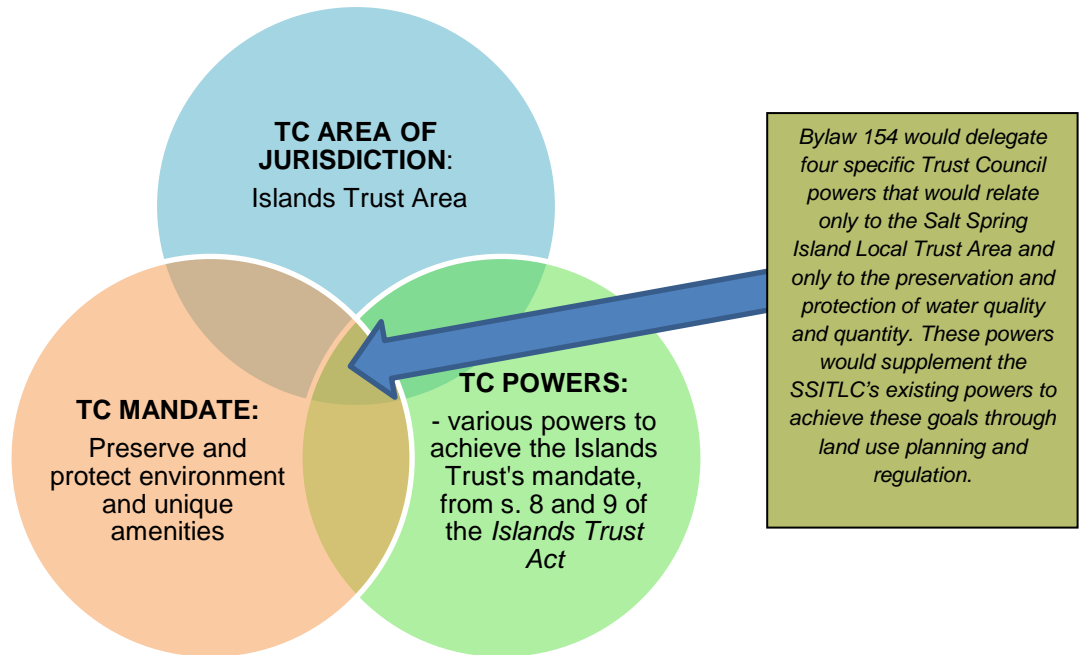


Diagram 1 – Trust Council's powers vs. those that draft Bylaw 154 would delegate to the SSITLC

Do other agencies transfer their water management responsibility through this bylaw?

No. As noted above, the delegation bylaw only delegates powers that Trust Council currently holds. Those powers would primarily enable the Salt Spring Island Local Trust Committee to act as a coordinating body, assisting and coordinating other agencies as they develop and implement policies to preserve and protect water resources in the Salt Spring Island Local Trust Area. Other agencies are able to enter into inter-agency agreements, and through this bylaw, provincial ministries could make agreements directly with the Salt Spring Island Local Trust Committee (subject to the restrictions above). The Salt Spring Island Local Trust Committee would retain its powers for land use planning and regulation, so in some cases, coordination with other agencies would be related to coordinating other agency actions with the local trust committee's existing powers.

What are some actual examples of things the SSILTC could do if Trust Council adopts draft Bylaw 154?

Here are some things that the SSILTC could spend staff time and resources on if Trust Council adopts the delegation bylaw as currently written:

- Subject to agreements of other agencies, coordinate and assist in the development of policies of those agencies that currently play a role in the management of water resources and watersheds in the Salt Spring Island Local Trust Area.
- Coordinate the work of a group like the St. Mary Lake Watershed Working Group, assisting with meeting logistics (agendas, meeting rooms, minutes, public notices and website information), public consultation and the development of plans and actions that would work to protect watersheds, monitoring implementation and measuring success.

Isn't the SSILTC already involved with the St. Mary Lake Watershed Working Group in this way?

While the SSILTC already participates in the St. Mary Lake Watershed Working Group and has assisted with some of its coordination, this role is currently limited. For example, the SSILTC participation must be related in some way to its land use planning and regulatory function. It is limited in the way it can spend resources or staff time on broader coordination work that, while it could be very helpful to watershed management, is unrelated to the SSILTC's current role in land use planning and regulation.

Which agency currently has the jurisdiction to coordinate the St. Mary Lake Watershed Working Group?

Both the Capital Regional District Board and the Islands Trust Council currently have the power to coordinate the group. The SSILTC is interested in taking on this role because it is based on Salt Spring Island and is familiar with water protection issues specific to Salt Spring Island.

If Trust Council delegates additional powers to the SSILTC, how are new activities funded?

Draft Bylaw 154 indicates that new activities requested by the SSILTC that require expenditures of \$5000 or more and that are solely related to the delegated powers would be funded by a special tax levy that would apply to the Salt Spring Island Local Trust Area. Islands Trust

policies indicate that the SSILTC would have to consult with the Salt Spring Island public before the Islands Trust Council would consider such a tax levy. Ultimately, the power to adopt the Islands Trust's annual budget would continue to rest with the Islands Trust Council, and it would take the SSILTC's requests into account.

How could the delegation bylaw help improve water quality on Salt Spring Island?

Due to complexity of water management and overlapping jurisdiction of water and watershed regulators, collaboration between agencies is needed if water quality improvements are to be achieved or maintained in the most effective manner. There is no simple fix that may be implemented by one organization acting in isolation.

Across BC, communities facing similar issues have successfully approached such problems, using a collaborative watershed management perspective that involves cooperation between all the agencies responsible for water quality and quantity. The Salt Spring Island Local Trust Committee is currently working with the Capital Regional District Electoral Area Director (Salt Spring Island) to create a cooperative working organization known as the "St Mary Lake Watershed Working Group." This group includes representation from agencies responsible for water management including North Salt Spring Island Water District, Vancouver Island Health Authority, and the ministries of Environment and Health.

The St Mary Lake Watershed Working Group is in formative stages, modelling itself on examples such as:

- Cowichan Watershed Board
- Nanaimo River Watershed Roundtable
- Shuswap Lake Integrated Planning Process.

Are the activities of St. Mary Lake Watershed Working Group reliant on the Trust Council Delegation Bylaw?

No, the St. Mary Lake Watershed Working Group is comprised of agencies (including the Salt Spring Island Local Trust Committee) that currently have the authority to implement many of the watershed management strategies that may be supported by the Salt Spring Island community. However, the group is a loose organization of equal participants at this stage, and no one organization is coordinating the many actions that need to be taken. Without some coordination, there is the potential for the agencies to inadvertently work at cross-purposes. Or resources may not be focused on the most effective solution. While watershed management is a long-term project, members of the St. Mary Lake Watershed Working Group have no formal commitments to work together over the long term.

It is anticipated that, with the delegated powers, the SSILTC may play a larger role and participate in a broader range of coordination activities, provided the other agencies agree with this approach. This could make it easier for the St. Mary Lake Watershed Working Group to hold meetings, consult with the public, obtain grant funds for scientific studies, use the services of a coordinator, develop a watershed management strategy or contribute to education and incentives aimed at water management and conservation.

Are the other participants of the St. Mary Lake Watershed Working Group in agreement with this approach?

At its last meeting, members of the St. Mary Lake Watershed Working Group indicated an informal consensus that the SSILTC should play a coordinating role in the group's activities.

Several members of the group have provided letters confirming their support (see Appendix 6). If Trust Council delegates coordination powers to the SSILTC, a more formal written agreement by all St. Mary Lake Watershed Working Group participants about the role of the SSILTC would eventually be necessary.

If Trust Council adopts a delegation bylaw, what are the next steps for the SSILTC?

If Trust Council adopts a delegation bylaw, the SSILTC can then take steps to seek formal coordination agreements with the agencies that can influence water quality and quantity on Salt Spring Island. For example, in regards to St. Mary Lake, it could seek formal agreements and commitments from other agencies to work together to solve problems in the watershed, to contribute funds and to use their jurisdiction in a coordinated manner. The various agencies may wish to formalize their agreement about the terms of reference for the St. Mary Lake Watershed Working Group and assign the SSILTC a coordinating role. The agencies could formalize a long-term commitment to participate in and provide funding to the St. Mary Lake Watershed Working Group. They could adopt a strategy to undertake further research, to identify the best course of action to improve water quality, consult with the public, and undertake various actions to improve water quality. Diagram 2 illustrates some of the primary steps that are anticipated at this time, although Steps 2 and 3 may occur concurrently:



Diagram 2 – Overview of ‘Next Steps’ if Trust Council adopts draft Bylaw 154

Appendix 3
Initial Identification of Consequential Policy Amendments related to
Draft Trust Council Bylaw 154 – May 23, 2013
(Delegation of powers to assist in the preservation and protection of water resources in the
Salt Spring Island Local Trust Area)

Policy No.	Policy Name	Purpose of Policy	Nature of Potential Amendments	Extent of Potential Amendments related to draft Bylaw 154	Comments
2.1.iv	Coordination Agreement Process	Guides the process through which Islands Trust bodies enter into coordination agreements with other agencies	Amend to reflect that an LTC could enter into protocol agreements under s. 9 of the <i>Islands Trust Act</i> , where Trust Council has delegated this authority to it	Minor	Some minor housekeeping amendments could be made at the same time, if desired.
4.1.vi	LTC Guidelines for Authorizing Decisions	Provides guidelines for LTC decisions, indicating whether they must be made by bylaw or resolution	Review to determine if the guidelines should be applied to any new types of decisions, related to delegated powers	Minor	These guidelines are out-of-date, so a review may bring to light other amendments that should be considered in order to update them.
4.1.viii	LTC Local Expense Accounts	Defines procedures for planning, accounting and administration of LTC Local Expense funds.	Determine if amendments are necessary to reflect potential expenditures related to delegated powers	Minor	This policy has already been identified for other amendments which could be accomplished at the same time.
5.9.i	Best Management Practices for Delivery of Local Planning Services to LTCs	Guides LTC use of local planning staff in relation to their responsibilities for land use planning and regulation	Where Trust Council has delegated additional powers to an LTC, provide for the use of staff resources in regards to those powers	Medium	
6.3.ii	Special Property Tax Requisition	Guides the process by which an LTC can request a special property tax requisition for 'additional operations'.	Reflect sections of draft Bylaw 154 that indicate costs related to delegated powers will always be recovered through a special property tax requisition	Medium	Need to determine if \$5000 should remain the minimum amount that would be subject to

Policy No.	Policy Name	Purpose of Policy	Nature of Potential Amendments	Extent of Potential Amendments related to draft Bylaw 154	Comments
					a special property tax requisition
6.5.i	General Revenue Fund Surplus Policy	Establishes a framework for managing annual year end surplus	Ensure consistency with s. 6 of Policy 6.3.ii, so that funds acquired through special property tax requisition in one LTA cannot be transferred to another LTC	Minor	
6.5.ii	Budget Control and Adjustment Authority	Guides the process for periodic adjustments to the approved annual operating budget	Ensure consistency with s. 6 of Policy 6.3.ii, so that any unspent funds acquired through special property tax requisition in one LTA are retained for the use of the relevant LTC	Minor	
6.10.iii	Advocacy Policy	Guides advocacy activities of Islands Trust bodies	Where Trust Council has delegated formal advocacy authority to an LTC, ensure this is reflected in the policy.	Medium	

Appendix 4
Schedule to Coordinate Development of a Draft Trust Council Bylaw to
Delegate Powers to the Salt Spring Island Local Trust Committee related to the
Preservation and Protection of Water Resources
May 23, 2013

(Note: See lists of acronyms and initials at end of document)

Shaded text illustrates potential steps for further definition that are dependent upon further decisions of the Islands Trust Council
Italicized text indicates tasks of the SMLWWG that are not directly related to bylaw development

Date	What	Who	Status/Comments
Mar 6	Trust Council direction to draft bylaw delegating broader roles from Trust Council to SSI Local Trust Committee		Complete. Directs limited delegation of powers
Mar 11	Informal telephone discussion re logistics of a proposed bylaw development schedule	GG, PG, LA, LH, JS	Complete.
Mar 14	Finalize initial draft bylaw development schedule for consideration/endorsement at Executive Committee (EC) March 19 and SSILTC March 21	LA	Complete
Mar 15	<i>SMLWWG meeting – introduce delegation bylaw concept and potential schedule for development. Roundtable re SMLWWG scope of work.</i> <i>Forward comments on bylaw concept, if any, to SSILTC and EC.</i>	LA/JS	Complete. Comments indicate general consensus in support of SSILTC coordination of SMLWWG.
Mar 19	EC meeting – consider/endorse proposed schedule for bylaw development and identify TC policy amendments	LA	Complete. Schedule amended in accordance with EC resolution. CC'd to LG re TPC meeting agenda
Mar 21	SSILTC meeting – consider/endorse proposed schedule for delegation bylaw development.	LA/LH(JS)	Complete
Before Apr 4	Initial legal and advice re delegation bylaw Seek advice from lawyers re new liability issues, if any Research re funding opportunities in accord with potential scope of work	LA SS/JS	Complete
Before April 4	Prepare first draft of delegation bylaw for SSILTC comment on Apr 11 and EC comment on Apr 22/23	LA w/ LH(JS)	Complete
Apr 11	SSILTC meeting – comment on first draft of delegation bylaw	LH(JS)	Complete. SSILTC resolution in support of bylaw
Apr 11-18	<i>SMLWWG meeting – confirm scope of work, review budgets and grants, confirm Terms of Reference,</i> <i>Seek written confirmation of support for delegation bylaw concept/SSILTC coordination role from agencies represented on SMLWWG</i>	LH/JS	<i>Once meeting minutes of Mar 15 are adopted, provide to EC for info.</i>
April 17	EC agenda deadline for Apr 22-23 meeting – prepare briefing	LA	Complete

Date	What	Who	Status/Comments
	for first draft of delegation bylaw and ID of policies for potential amendments		
Apr 22-23	EC meeting – comment on first draft of delegation bylaw and identification of policies for potential amendments	LA	Complete. No questions or proposed amendments
Apr 23-May 2	Seek further legal advice, if necessary	LA	Not necessary
May 2	SSILTC meeting – comment on second draft of delegation bylaw.	LH(JS)	Not necessary
	SSILTC meeting -- consider potential water management scope of work	LH(JS)	Project charter adopted
May 2	EC agenda deadline for May 7 meeting – prepare second draft of delegation bylaw, if necessary, and identification of policies for potential amendment	LA w/LH(JS)	Not necessary
May 3	TPC agenda deadline for May 13 meeting – include most recent draft of delegation bylaw, identification of policies for potential amendment and first draft of RFD	LA (w/LG)	Complete
May 7	EC meeting – identification of policies for potential amendment and comment on second draft of delegation bylaw, if necessary	LA	Not necessary
May 13	TPC meeting – comment on draft RFD, identification of policies for potential amendment and most recent draft of delegation bylaw	LA/LG	Complete. TPC recommends adoption of draft Bylaw 154 as presented and identifies some points for clarification in the RFD.
May 16	SSILTC agenda deadline for May 23 meeting – Finalize RFD, most recent draft of bylaw and policies for potential amendment	LA	Complete
May 23	SSILTC meeting – comment on RFD, most recent draft of delegation bylaw and identification of policies for potential amendment	LH/JS	Complete.
	EC agenda deadline for May 28 meeting – Incorporate comments of TPC and SSILTC into draft RFD package	LA	Complete.
May 24	<i>SMLWWG meeting to review draft terms of reference and receive update regarding Bylaw 154. Forward comments, if any, to EC</i>	LA w/LH(JS)	Complete
May 28	EC meeting - forward RFD and final draft bylaw and identification of policies for amendment to TC	LA	Complete
June 12	TC meeting - consider first three readings and request further work to amend policies as identified	LA	
June 13	News release re delegation bylaw	LG w/LA/LH	
June 12-30	TC – consider 4 th reading by RWM (alternatively, could agree to consider 4 th reading of bylaw after specified conditions had been met. Such conditions should be clearly specified by resolution)	LA	
June 20	SSILTC meeting – initiate scoping/work program/resource needs regarding delegated powers	LH(JS)	
June – Aug	Applications for funding assistance (e.g. for a coordinator)	LH/JS/SS	

Date	What	Who	Status/Comments
July – Aug	Development of recommendations re TC policy amendment	LA	
<i>July - Aug</i>	<i>SMLWWG/SSILTC – further development of work program re delegated powers - TBD</i>	<i>LH(JS)</i>	
Sept - March	<i>SMLWWG scope of work implemented pending partner agency funding agreements</i>	<i>LH/JS</i>	
July-Aug	Circulate draft policy amendments to EC and SSILTC for comment	LA	
Sept	TC consideration of recommended policy amendments SSILTC – initial identification of work that may be considered ‘additional operations’ – to be funded by special levy in the Salt Spring Island Local Trust Area	LA LH(JS)/CS/ DM	
Sept to Dec	SSILTC and FPC consideration/discussions of SSILTC proposals re ‘additional operations’ -- to be funded by special levy in the Salt Spring Island Local Trust Area	LH(JS)/CS/ DM	
Dec	TC consideration of ‘additional operations – to be funded by special levy in the Salt Spring Island Local Trust Area	LH(JS)/CS/ DM	
Jan	SSILTC passes resolution to propose a special property tax levy in the Salt Spring Island Local Trust Area to fund ‘additional operations’	LH(JS)/CS/ DM	
Feb	SSILTC public consultation on special property tax levy proposal	LH(JS)/CS/ DM/LG	
Feb	SSILTC RFD to TC proposing special property tax levy	LH(JS)/CS/ DM/LG	
Mar 2014	TC budget – potentially to include special property tax levy within the Salt Spring Island Local Trust Area for SMLWWG work	LH(JS)/CS/ DM	

Acronyms:

EC = Islands Trust Executive Committee
FPC = Islands Trust Financial Planning Committee
SSILTC = Salt Spring Island Local Trust Committee
SMLWWG = St. Mary Lake Watershed Working Group
RFD = Request for Decision
RWM = Resolution without Meeting
TBD = to be determined
TC = Islands Trust Council

Initials:

CS = Director *Cindy Shelest*
GG = Trustee *George Grams*
JS = Island Planner *Justine Stark*
LA = Chief Administrative Officer *Linda Adams*
LG = Director *Lisa Gordon*
LH = Regional Planning Manager *Leah Hartley*
PG = Trustee *Peter Grove*
SS = Fundraising Specialist *Sonya Sundberg*

Appendix 5

Salt Spring Island Local Trust Committee

Project Charter: Salt Spring Island Watershed Management

Creation Date: April 25, 2013

Last Updated: April 30, 2013

Version: 1.0

Adopted by Salt Spring Island Local Trust Committee: May 2, 2013

Purpose

This project will improve watershed management on Salt Spring Island and assist the Salt Spring Island Local Trust Committee in considering land use planning tools that will improve the health of the St. Mary Lake Watershed. This project involves participating in the St Mary Lake Watershed Working Group and collaborating with a number of different agencies that have a responsibility for ecosystem functioning and potable water supply.

Background

In 2012, the Salt Spring Island Local Trust Committee (LTC) identified watershed management on Salt Spring Island as one of its top priorities. Currently, the focus of this project is trustee participation in the “St. Mary Lake Watershed Working Group,” (SMLWWG) in order to support the LTC’s land use planning role in watershed management and help improve St. Mary Lake water quality.

This project is also reflected in the Islands Trust Council 2011-2014 Strategic Plan Objective 3.3: “Use land use planning tools and decisions to protect water quality and quantity,” and Strategic Plan Objective 3.4: “Explore alternative tools for improving watershed management.”

The St. Mary Lake Watershed Working Group was formed in 2012, initially in response to severe water quality problems in St. Mary Lake on Salt Spring Island. Its aim is to find solutions and develop an action plan to address the eutrophication of St. Mary Lake, but it also has the goal of potentially turning its attention to other watersheds on Salt Spring Island. Currently, the SMLWWG is an informal group including representatives from agencies that have responsibility for water management, environment, land use planning, public health, and the delivery of potable drinking water. The Salt Spring Island Local Trust Committee has requested Trust Council to delegate certain powers to enable it to take a leadership role in coordinating the multiple agencies involved in the SMLWWG, in order to make the group more effective in addressing watershed management and improving the water quality of the lake.

Project Objectives

- Participate in the St. Mary Lake Watershed Working Group’s establishment, with the objective of developing and implementing land use planning tools that will improve watershed health

- Request the delegation of authority from Trust Council to enable LTC coordination of multiple agencies aimed at improving watershed health and drinking water quality.
- If Trust Council delegates authority, the LTC will take a leadership role in formalizing the St. Mary Lake Watershed Working Group as a “watershed board,” (similar to the Cowichan Watershed Board), resourced by the participating agencies and supported by a Technical Advisory Committee, to remedy the water quality issues in St. Mary Lake (most likely by updating and implementing the St. Mary Lake Watershed Management Plan).

Project Scope

In Scope	Out of LTC Scope
<ul style="list-style-type: none"> • Help establish the St. Mary Lake Watershed Working Group to support the consideration and implementation of land use planning tools that may improve St. Mary Lake Water Quality • Have authorities delegated from Trust Council or formalize relationship between LTC and the Working Group • With delegated authorities, enter into cooperation agreements with other agencies that would formalize the St. Mary Lake Watershed Working Group as a multi-agency board that is capable of updating and implementing the St. Mary Lake Watershed Management Plan and improving the water quality of St. Mary Lake. 	<ul style="list-style-type: none"> • Carrying out capital works or the implementation of other agencies’ policies • Working to 2013/14 to improve the health of other watersheds on Salt Spring Island (although this is a long term goal of the St. Mary Lake Watershed Working Group and the OCP) • Advocating on broad provincial policy that is not specific to management of the St Mary Lake Watershed or the water quality of St. Mary Lake.

Project Deliverables

In the absence of delegated authority, the main deliverable would be an updated St. Mary Lake Watershed Management Plan that has involved a multi-agency planning process and clearly assesses how and to what degree land use planning and regulatory tools could help improve the health of the watershed and improve the water quality of the lake.

With delegated powers, the main deliverable is the implementation of an updated St. Mary Lake Watershed Management Plan, as well as the creation of a sustainable “St. Mary Lake Watershed Working Group” or Salt Spring Island Watershed Board that can provide adequately resourced, coordinated and collaborative leadership between different agencies over the long term, ensuring high drinking water quality and ecologically sound watershed management.

Project Timeline

<i>Milestone</i>	<i>Target Completion Date</i>	<i>Requires Delegated Authority</i>
With TC authorities delegated in June 2013, the LTC can take a leadership role in formalizing the SMLWWG structure and its adoption of coordination agreements and a Terms of Reference. For example, the coordination agreements could delegate overall administration of the SMLWWG to the LTC for the purposes of facilitating meeting logistics, entering into contracts, etc.	August 2013	✓
Contribute resources towards formalizing the SMLWWG	July 2013	✓
With the SMLWWG, appoint a Technical Advisory Committee to assist in	September 2013	

reviewing technical basis of St Mary Lake Watershed Management Plan and evaluating and implementing solutions.		
Contribute resources/ issue RFP to engage a consultant to assist Technical Advisory Committee with the Technical Review.	Technical Review: October 2013 – December 2013	Depends on what degree regulatory tools are assessed by the consultant.
Participate in SMLWWGs presentation of results of Technical Review in a Community Information Meeting	January 2014	
Participate in the SMLWWG's selection of a Public Advisory Committee made up of stakeholders to participate in process	January 2014	
Contribute resources/issue an RFP to engage a consultant that can facilitate a structured decision making process to update the St. Mary Lake Watershed Management Plan.	January 2014	
Conduct a structured decision making process to update the St. Mary Lake Watershed Management Plan, based on active participation by the Technical Advisory Committee, the Public Advisory Committee, and the St. Mary Lake Watershed Working Group	February - July 2014	
Consider the use of land use planning tools to reach the objectives of the updated St. Mary Lake Watershed Management Plan	September 2014	
Adoption of preferred land use bylaw or OCP amendments based on outcome of processes above.	November 2014 and beyond.	
Negotiate Protocol Agreements or Memorandums of Understanding between representative agencies of the St Mary Lake Working Group in order to implement recommendations of the updated St Mary Lake Watershed Management Plan	October 2014	✓
Coordinate an inter-agency policy response if needed	December 2014	✓
Coordinate implementation of plan's recommendations to be carried out by the agencies with authority to act.	January 2015 and beyond	✓

Stakeholders

Technical Advisory Committee

The St. Mary Lake Watershed Working Group would like to strike a Technical Advisory Committee to objectively assess research to date, identify gaps in the information, and research solutions. Initially, membership of the TAC could include individuals designated by the organizations/interests represented on the St. Mary Lake Watershed Working Group. Additional individuals representing other organizations/interests could also become members at the recommendation of the SMLWWG. Committee membership should be voluntary, and committee members could designate alternates to assist them.

Public Advisory Committee

Rather than including stakeholders in its Technical Advisory Committee it is suggested that the St. Mary Lake Watershed Working Group strike a Public Advisory Committee (PAC). The role of the PAC would be to participate in the structured decision making process and provide input into the planning and implementation of an updated St. Mary Lake Watershed Management Plan. Membership on the PAC would include a broad range of community interests, including lakeside property owners, watershed stewardship groups, septic installers, etc.

First Nations

As with all LTC projects, First Nations with asserted aboriginal rights in the subject area will be contacted early to inform them of the project and ask them to identify any aboriginal rights that may be impacted by the work.

Project Budget:

- Note that budget as proposed includes the anticipated costs to formalize the SMLWWG and update the St. Mary Lake Watershed Management Plan as proposed by the St. Mary Lake Watershed Working Group. Revenue is expected to be generated through a combination of grants, contributions from other agencies, and LTC funding.

Item	Details	\$2013-14	2014-15 ¹
Communications	<ul style="list-style-type: none"> Letters to Editor with Updates (no cost) Advertising costs to invite participation in TAC or PASC Ads for Community Information Meeting to present results of SDM and updated St. Mary Lake Plan Ads for Community Information Meetings Associated with Possible Bylaw Amendments 	\$1500	\$2000
Meetings	<ul style="list-style-type: none"> LTC support of monthly SMLWWG meetings could include minute takers and venue rental These costs will likely be shared by others 	\$1050	\$1050
Update of St Mary Lake Watershed Management Plan	<ul style="list-style-type: none"> Uses a Structured Decision Making Process May include contributions to a consultant for the technical review May include mapping Costs to be shared by other agencies; Actual cost for LTC in 2014-15 is therefore unable to be estimated. 	\$10 000	\$40 000
Public Hearing	<ul style="list-style-type: none"> For possible Bylaw Amendments 		\$1000
Formalizing SMLWWG (W/ delegated authority)	<ul style="list-style-type: none"> Creation of a ToR for SMLWWG, TAC, PAC Possible consulting services to ensure best governance model Contribution to SMLWWG Coordinator 	\$5 000	TBD
Total	without Delegated Authority	\$12 550	TBD
Total	with Delegated Authority	\$17 550	TBD

¹ Preliminary Estimates

Project Team Resources

Name	Role	Responsibility
<i>Leah Hartley, RPM Linda Adams, CAO</i>	<i>Project Champion</i>	Ensures project aligns with strategic goals, provide adequate project resources CAO role is temporary and related to facilitating consideration of delegation bylaw by Trust Council.
<i>SSI Local Trust Committee</i>	<i>Project Sponsor</i>	Provides support through maintaining the project as a work program priority
<i>Justine Starke</i>	<i>Project Manager</i>	All project management of the project, lead/ direct all project work
	<i>Planner</i>	<i>Possible resource planning consultant services to supplement implementation efforts.</i>
	<i>Advisor/Consultant</i>	
	<i>GIS Support</i>	<i>In house, Islands Trust and CRD</i>
	<i>Admin support</i>	<i>Proposed contract assistance to support meeting requirements such as minutes and webposting.</i>

Endorsements:

Name		Endorsement Date
Project Champion	Leah Hartley/Linda Adams	April 30, 2013
Project Manager	Justine Starke	April 30, 2013
Project Sponsor	SSI Local Trust Committee	May 2, 2013

Appendix 6

Correspondence related to Trust Council Draft Bylaw 154

Section 6.1 Correspondence from members of the St. Mary Lake Watershed Working Group

- **Capital Regional District**
- **Fernwood, Highland and Highland-Maliview Waterworks**
- **North Salt Spring Waterworks**

Section 6.2 Correspondence from members of the public

- **Wayne Hewitt**
- **John Sprague**



Making a difference...together

SaltSpring Island

#5-105 Rainbow Road

T: 250.538.0009

SaltSpring Island, BC, Canada V8K 2V5 www.crd.bc.ca

April 19, 2013

Ms. Sheila Malcolmson
Chair, Islands Trust Council
200-1627 Fort St.
Victoria, BC
V8R 1H8

Dear Chair Malcolmson,

As you are aware, the deteriorating water quality of St. Mary Lake on Salt Spring Island has an impact on the community's health, recreation and economy. While many of the problems have been identified for decades, little action has been taken. Trustee Grams and I brainstormed a number of options and felt it was essential that the right resources must be at the table if any realistic plan is to be developed and action taken. The right team is now in place and a number of options for coordination were identified, one being delegation of authority from Trust Council to the Salt Spring Island Local Trust Committee.

While not the only option, it is felt it will improve the ability of the SSILTC to take a leadership role in coordinating a multi-jurisdictional approach to effectively address the complexities of watershed management on Salt Spring Island. This approach has been discussed with CRD senior staff in both the integrated water and environmental services departments, who have assigned staff to the St. Mary Watershed Working Group and will support any coordination resulting from a delegation of authority, as well as providing coordination options should that be required.

It is understood that, if passed as currently drafted, the delegation bylaw would not empower the Salt Spring Island Local Trust Committee to carry out or direct the work of other agencies. However, the bylaw would enable a coordinated policy response which would be of great value in addressing issues that are complex and multi-jurisdictional such as SSI watershed management. It also recognizes that an "all hands on deck" approach would enable the Salt Spring Island Local Trust Committee to coordinate the other agencies with a mandate to address water and watershed issues.

As a member organization in the St. Mary Lake Working Group, the Capital Regional District can offer its experience and expertise, and is willing to play an active role in addressing the issues. However, the potential of the St. Mary Lake Working Group to develop and implement locally driven solutions would be greatly improved if the SSI LTC had delegated powers and could direct a collaborative approach in addressing the St. Mary Lake water quality crisis.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Wayne McIntyre', is written over a blue wavy line.

Wayne McIntyre
Electoral Area Director, Salt Spring Island



April 22, 2013

Ms. S. Malcolmson
Chair, Islands Trust Council
Islands Trust
200-1627 Fort Street
Victoria, B.C. V8R 1H8

Ms. Malcolmson,

We support the proposal to transfer decision making power to the Salt Spring Local Trust Council, specifically those powers regarding the rehabilitation of the island lakes.

This rehabilitation will be a major undertaking thus local management is essential.

Sincerely,

Lorrie Hunt, Chair, Fernwood Water

Eli Trory, Fernwood Water

Peter Lake, Fernwood Water

Sharon Bywater, Chair, Highland Water

Ann Heeley-Ray, Highland Water

Carol Newmeyer, Highland Maliview Water



April 16, 2013

Sheila Malcolmson
Chair, Islands Trust Council
Islands Trust
200 – 1627 Fort St.
Victoria, BC V8R 1H8

Re: Delegated Powers

Dear Ms. Malcolmson:

Further to our letter of April 3rd, please be advised that our Board wishes to support the proposal for the Islands Trust Council to delegate authority to the Salt Spring Island Local Trust Committee in order that the Salt Spring Island Local Trust Committee can take a leadership role in coordinating the watershed management of St. Mary Lake. We expect that all proposals and recommendations for the decisions would come from the Salt Spring Island Watershed Working Group.

NSSWD is interested in and supportive of this group; and we presently have a representative as a member of the working group.

Although our primary interest and mandate is in providing adequate quantities of high quality water to our customers, we also have a continuing interest in St. Mary Lake, as it is the source of more than half of the water we provide. The problems facing St. Mary Lake are difficult, but we have confidence in the Working Group.

If you have any questions or require further information from me I can be reached at the phone number or email address below.

Sincerely,

Denis Russell
Chair, Board of Trustees

March 25, 2013

Sheila Malcolmson
Chair, Islands Trust Council
200-1627 Fort St.
Victoria, BC
V8R 1H8

Dear Ms. Sheila Malcolmson;

The passage of the bylaw to Delegate Specific Trust Council Powers to the Salt Spring Island Local Trust Committee (SSILTC) is very important for the protection of water on Salt Spring Island. Please pass this bylaw, as soon as possible.

The passage of this bylaw is important for the following reasons. More than 20 years ago the staff in the provincial government explained that it was up to the community of Salt Spring Island to protect our surface and ground water. They no longer have the necessary staff, travel time or budget to do the necessary work to protect the watersheds, the drinking water lakes and the ground water.

Lake stewardship groups were formed under the guidance of the Ministry of Environment for Cusheon and St Mary Lake. The volunteer Cusheon Lake Stewardship Committee even became a member of the BC Lakes Stewardship Society to access their resources and solicit help. Unfortunately, the intensity and frequency of the cyanobacterial blooms have increased, especially in St. Mary Lake. This has resulted in high levels of harmful toxins to be released into the water and is a serious health risk.

In 2001, we were optimistic when the BC Provincial Government passed the Drinking Water Protection Act and Regulation. Unfortunately, it was not written to protect the source water but more for water treatment in reaction to the 2000 Walkerton crisis.

In 2009 the Living Water Smart Plan (LWSP) : B.C.'s Water Plan was introduced and again volunteers were hopeful. "Living water Smart is the B.C Government's plan to keep our water healthy and secure for the future."

"Starting at the source is the most cost effective way to ensure safe clean drinking water comes out of our taps.

The Plan (LWSP) has not resulted in a positive benefit to SSI in regards to working on the protection of our source water. The Vancouver Island Health Authority (VIHA) passed on the responsibility to the water districts to take samples of the raw and treated and ship to an approved lab for testing. The lab test results are provided to VIHA but unfortunately for many reasons not enough attention is given to the results.

Ex. In May 2012, it took a reporter from the Gulf Islands Driftwood newspaper to ask VIHA about the very high toxin levels in St. Mary Lake. It was well above the recreation guideline of 20 micrograms per litre. VIHA staff then reacted by issuing a Precautionary Recreational Use and Swimming Advisory. They also posted a sign at St. Mary Lake.

It was recently discovered that in Feb. 2012 that Cusheon Lake's raw water had a total microcystin level was 13.57 micrograms per litre. The Health Canada guideline is 1.5 micrograms per litre. Since the residents were unaware of the health risk, no precautionary measures were taken.

Since, the 2007 Cusheon Watershed Management Plan (CLWMP) and the 2009 St Mary Lake Management Plan were written without a BC Government Ministerial Order, the Ministry of Health continues to ignore implementation of both plans.

In 2008, the Cusheon Lake Stewardship Committee persistently tried to register the CWMP under the Drinking Water Protection Act and Regulation. After receiving many excuses from the Ministry of Health, we tried to convince the Premier and the Deputy Premier of the importance and necessity of registering the watershed plan. This was also unsuccessful.

Salt Spring Island economy is largely tourism based and will suffer greatly if the water quality continues to deteriorate and become a province wide news story.

The recent test results of the raw water from St. Mary Lake show the microcystin level is above the recreation guidelines. On March 8, 2013 VIHA recently issued a new precautionary recreational health notice.

I was surprised and disappointed to learn about the slow progress in moving this bylaw forward at the March 2013 Trust Council meeting. I hope after reading this letter you will reconsider and pass this bylaw at the next Trust Council meeting. The LTC needs all and any tools available to move forward in the goal of protecting and improving the water quality of Salt Spring Island lakes.

Please feel free to call me if you have any questions or require more information.

Sincerely,

Wayne Hewitt
490 Horel Road
Salt Spring Island, BC
V8K2C6
Phone # 250-537-1518

SPRAGUE ASSOCIATES LTD

474 Old Scott Road, Salt Spring Island, B.C. V8K 2L7 Canada
Telephone: (250) 537 - 0760 sssprague@shaw.ca

Water pollution biology, environmental toxicology

2013.March.14

Sheila Malcolmson
Chair, Islands Trust Council
Islands Trust
200 - 1627 Fort St
Victoria, BC V8R 1H8

Ms. Malcolmson,

This is a letter of support for the proposal to transfer specific decision-making abilities to the Salt Spring Local Trust Council. It was a disappointment that this proposal was not approved at the recent meeting of Council.

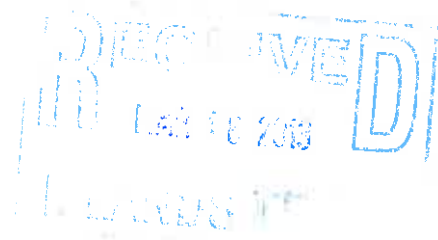
Such a transfer of limited authority could allow the LTC to initiate actions for protecting and improving water quality in the island's lakes, especially St. Mary and Cusheon Lakes. From experience elsewhere, such protection of lakes and their watersheds is best accomplished by some local or district authority which has power to act. The LTC would be a logical agency for Salt Spring.

As a person who has donated appreciable volunteer man-years towards protection of local water resources, I hope that the proposal for transfer of limited authority will meet with success in the near future. For St. Mary Lake in particular, early action is badly needed.

Yours,



John B. Sprague, Ph.D.





Islands Trust Council Plan for Continuous Learning 2011-2014

(What other topics would trustees like to propose?)

2013-05-28

Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2013	Webinar Sessions	New Website Orientation		Northern and Southern Team Meetings	
	June (Mayne)	Carbon Neutral Policy		<i>Making Difficult Decisions</i>	Working with San Juan County
	Sept (Lasqueti)	Advocacy Policy	Freedom of Information and Protection of Privacy Refresher on administrative fairness in application processes	Good Planning Practice	New Worksafe BC regulations – ensuring an harassment-free workplace
	Dec (Victoria)	Draft 2014/15 Budget Session		Good Planning Practice	Electoral Area Directors re Economic Development
2014	Mar	Annual Budget Session		Good Planning Practice	
	June				San Juan County
	Sept	Election period best practices			
	Nov (Victoria)	Orientation	Orientation	Orientation	Orientation

SESSIONS/ITEMS COMPLETED IN 2011-14 TERM

Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2013	Mar (Thetis)	Annual Budget Session	Legal Session Conflict of Interest		Working with the Islands Trust Fund
2012	Dec (Salt Spring)	Draft Budget Session		Greenshores for Homes re Shoreline Mapping	Introduction to the Agricultural Land Commission
	Sept (Bowen)	Strategic Planning Oil Spill Response	Refresher on Standards of Conduct and Administrative Fairness	Good Planning Practice Best practices in public engagement	Bowen Island Municipality
	June (Penders)	Strategic Planning	Intro to Indemnification		First Nations San Juan County
	Mar (Gabriola)	Annual Budget Session Initial Strategic Planning Session	Standards of Conduct and Indemnification	Community Planning 101 (for new trustees)	
2011	Dec (Victoria)	Orientation to Trust Area Services Orientation to Administrative and Financial Services Orientation to budget and budget process	'Staying out of Trouble' Session	Orientation to Local Planning Services	Making Fair Decisions Islands Trust Human Resources

Potential topics/agency liaison for consideration in 2011-14 term:

- Using Special Tax Requisitions
- Introduction to UBCM
- Coastal Douglas Fir Zone Conservation Action Plan (Trustee Pottle suggestion)
- Effective Advocacy (Trustee Steeves suggestion) / advocacy policy
- Dealing with difficult people (Trustee Busheikin suggestion)
- Dispute Resolution for planners and trustees (Trustee Grove suggestion)
- Introduction to the Climate Action Charter
- Effective Conservation Covenants
- Private Managed Forests Council
- BC Assessment Authority
- Ministry of Transportation
- Local GHG Emissions Inventory (e.g. Lasqueti Island)
- Advocacy and Media Relations
- Succession Planning and Staff Retention
- Soil Removal
- Using Social Media

SESSIONS/ITEMS COMPLETED in 2008 – 2011 TERM					
Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2008	December (Victoria)	Intro to Budget Session Initial Strategic Discussion	General Orientation Governance (G. Cuff)	General Orientation	General Orientation
2009	Mar (Gabriola)	Annual Budget Session	Strategic Planning Legal Session	Intro to land use planning	
	June (North Pender)		Procedural Fairness	Introduction to land use planning – part 2	Farm Industry Review Bd San Juan County
	September (Mayne)	Climate Change – GHG Emission Reduction Targets		GHG Emission Reduction – planning policies actions	
	December (Salt Spring)	Intro Budget Session History of the Trust Strategic Plan Update	Litigation 101	Community Housing Task Force Update Bill 27 Update	Trust Fund Board
2010	March (Hornby)	Strategic Plan Review Annual Budget Session	Update regarding court case	Community Housing Task Force Report Bill 27 Update	San Juan County Parks Canada
	June (Saturna)	Marine Shipping Safety	Refresher on Orientation Topics	Refresher on Temporary Use Permits	
	Sept (Bowen)	Strategic Plan Update and Review		Food Security through Land Use Planning Riparian Area Regs - the Perspective of a QEP	Bowen Island Council
	Dec (Victoria)	Intro Budget Session Strategic Plan Update		Good Planning Practice (Randall Arendt)	Regional Conservation Plan (TFB) GINPR (southern trustees)
2011	March (Galiano)	Annual Budget Session		MAP IT demo Implementing the Regional Conservation Plan with LTCs	
	June (Denman)	Conservation Offsets	Operational Carbon Neutrality and Offsets	Rural By Design Practical examples	Liaison with Electoral Area Director – Cortes Strathcona RD
	Sept (Salt Spring)	Term & Strategic Plan Review Advice to Incoming Council	Elections Period Best Practice		San Juan County



Islands Trust

Preserving Island
communities, culture
and environment

Our Provincial Mandate

"to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia"

– Islands Trust Act

Islands Trust Council — Strategic Plan 2011-2014

Adopted September 12, 2012 – updated to May 28, 2013

The Trust Area

The Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island, including Howe Sound and as far north as Comox. This is a unique and special place composed of 13 major islands and more than 450 smaller islands covering approximately 5200 square kilometres.

The beauty, tranquility, and sometimes fragile natural environment of the islands in the Strait of Georgia and Howe Sound, characterized by an exceptional variety of species, have given the area national recognition.

The islands support strong communities characterized by a mix of lifestyles, livelihoods and individuals. Island residents bring unique skills, viewpoints and sense of place together to sustain a tradition of community involvement.

Our Council

The Islands Trust Council has a unique mandate from the province to preserve and protect the amenities and environment of the Islands Trust Area, for the benefit of residents and all British Columbians. It meets quarterly to make decisions about the Islands Trust's overall policy, advocacy positions, staff resources and budget. Trust Council is made up of the 26 locally-elected trustees who also sit on 12 local trust committees and one island municipality. There they have responsibilities for land use planning and regulatory decisions that are separate from their role at the Islands Trust Council. The current Council was elected for a 3-year term during BC Local General Elections in November 2011. Trustee terms will end in November 2014.

A Strategic Plan for the 2011-2014 term

The Islands Trust Policy Statement is partially implemented through Council's strategic plan. By identifying goals and developing a plan to achieve them, Council focuses finite resources and measures progress. After extensive review and public input, Trust Council has confirmed the following focus areas for its 2011-2014 term:

Goal A - Ecosystem Preservation and Protection

The Islands Trust will work to protect the natural environment of islands by:

- Encouraging and enabling islanders in voluntary stewardship actions that protect special areas, including the shoreline
- Working to protect fish habitat under BC's Riparian Areas Regulation
- Protecting special ecosystems, managing shoreline areas and reducing greenhouse gas emissions when land use decisions are made
- Advocating for new approaches to oil spill preparedness, derelict vessels, industrial developments, aquaculture, marine sewage and national marine conservation

Goal B – Stewardship of Island Resources

The Islands Trust will focus on good management of island water resources by:

- Encouraging voluntary stewardship, advocating for legislative reform and exploring creative solutions for watershed management
- Using land use planning tools and decisions to protect the quality and quantity of water resources

Goal C – Sustain Island Character and Healthy Communities

The Islands Trust will work to enhance the economic sustainability and security of island communities by:

- Creating linkages between islanders and regional districts to share effective economic development models
- Continuing to advocate for sustainable, affordable and appropriate ferry services
- Using land use planning tools and decisions to positively affect housing affordability, food security and farmland protection

Goal D – In Cooperation with Others

The Islands Trust will work with others by:

- Strengthening relations with the many First Nations who have interests in island land use decisions
- Continually working to improve our organizational effectiveness



Luella Adams 91

Shaded text=activities primarily achieved in prior fiscal years or proposed for future fiscal years and subject to future budget decisions;
 Italics=changes since last Trust Council meeting

Policy Statement Goal A: Ecosystem Preservation and Protection...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
1 PROTECT the natural environment of islands	1.1 Encourage voluntary stewardship of natural environment	<u>FY 2011/12- 2014/15</u> 1.1.1 Promote community participation in conservation through information sharing and education about private land stewardship options	TFB	Subject to funding in annual budgets or grant funding	By whether the Islands Trust Fund is actively promoting its conservation programs at community events, in publications and online	Ongoing
		<u>FY 2012/13 – 2013/14</u> 1.1.2 Share information about best practices for covenants and NAPTEP with all planning staff	TFB	Funded by base budget	By whether planners have been provided with covenant education opportunities and whether information is available through the Islands Trust Fund website	Website information <i>complete</i> , ITF staff planning to present information at an LPS Pro D day
		<u>FY 2012/13 – 2014/15</u> 1.1.3 Improve and update mapping of natural and modified environments, including terrestrial ecosystem mapping, protected area networks, nearshore mapping and areas under sustainable forestry or sustainable agricultural use.	TFB	<i>Funded by program budget in 2013/14 \$22K for eelgrass mapping; \$10K for forage fish mapping</i> Further work subject to 2014/15 budget \$22K for eelgrass mapping; 10K for forage fish mapping	By whether maps of natural and modified environments are available to LTC's and BIM, RDs, local conservancies and other partners	Budget approved for 2013/14 Draft Protected Area Network mapping available; <i>eelgrass mapping completed for Gambier, Thetis, Thetis associated islands (except Valdes) Lasqueti, North Pender, South Pender and Mayne and forage fish habitat mapping completed for North and South Pender; additional nearshore mapping in progress</i>
		<u>FY 2013/14</u> 1.1.4 Research and develop a pilot landowner contact program in collaboration with a local conservancy	TFB	Subject to external funding	By whether a landowner contact pilot program is implemented	Not started
		<u>FY 2011/12 - 2014/15</u> 1.1.5 Support island-based land trusts with partnerships, funding and capacity building opportunities	TFB	Funded by base budget and donations	By whether the Opportunity Fund grows by at least 10% per year and by the amount of grants issued	<i>In 2012/13, opportunity fund income was \$9322 (22% increase) and grants of \$9,769 were distributed.</i>

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		FY 2013/14 1.1.6 Council workshop regarding invasive species	TFB		Funded by base budget	By whether a Trust Council workshop has been held	Not started
		FY 2013/14 – 2014/15 1.1.7 Share information with the public about managing invasive species	TFB		Subject to funding in 2014/15 program budget	By whether information has been shared with the public	<i>In progress. Invasive species control information shared through ITF website and e-newsletter</i>
	1.2 Expand Natural Areas Protection Tax Exemption Program (NAPTEP) program to entire Islands Trust Area	FY 2012/13 1.2.1 Present NAPTEP program to BIM Council for consideration	TFB	BIM** *	Funded by base budget	By whether or not BIM has considered participating in the NAPTEP program	Complete. Tax impact model drafted and presented to BIM Sept/12. <i>BIM declined for current term</i>
		FY 2013/14 1.2.2 Seek support from Metro Vancouver RD for NAPTEP.	TFB		Funded by base budget	By whether support from Metro Vancouver RD (MVRD) has been sought	<i>Complete</i>
		FY 2013/14 - 2014/15 1.2.3 Launch NAPTEP on the islands in MVRDRD (subject to BIM and MVRD approval)	TFB		Funded by base budget	By whether NAPTEP has been launched on the islands within the MVRD	<i>Complete on Bowyer and Passage islands. BIM declined for current term.</i>
	1.3 Protect fish habitat by implementing Riparian Areas Regulation	FY 2013/14 1.3.1 Identify undesignated RAR watersheds	LTCs**		<i>Funded in 2013/14 program budget (included in item 1.3.3 budget as noted below)</i>	By whether all RAR watersheds have been identified	Complete for 10 LTAs. Gambier and Lasqueti in progress Budget <i>approved</i> for 2013/14
		FY 2012/13 – 2013/14 1.3.2 Improve mapping of some riparian areas on SSI	LTCs**		Funded by 2012/13 program budget	By whether new mapping of priority riparian areas is complete	<i>Complete</i>
		FY 2013/14 & 2014/15 1.3.3 Improve mapping of additional riparian areas on SSI and some northern islands	LTCs**		<i>Funded in 2013/14 program budget Denman: \$42,000 Gambier: \$30,000 Hornby: \$22,000 Lasqueti: \$30,000 SSI: \$51,000</i>	By whether new mapping of priority riparian areas is complete	Budget <i>approved</i> for 2013/14. <i>Project planning underway.</i>
		FY 2012/13 – 2013/14 1.3.4 Adopt new bylaws to implement RAR on selected islands	LTCs**		Funded by 2012/13 program budget	By whether selected islands are RAR compliant through bylaw development	Gabriola bylaws almost complete
		FY 2013/14 – 2014/15 1.3.5 Adopt new bylaws to implement RAR on all islands where still required	LTCs**		<i>Funded in 2013/14 program budget Mayne: \$4000</i>	By whether all LTAs are compliant with RAR through bylaw development	20 of 43 bylaws are compliant. 21 bylaw amendments in process, including mapping improvements Budget <i>approved</i> for 2013/14

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
	1.4 Establish reliable, adequate and sustainable funding for the Islands Trust Fund	<u>FY 2012/13 – 2013/14</u> 1.4.1 Seek legislative change regarding TFB corporate structure and name	EC	TFB	Funded by base budget	By whether legislative change has been requested	Chair correspondence sent Nov/12. Response received Feb/13. Meeting with ADM to be planned.
		<u>FY 2011/12 – 2014/15</u> 1.4.2 Engage in outreach to expand donor base, develop legacy giving program and secure acquisition funds	TFB*		Partially funded through 2012/13 program budget	By whether the TFB has implemented outreach regarding funding needs and legacy gifts	In progress
		<u>FY 2014/15</u> 1.4.3 Develop and implement strategy re changes to corporate structure and name	TFB		Subject to 2014/15 program budget	By whether TFB corporate status and name change has been implemented	Pending legislative change
		<u>FY 2015/16</u> 1.4.4 Review and launch long-term funding strategy	TFB		Subject to 2015/16 program budget	By whether the long-term funding strategy has been reviewed and launched	Not started. Pending legislative change
	1.5 Establish core conservation areas to protect biodiversity priorities	<u>FY 2011/12- 2012/13</u> 1.5.1 Map and prioritize high biodiversity areas and develop a strategy for protection	TFB		Funded by base budget	By whether the TFB has a prioritized high biodiversity areas, and developed a strategy (including a funding needs assessment)	Mapping of high priority areas underway
		<u>FY 2011/12 – 2014/15</u> 1.5.2 Protect land with high biodiversity, through acquisition, donation, or conservation covenant	TFB*		Partial funding through base budget; acquisitions funded by donations and external grants	By whether the TFB has protected at least 500 hectares of high biodiversity land in the timeframe of the Regional Conservation Plan 2011-2015	<i>142 hectares protected since 2011</i>
	1.6 Use land use planning tools and decisions to increase protection of special areas	<u>FY 2013/14</u> 1.6.1 Explore model land use planning tools that protect species and ecosystems at risk	LPC		Funded by base budget	By whether a staff report on model land use planning tools has been completed	Not started. Pending provincial working group report. <i>Staff checking on status of report.</i>
		1.6.2 Trustee workshop about protection of special areas	TFB		Funded by base budget	By whether a trustee workshop has been held	<i>Mar/13 Complete at Trust Council</i>
		<u>FY 2011/12 – 2014/15</u> 1.6.3 Develop policy, OCP and LUB amendments that include protective measures for biodiversity	LTCs**/BIM***		Funded in 2013/14 program budgets	By whether OCPs and LUBs have been amended to address improved protection of biodiversity	Some reviews underway. <i>Budget approved for 2013/14</i>
	1.7 Reduce greenhouse gas emissions	<u>FY 2012/13 – 2013/14</u> 1.7.1 Include GHG emission reduction targets, policies and actions in all OCPs, as required by LGA	LTCs		Funded by program budget	By whether all OCPs comply with LGA re GHG emissions	18 of 19 comply. Outstanding OCP (Piers Island) on work program for 2013

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		FY 2012/13 - 2014/15 1.7.2 Use new planning tools (Bill 27) to reduce greenhouse gas emissions to implement OCP policies LTCs adopted last term (e.g. as illustrated in Council toolkit Reducing Greenhouse Gases in the Islands Trust Area)	LTCs**/BIM***	<i>Funded in 2013/14 annual budget</i>	By whether LTCs/BIM have used new planning tools to foster reduced GHG emissions from development	Gabriola LTC working on possible regulations to implement OCP policies
		FY 2012/13 – 2013/14 1.7.3 Develop policy regarding carbon-neutral operations and purchase of carbon credits to balance GHG emissions that cannot be eliminated	FPC	Funded by base budget	By whether Trust Council has adopted a policy	Emissions inventory complete (Jan/11 to Dec/12) Draft policy going to FPC in May/13
2. PROTECT coastal and marine ecosystems	2.1 Encourage understanding of shoreline processes and voluntary stewardship of coastal and marine ecosystems	FY 2012/13 2.1.1 Develop integrated shoreline and watershed protection mapping for major islands	LPC	Funded by external grants	By whether integrated shoreline and watershed protection mapping has been developed for major islands	Completed
		FY 2013/14 2.1.2 Identify and post updated website links regarding existing shoreline stewardship information	TAS	Funded by base budget	By whether website links have been updated	In progress
		2.1.3. Pilot a Green Shores for Homes credit rating incentive system in one LTA	LTCs**	Subject to successful grant application	By whether an LTC has piloted a Green Shores for Homes credit rating incentive system	Not started. Funding not recommended by LPC. Dependent upon grant application. <i>LPC to reconsider in Sept</i>
	2.2 Use land use planning tools and decisions to improve protection of coastal areas	FY 2013/14 – 2014/15 2.2.1 Adopt regulatory bylaws with respect to integrated shoreline and watershed protection mapping	LTCs**	Subject to funding in future program budgets	By whether LTCs have adopted regulatory bylaws	Reviewed by Thetis LTC
		2.2.2 Develop mechanisms for proactive bylaw enforcement of illegal structures on the foreshore	LPC/LTCs**	<i>Funded in 2013/14 program budget (\$2000)</i>	By whether mechanisms have been developed	<i>Project Charter to LPC for August Budget approved for 2013/14</i>
	2.3 Participate in planning for National Marine Conservation Area Reserve	FY 2011/12 – 2014/15 2.3.1 Advocate for implementation of the NMCA reserve	EC	Funded by base budget	By whether the EC has continued to actively advocate for implementation of the NMCA reserve	Resolution supported by TC in Dec 2012 Feb 2013 Chair letter to Ministers Lake & Kent
		2.3.2 Participate in NMCA workshops and consultation opportunities	LTCs** TAS EC	May require additional funds	By level of participation in NMCA workshops and consultation opportunities	Workshops attended in Aug and Oct No funding proposed in 2013/14 budget. <i>LTCs commenting on boundary details</i>

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		<u>Future fiscal years (TBD)</u> 2.3.3 Respond to NMCA implementation steps with complementary activities, as required	LTCs**	May require additional funds	TBD	Not started
	2.4 Advocate for protection of the Salish Sea and Howe Sound from oil spills, derelict vessels and industrial activities	<u>FY 2011/12 – 2014/15</u> 2.4.1 Chair correspondence regarding oil spill prevention and response	EC	Funded by base budget	By whether the Chair has sent correspondence to advocate for oil spill prevention and response	2011: 7 letters sent 2012: 1 letter sent 2013: 1 letter sent Related resolutions passed at UBCM 2012 and AVICC 2013 conventions
		2.4.2 Chair participation in hearings related to tanker traffic increases	EC	Funded by base budget	By whether the Chair has participated in hearings related to tanker traffic increase	NEB hearing presentation August 2012
		2.4.3 Host local government workshops to raise awareness of gaps in oil spill prevention and response capacity	EC	Funded by base budget	By whether workshops have been held	One workshop held at AVICC. Chair presentation to Regional District Nanaimo Board Jan 2013
		2.4.4 Participate in mock oil spill exercises to understand gaps in oil spill response capacity	EC	Funded by base budget	By whether participation has taken place	Participation in two exercises in 2012; <i>Chair presentation at San Juan County marine managers workshop</i>
		<u>FY 2011/12 – 2014/15</u> 2.4.5 Continue to advocate for senior government solutions to derelict vessels	EC	Funded by base budget	By whether the Islands Trust has continued to advocate for derelict vessel solutions	Islands Trust participation on derelict vessel working group is on-going <i>Mar/13 Letter to minister seeking action on Transport Canada report</i>
		<u>FY 2011/12 – 2013/14</u> 2.4.6 Advocate regarding potential impacts of the proposed Raven Coal Mine upon Baynes Sound	EC	Funded by base budget	By whether the Executive Committee has advocated regarding the proposed Raven Coal Mine	Two letters written <i>May/13 BC EAO rejected proposal as submitted</i>
		<u>FY 2012/13 – 2014/15</u> 2.4.7 Advocate regarding potential impacts of the proposed Burnco Gravel Mine upon Howe Sound	EC	Funded by base budget	By whether the Executive Committee has advocated regarding the proposed Burnco Gravel Mine	Staff exploring scope <i>BIM resolution passed - seeking Howe Sound management plan</i>

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		<u>FY 2013/14 – 2014/15</u> 2.4.8 Clarify jurisdictional issues related to Islands Trust Area boundary	EC	Funded by base budget	By whether a formal report and request for provincial clarification has been completed	Not started <i>Preliminary discussions with ministry begun</i>
	2.5 Advocate for appropriate regulation of aquaculture	<u>FY 2013/14 – 2014/15</u> 2.5.1 Collaborate with Department of Fisheries and Oceans regarding shellfish regulations through local government advisory committee as a pilot project for one LTC (Denman)	LTCs**	Funded in 2013/14 program budget (\$1000)	By whether the Denman Island LTC has collaborated with DFO on a pilot project	Shellfish Farming Community Bylaw Review process added to DILTC work program Budget <i>approved</i> for 2013/14 Terms of reference drafted. Meeting planned before end of March 2013
	2.6 Advocate for effective regulation of marine sewage	<u>FY 2011/12 – 2014/15</u> 2.6.1 Chair correspondence regarding marine sewage regulation	EC	Funded by base budget	By whether the Chair has written to advocate for regulation of marine sewage	Pending further advice in consultation with partners
		2.6.2 Amend OCP policies to require sewage pump-outs as a condition of new/expanded marinas (i.e. during rezoning applications)	LTCs**/BIM***	Funded by base budget	By whether OCP policies require sewage pump-outs as a condition of marina development/expansion	Required or recommended in 8 OCPs

Policy Statement Goal B: Stewardship of Island Resources...

TC	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
3. PROTECT quality and quantity of water resources	3.1 Encourage understanding and voluntary stewardship of water resources	<u>FY 2013/14</u> 3.1.1 Compile educational materials about water resources done by local groups and identify gaps	TPC	Funded by base budget	By whether the need for new educational materials had been defined.	<i>TPC approved project charter May/13</i>
		3.1.2 Fill identified gaps with new educational materials about water resources	TPC	Funded by base budget	By whether community meetings have been held to encourage water stewardship	Not started
		<u>FY 2014/15</u> 3.1.3. Develop an on-going water stewardship program	TPC	Subject to 2014/15 program budget	By whether an on-going water stewardship program has been funded and launched	Not started

TC	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
	3.2 Advocate for provincial Water Act reform	FY 2011/12 – 2014/15 3.2.1 Continue to participate in Water Act reform consultations	EC	Funded by base budget	By whether participation in Water Act reform has taken place	Pending provincial selection of pilot areas
	3.3 Use land use planning tools and decisions to protect water quality and quantity	FY 2013/14 3.3.1 Develop toolkit for use by LTCs/BIM that illustrates options for using planning tools to protect water quality and quantity	LPC	<i>Funded by 2013/14 program budget (\$2500)</i>	By whether a toolkit has been developed	<i>Project charter approved by LPC; Report underway. Budget approved for 2013/14</i>
		FY 2013/14 – 2014/15 3.3.2 Amend OCPs to include new policies for water resource protection	LTCs**/BIM***	<i>Funded in 2013/14 program budget</i>	By whether OCPs have been amended to include new policies about water resource protection	Some reviews underway
		3.3.3 Amend LUBs to include new regulations aimed at protection of water quality and quantity	LTCs**/BIM***	<i>Funded in 2013/14 program budget</i>	By whether LUBs have been amended to include new regulations aimed at protection of water quality and quantity	Not started
		FY 2013/14 3.3.4 Develop model Development Permit Areas that LTCs and BIM may consider in regards to water conservation	LPC	<i>Funded in 2013/14 program budget (\$2500)</i>	By whether model Development Permit Areas have been developed	Not started Budget <i>approved</i> for 2013/14
		FY 2014/15 3.3.5 Adopt new Development Permit Areas to enhance water conservation	LTCs**/BIM***	Subject to funding in 2014/15 program budget	By whether LTCs/BIM have adopted new Development Permit Areas to enhance water conservation	Not started
	3.4 Explore alternative tools for improving watershed management	FY 2012-13 3.4.1. Identify options within the Islands Trust Act for coordination of watershed protection	EC	Funded by base budget	By whether options have been identified	Complete
		FY 2013-14 3.4.2 Consider pilot project for coordination of watershed protection within one LTA	LTCs**	Partially funded by base budget.	By whether a pilot project has been considered	St. Mary Lake Watershed Working Group formed on SSI. <i>June/13 - TC to consider bylaw to delegate some TC coordination and advocacy powers to SSILTC. Funding applications pending bylaw consideration.</i>

Policy Statement Goal C: Sustain Island Character and Healthy Communities...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
4. ENHANCE community economic sustainability and security	4.1 Create linkages between islands and Regional Districts to share effective and appropriate economic development models	FY 2013/14 4.1.1 Half day session on Trust Area economic development at Dec 2013 Council in Victoria, inviting all EA reps	TPC	Funded by base budget	By whether a joint session has occurred	<i>May/13 TPC requested staff development of project charter</i>
	4.2 Advocate for sustainable, affordable and appropriate ferry service	FY 2013/14 4.2.1 Develop and implement research program in support of advocacy program	TPC	<i>Funded in 2013/14 program budget (\$20,000)</i>	By whether a research program has been developed and implemented	Budget <i>approved</i> for 2013/14 <i>Not started</i>
		FY 2011/12 – 2014/15 4.2.3 Continue advocacy program regarding ferry fares and service.	EC	Funded by base budget	By whether advocacy actions have been taken in regards to ferry fares and service	Dec/12: Sent submission to Minister Polak
	4.3 Use land use planning tools and decisions to improve the availability of affordable/accessible/ appropriate housing (as described in Trust Council's toolkit, Affordable Housing Guide)	FY 2011/12 – 2014/15 4.3.1 Amend OCPs to include affordable housing policies	LTCs**/BIM***	<i>Funded in 2013/14 program budgets</i>	By whether OCPs have been amended to include new affordable housing policies	Some OCP reviews underway. Hornby considering allowing secondary suites. <i>OCP budget approved for 2013/14</i>
		4.3.2 Amend LUBs to improve availability of affordable housing	LTCs**/BIM***	<i>Funded in 2013/14 program budgets</i>	By whether LUBs have been amended to improve availability of affordable housing	<i>SSI LUB amended to legalize secondary suites in some locations.</i>
	4.4 Use land use planning tools and decisions to increase local food security and farmland protection (as described in Trust Council's 2010 report, Exploring Food Security in the Trust Area)	FY 2012/13 – 2014/15 4.4.1 Amend OCPs to include food security and farmland protection policies	LTCs**/BIM***	<i>Funded in 2013/14 program budgets</i>	By whether OCPs have been amended to address food security and farmland protection	Reviews underway Budget <i>approved</i> for 2013/14
		4.4.2 Amend LUBs to improve food security	LTCs**/BIM***	<i>Funded in 2013/14 program budgets</i>	By whether LUBs have been amended to improve food security	Reviews underway Budget <i>approved</i> for 2013/14

Goal D: In cooperation with others...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
5. STRENGTHEN relations with First Nations	5.1 Improve consultation/engagement with First Nations during land use referrals	FY 2012/13 – 2014/15 5.1.1 Adopt First Nations Consultation Strategy	TAS	LPS	Funded by 2011/12 program budget	By whether Trust Council has adopted a First Nations Consultation Strategy	First draft to TC Jun/12. Final draft pending LPS capacity to consider financial and staffing implications.
		5.1.2 Trustee workshop on working with aboriginal peoples	EC		Funded by 2012/13 program budget	By whether a trustee workshop has been held	Complete
		FY 2012/13 – 2014/15 5.1.3 Implement 'essential and quick start' improvements to land use referral system that do not require additional resources, as identified in FN Consultation Strategy	LPS	TAS	Funded by base budget	By whether all 'essential and quick start' improvements that do not require additional resources have been implemented	Underway. Delayed by other priorities
		FY 2013/14 5.1.4 Identify resource needs for improved consultation and engagement	EC		Funded by base budget	By whether the resource needs for improved consultation and engagement has been identified	Not started. Pending completion of First Nations Consultation Strategy
		FY 2014/15 5.1.5 Implement improvements identified in the FN Consultation Strategy as longer term or requiring additional resources	LPS	TAS	Subject to increase in future base budget to support an additional LPS position	By whether all improvements identified in the FN Consultation Strategy as longer term or requiring additional resources have been implemented	Not started
	5.2 Improve consultation/engagement with First Nations during Trust Council's marine and terrestrial protection work	FY 2014/15 5.2.1 Improve consultation and engagement re free Crown grant program	TAS		Subject to increase in base budget	By whether consultation and engagement has been improved	Pending increased staff capacity No funding proposed in 2013/14 budget
		FY 2012/13 – 2014/15 5.2.2 Improve communication and coordination during marine protection advocacy	EC		Subject to increase in base budget	By whether consultation and engagement has been improved	Not started. Pending staff capacity No additional budget proposed
6. IMPROVE organizational cost and operational effectiveness	6.1 Confirm a fair distribution of Islands Trust Services to Bowen Island Municipality	FY 2012/13 6.1.1 Review and amend Policy 7.2.vi (Municipal Requisition Cost Allocations)	FPC		Funded by base budget	By whether Policy 7.2.vi has been amended	Complete
		FY 2012/13 – 2014/15 6.1.2 Identify Bowen Island Municipality needs for services provided by Trust Area Services unit	TAS		Funded by base budget	By whether BIM needs for TAS services have been identified	Initial discussion held Sep/12. Chair follow up letters sent Oct/12 and Jan/13

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		6.1.3 Identify improved opportunities for BIM to access services provided through Trust Area Services unit	TAS		Funded by base budget	By whether opportunities for BIM to access TAS services have been identified	Pending requests from BIM Staff follow up e-mail to CAO Jan/13
		6.1.4 Review budget lines to ensure accurate allocation of costs	FPC		Funded by base budget	By whether budget lines have been reviewed	Staff review of line items underway. Initial discussion at FPC <i>complete</i> . <i>Pending discussions with BIM staff.</i>
		FY 2013/14 6.1.5 Provide additional TAS services to BIM	TAS		Funded by base budget	By whether BIM is accessing additional TAS services as identified	Improved notice of IT items to BIM. Pending requests from BIM. <i>BIM staff invited to training opportunities.</i>
	6.2 Improve cost-recovery from development application fees	FY 2013/14 6.2.1 Develop model fees bylaw for consideration by LTCs	LPC	FPC	Subject to annual program budget	By whether a model bylaw has been developed	TC referred to LPC/FPC before bylaw drafting begins. <i>Not funded in 2013/14 program budget.</i> <i>FPC to review in Aug/13</i>
		FY 2013/14 6.2.2 Consider adoption of amended fees bylaws.	LPC/LTCs**		Subject to annual program budget	By whether LTCs have adopted an amended fees bylaw that improves cost recovery	<i>LPC recommends percentage increase only</i> <i>Not funded in 2013/14 program budget</i>
	6.3 Prepare Island Trust organization for potential incorporation of Salt Spring Island (if province advances a provincial restructure study for SSI)	FY 2013/14 – 2014/15 6.3.1 Review terms of reference for a transition strategy	FPC	EC	Funded by province	By whether term of reference for a transition strategy have been reviewed	<i>Preliminary terms of reference in development by ministry. Initial process suggestions provided by staff</i>
		6.3.2 Identify and evaluate options and adopt a transition strategy	FPC	EC	Funded by province	By whether a transition strategy is complete	Not started. <i>Pending provincial initiation</i>
		FY 2014/15 - ? 6.3.3 Implement adopted transition strategy	EC		Subject to future budgets	By whether the transition strategy has been implemented	Pending provincial direction and SSI decisions

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		FY 2012/13 to 2013/14 6.3.4 Review existing IT-MCSCD protocol agreement regarding incorporation of municipalities in the Islands Trust Area	EC	Funded by base budget	By whether the protocol agreement with the ministry has been reviewed and amended	Pending provincial direction
	6.4 Review service delivery regarding application processing	FY 2013/14 6.4.1 Consider development and use of a quality management system pilot on Salt Spring island for processing of development applications	LTC**	Funded in 2013/14 program budget	By whether a quality management system has been considered by the SSILTC for one type of application process	Not started <i>Budget approved for 2013/14</i>

* subject to decisions of Trust Fund Board

**subject to decisions of local trust committees

***subject to decisions of Bowen Island Municipality

Abbreviations:

AVICC – Assoc. of Vancouver Island Coastal Communities
 BIM – Bowen Island Municipality
 EC – Executive Committee
 FN – First Nations
 FPC – Financial Planning Committee
 FY – Fiscal Year
 IT – Islands Trust
 ITF – Islands Trust Fund
 ITPS – Islands Trust Policy Statement
 LGA – Local Government Act
 LPC – Local Planning Committee

LPS – Local Planning Services
 LTA – Local Trust Area
 LTC – Local Trust Committee
 LUB – Land Use Bylaw
 MCSCD – Ministry of Community, Sport and Cultural Development
 MVRD – Metro Vancouver Regional District
 NA – Not Applicable
 NEB – National Energy Board
 NAPTEP – Natural Area Protection Tax Exemption Program
 NMCA – National Marine Conservation Area
 OCP – Official Community Plan
 ProD – Professional Development

RAR – Riparian Areas Regulation
 RD – Regional District
 RFD – Request for Decision
 SSI – Salt Spring Island
 TAS – Trust Area Services
 TBD – To Be Determined
 TC – Trust Council
 TFB – Trust Fund Board
 TPC – Trust Programs Committee
 UBCM – Union of BC Municipalities

For more information, contact:

Sheila Malcolmson, Chair,
 Islands Trust Council
 email smalcolmson@islandstrust.bc.ca
 telephone 250.247.8078

Linda Adams, Chief Administrative Officer,
 Islands Trust
 email ladams@islandstrust.bc.ca
 telephone 250.405.5151

Visit our website at:
www.islandstrust.bc.ca

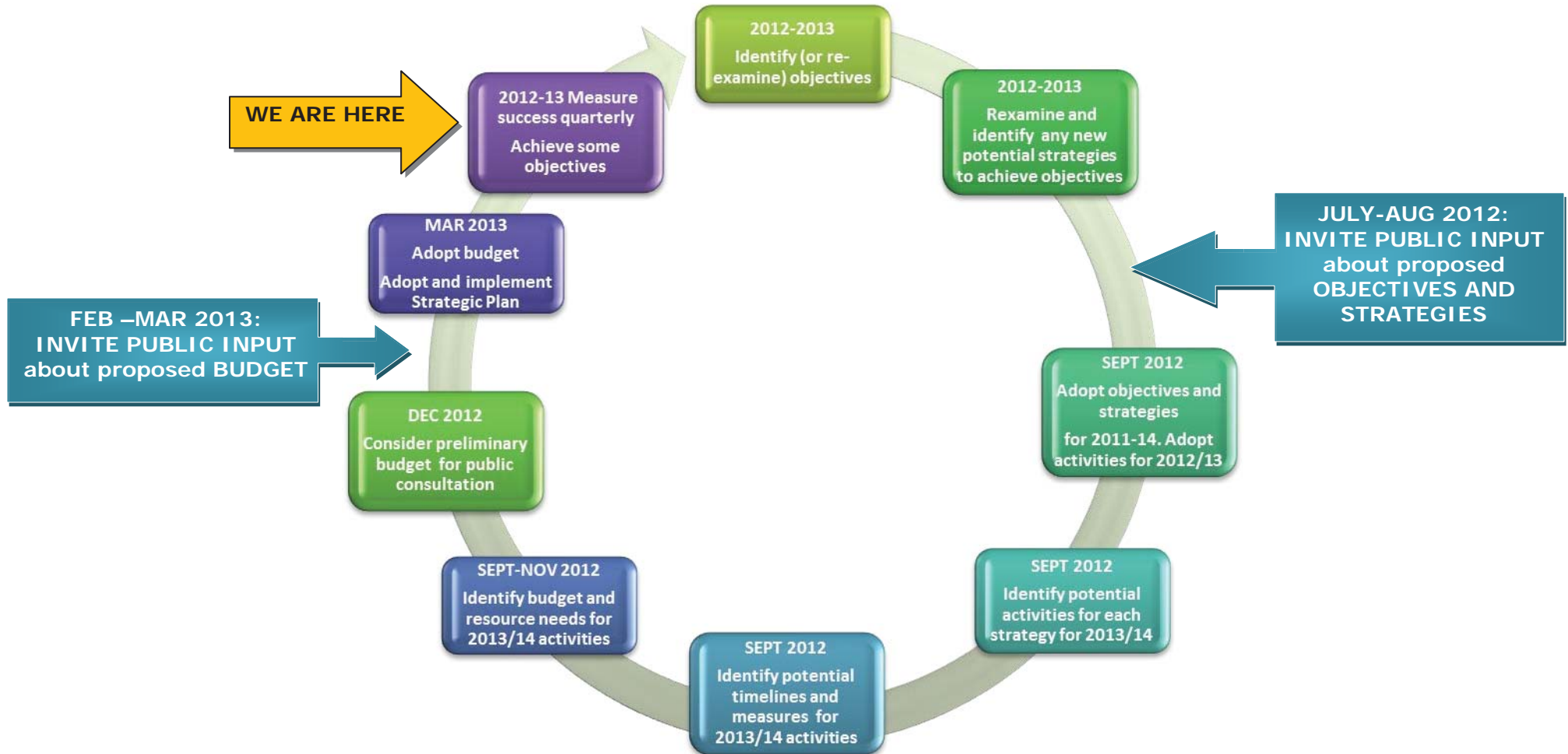
Colour Key for middle column:

Colour	Potential committee/unit/body taking lead for a potential strategy
	Local Planning (through Local Planning Committee, Local Planning Services staff, Local Trust Committees or Bowen Island Municipality)
	Trust Programs Committee or Trust Area Services staff
	Executive Committee
	Trust Fund Board or Islands Trust Fund staff
	Financial Planning Committee



Islands Trust

Strategic Planning Process (2012-2013)



BRIEFING

To: Trust Council **For the Meeting of:** June 12, 2013
From: Linda Adams, Chief Administrative Officer **Date prepared:** May 28, 2013

SUBJECT: LOCAL GOVERNMENT RESTRUCTURE BRIEFING

DESCRIPTION OF ISSUE: Trust Council, at its December 2012 meeting, referred an attachment to a Local Government Restructure Briefing entitled "Restructure in the Islands Trust Area Update - November 23, 2012" to the Financial Planning Committee for review. That review has been completed and confirms that the original briefing and attachment was accurate. The documents are attached again for Trust Council's information.

BACKGROUND:

The minutes from Trust Council's December 2012 meeting state:

3.5 Local Government Restructure

Staff provided a Briefing and documentation outlining general information regarding local government restructure in British Columbia and an update regarding the current governance study on Salt Spring Island.

There was discussion at that time regarding the attachment to the briefing, in particular Section 3 referencing financial information that had been prepared in 2011 and presented at a public meeting on Salt Spring Island. Trust Council then passed the following resolution:

That the document entitled 'Local Government Restructure in the Islands Trust Area Update - November 23, 2012' be referred to the Financial Planning Committee for review and reconsideration at the next Trust Council meeting

Due to other work program priorities, such as budget preparations and audit, the Financial Planning Committee did not have an opportunity to review the briefing until its meeting on May 27, 2013. At that meeting, the Director of Administrative Services reported that she had reviewed the November 23, 2012 briefing with Craig Elder, former Director of Administrative Services, who had prepared the financial information reflected in the briefing. He confirmed that the briefing attachment accurately portrayed his calculations, and that they had been developed in accordance with Trust Council's policy.

The Financial Planning Committee agreed that the briefing should be left unchanged and included in Trust Council's June 2013 agenda for information.

ATTACHMENT(S):

Briefing from Executive Committee to Trust Council – November 28, 2012 – Local Government Restructure in the Islands Trust Area.

AVAILABLE OPTIONS:

For information only. No action recommended at this time.

FOLLOW-UP:

To be determined by Trust Council.

Prepared By: Linda Adams, Chief Administrative Officer

Reviewed By/Date: Cindy Shelest, Director of Administrative Services - May 28, 2013



Linda Adams, Chief Administrative Officer



BRIEFING

To: Trust Council

For the Meeting of: December 4-6, 2012

From: Executive Committee

Date: November 28, 2012

SUBJECT: LOCAL GOVERNMENT RESTRUCTURE IN THE ISLANDS TRUST AREA

DESCRIPTION OF ISSUE:

To provide general information for Trust Council regarding local government restructure in British Columbia and an update regarding the current governance study on Salt Spring Island.

BACKGROUND:

The Minister of Community Sport and Cultural Development has recently approved the first phase of a governance study for Salt Spring Island, following a request from the three elected officials on Salt Spring Island.

The Executive Committee has requested staff to develop a briefing for the December 2012 meeting of the Islands Trust Council to provide trustees with background regarding the topic of local governance restructure and an update on the Salt Spring Island study.

The attached document provides information about local government structure in BC and in the Islands Trust Area. It also includes information about the related initiative on Salt Spring Island.

ATTACHMENT(S): YES – Attachment 1 – Local Government Restructure in the Islands Trust Area, Update – November 23, 2012

AVAILABLE OPTIONS: Receive for information.

FOLLOW-UP:

1. Trust Council will be provided with further briefings regarding the Salt Spring Island governance study, as further information becomes available.
-

Prepared By: Linda Adams, Chief Administrative Officer

Reviewed By/Date: Executive Committee – November 26, 2012

Linda Adams, Chief Administrative Officer

Local Government Restructure in the Islands Trust Area Update – November 23, 2012

1. Background

- a) From time to time, island communities within the Islands Trust Area have expressed an interest in considering changes to their local governance structure.
- b) The province is responsible for the system of local governments in British Columbia and for the process through which changes to the system are considered.
- c) The province, through the Governance and Structure Division of the Ministry of Community, Sport and Cultural Development (MCSCD), provides advice and support for communities in British Columbia that wish to consider changes to local governance structure.
- d) The province has identified a 14-step Municipal Restructure Process by which communities can consider the most significant structural change, that being incorporation of a new municipality:
http://www.cscd.gov.bc.ca/lgd/boundaries/municipal_restructure_process.htm
- e) Other types of restructure include municipal boundary adjustments, restructuring of regional districts, and dissolution of an improvement district with transfer of assets to a regional district.
- f) Any changes to local governance structure are ultimately the responsibility of the province, since the provincial cabinet must give its approval before restructure can proceed. It does so on the recommendation of the minister of MCSCD. However, s. 7 of the *Local Government Act* indicates that changes are to be locally-driven. In the case of incorporation, electors must approve of municipal incorporation through a referendum before it can be approved by the provincial cabinet.
- g) In 1989, the *Islands Trust Act* was amended to contemplate the creation of municipalities within the Islands Trust Area.
- h) In 1996, the Islands Trust Council and the Ministry of Municipal Affairs (now MCSCD) finalized an agreement that establishes a framework for incorporation of municipalities within the Trust Area. The agreement supplements the ministry's generic restructure process and recognizes that incorporation of a municipality within the Trust Area requires additional definition. It identifies roles and responsibilities of various parties during a restructure process. Both parties acknowledge that "*residents of an island are entitled to make a decision on incorporation on the basis of objective information and with a clear understanding of the implications of municipal status in relation to the mandate of the Trust*".
<http://www.islandstrust.bc.ca/tc/pdf/orgagrfeb201996pro.pdf>
- i) Also in 1996, the Islands Trust Council amended the *Islands Trust Policy Statement* to incorporate the following policy:
 - 5.8.3 *Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust.*
- j) Since adoption of this policy, Trust Council and Islands Trust staff have generally taken a neutral position in regards to local government restructure initiatives, although local trustees have voiced opinions for or against incorporation in their own communities.
- k) In 1998, the Islands Trust Council adopted Policy 7.2.v – *Restructure Study Cost Allocations* – to provide guidelines for the way that restructure committees can request and receive information about Islands Trust budget expenditures. Because there have been significant changes to the Islands Trust's accounting methodologies since 1998, this policy is currently before Trust Council for updating.
- l) Since 1996, three local trust areas have engaged in formal municipal restructure studies and referenda as follows:

- Bowen Island (incorporated as Bowen Island Municipality in 1999)
 - Salt Spring Island (incorporation proposal did not receive local support in 2002 referendum)
 - Gabriola Island (incorporation proposal did not receive local support in 2004 referendum)
- m) Community members in other local trust areas have also expressed some interest in changes to local governance, but have not engaged in formal studies.
- n) In 2000, the ministry and the Islands Trust commissioned an *Island Municipality Transition Strategy* to examine the implications of and options for the Islands Trust in responding to island municipal incorporations. The strategy examined and identified options regarding the Islands Trust's fiscal stability and organizational adaptation, should one or more islands incorporate. <http://www.islandstrust.bc.ca/tc/pdf/tcrptmunicincorptransitionstrategy2000.pdf>
- o) During the 2005-2008 term, the Islands Trust Council studied Islands Trust governance, resulting in requests to the province for legislative changes. The most significant of these was a request for two additional trustees from the Salt Spring Island Local Trust Area to sit on both the local trust committee and on Trust Council. The minister responded by providing for a Salt Spring referendum (about two local trustees on the local trust committee *only*) during the 2008 general local election. That referendum failed and there were no changes to the number of local trustees on Salt Spring Island.
- p) In both the current and previous terms, the local trustees and electoral area director for Salt Spring Island requested the province to engage in a formal process to review governance structure on Salt Spring Island. The most recent request was made in March, 2012.
- q) The Islands Trust website includes a page about Governance that assembles many of the relevant studies and processes described above:
<http://www.islandstrust.bc.ca/tc/governance.cfm>

2. Current Situation

- a) On October 5 2012, the Honourable Bill Bennett, Minister of Community, Sport and Cultural Development, announced his decision to provide \$80,000 in funding for the first phase of a governance study for Salt Spring Island. In terms of the 14-step process mentioned in section 1(d) above, this first phase is understood to be equivalent to Step 2 – where *'The ministry, along with... local citizens, assesses the local context to determine if a broad base of community support exists for considering incorporation.'*
- b) The minister has indicated that the purpose of this first phase study is to *'review the current state of governance and identify the general implications of a change in structure for citizens and service providers'*. He has indicated that the first phase will also *'determine if there is sufficient support for an incorporation study'*.
- c) Also on October 5, Minister Bill Bennett indicated that part of the funding announced would be dedicated to a separate study that would examine the potential impacts on the Islands Trust, should Salt Spring Island incorporate.

3. Preliminary Implications of Salt Spring Island Incorporation

- a) While only an initial step has been taken towards the consideration of incorporation on Salt Spring Island, some preliminary implications can be assessed. In 2011, the Director of Administrative Services made some preliminary evaluations of the financial implications, should a Salt Spring Island incorporation occur at a later date. These evaluations were based on the Islands Trust's budget for 2009-10 and are summarized below. Related data and graphs are available on Slides 67-74 of a PowerPoint presentation made on Salt Spring Island in May 2011 by CAO Linda Adams and then-Director of Administrative Services Craig Elder.
http://www.islandstrust.bc.ca/tc/pdf/Presentation%20to%20ISG_for%20external%20distribution%20-%20med.pdf
- b) In 2009-10, the tax base in the Salt Spring Island Local Trust Area represented 33.5% of the Islands Trust's total revenue. Total **revenues** attributed to Salt Spring Island represented approximately \$2,075,000, including property taxes, application fees and grants.

- c) In 2009, Islands Trust **expenses** related to Salt Spring Island amounted to approximately \$845,700 in 'direct costs' (e.g. Salt Spring Island office costs) and approximately \$981,600 in 'allocated' expenses (e.g. a percentage of Islands Trust internet or website expenses), for a total of approximately \$1,827,300 in Salt Spring Island expenses. This meant that revenues from Salt Spring Island exceeded expenses in 2009-10 by approximately \$248,200.
- d) While Salt Spring Island provides more revenues to the Islands Trust than it receives in services, the reverse is true for some other components of Salt Spring Island property taxes. The Salt Spring Island governance restructure study completed in 2002 indicated that Salt Spring Island was a net recipient of services, in comparison to property taxes collected. The study indicated that incorporation would therefore result in an increase in property taxes of approximately \$192 for an average home after eight years of incorporation, under the 'most likely scenario projected in 2002:
http://www.islandstrust.bc.ca/tc/pdf/2002%20SSI%20Local%20Government%20Restructure%20Study%20Update_Full%20Report.pdf
- e) Should Salt Spring Island incorporate, it would pay approximately \$470,000 in property taxes annually to the Islands Trust, based on the Islands Trust's 2009-10 budget. Island municipalities contribute to the cost of operations of the Islands Trust Council, the Executive Committee and the Trust Fund Board. They do not contribute to local trust committee expenses or any other aspect of local planning services, and these services are not provided to them. Taxes are apportioned on the basis of the converted value of land and improvements in the Trust Area.
- f) The actual amount of a municipal contribution from Salt Spring Island would vary annually with changes in the Islands Trust's budget and with changes in the ratio of assessed property values.
- g) Assuming a budget similar to 2009-10, the Islands Trust's annual budget would be affected as follows by a Salt Spring Island incorporation:
 - a. Revenues would drop by approximately \$2,095,000
 - b. Direct expenses related to Salt Spring Island would drop by approximately \$878,000
 - c. Overall, the annual Islands Trust budget would have a net shortfall of approximately \$739,300.
 - d. If no other costs were reduced, such a shortfall would require a 22% tax increase in other unincorporated parts of the Islands Trust Area (equivalent to approximately \$63 on an average home – again based on a budget and other factors similar to the 2009-10 period)
- h) When Bowen Island incorporated in 1999, the ministry provided for a 3-year transition phase, during which the Islands Trust continued to provide planning services under contract and Bowen Island Municipality continued to provide tax revenues at pre-incorporation levels. After three years, Bowen Island Municipality assumed responsibility for its own planning services, at its own cost and its tax revenues were significantly reduced. It is not known whether such an arrangement would apply if Salt Spring Island incorporated.
- i) Should Salt Spring Island incorporate, budgets for Islands Trust operations would (either immediately, or eventually) need to be reviewed to identify cost savings that would be possible due to reduced activity related to Salt Spring Island.
- j) Should Salt Spring Island incorporate, the Islands Trust Council would need to decide whether to:
 - a. increase taxes to meet the shortfall while retaining an existing level of services
 - b. reduce expenses by reducing services
 - c. balance both approaches with some reduction in service and some reduction in expenses
- k) Should Salt Spring Island incorporate, the Salt Spring Island Local Trust Committee would cease to exist and a Salt Spring Island Municipality would be formed. Two 'Municipal Trustees' from Salt Spring Island would sit on Trust Council.

- l) Further information about services that the Islands Trust would no longer provide to Salt Spring Island in the event of incorporation are detailed on Slides 117-121 of the presentation available at http://www.islandstrust.bc.ca/tc/pdf/Presentation%20to%20ISG_for%20external%20distribution%20-%20med.pdf
- m) Some other potential impacts on the Islands Trust of a Salt Spring Island incorporation may be similar to those identified in the *Island Municipality Transition Strategy*, mentioned in 1(n) of this report, including:
 - a. Elimination or reduction in Local Planning Services staff positions and some local planning services to reduce costs
 - b. Elimination or reduction in Trust Area Services and Administrative Services staff and services to reduce costs
 - c. A different dynamic at Trust Council (with 4 'Municipal Trustees' out of 26, rather than 2)
 - d. Long-term changes to the Islands Trust, which are difficult to predict or quantify.
- n) A more detailed assessment of the financial and other impacts on the Islands Trust of a Salt Spring Island incorporation will be the subject of the provincially-funded study mentioned in 2(c) and 4(b) of this report.

4. Next Steps

- a) Salt Spring Island Process
 - a. The Salt Spring trustees and electoral area director are currently working to identify community members who will form a Governance Study Committee. They have invited interested islanders to apply by December 6 and have received several applications to date. Once formed, the Governance Study Committee will seek a qualified consultant to examine the current governance structure on Salt Spring Island. With the ministry's and the consultant's assistance, the Governance Study Committee will assess how local government services are currently delivered, identify community concerns and assess whether those concerns justify further examination of governance options, including an incorporation study. Both trustees and the electoral area director will sit as ex-officio members of the Governance Study Committee.
 - b. The Governance Study Committee is expected to make a report to the minister in the fall of 2013, including a recommendation as to whether an incorporation study should be undertaken.
 - c. If the Governance Study Committee recommends that an incorporation study should be undertaken, and if the minister agrees, then such a study is expected to take approximately a further year, beginning with Step 3 of the Municipal Restructure Process referred to in section 1(d) of this report.
 - d. The Salt Spring governance study initiative is not a work program item of the Salt Spring Island Local Trust Committee and does not involve Islands Trust resources or staff. However, it is expected that the Governance Study Committee or its consultant will require information about the Islands Trust (particularly budget information) during the course of its governance study. Islands Trust Council's Policy 7.2.v provides procedures for the way in which information requests should be received and processed. Because it is out of date, Policy 7.2.v is also before Trust Council for amendment.
 - e. The Islands Trust Council does not have a role in the current phase of the Salt Spring Island governance study and is not required to make any related decisions. Should the current study result in an incorporation study, the Islands Trust would have an opportunity to provide input into the draft letters patents for the potential Salt Spring Island municipality.
 - f. The Salt Spring trustees and electoral area director have created a website that provides more information and on-going updates about the Salt Spring governance study: <http://ssigovernance.wordpress.com/>

- b) Islands Trust – Impact Study
 - a. Ministry staff indicate, that in regards to the second study announced by Minister Bennett (evaluating impacts on the Islands Trust), the ministry’s intent is to commission a consultant to complete a study similar to the one referenced in section 1(n) of this report. Of the \$80,000 in funding announced by Minister Bennett, ministry staff indicate \$20,000 would be dedicated to this purpose.
 - b. Terms of Reference for this separate Islands Trust-specific study have not yet been developed, but will be referred to the Islands Trust for comment before the ministry lets a contract.
 - c. Ministry staff indicate this second study will include consultation with the Islands Trust and will be completed in 2013.
 - d. Section 6.3 of Trust Council’s Strategic Plan includes work related to preparing the Islands Trust organization for potential incorporation of Salt Spring Island and tentatively assigns related tasks to the Executive Committee and the Financial Planning Committee, subject to further information from the ministry.

5. Additional References

- a) MCSCD – Managing Changes to Local Government Structure in BC: A Review and Program Guide:
http://www.cd.gov.bc.ca/lgd/gov_structure/library/local_gov_structure_managing_changes.pdf
 - b) Islands Trust Policy Statement: <http://www.islandstrust.bc.ca/tc/pdf/orgpolstatement.pdf>
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DIRECTOR OF ADMINISTRATIVE SERVICES 2013-2014 FIRST QUARTER REPORT

Date: May 23, 2013

COMPLETED SINCE LAST REPORT	PLANNED 2nd QUARTER 2013/14 ACTIVITIES
<p>Trust Council, Executive Committee, Financial Planning Committee</p> <ul style="list-style-type: none"> Received ministerial approval for Financial Plan and Borrowing Anticipation Bylaws. Presentation of draft Audited Financial Statements for FPC review May 27, 2013 FPC and Audit Committee Meeting Presentation of draft Audited Financial Statements to FPC and Audit Committee Meetings May 27, 2013 	<p>Trust Council, Executive Committee, Financial Planning Committee</p> <ul style="list-style-type: none"> Forward 2012/3 audited financial statements to Minister Review LTC Budget Process 6.3.i for August 2013 FPC Meeting Review FPC role in Budget Process for FPC August meeting Review Purchasing Policy 6.5.iii as requested by FPC in August 2012 Draft Budget Assumptions and Guidelines for 2014/15 budget cycle and review at August 2013 FPC meeting Review Policy 7.2.vi Municipal Tax Requisition Calculation Policy with Bowen Island staff to determine if any changes are requested for review for 2014/15
<p>Administrative Unit Supervision</p> <ul style="list-style-type: none"> Held bi-weekly meetings with Admin Team Attended meetings with staff at Northern and Salt Spring Island offices Attended MATI Advanced Communications training 	<p>Administrative Unit Supervision</p> <ul style="list-style-type: none"> Review Finance and HR Local Area Network (LAN) files Continue with regular visits to Northern office and Salt Spring office Complete Administrative Services section of annual report Complete Administrative Services sections for new website
<p>Human Resources and Payroll</p> <ul style="list-style-type: none"> All Staff Meeting March 13, 2013 Completed several hiring processes related to staff turnover Hired new Computer Applications Support Technician and provided initial orientation and training 	<p>Human Resources and Payroll</p> <ul style="list-style-type: none"> Review Job Descriptions and update to new Public Service Agency standards Follow up with Public Service Agency on contract Complete review of excluded staff salaries Complete several hiring processes underway Review leadership training for 2013/14 All Staff meeting June 6, 2013 Staff trip September 25, 2013

COMPLETED SINCE LAST REPORT	PLANNED 2nd QUARTER 2013/14 ACTIVITIES
<p>Information Systems</p> <ul style="list-style-type: none"> Assisted with launch of new website (in particular the posting of meetings from eSCRIBE to new website and assisted with training of web-posters) Held follow-up meeting of File Naming Convention team Information Systems Advisory Group meeting April 1, 2013 Installed new server 	<p>Information Systems</p> <ul style="list-style-type: none"> Continue to monitor 2012/13 consulting and hardware budget and complete 2013/14 work program Support eSCRIBE and Sharepoint implementations as required Begin work on Business Continuity Plan Deploy All Staff Sharepoint site – including Employee Manual (to replace Orientation Manual) Information Systems Advisory Group meeting Finalize File Naming Convention Policy Develop training pre-assessment documents for eSCRIBE and Outlook tools and develop appropriate training
<p>Financial Management and Payroll</p> <ul style="list-style-type: none"> Completion of year-end transactions and preparation of March 31, 2013 draft financial statements for review by auditors Implemented revised Trustee Remuneration Policy bylaw RFP for audit services drafted RFP for SharePoint consulting issued 	<p>Financial Management and Payroll</p> <ul style="list-style-type: none"> Review capital asset management database Complete RFP for audit services Complete 2012/13 Allocated Financial Statements Complete 2012/13 Statement of Financial information Investigate use of PSA Time-On-Line system and develop business case if warranted
<p>Risk/Safety/Contract Management</p> <ul style="list-style-type: none"> Reviewed new Safety Manual with Leadership Team. Held monthly meetings of the OSH Committee Finalized new insurance policies for this year 	<p>Risk/Safety/Contract Management</p> <ul style="list-style-type: none"> Review new Safety Manual with Staff at June All Staff Meeting Review template for Service Contracts and other procurement policy forms to ensure Conflict of Interest provisions are sufficient
<p>Facilities Management</p> <ul style="list-style-type: none"> New signage at front of Victoria office building 	<p>Facilities Management</p>
<p>Carbon Neutral Operations</p> <ul style="list-style-type: none"> Purchased carbon offsets to make Islands Trust Operations carbon neutral for 2012 through the Community Carbon Marketplace Participated in the CRD's Ready, Set, Solve Program by working with two students teams from Royal Roads University to complete two project related to climate action Completed CARIP reports and received refund 	<p>Carbon Neutral Operations</p> <ul style="list-style-type: none"> Seek approval of draft Carbon Neutral Operations Policy at June 2013 Trust Council.



FINANCIAL PLANNING COMMITTEE WORK PROGRAM REPORT

To: Trust Council

Date: May 27, 2013

WORK PROGRAM

1. First Draft of the 2014/15 Budget

Planned

- Review budget assumptions and principles at FPC August 21, 2013 meeting
- Prepare first draft of 2014/15 Budget for September Trust Council

2. Complete the 2012/13 Year-End and Audit

Current

- 2012/13 audit completed and draft Audited Financial Statements and Audit Findings presented to May 27, 2013 FPC meeting.

3. Develop a Policy on Carbon Neutral Operations in conjunction with Trust Programs Committee

Current

- Finalize Carbon Neutral policy and forward for approval to June 2013 Trust Council

4. Purchasing Procedures Policy 6.5.iii.

Planned

- Report to FPC August 21, 2013 meeting on staff recommendations with respect to changes to Purchasing Procedures Policy 6.5.iii.

5. Budget Process Policy 6.3.i.

Planned

- Report to FPC August 21, 2013 meeting on staff recommendations with respect to changes to Budget Process Policy 6.3.i.

WORK PROGRAM STATUS *(Completed, Changed, and Future Priorities)*

The Financial Planning Committee has adopted the above noted priorities for the first quarter of fiscal 2013/2014. New work program items will be reviewed and assessed throughout the year.

UPDATE *(on Meetings, Agency Liaison, Resource Requirements, etc.)* The Financial Planning Committee met on May 27, 2013. The Audit Committee also met on May 27, 2013. The next meeting of the Financial Planning Committee is proposed to be held August 21, 2013. The Committee's financial resources are sufficient at this time.

Cindy Shelest
Designate Staff

Gary Steeves
Chair

REQUEST FOR DECISION

To: Trust Council

For the Meeting of:: June 11-13, 2013

From: Financial Planning Committee

Date Prepared: May 27, 2013

SUBJECT: MARCH 31, 2013 AUDITED FINANCIAL STATEMENTS (ANNUAL ITEM)

RECOMMENDATION: That Islands Trust Council approve the audited financial statements of the Islands Trust including the Statement of Financial Position, the Statement of Operations, the Statement of Changes in Net Financial Assets and the Statement of Cash Flows, for the year ended March 31, 2013.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The Independent Auditor's report indicated that in their opinion the financial statements present fairly, in all material respects, the financial position of Islands Trust as at March 31, 2013.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: The year-end audited financial statements and auditor's report will be forwarded to the Minister of Community, Sport and Cultural Development as required by the *Islands Trust Act*, S. 19, and made available to the public via the Islands Trust website and at all office locations.

OTHER: None

BACKGROUND

REPORT/DOCUMENT:

Islands Trust draft audited financial statements for the year ended March 31, 2013 attached.

KEY ISSUE(S)/CONCEPT(S):

Statement of Financial Position

The overall cash position has improved from the previous year by \$207,000 due mainly to a surplus from operations in the current year. Other variances in Financial Assets and Liabilities resulted from timing of transactions from year to year.

Statement of Operations

The current year's surplus from operations of \$203,067 has increased the Accumulated Surplus at March 31, 2013 to \$2,403,723. This is \$479,268 over budget as the budget for the current year included a projected deficit of \$276,202.

Variance Analysis of 2012/13 Actual to 2012/13 Budget as reported in the Statement of Operations:

Revenues overall were \$6K over budget and included higher than anticipated interest income and lower than anticipated grant revenue.

Expenditures overall were under budget by \$485K due to:

- Staff salary expenses overall were under budget by \$200K net of BCGEU negotiated increases being higher than anticipated, offset by vacancies throughout the year in all operational units (most significantly in the planning area) and no expenditures during the year related to long term disability claims or anticipated absences
- Budget for grant expenses of \$60K not utilized during the year (note this is offset by reduced grant revenues as noted above).
- Project budgets were underspent by \$100K (\$77K for Local Trust Committees; \$3K for Trust Fund and \$20K for Mapping).
- Local Trust Committees accounts were underspent by \$28K
- Legal fees less than anticipated expenditures by \$45K
- Other variances not material in nature.

Variance Analysis of 2012/13 Actual to 2011/12 Actual as reported in the Statement of Operations (with additional information provided in Note 8 to the financial statements):

Revenues decreased overall by \$218K due to:

- Decreased funding received under the Strategic Community Investment Fund Grant \$163K.
- Decreased Bowen Island Municipality requisition due to a retroactive adjustment \$56K.
- Increased general property tax requisition \$59k.
- Grant revenues lower than anticipated by \$60K.
- Other variances not material in nature.

Expenditures decreased overall by \$209K due to:

- Staff salaries and benefits increased by 2% (\$64K) due to provincially negotiated increases with the BCGEU contract.
- Council and trustee costs increased by \$138K due to the new Trustee Remuneration Policy (this was the first full fiscal year reflecting the new policy).
- Decreased Council expenses as there was no general election during this fiscal year \$123K.
- Decreased operational expenses in Information Technology (Office Operations) as a result of capitalization of technical budget items during the year \$58K.
- Programs expense decreased by \$200K in several units.
- Other variances not material in nature.

RELEVANT POLICY:

Bylaw No. 146, Islands Trust Financial Plan Bylaw 2012-13.

Also, the Islands Trust Act, S. 18 requires the Islands Trust appoint an auditor to audit the accounts and transactions of the Islands Trust Council and local trust committees, and requires that the auditor report to Islands Trust Council and to the Minister.

DESIRED OUTCOME:

Approval of the audited financial statements for the year ended March 31, 2013.

RESPONSE OPTIONS**Recommended:**

Approval of the audited financial statements for the year ended March 31, 2013.

Alternative: n/a

Prepared By: Cindy Shelest, Director of Administrative Services

Reviewed By/Date: Linda Adams, Chief Administrative Officer – May 21, 2013
Financial Planning Committee – May 27, 2013



Linda Adams, Chief Administrative Officer

DRAFT Financial Statements of

ISLANDS TRUST

Year ended March 31, 2013

ISLANDS TRUST

Financial Statements

DRAFT

Year ended March 31, 2013

Financial Statements

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MANAGEMENT'S RESPONSIBILITY FOR THE FINANCIAL STATEMENTS

The accompanying financial statements of Islands Trust (the "Trust") are the responsibility of the Trust's management and have been prepared in compliance with legislation, and in accordance with generally accepted accounting standards for local governments as established by the Public Sector Accounting Board of The Canadian Institute of Chartered Accountants. A summary of the significant accounting policies are described in note 1 to the financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Trust's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the financial statements. These systems are monitored and evaluated by management.

The Trust, acting through its Audit Committee, meets with management and the external auditors to review the financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the financial statements.

The financial statements have been audited by KPMG LLP, independent external auditors appointed by Trust Council. The accompanying Independent Auditors' Report outlines their responsibilities, the scope of their examination and their opinion on the Trust's financial statements.

INDEPENDENT AUDITORS' REPORT

To the Trustees of Islands Trust and the Minister of Community, Sport and Cultural Development

We have audited the accompanying financial statements of Islands Trust, which comprise the statement of financial position as at March 31, 2013, the statements of operations, statement of remeasurement gains and losses, change in net financial assets and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

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

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

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

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Islands Trust as at March 31, 2013, and its results of operations, its remeasurement gains and losses, changes in net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Chartered Accountants

Victoria, Canada

ISLANDS TRUST

Statement of Financial Position

DRAFT

March 31, 2013, with comparative information for 2012

	2013	2012
Financial assets:		
Cash and cash equivalents (note 2)	\$ 3,702,155	\$ 3,494,644
Accounts receivable	88,562	105,458
	<u>3,790,717</u>	<u>3,600,102</u>
Financial liabilities:		
Wages and benefits payable	878,534	943,105
Accounts payable and accrued liabilities	455,141	337,145
Deferred revenue	55,714	87,997
Employee benefit obligations (note 3)	99,130	116,576
Obligations under capital leases (note 4)	43,481	50,714
Cost recovery deposits (note 11(ii))	15,110	29,902
	<u>1,547,110</u>	<u>1,565,439</u>
Net financial assets	2,243,607	2,034,663
Non-financial assets:		
Tangible capital assets (note 5)	124,979	135,158
Prepaid expenses	35,137	30,835
	<u>160,116</u>	<u>165,993</u>
Commitments (note 9)		
Contingent liabilities (note 10)		
Accumulated surplus (note 6)	\$ 2,403,723	\$ 2,200,656

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

On behalf of the Trust Council:

_____	Trustee
_____	Trustee

ISLANDS TRUST

Statement of Operations

DRAFT

Year ended March 31, 2013, with comparative information for 2012

	Budget	2013	2012
	(unaudited - note 7)		
Revenue:			
Property tax - general	\$ 5,929,060	\$ 5,929,199	\$ 5,870,356
Property tax levy - Bowen Island Municipality	165,374	165,374	220,880
Provincial grant - operating	186,998	186,998	349,524
Fees and sales	110,000	110,465	125,403
Interest income	70,000	105,791	94,623
Other income	94,839	52,501	107,516
Total revenue	6,556,271	6,550,328	6,768,302
Expenses (note 8):			
Council services	1,078,349	978,323	1,167,154
Local trust committee services	5,118,760	4,753,668	4,744,401
Trust fund services	635,363	615,270	644,424
Total expenses	6,832,472	6,347,261	6,555,979
Annual surplus (deficit)	(276,201)	203,067	212,323
Accumulated surplus, beginning of year	2,200,656	2,200,656	1,988,333
Accumulated surplus, end of year	\$ 1,924,455	\$ 2,403,723	\$ 2,200,656

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

ISLANDS TRUST

Statement of Change in Net Financial Assets

DRAFT

Year ended March 31, 2013, with comparative information for 2012

	Budget (unaudited - note 7)	2013	2012
Annual surplus (deficit)	\$ (276,201)	\$ 203,067	\$ 212,323
Acquisition of tangible capital assets	-	(52,429)	(31,234)
Acquisition of tangible capital assets through capital lease	-	(7,579)	-
Amortization of tangible capital assets	-	70,187	54,889
	(276,201)	213,246	235,978
Acquisition of prepaid expenses	-	(4,302)	(15,956)
Change in net financial assets	(276,201)	208,944	220,022
Net financial assets, beginning of year	2,034,663	2,034,663	1,814,641
Net financial assets, end of year	\$ 1,758,462	\$ 2,243,607	\$ 2,034,663

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

ISLANDS TRUST

Statement of Cash Flows

DRAFT

Year ended March 31, 2013, with comparative information for 2012

	2013	2012
Cash provided by (used in):		
Operating activities:		
Annual surplus	\$ 203,067	\$ 212,323
Items not involving cash:		
Amortization of tangible capital assets	70,187	54,889
Change in non-cash operating assets and liabilities:		
Accounts receivable	16,896	(800)
Wages and benefits payable	(64,571)	(103,378)
Accounts payable and accrued liabilities	117,996	40,142
Deferred revenue	(32,283)	(67,521)
Employee benefit obligations	(17,446)	(5,057)
Cost recovery deposits	(14,792)	(4,105)
Prepaid expenses	(4,302)	(15,956)
Net change in cash from operating activities	274,752	110,537
Capital activities:		
Acquisition of tangible capital assets	(52,429)	(12,580)
Financing activities:		
Principal payments on obligations under capital leases	(14,812)	(12,529)
Increase in cash and cash equivalents	207,511	85,428
Cash and cash equivalents, beginning of year	3,494,644	3,409,216
Cash and cash equivalents, end of year	\$ 3,702,155	\$ 3,494,644
Supplemental cash flow information:		
Assets acquired under capital lease	\$ 7,579	\$ 18,654

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

ISLANDS TRUST

Notes to Financial Statements

DRAFT

Year ended March 31, 2013

Islands Trust (the "Trust") is incorporated under the Islands Trust Act of British Columbia (as amended). The objectives of the Trust are to preserve and protect the Trust area and its unique amenities and environment for the benefit of the residents of the Trust area and of the Province generally.

1. Significant accounting policies:

The financial statements of Islands Trust are prepared by management in accordance with Canadian public sector accounting principles for local governments as recommended by the Public Sector Accounting Board ("PSAB") of the Canadian Institute of Chartered Accountants. Significant accounting policies adopted by the Trust are as follows:

(a) Reporting entity:

The financial statements include a combination of all the assets, liabilities, revenues, expenses, and changes in fund balances and in financial position of the trust council and the local trust committees.

The Trust occasionally conducts work on behalf of development applicants on a cost-recovery basis. These trust activities are not included in the financial statements.

(i) Consolidated entities:

The Trust does not control any significant external entities and accordingly no entities have been consolidated with the financial statements.

(ii) Funds held in trust:

The Trust administers operations of The Islands Trust Fund. The annual expenses of The Islands Trust Fund are reported by the Trust in accordance with The Islands Trust Act (note 11).

(b) Basis of accounting:

The Trust follows the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and/or the creation of a legal obligation to pay.

Government transfers are recognized in the financial statements as revenues in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met, and reasonable estimates of the amounts can be made, except when and to the extent that the transfer gives rise to an obligation that meets the definition of a liability under section PS 3200 of public sector accounting standards.

ISLANDS TRUST

Notes to Financial Statements (continued)

DRAFT

Year ended March 31, 2013

1. Significant accounting policies (continued):

Revenue unearned in the current period is recorded as deposits or deferred revenue.

(c) Cash and cash equivalents:

Cash and cash equivalents include short-term highly liquid investments with a term to maturity of 90 days or less at acquisition. Investments in the Municipal Finance Authority of British Columbia ("MFA") Bond, Intermediate and Money Market Funds are recorded at cost plus earnings reinvested in the funds. Investment income is reported as revenue in the period earned.

(d) Employee future benefits:

The Trust and its employees make contributions to the Public Service Pension Plan, which provides benefits directly to employees upon retirement. These contributions are expensed as incurred.

A gratuity is also available to employees upon retirement. The cost of this benefit is born by the Public Service Pension Plan.

(e) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

(i) Tangible capital assets:

Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital assets, excluding land, are amortized on a straight line basis over their estimated useful lives as follows:

Asset	Useful life - years
Furniture and equipment	5
Computers	3
Leasehold improvements	lesser of remaining term of the lease and useful life

ISLANDS TRUST

Notes to Financial Statements (continued)

DRAFT

Year ended March 31, 2013

1. Significant accounting policies (continued):

(e) Non-financial assets (continued):

(i) Tangible capital assets (continued):

Amortization is charged annually, including in the year of acquisition and disposal. Assets under construction are not amortized until the asset is available for productive use.

Tangible capital assets are written down when conditions indicate that they no longer contribute to the Trust's ability to provide goods and services, or when the value of future economic benefits associated with the asset are less than the book value of the asset.

(ii) Contributions of tangible capital assets:

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and also are recorded as revenue.

(iii) Works of art and historical treasures:

Works of art and historical treasures are not recorded as assets in these financial statements.

(iv) Interest capitalization:

The Trust does not capitalize interest costs associated with the acquisition or construction of a tangible capital asset.

(v) Leased tangible capital assets:

Leases which transfer substantially all of the benefits and risks incidental to ownership of property are accounted for as leased tangible capital assets. All other leases are accounted for as operating leases and the related payments are charged to expenses as incurred.

ISLANDS TRUST

Notes to Financial Statements (continued)

DRAFT

Year ended March 31, 2013

1. Significant accounting policies (continued):

(f) Use of estimates:

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the period. Significant estimates include assumptions used in estimating provisions for accrued liabilities and estimating historical cost and useful lives of tangible capital assets. Actual results could differ from these estimates.

(g) Adoption of new accounting policy:

On April 1, 2012, the Trust adopted Public Accounting Standards PS 3410 "Government Transfers." The standards were applied prospectively from the date of adoption. There were no adjustments to accumulated surplus at April 1, 2012 or annual surplus for the year ending March 31, 2012 as a result of the adoption of the new accounting policy.

2. Cash and cash equivalents:

	2013	2012
Bank account balances	\$ 734,012	\$ 778,875
Municipal Finance Authority Bond Fund	2,906,135	2,654,705
Municipal Finance Authority Intermediate Fund	58,902	58,132
Municipal Finance Authority Money Market Fund	3,106	2,932
	\$ 3,702,155	\$ 3,494,644

3. Employee benefit obligations:

The Trust provides sick leave and certain other benefits to its employees and are recorded as follows:

	2013	2012
Vacation pay	\$ 73,488	\$ 93,166
Compensatory time off	25,642	23,410
	\$ 99,130	\$ 116,576

Vacation pay and compensatory time off represent the liability for accumulated banks for draw down at future dates and/or for payout on approved retirement, or upon termination or death.

ISLANDS TRUST

Notes to Financial Statements (continued)

DRAFT

Year ended March 31, 2013

3. Employee benefit obligations (continued):

Other pension plans

The Trust and its employees make contributions to the Public Service Pension Plan (the "Plan"), a jointly trustee pension plan. The Board of Trustees, representing plan members and employers, is responsible for overseeing the management of the Plan, including investment of the assets and administration of benefits. The pension plan is a multi-employer contributory pension plan. Basic pension benefits provided are defined. The Plan has about 56,000 active members and approximately 39,000 retired members.

Every three years an actuarial valuation is performed to assess the financial position of the Plan and adequacy of Plan funding. The most recent valuation as at March 31, 2011 indicated an unfunded liability of \$275 million for basic pension benefits. The next valuation will be as at March 31, 2014, with results available in 2015. The actuary does not attribute portions of the unfunded liability to individual employers. Employee and employer contributions to the plan were each increased by 0.40% of salaries effective April 1, 2012 in accordance with the plan actuary's recommendations. Contributions to the plan by the Trust totaled \$283,811 (2012 - \$245,590) during the year.

4. Obligations under capital leases:

The amounts due for obligations under capital leases are as follows:

	2013
2014	\$ 17,335
2015	16,035
2016	7,452
2017	5,543
2018 and thereafter	2,234
Total minimum lease payments	48,599
Less amounts representing interest (at rates ranging from 2.25% to 6.25%)	5,118
Present value of net minimum capital lease payments	\$ 43,481

Interest of \$1,920 (2012 - \$1,617) relating to capital lease obligations has been included in expenses on the statement of operations.

ISLANDS TRUST

Notes to Financial Statements (continued)

DRAFT

Year ended March 31, 2013

5. Tangible capital assets:

	Denman Island Site	Furniture and equipment	Computers	Leasehold improvements	Total 2013	Total 2012
Cost:						
Balance, beginning of year	\$ 10,000	\$ 119,272	\$ 103,041	\$ 244,268	\$ 476,581	\$ 445,346
Additions	-	7,579	52,429	-	60,008	31,235
Disposals	-	(7,752)	-	-	(7,752)	-
Balance, end of year	10,000	119,099	155,470	244,268	528,837	476,581
Accumulated amortization:						
Balance, beginning of year	10,000	66,974	80,656	183,793	341,423	286,534
Disposals	-	(7,752)	-	-	(7,752)	-
Amortization expense	-	19,343	31,798	19,046	70,187	54,889
Balance, end of year	10,000	78,565	112,454	202,839	403,858	341,423
Net book value, end of year	\$ -	\$ 40,534	\$ 43,016	\$ 41,429	\$ 124,979	\$ 135,158

Contributed tangible capital assets:

Contributed capital assets have been recognized at fair market value at the date of contribution. There were no contributed assets received during 2013 or 2012.

In fiscal 1994, the Denman Island Ratepayers' Association donated \$10,000 which was used by the Trust to purchase the Denman Island Old School Site from School District #71. The Trust agreed to facilitate the sale of the school site between School District #71 and the Ratepayers' Association and to hold title to the property on behalf of the community. The Denman Island Ratepayers' Association has leased the building on the site from the Trust for 99 years for a total fee of \$10.

6. Accumulated surplus:

Accumulated surplus consists of:

	2013	2012
Invested in tangible capital assets	\$ 81,498	\$ 84,444
General Revenue Fund	2,322,225	2,116,212
	\$ 2,403,723	\$ 2,200,656

ISLANDS TRUST

Notes to Financial Statements (continued)

DRAFT

Year ended March 31, 2013

7. Budget data:

The unaudited budget data presented in these financial statements is based upon the 2013 operating budget approved by Trust Council on March 7, 2012. The following reconciles the approved budget to the budget figures reported in these financial statements.

	Budget amount
Operating budget:	
Revenue	\$ 6,832,473
<u>Less appropriation from surplus</u>	<u>(276,202)</u>
	6,556,271
Expenses	6,832,472
<u>Annual deficit</u>	<u>\$ (276,201)</u>

8. Classification of expenses by object:

	2013	2012
Staff salaries and benefits	\$ 3,757,191	\$ 3,692,973
Traveling/training and recruitment	160,912	186,067
Council and trustee costs	801,185	662,698
Office operations	883,645	941,571
Programs	385,797	585,427
Legal	288,344	309,612
Elections	-	122,742
Amortization	70,187	54,889
<u>Total expenses by object</u>	<u>\$ 6,347,261</u>	<u>\$ 6,555,979</u>

ISLANDS TRUST

Notes to Financial Statements (continued)

DRAFT

Year ended March 31, 2013

9. Commitments:

(i) Minimum annual lease payments:

The Trust is committed to leases for rented premises. Minimum future payments in the next five years are as follows:

2014	\$	344,760
2015		340,756
2016		281,845
2017		129,934
2018		9,173

(ii) Contracts:

At March 31, 2013, eight contracts were in progress, with outstanding values totalling \$35,305. All contracts are due for completion within six months of March 31, 2013.

10. Contingent liabilities:

In the normal course of operations, claims for alleged damages are made against the Trust. Costs, if any, are recorded when a liability is likely and reasonably determinable.

11. Trust activities:

(i) Trust Fund under administration

The Trust administers The Islands Trust Fund (the "Fund") which is related through the composition of the Fund's Board. The Fund is empowered to accept donations, grants and bequests on behalf of the Trust and to hold land and other property in compliance with a plan approved by the Ministry of Community, Sport and Cultural Development. The Fund's Board is comprised of three members from Trust Council and up to three members appointed by the Minister of Community, Sport and Cultural Development.

For financial reporting purposes, the Trust and the Fund are reported on separately. These financial statements present the financial position and results of operations of the Trust.

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

ISLANDS TRUST

Notes to Financial Statements (continued)

DRAFT

Year ended March 31, 2013

11. Trust activities (continued):

	2013	2012
Programs	\$ 455,441	\$ 482,248
Board	18,559	19,562
Administration	138,814	142,614
	<u>\$ 612,814</u>	<u>\$ 644,424</u>

(ii) Third party trust funds:

The Trust administers trust activities on behalf of development applicants on a cost-recovery basis. The activities are as follows:

	2013	2012
Cash received during the year	\$ 19,340	\$ 12,743
Cash paid during the year	34,132	16,848

The net payable from development applicants of \$15,110 (2012 - \$29,902) is reported as a liability on the statement of financial position.

REQUEST FOR DECISION

To: Trust Council **For the Meeting of::** June 11-13, 2013
From: Financial Planning Committee **Date Prepared:** May 27, 2013
SUBJECT: DRAFT CARBON NEUTRAL OPERATIONS POLICY

RECOMMENDATION: That the Islands Trust Council approve the proposed Carbon Neutral Operations Policy.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: A Carbon Neutral Operations Policy will help the Islands Trust Council meet its commitment, as a signatory to the British Columbia Climate Action Charter, to becoming carbon neutral in its operations.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The Carbon Neutral Operations Policy will commit the Administrative Services and Trust Area Services staff to ongoing work to measure, reduce, offset and report corporate carbon emissions.

FINANCIAL: The Carbon Neutral Operations Policy will guide carbon reduction program activities and carbon offset purchase decisions. Funds will need to be set aside in the budget to purchase offsets.

POLICY: The Carbon Neutral Policy may result in changes to other policies (e.g. Budget Process Policy, Annual Report Policy, Purchasing Procedure).

IMPLEMENTATION/COMMUNICATIONS: If Trust Council approves the policy, Islands Trust will issue a new release about carbon neutrality. By June 1, 2013, the final version of the Climate Action Revenue Incentive Program (CARIP) report will be posted on Islands Trusts' web site.

OTHER: None.

BACKGROUND:

In 2007, the Islands Trust signed the BC Climate Action Charter committing to take actions and develop strategies to achieve three goals:

1. Become carbon neutral in respect to corporate operations starting in 2012
2. Measure and report on community-wide GHG emissions
3. Create complete, compact and energy-efficient rural and urban communities

To address these strategies:

- all local trust committees made climate change a top work priority and amended their Official Community Plans including GHG reduction targets, policies and actions. Islands Trust's Climate Wise Islands Program began in 2010 and was completed in 2012.

- attention then shifted to make Islands Trust's operations carbon neutral and this strategy was included in the Islands Trust Strategic Plan 2008-2011.
- In December 2011, the Islands Trust Council directed the Financial Planning Committee and Trust Programs Committee to oversee development of a Carbon Neutral Operations Policy. The Trust Programs Committee reviewed the policy on February 6, 2012 and the Financial Planning Committee reviewed the revised policy on February 8, 2012. Staff have incorporated feedback in the attached draft Carbon Neutral Operations Policy.
- In July 2012 the Administrative Services unit implemented a GHG emissions inventory reporting tool provided through the Provincial Government and completed the inventory for 2011 and 2012. The results of the inventory showed that Islands Trust needed to purchase 65 tonnes of carbon credits in order to become carbon neutral.
- In the absence of an approved policy, in March 2013 staff received Executive Committee's endorsement of a recommendation to become carbon neutral in 2012 by purchasing carbon credits through the Community Carbon Marketplace.

REPORT/DOCUMENT: Draft Carbon Neutral Operations Policy – revised May 21, 2013

KEY ISSUE(S)/CONCEPT(S):

- Carbon neutral operations
- Reduction of carbon emissions
- Climate change leadership

RELEVANT POLICY: None

DESIRED OUTCOME: Trust Council approve the proposed Carbon Neutral Policy.

RESPONSE OPTIONS

Recommended: That Islands Trust Council approve the proposed Carbon Neutral Operations Policy.

Alternatives:

- That Islands Trust Council recommend changes to the proposed Carbon Neutral Operations Policy
- That Islands Trust Council request Financial Planning and Trust Planning Committee to give further consideration to the proposed Carbon Neutral Operations Policy and return a revised policy to Trust Council in September 2013
- That Islands Trust Council reconsider the Islands Trust commitment to the BC Climate Action Charter
- That Islands Trust Council not create a Carbon Neutral Policy and delegate all carbon neutral decisions to staff

Prepared By: Cindy Shelest, Director Administrative Services

Reviewed By/Date: Linda Adams, Chief Administrative Officer, May 21, 2013
Financial Planning Committee, May 27, 2013



Linda Adams, Chief Administrative Officer

XXXXX Policy & Procedure**CARBON NEUTRAL OPERATIONS**

Trust Council: June XX, 2013

A: PURPOSE:

To commit the Administrative Services and Trust Area Services to on-going work to measure, reduce, offset and report corporate greenhouse gas (GHG) emissions and achieve carbon neutrality within Islands Trust operations as a signatory to the British Columbia Climate Action Charter. This Policy will:

1. Establish a greenhouse gas emission reduction goal for corporate operations.
2. Define which Islands Trust greenhouse gas emissions will be measured and offset
3. Guide activities reducing Islands Trust's greenhouse gas emissions.
4. Facilitate a process for purchasing offsets for Islands Trust's corporate greenhouse gas emissions.
5. Clarify roles and responsibilities for implementing this policy to achieve carbon neutral operations.

B: REFERENCES:

1. The *Islands Trust Act* defines the Islands Trust's purpose, referred to in the legislation as its "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, other persons and organizations and the government of British Columbia."
2. The Islands Trust Policy Statement:

Guiding Principles:

The primary responsibility of the Islands Trust Council is to provide leadership for the preservation, protection, and stewardship of the Trust Area's amenities, environment, and resources.

Trust Council will implement a plan for the advancement of the Policy Statement as part of its annual budget process, and the Executive Committee of Trust Council will report to Council on progress in achieving the goals of the Policy Statement.
3. BC Climate Action Charter, signed by Islands Trust September 25, 2007
4. Trust Council Policy 6.3.i Budget Process
5. Trust Council Policy 6.10.i Annual Report

6. Trust Council Policy 6.5.iii Purchasing Procedure
7. Trust Council Policy 2.3.iv Trust Programs Committee Terms of Reference
8. 2.3.iii Financial Planning Committee Terms of Reference
9. Annual Budget Document

C: POLICY AND PROCEDURES

GENERAL

1. Trust Council will ensure that there is no net increase in greenhouse gas (GHG) emissions from Islands Trust operations/activities through performing regular emissions inventories, reducing emissions and purchasing carbon offsets to counteract emissions that cannot be readily reduced.

CARBON REDUCTION GOAL:

2. Trust Council commits to reducing greenhouse gases from Islands Trust operations by 7% from 2012 levels by 2020.

CARBON EMISSION SOURCES:

3. Islands Trust greenhouse gas emissions will be calculated using conversion factors set by the Province of British Columbia whenever practical and will be based on data from the following sources:
 - electricity used in Islands Trust corporate offices;
 - natural gas used in Islands Trust corporate offices;
 - all staff, trustee and Trust Fund Board member travel by private motor vehicle (except rental car and taxi); (travel by airplane or helicopter is not included, as the assumption is that commercial aviation organizations have factored their GHG emissions into their operations);
 - paper purchased for Islands Trust corporate offices.

OFFSETTING EMISSIONS TO ACHIEVE CARBON NEUTRALITY

4. Beginning in 2012, Islands Trust will offset corporate emissions such that annual net corporate emissions are zero.

ROLES AND RESPONSIBILITIES

5. The Carbon Neutral Committee will monitor and report to Trust Council on the carbon neutral program, support staff engagement in this issue, and prepare budget requests for carbon reduction activities and offset purchases.
6. The Trust Programs Committee will be responsible for initiating, monitoring and reporting on carbon neutral activities.

7. The Financial Planning Committee will be responsible for evaluating budget requests related to carbon reduction activities and offset purchases.
8. The Director of Administrative Services will prepare an annual briefing for the Financial Planning Committee with projected emissions and offset purchase options. The briefing will include a projection of annual carbon emissions, and a recommendation for offset purchases based on the following criteria:

Purchasing/Investment criteria		Priority
Price		
	Less than or equal to the offset price per tonne being charged in the existing carbon marketplace.	Very high
Type of offset project		
	Offset projects that meet recognized certification standards and involve community organizations or businesses in the Islands Trust Area.	Very High
	Offset projects that meet recognized certification standards and meet goals in the Islands Trust Area Official Community Plans.	Very High
	Offset projects approved by the Green Communities Committee.	High
	Offset projects in developing countries that meet recognized certification standards	Medium
	Offset projects in developed countries that meet recognized certification standards	Low
Ability to report / tell story on where offset investments are going		
	Projects grouped into a bundle	Low
	Stand-alone project	Medium
	Stand-alone project that supports Islands Trust mandate	High

9. Trust Council is responsible for allocating funds for carbon reduction activities and offset purchases through approval of the annual budget bylaw.

REPORTING

10. Annual reports will include a section on Islands Trust carbon emissions, carbon reduction activities and carbon offset purchases.



DIRECTOR OF TRUST AREA SERVICES 2013-2014 FIRST QUARTER REPORT

Date: May 23, 2013

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
<p>1. <u>TRUST COUNCIL / TRUST PROGRAMS COMMITTEE</u></p> <ul style="list-style-type: none"> Sent 3 letters to delegates and presenters at March Trust Council Supported Island Studies Conference Consulted with planning staff re new custom reports of Trust Area Census data Administered 2013 Community Stewardship Awards program Delivered legislative monitoring chart to Trust Council Collected water resource education materials from island groups and developed project charter for TPC See advocacy achievements below See strategic plan achievements below 	<ul style="list-style-type: none"> Plan for Census-based indicator reports Continue administration of Community Stewardship Awards program Develop inventory of water resource education materials and identify information gaps Draft project charter for economic development session with Electoral Area Directors Develop and implement research program in support of BC Ferries advocacy program
<p>2. <u>AGENCY LIAISON and ADVOCACY</u></p> <ul style="list-style-type: none"> Drafted Chair letters regarding Islands Trust Council's decision to endorse the new Coastal Douglas-fir Partnership Terms of Reference, Transport Canada's report on the study of the extent of abandoned and derelict vessels in Canada Developed resolution and background for AVICC/UBCM conventions re abandoned and derelict vessels and shared the resolution with BIM for the LMLGA convention. Drafted new content for advocacy section of website Prepared decision documents re Executive Committee position on resolutions at AVICC Convention Drafted opinion piece regarding ferry fares Attended Kinder Morgan workshop re their Environmental and Socio-economic Assessment 	<ul style="list-style-type: none"> Additional staff and trustee orientation on Advocacy Policy Ongoing tracking of legislative and major policy / program changes in all levels of government Finalize First Nations relations strategy Continue implementing marine advocacy program (derelict vessels, pleasure craft sewage, NMCA) Update memorandum of understanding with the BC agency responsible for Crown Lands
<p>3. <u>ISLANDS TRUST FUND</u></p> <ul style="list-style-type: none"> Delivered Trust Council session on "Working with the Islands Trust Fund" Received approval from Metro Vancouver Regional District to expand NAPTEP to remainder of Howe Sound Delivered session on island land trusts for Island Studies Conference Participated in delivery of shoreline workshops on Galiano, Thetis, Gambier 	<ul style="list-style-type: none"> Review Crown land acquisition program Work with TFB and Executive Committee to advance TFB request for legislative change

<p>4. <u>COMMUNICATIONS</u></p> <ul style="list-style-type: none"> • Launched new website (June 5, 2013) • Issued three news releases (Trust Council Budget Decision, June Trust Council Meeting, Community Stewardship Nominees) • Drafted 2012-2013 Annual Report • Drafted News Release Development Guidelines and circulated to Regional Planning Managers • Reviewed and updated Trust-wide web pages • Proof read 'Sharing Our Shorelines' North Pender LTC • Tweeted regularly - 387 followers up from 320 in March • Review LPS communications guidelines/templates • Drafted Terms of Reference for Communications Advisory Group and invited staff input and volunteers • Research and implement changes to news clipping service to comply with copyright legislation 	<ul style="list-style-type: none"> • Continuous improvements to website as time allows. • Implement high priority items on EC's 2012-2013 communications work plan, including options for implementing TPC strategic plan components • Draft 2013-2014 communications work plan for EC • Support Bylaw Enforcement communications and news releases • Provide service to BIM upon request • Track communications policies to be updated • Present RFD to EC for guidance on film project
<p>5. <u>GRANTS ADMINISTRATION</u></p> <p><i>Grants in Progress:</i></p> <ul style="list-style-type: none"> • Completed interim report for Stewardship Centre for BC (SCBC) for Green Shores project. • Coordinated debrief and reported results of Green Shores workshops and Gambier webinar.. <p><i>Identifying Opportunities:</i></p> <ul style="list-style-type: none"> • Distributed grant information to trustees and staff, including Bowen. • Responded to 5 requests for detailed grant information and liaised with funders to determine viability. • Developed and submitted a grant application to BC Healthy Communities for /Salt Spring LTC • Continued liaison with partners re: Lasqueti Community Energy Project request for grant administration of provincial solar energy funds (\$250,000) • Developed improved grants database in Sharepoint. • Developed content for new website re: Green Shores & community grants database. 	<ul style="list-style-type: none"> • Provide service to BIM upon request • Prepare Green Shores final reports or negotiate extensions for SCBC and Real Estate Foundation. • Prepare Lasqueti Solar BC final report or negotiate extension. • Develop project analysis framework for consideration of funding for new projects • Continue to forward information to Bowen on funding opportunities • Support Green Shores project to meet funder deliverables and/or negotiate changes. • Support webinar development and guidelines. • Monitor Revenue Canada for new registration process for qualified donees. • Final data input and launch of Sharepoint Grants Database.
<p>6. <u>HUMAN RESOURCES</u></p> <ul style="list-style-type: none"> • Work with management team on organizational improvements requested in staff survey • Participated in Administrative Services Review • Participated in hiring process for Computer Applications Support Technician position and provided orientation • Completed performance reviews for 4 TAS staff • Completed 2.5-day project management course with 6 TAS staff • Hired contractor to provide website guidelines • Provided specialized training for all web posting staff 	<ul style="list-style-type: none"> • Revise 3 TAS job descriptions to reflect Legislative Services Manager role and increased emphasis on electronic communications • Quarterly check-ins with TAS staff on achieving objectives in performance plans



TRUST FUND BOARD REPORT TO TRUST COUNCIL 1st Quarter 2013-2014

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. STRATEGIC PLANNING/ ADMINISTRATION	
<p>Requested reappointment of TFB member Dereck Atha, whose term expires July 31, 2013</p> <p>Revised Opportunity Fund guidelines</p> <p>Completed ITF contribution to 2012-2013 Annual Report</p>	<p>Review land acquisition and property management policies and identify gaps and required revisions</p> <p>Subject to funding, initiate eelgrass and forage fish mapping for additional islands, prioritizing Bowen, Galiano, Gabriola, Valdes and other islands in coordination with planning staff</p>
2. COVENANT AND PROPERTY ACQUISITIONS	
<p>Acquired 24th nature reserve (Galiano) in partnership with Galiano Conservancy Association and the Nature Conservancy of Canada, 40 hectares of forest and wetland connected to existing protected areas</p> <p>Acquired 25th nature reserve, a donation of 2 hectares of mixed forest, woodland and rocky outcrops on Gabriola</p> <p>Closed 2 NAPTEP files on Hornby</p> <p>Registered 66th covenant over 13.4 ha of private land on Salt Spring Island, protecting numerous species at risk</p>	<p>Draft three NAPTEP covenants (1 on Hornby, 2 on Salt Spring) and 1 regular covenant (North Pender)</p> <p>Finalize covenants for 3 Gambier Island nature reserves and the Mt. Trematon Nature Reserve (Lasqueti) with conservancy partners</p>
3. PROPERTY AND COVENANT MANAGEMENT	
<p>Contracted and conducted species at risk monitoring on Little D'Arcy Island and Windthrow Covenants (Sidney)</p> <p>Contracted invasive species removal at Long Bay Wetland Nature Reserve (Gambier)</p> <p>Contracted and conducted the Long Bay Wetland Restoration Project (Gambier), excavating and seeding a former gravel</p>	<p>Complete monitoring of all TFB nature reserves and covenants</p> <p>Develop a comprehensive monitoring program for species at risk, invasive species, compliance and ecological monitoring for ITF properties</p> <p>Initiate an ecological monitoring plan for deer exclusion areas at Windthrow Covenant,</p>



TRUST FUND BOARD REPORT TO TRUST COUNCIL 1st Quarter 2013-2014

<p>extraction site</p> <p>Contracted Bowen Island Conservancy to address trail corridor and trespass issues at Fairy Fen Nature Reserve (Bowen)</p> <p>Performed compliance monitoring of Meadow Valley Covenant (Thetis)</p>	<p>Sidney Island (N. Pender)</p> <p>Contract ecological monitoring and species assessment for Morrison Marsh NR (Denman)</p> <p>Develop management plans for DL 58 (Galiano) and Burren's Acres (Gabriola) Nature Reserves</p> <p>Contract species at risk assessment of Tate Covenant (Salt Spring)</p>
4. COMMUNICATIONS	
<p>Coordinated and participated in panel on island-based land trusts for Island Studies conference (Gabriola)</p> <p>Shared information with public about managing invasive species (subscriber e-mail and website)</p> <p>Issued revised NAPTEP brochure</p> <p>News Releases issued about:</p> <ul style="list-style-type: none"> • DL 58 Nature Reserve (Galiano) • Brooks Point matching funds campaign 	<p>Continue edits and drafting of new content for ITF website</p> <p>Fall edition of The Heron (newsletter of the ITF)</p> <p>Review existing communications policies and identify gaps</p>
5. FUNDRAISING AND CONSERVANCY SUPPORT	
<p>Opportunity Fund grant offered to Pender Island Conservancy Association as matching funds for Brooks Point campaign (\$5,000)</p> <p>Assisted Eelgrass Mapping Partnership in funding applications for Trust Area eelgrass mapping (CRD Grant in Aid, Comox Valley RD Grant in Aid)</p>	<p>Further develop planned giving program through development of brochures and tax-benefit information for donors</p> <p>Work with Pender Island Conservancy Association to raise funds for addition to Brooks Point Regional Park</p> <p>Review ITF's Client/Donor Management System (current system and growing needs)</p> <p>Review existing fundraising policies and identify gaps</p>

*As of June 2013 the Trust Fund Board
owns 25 properties and holds 66 covenants (of which 22 have NAPTEP certificates).*

REQUEST FOR DECISION

To: Trust Council

For the Meeting of:: June 11-13, 2013

From: Trust Fund Board

Date Prepared: May 17, 2013

File No.: SS-NAP-2013.1

**SUBJECT: NATURAL AREA PROTECTION TAX EXEMPTION PROGRAM (NAPTEP)
CERTIFICATE, APPLEBY PROPERTY, SALT SPRING ISLAND**

RECOMMENDATION: That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for a portion of the land described as “Lot A, Section 15, Range 5 East, North Salt Spring Island, Cowichan District, Plan 50764, Except that part in Plan VIP57454” PID 016-226-500, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for the NAPTEP program.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Trust Council has issued 22 Natural Area Exemption Certificates since 2005, and this is the 11th NAPTEP application from the Salt Spring Island Local Trust Area (9 certificates have been issued on Salt Spring). There are currently 3 NAPTEP applications in progress including the Appleby application.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Administration of the covenant registration will be the responsibility of ITF staff. Staff will ensure that both the covenant and the baseline inventory report meet NAPTEP standards.

FINANCIAL: The costs of administering this application will be partly recovered through the application fees. Other associated costs such as covenant registration, survey costs and baseline costs will be covered by the landowner. Ongoing monitoring costs will be administered by the Trust Fund Board.

POLICY: This application is consistent with Trust Council's policies regarding NAPTEP applications.

IMPLEMENTATION/COMMUNICATIONS:

- The applicant will be advised of Trust Council's decision.
- If Trust Council votes to issue a Natural Area Protection Tax Exemption Certificate, the applicant will then be required to complete the baseline inventory report, a legal survey and register the standard conservation covenant against the property title. The conservation covenant must be registered on title by October 1, 2013 for the landowner to receive a tax exemption in 2014.
- The certificate will only be issued when the above items are received.

- Once the certificate is issued to the applicant, the BC Assessment Authority, the Land Titles Office, and the Regional District and any other relevant agencies will be advised.
- Trust Fund Board staff also have a communications plan to advise members of the public regarding the successful completion of NAPTEP applications.

BACKGROUND

- A NAPTEP application was received in March 2013.
- TFB staff have reviewed the proposal and confirmed that it is eligible under NAPTEP.
- The TFB has agreed to hold the conservation covenant for this application.
- The application was sent as an information item to the Salt Spring Island Local Trust Committee on May 2, 2013.

REPORT/DOCUMENT:

Map, property details and list of NAPTEP Values and Amenities attached.

KEY ISSUE(S)/CONCEPT(S):

Approval of a Natural Area Protection Tax Exemption Certificate.

RELEVANT POLICY:

Islands Trust Act (7.1)

Islands Trust Natural Area Protection Tax Exemption Regulation

Trust Council procedure 2.1.x re: Administration of the NAPTEP program.

DESIRED OUTCOME:

Registration of a conservation covenant to protect natural areas under the NAPTEP program.

RESPONSE OPTIONS

Recommended: As above.

Alternative: 1. To decline to issue the certificate.
2. To delay issuance of the certificate subject to receipt of additional information.

Prepared By: Kate Emmings, Ecosystem Protection Specialist

Reviewed By/Date: Trust Fund Board – April 22, 2013
Salt Spring Island Local Trust Committee – May 2, 2013
Jennifer Eliason, ITF Manager - May 7, 2013
Executive Committee – May 28, 2013



Linda Adams, Chief Administrative Officer

Property Information

Applicant: Laurence Appleby

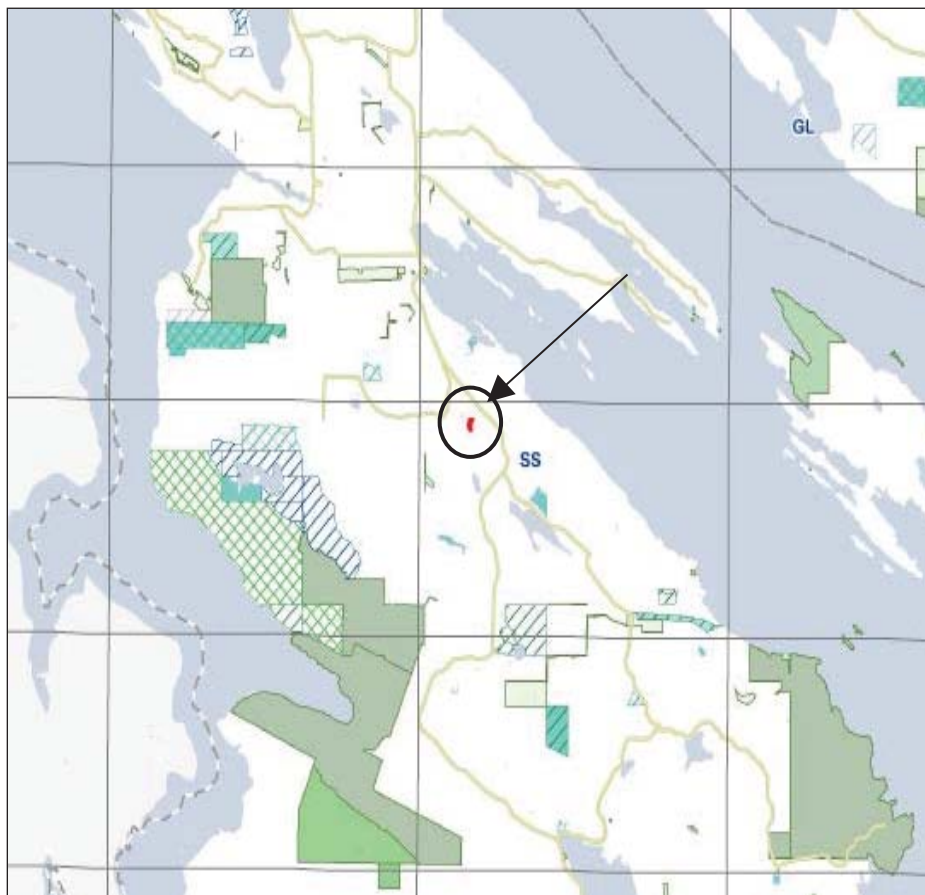
Property Description: PID 016-226-500, Lot A, Section 15, Range 5 East, North Salt Spring Island, Cowichan District, Plan 50764, Except that part in Plan VIP57454.

Property size: 1.9 ha (4.6 acres) (according to BC Assessment)

Proposed covenant size: 0.8 ha (2 acres)

Property notes:

The property is the site of an old orchard (not included in the covenant area), indicating historical use. The proposed covenant area has seen at least one logging pass which appears to be from springboard logging indicating that the forest is likely mature or at least verging on mature. The forest is primarily Douglas-fir with salal and moss as the dominant understory vegetation. There are components of Western redcedar and bigleaf maple. The understory also contains components of oceanspray, swordfern and Oregon-grape among other species. The aspect was north/northeast-facing and soils at upper elevations were thin with some moss-covered rock outcrops.



Map 1. Property Location



Map 2. Air Photo.

NAPTEP Natural Values & Amenities

The natural values of the proposed covenant area, according to the NAPTEP Regulations, are listed below. Values were determined by evaluating the application submitted by the property owner and through a site visit conducted March 14, 2013.

1. Mature Forest Ecosystem (NAPTEP Regulation Section 2(a)):

The forest was logged in the early to mid 20th century. The forest is either mature or verging on mature forest as per the NAPTEP Regulations (80 year stand age).

2. Areas that are relatively undisturbed by human activity and are key habitat for rare native plant species or plant communities (NAPTEP Regulation Section 2(b)):

No rare species have been observed on the site, but the following rare plant community has been mapped in the Terrestrial Ecosystem Mapping project for Salt Spring Island (2008):

Coastal western hemlock - Douglas-fir / Oregon beaked-moss (*Tsuga heterophylla* – *Pseudotsuga menziesii* / *Eurhynchium oreganum*): Provincially Red listed, Globally vulnerable

TRUST PROGRAMS COMMITTEE WORK PROGRAM REPORT

To: Islands Trust Council

Updated: May 28, 2013

WORK PROGRAM

DEVELOP AND IMPLEMENT RESEARCH PROGRAM IN SUPPORT OF BC FERRIES ADVOCACY PROGRAM (Strategic Plan 4.1)

- Polling on how ferry fare increases have affected economic well-being of islanders and their businesses (2013)
- Costing of a significant fare roll back on minor routes (2013)

ENCOURAGE UNDERSTANDING AND VOLUNTARY STEWARDSHIP OF WATER RESOURCES (Strategic Plan 3.2)

- Identify existing local water education materials in an inventory (June 2013)
- Identify information gaps (September 2013)
- Develop options for addressing those gaps, if necessary (November 2013)

CREATE LINKAGES TO SHARE ECONOMIC DEVELOPMENT MODELS (Strategic Plan 4.2)

- Develop project charter for Trust Council session to share effective and appropriate economic development models with regional districts (August 2013)

CONTINUING ITEMS

COMMUNITY STEWARDSHIP AWARDS

- Deliver 2013 awards program

LEGISLATIVE MONITORING

- Monitor changes and report to Trust Council

INDICATOR PROGRAM

- Research high-priority indicators, such as census and housing

VACANT CROWN LAND PROFILES

- Bowen Island, Gambier LTC, and Ballenas-Winchelsea Islands – on hold

Lisa Gordon
Designate Staff

Paul Brent
Chair



REQUEST FOR DECISION

To: Trust Council

For the Meeting of:: June 11-13, 2013

From: Executive Committee

Date Prepared: May 23, 2013

File No.:

SUBJECT: 2012-2013 ANNUAL REPORT

RECOMMENDATION:

That the Islands Trust Council approve the 2012-2013 Annual Report for submission to the Minister of Community, Sport and Cultural Development.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Under the *Islands Trust Act*, Trust Council has the authority to approve the annual report before forwarding to the Minister responsible for the Islands Trust.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

None

FINANCIAL:

The communications budget contains funds for graphic design, layout and printing.

POLICY:

Under Annual Report Policy 6.10.i Trust Council approves annual reports.

IMPLEMENTATION/COMMUNICATIONS:

Once approved and upon receipt of the Auditor's Financial Statements, this report will be professionally formatted for printing and web-publishing, and conveyed to the Minister responsible for the Islands Trust and other recipients listed in Policy 6.10.i.

OTHER:

BACKGROUND

REPORT/DOCUMENT: Attached Draft 2012-2013 Annual Report

KEY ISSUE(S)/CONCEPT(S): Meeting legislative requirements for annual reporting.

RELEVANT POLICY: 6.10.i

DESIRED OUTCOME: Timely reporting of Trust Council's achievements.

RESPONSE OPTIONS

Recommended: As above

Alternative: Approve the report with changes determined by Trust Council

Prepared By: Laura Stringer, Communications Specialist

Reviewed By/Date: Lisa Gordon, Director, Trust Area Services, May 23, 2013

A handwritten signature in black ink, appearing to read 'Linda Adams', written over a horizontal line.

Linda Adams, Chief Administrative Officer

DRAFT Islands Trust Annual Report

2012-2013

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Message from the Islands Trust Council Chair - To be updated

Community Stewardship Awards 2012

Each year, the Islands Trust recognizes individuals and groups who support the Islands Trust mandate with significant contributions towards preserving the community, culture or the natural environment of an island. In 2012 we had a record number of nominations with 14 individuals and four groups nominated for the awards.

The individual awards recipients in 2012 were Stuart Watson, Gambier Island, for his work with the Gambier Fire Equipment Group and Langdale Access Group; Margot Venton, North Pender Island, for working to protect the Southern Resident Killer Whale; and, Anne Macey, Salt Spring Island, for supporting agriculture and food security.

Group awards went to the Gabriola Island Health Care Foundation, Society and Auxiliary for building the Gabriola Island Urgent Care Medical Clinic; the Hornby Quilters Group for 36 years of fundraising; and, the Saturna Ecological Education Centre for building an Ecological School.

Peter Karsten of Denman Island was also acknowledged with a special enduring achievement award for conservation programs and projects.

In 2009, the Islands Trust added a new category to the Community Stewardship Award Program to recognize and encourage the actions of individuals and organizations that are working in the area of climate change.

Dr. Donald Marshall of Bowen Island received the 2012 climate change award for initiatives to reduce, reuse and recycle.

I am grateful to the many islanders who work to steward these beautiful islands.

Sheila Malcolmson, Chair, Islands Trust Council

Message from the Trust Fund Board Chair

We can't protect that which we don't know we have. That was a point Auditor General John Doyle drove home in his 2013 *Audit of Biodiversity in BC*. Biodiversity is vital to our well-being, supplying us with food, water, air, soil and medicine. In his audit, Mr. Doyle assessed the province's effectiveness protecting the biodiversity B.C. is renowned for, concluding that significant gaps exist in the government's understanding of the biodiversity that exists today. His number one recommendation was that government make a long-term commitment to collect sufficient and reliable information about the status of biodiversity in B.C. Without that data, the people of this province cannot make informed decisions about conserving the living environment that sustains us.

The Islands Trust Fund recognizes the need to understand our environment in order to plan how best to protect it. Over the past decade, the Islands Trust Fund has put emphasis on collecting biodiversity data and mapping the unique ecosystems of the Islands Trust area. We have mapped terrestrial ecosystems, and determined which of those are most sensitive to human activities. We've identified the pieces in our island landscapes that play critical roles connecting our natural habitats together, providing habitat for those species and ecosystems most endangered in the province. Most importantly, we're sharing this data with partners - various levels of governments, conservation agencies and community groups in the hopes that we can work together and prioritize our actions to collectively achieve the best results for biodiversity in the islands.

This year, the Islands Trust Fund waded into the shallows of the Salish Sea to begin measuring the biodiversity of the terrestrial-marine interface that supports both the ecosystems on land and in the water. We partnered with the Seagrass Conservation Working Group and other marine conservation agencies and community groups to identify and map eelgrass and forage fish habitat along our islands' shorelines. Like our work collecting data on land, we hope this mapping will help us and our government partners make more informed decisions about the activities that impact these ecosystems.

All the while, we continue to use this data to inform our efforts to permanently protect the unique environment of the islands. We proudly protect 1,084 hectares of land within nature reserves and actively monitored conservation covenants. At any one time, our staff is engaged with several potential donors and partners on conservation proposals that will help meet our goals for protecting biodiversity.

We agree with Mr. Doyle, who said managing biodiversity is a complicated task. The Islands Trust Fund continues to work diligently to carry out this task, and to measure the results of that work. We hope these efforts demonstrate our ongoing contribution to protecting biodiversity values of importance to the Province and all those who love the islands.

Tony Law
Chairperson

Message from the Chief Administrative Officer

This fiscal year was a time of new beginnings, with trustees of the 2011-2014 term adopting their first annual budget in March 2012 and their first strategic plan in September 2012, reflecting the new priorities and objectives for the current term. As political priorities change, our staff adjust to new projects and challenges, some requiring new knowledge and approaches. Toward the end of the 2012-2013 fiscal year, adjustments had been made, newly-elected trustees had gained experience and much new work was well underway.

Behind the Scenes

Some of our staff work in roles that make them well-known in island communities, attending public meetings or answering calls from constituents. Others work at equally important jobs, less visible to the general public, but highly respected and valued by trustees and their colleagues. Some of the 'behind the scenes' work that has made the Islands Trust function well this year included:

Islands Trust Council meeting preparation

As a special-purpose form of local government, the Islands Trust has similarities and differences from other local government bodies in British Columbia. One of the more unique aspects is that the Islands Trust Council is responsible for more than 470 islands spread out along the southern coast of British Columbia and hence does not have a central 'council chambers' to hold its regular business meetings. Many years ago, the Islands Trust Council decided to meet quarterly over three days and to meet on various islands throughout the Islands Trust Area. The benefits are many, as Council members come to know many islands (and each other) during their term. Along with the senior staff who attend these meetings, they gain a greater understanding of the jurisdiction they serve, often learning new approaches they can use elsewhere. However, these arrangements create some logistical challenges. Thankfully, the Islands Trust's Executive Coordinator Marie Smith and Secretary Jas Chonk are up to the challenge! Often months before a meeting, they are busy making arrangements for up-coming Trust Council meetings, booking meeting places and accommodations, coordinating caterers and developing meeting schedules that meet the needs (and multiple ferry schedules!) of our 26 trustees. While staff with similar duties in other local governments may just walk down the hall to their council chambers, Marie and Jas must pack and transport all the necessities for a three-day meeting and set up Council meetings in a broad range of island venues, including agricultural buildings, church halls and theatres. They have a comprehensive checklist for their 'Council-in-a-Box' to make sure nothing essential is left behind and Marie is a master of adaptability as new challenges inevitably arise. In March of 2013 she capably arranged a very successful meeting on Thetis Island, the first held there for several decades and the 71st meeting she's organized. That each Trust Council meeting goes so smoothly is a clear testament to the careful preparation and thought that goes on *behind the scenes*.

Advocating for Islanders

While the Islands Trust is often thought of as a land use planning and regulatory agency, the *Islands Trust Act* also gives Trust Council an important role in advocating, or speaking on behalf of islanders, particularly by offering advice as other levels of government develop or review policies that affect the communities and environment of the Islands Trust Area. Pages *** of this Annual Report identify the more significant advocacy initiatives that Trust Council has taken in the 2012-2013 fiscal year, noting the new Advocacy Policy it adopted to guide this work. The issues cover a broad range of topics -- from ferry fares to oil spills, from aquaculture to mining. The Islands Trust has talented staff (Lisa Gordon, Director of Trust Area Services; Clare Frater, Policy Analyst and Laura Stringer, Communications Specialist) that work to ensure Trust Council's advocacy initiatives are as effective as possible. They know that to be effective, advocacy must be credible, timely and constructive. Ideally, advocacy positions are well-grounded in public consultation and partnerships with other partners. The broad range of topics facing the Islands Trust Area demand staff that are nimble and thorough, able to work with tight timelines and multiple priorities. The advocacy products that Lisa, Clare and Laura developed this fiscal year for the Islands Trust Council, (the submission to the Ministry of Transportation and Infrastructure regarding BC coastal ferries ([hyperlink to new site](#)) is just one example) speak for themselves and are clear evidence of the superb, but sometimes unseen, work that goes on *behind the scenes*.

2012-2013 Staff – Comings and Goings

This fiscal year we said goodbye to several valued employees and celebrated the following promotions and new

hires:

- **Natalie Tamosiunas**, Trust Fund Secretary, left the Islands Trust after three years to work in the private sector. **Emily Kozak** was hired August 28, 2012 to take her place.
- **Kaitlin Kazmierowski**, Island Planner at the Victoria office, left August 7, 2012 after 3 years with us, to take a planning position with the City of Richmond.
- **Kris Nichols** was promoted to Island Planner, filling the position vacated by **Kaitlin Kazmierowski**.
- **Kim Farris**, was hired to replace **Kris Nichols** as a Planner 1.
- **Jacquie Hill**, Planning Clerk on Gabriola Island for 5 years, left the Islands Trust in September 2012 to take on a new position of Manager of Administrative Services with the Regional District of Nanaimo.
- **Lisa Webster-Gibson**, was hired February 4, 2013, as the Planning Clerk for the Northern office, replacing **Jacquie Hill**.
- **Chris Jackson**, Regional Planning Manager of the Northern office, left the Islands Trust after 12 years to be the Manager for Community Planning for the City of Nanaimo in October 2012.
- **Courtney Simpson**, was promoted from Island Planner to Regional Planning Manager, replacing **Chris Jackson** at the Northern Office on March 3, 2013.
- **Chloe Fox**, Island Planner in the Northern office for 18 months, left the Islands Trust on March 14, 2013 to pursue a PhD, focusing on urban / economic geography and heritage planning.
- **Aleksandra Brzozowski**, was hired as an auxiliary planner in December 2012 and won the competition to replace **Chloe Fox** as Island Planner in March 2013.
- **Geoff Kinnear** became permanent in the part-time Bylaw Enforcement Officer position on May 1, 2012.
- **Corlynn Strachan** became permanent in the part-time Receptionist position, on May 28, 2012.

Staff Recognition Awards

At the December 2012 meeting of Trust Council, I had the pleasure of presenting the sixth annual staff recognition awards. Our staff recognition award program was developed by staff to recognize the achievements and contributions of their colleagues.

The Service Excellence Award goes to an individual who provides excellent customer service (internally or externally), is courteous, cooperative and dependable, assists others and is an excellent team member. There were four nominations for the award this year. The winner of the Islands Trust Service Excellence Award for 2012 was Salt Spring Island's Planning Secretary, Claire Olivier for her commitment to service and to excellence is everything she does.

The Excellence in Leadership Award is for an individual who encourages teamwork, empowers the team, mentors staff and communicates well. The 2012 recipient of the Islands Trust Excellence in Leadership Award was Planner 2 Stefan Cermak, for his leadership in taking on challenging applications and policy issues.

The Unsung Hero Award goes to an individual who willingly takes on tasks no one else want to do and for dependability, courtesy, cooperation and assisting others. The 2012 recipient winner was Planner 2 Stefan Cermak for arriving early, leaving late and often taking work home without complaint. Recipient of two awards, Stefan is obviously doing something right in the eyes of his colleagues!

The Legacy Award goes to a staff member who has done something that makes a significant difference for all of us who work for the islands. I was delighted to present the award to Christine Rikley, Fundraising and Communications Specialist, who received two nominations, for taking the lead in developing the new website for the Islands Trust Fund.

The Champion Award is intended to go to an individual who champions the Islands Trust policy statement or strategic goals and has demonstrated this through a project or actions. This award may not be presented every year, and the last time it was presented was in 2008. This year in 2012 the award was given to Planner 1 Kristin Aasen for being a local champion of the Trust mandate through her work with applications and inquiries.

The Exceptional Team Effort Award is intended to go to a team, not an individual. It can be a regular team, ad hoc team or a special team formed for a project involved in overcoming major challenges, putting out exceptional effort beyond

standard performance and exceeding normal expectations. In 2012 the award was given to the entire team that serves our Salt Spring Island Office -- Caitlin Brownrigg, Claire Olivier, Justine Starke, Kristin Aasen, Leah Hartley, Lisa Floritto, Pauline Brazier and Stefan Cermak for their exceptional service – professional, accountable, efficient and cooperative. Congratulations all!

Linda Adams, Chief Administrative Officer

The Islands Trust Area

The Islands Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island, including Howe Sound and as far north as Comox, with the exception of Texada Island. It is approximately 5200 square kilometres (2000 square miles) in size and has a resident population of more than 25,000.

Located in the Strait of Georgia and Howe Sound, the Islands Trust Area is a unique and special place — a scenic archipelago of 13 large islands and more than 450 smaller islands and islets. The area provides habitats for an exceptional variety of species: more than 200 types of migratory and resident birds and numerous species of fish and other marine and intertidal life, terrestrial wildlife and vegetation. Outstanding scenery and recreational resources include panoramic viewpoints, sheltered bays, protected marine waterways and anchorages, all of which contribute to the beauty, appeal and tranquility of this area.

The unique natural environment of the islands in the Strait of Georgia and Howe Sound has given the area national recognition. Realizing this, the government of British Columbia enacted special protective legislation in 1974 entitled the *Islands Trust Act*. The *Act* states that the object of the Islands 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 the municipalities, regional districts, improvement districts, other persons and organizations, and the government of British Columbia”.

Insert Latest Map from: [Common/Clipart/Islands Trust/Maps/May 2013 Maps](#)

Organization & Responsibilities

The Islands Trust is a unique federation of local government bodies, including Bowen Island Municipality, which plans land use and regulate development in the Trust Area. Like other communities in British Columbia, island communities elect their local representatives every three years.

Two local trustees are elected for each group of islands designated as a local trust area or island municipality. For the twelve local trust areas, the two local trustees, together with an appointed chair from the Executive Committee, are responsible for the land use decisions within their local area. For Bowen Island Municipality, the two local trustees are part of a seven-member council that is responsible for all functions of a local government, including land use decisions. Unlike the Bowen Island Municipal Council, each local trust committee has jurisdictional authority for the smaller islands and water that surround the major island in that local trust area.

The Islands Trust consists of a number of distinct corporate entities: the Trust Council, Executive Committee, twelve local trust committees and Trust Fund Board. The Bowen Island Municipality is also located within the Islands Trust Area. Two municipal trustees represent the Bowen Island Municipal Council on Trust Council. The Bowen Island Municipal Council has responsibilities related to the *Islands Trust Act*.

The Islands Trust Council

The twenty-six member Islands Trust Council establishes general policies for carrying out the object of the Islands Trust. Trust Council also adopts an operational budget for the Islands Trust and manages the financial undertakings of all parts of the Islands Trust except for the Trust Fund, which manages its own operations. Trust Council appoints staff and auditors and adopts an annual budget. Tax levies on properties within the Trust Area are the primary funding source for the operations of the Islands Trust; additional revenue comes from a provincial grant and development application fees.

The *Islands Trust Act* requires Trust Council to implement the Trust Policy Statement that is applicable to the whole Trust Area. The Minister of Community, Sport and Cultural Development must approve the Policy Statement before it is adopted. The Policy Statement provides broad policy guidelines for Trust Council, the Trust Fund Board and the local trust

committees and island municipality regarding the protection of ecosystems, the stewardship of resources and the promotion of sustainable communities. The positions and philosophy of Trust Council contained in the Policy Statement also constitute a policy framework for reference by the public and other agencies such as the regional districts of the Trust Area, the Province and its agencies.

Trust Council has three standing committees of trustees — the Local Planning Committee, Trust Programs Committee and Financial Planning Committee — which provide policy advice to Trust Council on issues referred by the Council and on committee initiatives.

Executive Committee

The Executive Committee comprises the Chair of the Islands Trust Council and three Vice-Chairs, all of whom are elected for a three-year term by Trust Council from among its members. The Executive Committee carries out the daily business of the Islands Trust and reviews the bylaws of local trust committees to ensure compliance with the Islands Trust object and the Trust Policy Statement. The Executive Committee also acts as a local trust committee for the Ballenas / Winchelsea Island group north of Nanaimo, that is not included in any other local trust areas.

Executive Committee

Sheila Malcolmson, Chair, Gabriola Island

David Graham, Vice-Chair, Denman Island

Ken Hancock, Vice-Chair, North Pender Island

Peter Luckham Vice-Chair, Thetis Island

Local Trust Committees / Island Municipality

A local trust committee exists for each group of islands designated as a local trust area under the *Islands Trust Act*, except for Bowen Island, which is an island municipality.

Each local trust committee has three members — two locally elected trustees and one Executive Committee member who serves as Chair. A local trust committee is responsible for land use planning and regulation for its area of jurisdiction. The responsibilities include preparation and adoption of Official Community Plans, Land Use Bylaws, zoning and subdivision bylaws, regulation of soil removal and deposit, and authorization of permits under Part 26 of the *Local Government Act*.

The Bowen Island Municipality is served by a seven-member Council which holds broad municipal powers including land use planning. Two of the municipal councilors are elected to Trust Council by the community.

The *Islands Trust Act* requires all local trust committees to submit all bylaws to the Executive Committee for approval before they can be adopted. Island municipalities must submit an Official Community Plan to the Executive Committee for approval before adoption. Any island municipality bylaw that refers to matters included in the Trust Policy Statement also requires Executive Committee approval. The *Islands Trust Act* and Municipal Letters Patent establish the necessary procedures, should the Executive Committee find a bylaw at variance or contrary to the Trust Policy Statement.

Trustees

The following trustees are members of the Islands Trust Council.

Bowen

Wolfgang Duntz, Andrew Stone

Denman

Laura Busheikin, David Graham

Gabriola

Sheila Malcolmson, Gisele Rudischer

Galiano

Louise Decario, Sandy Pottle

Gambier

Mayne

Brian Crumblehulme, Jeanine Dodds

North Pender

Ken Hancock, Gary Steeves

Salt Spring

George Grams, Peter Grove

Saturna

Paul Brent, Pam Janszen

South Pender

Jan Hagedorn, Kate-Louise Stamford
Hornby
Alex Allen, Tony Law
Lasqueti
Peter Johnston, Susan Ann Morrison

Mike Jones, Liz Montague
Thetis
Sue French, Peter Luckham

Trust Fund Board

The Trust Fund Board has six members: two trustees elected by Trust Council, one trustee appointed by the Executive Committee and three members appointed by the Minister of Community, Sport and Cultural Development for terms of one to three years.

As the conservation land trust of the Islands Trust, the Islands Trust Fund acquires and manages land for conservation, receives donations of land, conservation covenants and cash to help preserve places of natural or cultural significance within the Trust Area, and undertakes stewardship education activities. The Islands Trust Fund provides tax receipts for all eligible donations.

Every five years, the Trust Fund Board prepares an Islands Trust Fund Plan for approval by the Minister of Community, Sport and Cultural Development, to establish policies regarding the operations of the Islands Trust Fund. In 2010, the Trust Fund Board adopted the 2011-2015 Regional Conservation Plan, which will help the Islands Trust Fund and its partners focus limited resources on the areas and projects that yield the greatest benefit to biodiversity in the islands.

Trust Fund Board Members

Tony Law, Hornby Island (December 2011 – present, Chair, January 2012 – present)
Peter Luckham, Thetis Island (December 2011 – present)
Susan Morrison, Lasqueti Island (December 2011 – present)
Dereck Atha, Mayne Island (Appointed Member, June 2010 – present)
Julie Glover, Vancouver and Hornby Island (Appointed Member, December 2011 – present)
Robert Grant, Vancouver and Denman Island (Appointed Member, July 2009 – present)

(Insert Legislative Structure chart)

Annual Report 2012-2013 Accomplishments

Strategic Plan for the 2011-2014 Term

Trust Council uses a strategic plan to set priorities and goals for each term. For the 2011-2014 term of office, Trust Council used innovative ways to seek public input about what the top priorities should be. At their first meeting after the election, trustees started discussing what they were hearing from constituents. After six months of discussion at Trust Council meetings, Council committee meetings and at local trust committee meetings, Trust Council approved a draft strategy for public comment with ten potential objectives.

The July 2012 consultation process asked Islanders to identify which of the ten proposed objectives mattered most to them and whether anything was missing. People could respond to the draft in four ways: 1) write via fax, mail or e-mail: strategicplan@islandstrust.bc.ca; 2) address Trust Council in person; 3) complete a survey; and 4) participate in an online discussion using PlaceSpeak.

In August 2012 Trust Council's committees considered the written input, and in September 2012 Trust Council considered additional input and the committees' recommendations. Trust Council adopted its 2011-2014 strategic plan in September 2012 updates it at every quarterly meeting to align Trust Council's strategic priorities with its staff resources and budget.

The goals for this term are:

Goal A Ecosystem Preservation and Protection

The Islands Trust will work to protect the natural environment of islands by:

- Encouraging and enabling islanders in voluntary stewardship actions that protect special areas, including the shoreline
- Working to protect fish habitat under BC's Riparian Areas Regulation
- Protecting special ecosystems, managing shoreline areas and reducing greenhouse gas emissions when land use decisions are made
- Advocating for new approaches to oil spill preparedness, derelict vessels, industrial developments, aquaculture, marine sewage and national marine conservation

Goal B Stewardship of Island Resources

The Islands Trust will focus on good management of island water resources by:

- The Islands Trust will focus on good management of island water resources by:
- Encouraging voluntary stewardship, advocating for legislative reform and exploring creative solutions for watershed management
- Using land use planning tools and decisions to protect the quality and quantity of water resources

Goal C Sustain Island Character and Healthy Communities

The Islands Trust will work to enhance the economic sustainability and security of island communities by:

- Creating linkages between islanders and regional districts to share effective economic development models
- Continuing to advocate for sustainable, affordable and appropriate ferry services
- Using land use planning tools and decisions to positively affect housing affordability, food security and farmland protection

Goal D In Cooperation with Others

The Islands Trust will work with others by:

- Strengthening relations with the many First Nations who have interests in island land use decisions
- Continually working to improve our organizational effectiveness

Trust Council's work flows from this strategic plan. A copy of the complete plan is available on the Islands Trust web site at: <http://www.islandstrust.bc.ca/tc/pdf/strategicplan2011-2014-mar2013.pdf> (Need live link)

1. Executive Committee

The Executive Committee has a variety of responsibilities. In addition to the responsibilities of individual members serving as chair of local trust committees, the committee oversees external communications for the Islands Trust, liaises with the provincial government, reviews and implements the Trust Policy Statement and conducts other functions as directed by Trust Council.

Grants Program

The grants program seeks funding from outside agencies to enable Trust Council, Local Trust Committees and Island Municipalities to take on strategic projects without taxing island property owners.

During 2012-2013, six grants supported four different projects. Many of the 2012-2013 projects are multi-year and represent grants totaling \$137,900 carried over from 2010-2011 and 2011-2012. The focus of the grants program for 2012-2013 was to continue supporting these ongoing projects until receiving further direction from Trust Council's 2011-2014 strategic plan, adopted in September 2012.

- Investment Agriculture Foundation of British Columbia continued its support of the Denman Island Agriculture Area Farm Plan, which was completed in November, 2012.
- Pacific Climate Impacts Consortium continued its support of the Integrated Shoreline and Watershed Mapping project, as part of the Green Shores for Homes program, which was completed in December, 2012.

- The Real Estate Foundation of British Columbia and the Stewardship Council for BC continued their support of the Trust-area wide, ongoing Green Shores for Homes program.
- Solar BC continued its support of the Community Energy System on Lasqueti Island.
- The Ministry of Transportation, under the Bike BC program, supported the Islands Trust with an in-kind grant to attend the VeloVillage Conference in June 2012.

Communications

News Releases

The Islands Trust issued 27 news releases in 2012-2013 on subjects including bylaw enforcement, public input on the annual budget, quarterly Islands Trust Council meetings and agendas, land conservation activities, Community Stewardship Awards, special initiatives, court decisions and BC Ferries. Islands Trust news releases are distributed to local media throughout the Islands Trust Area and outlying media interested in the area, other elected officials, and other interested agencies and governments, as well as subscribers to the Islands Trust electronic distribution service.

Electronic Communications

In 2012-2013 the Islands Trust website had 85,678 visits and 234,981 individual page views. Senior staff have been working with contractors to implement two significant innovations in electronic services to citizens; a new website with a meeting calendar tool and a software system called E-Scribe to better manage and distribute meeting documents. Technical difficulties in integrating the calendar tool with the meeting management tool have delayed the website launch until mid 2013. Staff training is now complete, enabling all three regional offices to update web content quickly and easily.

Anyone may subscribe to e-mail notifications of information including news releases, chair correspondence, local island updates, meeting schedules and new publications. Nearly 2000 subscribers take advantage of this service. To subscribe to one or more topics click "subscriber options" on the homepage www.islandstrust.bc.ca.

The Islands Trust also has a twitter feed under the user name Islands_Trust.

2012-2013 Executive Committee Advocacy

The Executive Committee takes direction for its advocacy program from both the Trust Policy Statement and Trust Council's Strategic Plan. The Policy Statement states that *to achieve its object, the Islands Trust must be an educator, coordinator, and initiator, guiding individuals, organizations and other agencies in support of the object. While the Islands Trust can provide the necessary leadership, responsibility for stewardship of the Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have important roles to play. Cooperative actions are required of other agencies, organizations and individuals to ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems and island communities.*

In response to concerns raised by communities through their elected trustees and supported by multiple 2011-14 Strategic Plan objectives, Trust Council continued to support enhanced levels of advocacy. The resulting letters from the Trust Council Chair as well as submissions by the Executive Committee can be read in full on the Islands Trust website.

In September, 2012 Trust Council adopted a new Advocacy Policy (Policy 6.10.iii) to:

- Provide guidelines for advocacy activities in the context of legislation and policy.
- Define policies and procedures for effective advocacy.
- Ensure that advocacy positions are credible and supported by public process.
- Clarify roles and responsibilities for implementing this policy, for the benefit of Islands Trust as well as the public and agencies involved in advocacy in the Islands Trust area.

In 2012-2013, the Executive Committee took action on Trust Council's advocacy priorities by writing letters, giving presentations, hosting an information session, passing resolutions, and working with partners on the following topics:

Ecosystem Preservation and Protection

Oil spill preparedness and response: (consistent with Policy Statement policies 3.1.9; 5.3.8)

In April 2012, the Islands Trust Council Chair Sheila Malcolmson provided a presentation during the “Role of Local Government during Oil Spill Response” session at the Association of Vancouver Island and Coastal Communities convention. The Islands Trust had proposed the session to the Association of Vancouver Island and Coastal Communities and it was so well received it was offered twice during the convention. The Executive Committee also requested that Trustee Sue French, Thetis Island, Trustee Mike Jones, South Pender Island, and a staff member represent the Islands Trust at a one-day Western Canada Marine Response Corporation 1000 tonne oil spill exercise in Langford, BC.

In June 2012 Trust Council voted to oppose in principle oil pipeline projects that lead to the expansion of oil export by barge and tanker from Canada’s west coast due to concern about the risk of oil spills that could irrevocably damage coastal environments, economies, and communities. The Islands Trust Council Chair and Vice-Chair Peter Luckham, Thetis Island, with Trustee Sue French, Thetis Island, Trustee Mike Jones, South Pender Island and Trustee Andrew Stone, Bowen Island Municipality, participated in a two-day Western Canada Marine Response Corporation 10,000 tonne oil spill exercise in Richmond, BC.

In August, 2012 the Islands Trust Council Chair spoke and provided a written submission to the Enbridge Northern Gateway Project Joint Review Panel to outline Trust Council’s oil spill concerns.

In September 2012 the Executive Committee submitted to the Union of BC Municipalities a resolution about the need for industry funding for BC oil spill prevention, preparedness and response with a three page backgrounder. The resolution was not selected for debate but the Island Trust Council Chair successfully amended a resolution by the City of Prince Rupert to include that message. Also in September, the Islands Trust Council held an oil spill response information session during its quarterly meeting on Bowen Island. The two-hour session featured speakers from the Western Canada Marine Response Corporation and the Island Oil Spill Association (San Juan County). After the session the Islands Trust Council Chair sent a letter to the President of the Western Canada Marine Response Corporation offering thanks for the staff presentation to Trust Council and requesting that Western Canada Marine Response Corporation work in conjunction with the Provincial Emergency Program to engage regional districts on local government for oil spill response planning.

In October 2012 the Islands Trust Council Chair wrote to the federal Minister of Natural Resources to encourage him to support the phasing out of crude oil export from Canada’s west coast by tanker and barge as part of a Canadian national energy strategy. The Chair also wrote the Minister of Fisheries and Oceans to request that Fisheries and Oceans Canada reinstate the services provided by the Canadian Coast Guard communication centres in Vancouver and Comox and the Kitsilano Coast Guard station in Vancouver’s English Bay. In the letter she also expressed concern that the federal government is reducing and centralizing Canadian Coast Guard services and staff just as projects such as the Asia-Pacific Gateway initiative are making billion dollar investments dedicated to increasing commercial shipping traffic through the Islands Trust Area, thereby increasing the risks of marine emergencies and oil spills.

In November 2012 the Islands Trust Council Chair wrote to the President of Kinder Morgan Canada regarding concerns about consultation on projected tanker traffic from the Trans Mountain Pipeline Expansion project.

In February 2013 the Islands Trust Council Chair attended the San Juan Marine Resources Committee 2013 Marine Managers Workshop on San Juan Island to learn and share information about transboundary issues related to prevention and readiness for major oil spills. The Islands Trust Council Chair also sent a letter to the provincial Minister of Environment to express support for potential improvements to the provincial spill preparedness and response regime.

Derelict and Abandoned Vessels, Barges and Docks (consistent with Policy Statement policy 3.1.9)

In March 2013 the Islands Trust Council Chair wrote to the federal Minister of Transport, Infrastructure and Communities in response to the release of a Transport Canada report on the study of the extent of abandoned and derelict vessels in Canada. The Chair expressed support for creation of an inter-jurisdictional working group to study, encouraged the inclusion of local government representatives on the working group, and called for immediate interim funding for vessel removals.

Proposed National Marine Conservation Area Reserve in the southern Strait of Georgia (consistent with Policy Statement policies 3.4.2; 3.4.6)

In December 2012 the Islands Trust Council voted to:

- reaffirm its support for a National Marine Conservation Area Reserve in the Southern Strait of Georgia, and affirm its support for enacting the entire perimeter (or larger) as currently proposed;
- recommend that local trust committee zoning be used by Parks Canada as the basis for defining the zoning in the National Marine Conservation Area Reserve Interim Management Plan; and,
- propose that the Islands Trust be included in a joint management approach to the National Marine Conservation Area Reserve.

In February 2013 the Islands Trust Council Chair wrote to the BC and federal environment ministers to convey Trust Council's December resolutions regarding the proposed National Marine Conservation Area Reserve and copied the letter to local governments and First Nations within the National Marine Conservation Area reserve study area. The federal Environment Minister / Minister Responsible for Parks Canada responded by explaining that ongoing discussions with local governments, local communities and First Nations provide valuable input and will contribute to the final determination on the feasibility of establishing an National Marine Conservation Area reserve and advising on a preferred boundary.

Raven Underground Coal Mine (consistent with Policy Statement policy 3.1.9)

In October 2012 the Islands Trust Council Chair wrote to staff at the BC Environmental Assessment Office and at the Canadian Environmental Assessment Agency to request that during their review of the Compliance Coal Corporation's application for the proposed Raven Underground Coal Project they exercise due regard for the special nature of the Islands Trust Area and the fact that the *Islands Trust Act* was established to ensure the preservation and protection of the Islands Trust Area. The Chair expressed that the Islands Trust Council was concerned that environmental monitoring requirements established for Baynes Sound in the Raven Underground Coal Project Application Information Requirements / Environmental Impact Statement Guidelines could have been more rigorous in recognizing the special nature of the Islands Trust Area. The staff members replied in November and explained that detailed monitoring requirements would be developed, as needed, once the BC Environmental Assessment Office and at the Canadian Environmental Assessment Agency receive information about potential impacts of the proposed Project.

Aquaculture (consistent with Policy Statement policy 4.5.1)

In November 2012 the Islands Trust Council Chair wrote to staff at the BC Shellfish Growers Association to express the Islands Trust Executive Committee's interest in having Islands Trust staff work with the association during the rewriting of their environmental code of practice.

Mineral Tenures (consistent with Policy Statement policy 4.6.1)

In January 2013 the Islands Trust Council Chair wrote to the Minister of Energy, Mines and Natural Gas to request that the Ministry of Energy and Mines consider regulations that would reserve the Islands Trust Area from the staking of mining claims and exploration under the *Mineral Tenure Act* as a way to achieve the intent of the Islands Trust Policy Statement policy that there be no extraction of minerals in the Islands Trust Area (policy 4.6.1).

Sustainable Communities

BC Ferries Fares and Service (consistent with Policy Statement policy 5.3.1)

At the Union of British Columbia Municipalities Convention in September 2012 the Islands Trust Council Chair met with coastal Regional District Chairs to compare the impacts fare increases are having in communities. The Islands Trust Council Chair also participated in a meeting with the provincial Minister of Transportation to discuss a planned public consultation about BC's coastal ferries.

In December 2012 the Islands Trust submitted a position paper to the Ministry of Transportation and Infrastructure in response to the ministry's BC coastal ferries consultation process. In the eight-page submission, the Islands Trust made four specific requests:

1. The provincial government needs to recognize the coastal ferry service as an essential and integral part of BC's transportation infrastructure and fund it accordingly, taking full responsibility for future capital costs.
2. In the meantime, the provincial government should immediately provide sufficient funding to significantly reduce fares on the minor routes, as island communities have been hard hit by substantial cumulative fare increases.

3. In addition, the Province should follow the recommendation of the BC Ferry Commissioner to cushion fuel price volatility in order to hold future price cap increases at the rate of inflation.
4. More detailed and specific consultations must occur with island communities before any significant service changes or cuts are considered.

The Islands Trust sent the submission to the Minister of Transportation and Infrastructure with a letter that emphasized the need for the provincial government to recognize coastal ferry service as an essential and integral part of BC's transportation infrastructure, and fund it accordingly. The Islands Trust also issued a news release about the submission that emphasized that the cost of using BC Ferries is a crucial issue for Islands Trust constituents. The news release explained that the substantial cumulative fare increases over the last decade (up an average of 80% and up 133% on some routes) are hurting families, businesses and community well-being. The news release further explained that by reinvesting in the minor routes to reduce fares and jumpstart ridership, the provincial government can help restore the economic and social health of ferry-dependent communities and the province.

Smart Meters (consistent with Policy Statement policy 3.1.9)

In October 2012 in response to concerns by Islands Trust Area residents regarding the BC Hydro Smart Metering Program, Chair Malcolmson wrote to the Minister of Energy, Mines and Natural Gas to request that he encourage BC Hydro to offer a well-publicized opt-out option for island customers who do not wish to have a smart meter installed on their home.

Establishment of a Department of Peace (consistent with Policy Statement goal 'sustain island character and healthy communities'.)

In October 2012 in response to a request by islanders, the Islands Trust Council Chair wrote to the Prime Minister to request that the Canadian government establish a Department of Peace. In November, the Islands Trust Council Chair also wrote to the five Members of Parliament elected in the Islands Trust Area to request that they support legislation to establish a federal Department of Peace.

Other Executive Committee Highlights

Working in Cooperation:

2012 Union of British Columbia Municipalities Annual Convention September 24-28

The annual UBCM convention allows Islands Trust representatives to meet, and share ideas with MLAs and Electoral Area Directors. Chair Sheila Malcolmson and Vice Chairs Ken Hancock and Peter Luckham attended the convention on behalf of the Islands Trust Council. Municipal Trustee Andrew Stone attended the convention on behalf of the Bowen Island Municipal Council. Bowen Island Mayor Jack Adelaar and Councillors Morse and Lucas also attended. Chief Administrative Officer Linda Adams attended the conference as well.

Islands Trust representatives met with MLAs Murray Coell – Saanich North and the Islands (Salt Spring/Southern Gulf Islands) and Nicholas Simons – Powell River Sunshine Coast (Gambier) as well as Electoral Area Directors Wayne McIntyre – Capital Regional District (Salt Spring Island), Davie Howe – Capital Regional District (Southern Gulf Islands), Maria Harris – Metro Vancouver Regional District (Gambier), Andrew Stone – Metro Vancouver Regional District (Bowen), Mel Dorey – Cowichan Valley Regional District (Thetis), Bruce Jolliffe – Comox Valley Regional District (Denman and Hornby), Garry Nohr – Sunshine Coast Regional District (Thormanby), Lee Turnbull – Sunshine Coast Regional District (Gambier and Keats), Howard Houle – Nanaimo Regional District (Gabriola) and Merrick Anderson – Powell River Regional District (Lasqueti).

Chair Sheila Malcolmson also met with coastal Regional District Chairs and BC Ferry Commissioner Gordon Macatee to discuss impacts of fares increases on coastal communities.

San Juan County

At their June 2012 meeting on the Pender Islands, members of Islands Trust Council and the San Juan County Council exchanged information and discussed areas of mutual interest, including the Greenshores project, shoreline stewardship, aquaculture, First Nations relations, derelict vessels, shipping safety/oil spill prevention response and the San Juan County broadband initiative. Green Shores is a program of the Stewardship Centre for BC, a non-profit organization to support an information based approach to minimize the impacts of human settlements on the shoreline. In conjunction with the San Juan Islands, the Islands Trust has been creating a rating system that would recognize property owners applying Green

Shores principles. Other common issues discussed were food security, potable water and septic systems, affordable housing, vacation rentals and social diversity.

Joint Session with Bowen Municipal Council

In September, 2012 the Islands Trust Council met on Bowen Island and discussed a number of topics of mutual interest with Bowen Island Municipal Council including Crown land acquisition; ferry fares and service; derelict vessels; Howe Sound issues (tanker traffic, oil spill preparedness and the Burnco Mine proposal) and Bowen Island Municipality input to Trust Council's strategic plan.

Trust Council Presentations

Trust Council heard a number of presentations during Trust Council quarterly meetings:

- Bob Joseph with Indigenous Corporate Training, provided a training session for Trust Council members with information and action about ways to explore options for strengthening relations with First Nations. A copy of the "Draft - Islands Trust First Nations Consultation Strategy Phase 1: Laying the Groundwork", produced by the Islands Trust First Nations working group was provided for reference.
- Oil spill response with representatives from the Canadian Coast Guard, Western Canada Marine Response Corporation and the Island Oil Spill Association (San Juan County);
- Greenshores for Homes, a credit rating and incentive program being implemented in San Juan County, and Shoreline Mapping. This project provides broad shoreline classifications for the 12 major islands in the Islands Trust Area and supports the Strategic Plan goal to advance the stewardship of coastal areas and marine shore lands. Funding for the public outreach portion is through a grant from the Real Estate Foundation;
- Provincial Agricultural Land Commission Chair Richard Bullock, with regard to recent and planned changes;
- Working with the Islands Trust Fund about protecting special places, sharing information and the role of trustees and opportunities for improving communication and collaboration.

Delegations addressing Council in 2012-2013

At each quarterly meeting of the Islands Trust Council Trust members of the public are invited to participate in a town hall session, a regular forum to promote dialogue between islanders and trustees.

At the June 2012 Islands Trust Council meeting on the Pender Islands, Council heard from several delegations:

- The Denman Island Marine Stewardship Committee about the impact of the shellfish industry on the marine environment surrounding Denman Island;
- Ramona deGraaf about issues related to marine foreshore usages (shellfish aquaculture);
- Michael Sketch, North Pender Island, about the Islands Trust Policy Statement; and
- Margot Venton, Pender Island, with regard to concerns about the Salish Sea and oil tankers.

At the September 2012 Trust Council meeting on Bowen Island, Council heard from a number of delegations:

- Chris Anderson, on behalf of Gulf Islanders for Safe Technology, about BC Hydro's smart meter program;
- Bruce Russell, on behalf of Friends of Mannion Bay, about derelict boats and live aboards;
- Graham Brazier, on behalf of Denman Opposes Coal and Gulf Islands Alliance, about the proposed Raven Coal Underground Coal Mine;
- Peter Snell, on behalf of Future of Howe Sound Society, about threats posed by the proposed Burnco Aggregate project at McNab Creek;
- Will Husby, Bowen Island, about applications for private moorage at Cape Roger Curtis; and
- Lisa Barrett, on behalf of Peaceworks of Salt Spring, about establishing a federal Department of Peace

In December 2012 Trust Council met on Salt Spring Island and heard from the following delegations:

- Island Studies Conference, Gabriola Island; about the conference to be hosted May 10-12, 2013;
- Tom Varzeliotis, Salt Spring Island, about alternative local governance; and
- Jenny McClean, Salt Spring Island, about the agricultural land reserve and food security.

In March 2013 Trust Council met on Thetis Island and heard these delegations:

- Gulf Islands Alliance, Salt Spring Island, about Island Trust Area governance;
- Thetis Island Nature Conservancy, to introduce the conservancy and describe its mission; and

- Peter Lamb and Elizabeth White, Salt Spring Island, about climate action.

Members of the public may address the Islands Trust Council at any of its [quarterly scheduled meetings](#), currently held March, June, September and December. This can be done formally, by making a delegation or presenting a petition, or informally at the town hall session. All correspondence, formal delegation presentations and petitions are available to the public.

Bylaw Approvals

Before a local trust committee can adopt a bylaw, the Executive Committee reviews all local trust committee bylaws that affect land use for compliance with the Trust Policy Statement. Before Bowen Island Municipal Council adopts an Official Community Plan bylaw, the Executive Committee must approve the bylaw. The Executive Committee also comments on land use bylaws for the Bowen Island Municipal Council. In 2012-2013, the Executive Committee approved 28 bylaws.

Administrative Fairness

Islands Trust policy requires the reporting of the number of administrative fairness complaints received each year. There were five complaints in 2012-2013 regarding local trust committee or staff procedures and trustee conduct. Each complaint was handled according to Trust Council's policy. Complainants who are unsatisfied with the outcome of the Islands Trust's complaint handling procedure are advised of the option of making a complaint to the BC Office of the Ombudsperson. There were no complaints received by the Office of the Ombudsperson in 2012-2013.

2. Trust Council Advisory Committees

Every term, members for three standing committees of the Islands Trust Council (Local Planning, Trust Programs and Financial Planning) are appointed by the Chair to explore selected topics in detail and make recommendations to Council.

Local Planning Committee

Members

Louise Decario, Galiano Island (Chair)
 Brian Crumblehulme, Mayne Island
 Sue French, Thetis Island
 George Grams, Salt Spring Island (Vice-Chair)
 Jan Hagedorn, Gambier Island
 Pamela Janszen, Saturna Island
 Peter Johnston, Lasqueti Island
 Mike Jones, South Pender Island
 Gisele Rudischer, Gabriola Island
 David Graham, Denman Island, Executive Committee Representative
 Sheila Malcolmson, Gabriola Island, Ex Officio Member

During 2012-2013 Trust Council asked the Local Planning Committee to focus on the following projects.

Shoreline Mapping Project and Green Shores for Homes

The Local Planning Committee received a report indicating that the mapping and classification of shorelines was complete and that the maps would be rolled out in 2012. Several LTCs held Shoreline Workshops that addressed both the Shoreline Mapping and the Green Shores for Homes. Gambier held the Islands Trust's first webinar on the topics.

Development Approval Information Bylaw

The Local Planning Committee requested that staff prepare a request for decision report that encourages all Local Trust Committees that have not done so to adopt a Development Approval Information Bylaw. The adoption of DAI Bylaws is expected to provide greater certainty for applicants, staff and local trust committees with respect to impact information

obtained for applications subject to the bylaw. When ready, the new model DAI bylaw will be attached to Trust Council Policy 2.1 viii.

Bylaw Enforcement Notification System

The Local Planning Committee continued to track progress of this system.

The Bylaw Enforcement Notice and Dispute Adjudication system provides a simple, fair and cost-effective method for dealing with straightforward bylaw violations. It is much less costly, complex and time-consuming than a system in which tickets can be disputed only by going to court. For more information go here:

<http://www.islandtrust.bc.ca/lup/pdf/benbrochure.pdf>

Development Permit Monitoring

The Local Planning Committee received an update regarding the need to develop an improved and consistent administrative mechanism and process to track, follow up and monitor development permits and how this need exists for temporary use permits and LTC covenants. The southern planning team has established and is testing such a system as a pilot project.

Protection of Water Quality and Quantity

The Local Planning Committee passed a resolution directing staff to develop regulations and a toolkit that uses planning tools to protect water quality and quantity and develop a model water conservation development permit area bylaw.

Application Fee Review

The Local Planning Committee passed a resolution recommending to the Financial Planning Committee an increase between 10-15 percent to the current fees.

Renewable Energy Technologies

The Local Planning Committee continued work on development of model wording to encourage renewable energy technologies in the Trust Area. The first focal point was on encouraging domestic wind power technologies and a report was drafted including a model land use bylaw. Trust Council received the report for consideration. The second focal area was on ocean loop geo-exchange systems with a report that was circulated to all Local Trust Committees and planning staff to inform them of the options for ocean loop geo-thermal systems and their status in other Local Trust Areas. The third focus area will be micro-hydro projects. (add hyperlink) The report *Renewable Energy Technology in the Trust Area: Topic 1 – Domestic Small Scale Wind Energy* provides information on domestic wind energy and presents a tool kit of ideas that is designed to assist local trust committees and Bowen Island Municipality when developing land use regulations to accommodate domestic wind power. It is available here:

<http://www.islandtrust.bc.ca/climatechange/pdf/renewableenergytechnologyjune2012.pdf>

Trust Programs Committee

Members

Alex Allen, Hornby Island

Paul Brent, Saturna Island (Chair)

Laura Busheikin, Denman Island

George Grams, Salt Spring Island (Vice Chair)

Tony Law, Hornby Island

Liz Montague, South Pender Island

Kate-Louise Stamford, Gambier Island

Andrew Stone, Bowen Island Municipality

Ken Hancock, North Pender Island, Executive Committee Representative

Sheila Malcolmson, Gabriola Island, Ex Officio Member

Community Stewardship Awards

Annually, the Trust Programs Committee reviews all Community Stewardship Awards nominations and makes recommendations to Trust Council. The 2012 Community Stewardship Award recipients are reported under the Trust Council Chair's introduction on [page X](#).

Advice and Advocacy

The committee regularly provides advice on draft Islands Trust Council policies and decision documents. In 2012-2013 the Trust Programs Committee provided advice to Trust Council about the draft Advocacy Policy, the draft 2011-2014 Strategic Plan, the draft bi-annual legislative monitoring briefings, and a budget submission for BC Ferries advocacy work. The committee also supported Trust Council's advocacy program by reviewing and commenting on draft decision documents for Trust Council related to advocacy about tanker traffic expansion, the proposed Southern Strait of Georgia National Marine Conservation Area Reserve, derelict vessels and BC Ferries fares. The committee also provides oversight for the "Indicator Program," which provides research and statistics on social, economic or environmental trends on the islands and in the region.

Financial Planning Committee

Members

Gary Steeves, North Pender Island (Chair)
Paul Brent, Saturna Island
Louise Decario, Galiano Island
Jeanine Dodds, Mayne Island
Peter Grove, Salt Spring Island (Vice-Chair)
Susan Ann Morrison, Lasqueti Island
David Graham, Denman Island, Executive Committee Representative
Ken Hancock, North Pender Island, Executive Committee Representative
Peter Luckham, Thetis Island, Executive Committee Representative
Sheila Malcolmson, Gabriola Island, Executive Committee Representative

2012-2013 Financial Plan

The Islands Trust's Financial Planning Committee is one of three standing committees of the Islands Trust Council. Ten trustees from across the Islands Trust Area serve on this committee and make recommendations to Trust Council about the Islands Trust budget. For 2013-14 the Financial Planning Committee recommended that the Islands Trust Council adopt a budget of \$6.9 million. This figure is comprised of an increase of \$133,517 in expenditures and an increase in revenues of \$55,490, which would result in a 1.3% increase in Islands Trust property taxes for 2013-2014. The recommended budget was approved by Trust Council at their March 5-7, 2013 Trust Council meeting on Thetis Island and means a tax increase of approximately \$4.10 for a property assessed at \$450,000. Islands Trust taxes vary between 10-20% of the total tax bill for a typical property in the Islands Trust Area, depending on what other property taxes are paid for services on a particular island.

The increase is due to a number of factors. Primarily, compensation has increased due to the staff's union contract ratification on November 7, 2012 which included a 4% increase over the fiscal years 2012-13 and 2013-14; an increase in benefit rates from 23% to 24%; and a 1.5% increase in Trustee Remuneration as per the Trustee Remuneration Policy. In response to increased community demand for access to information, the draft budget includes increased capacity to improve public communication and streamline information sharing tools. Where increases were required to maintain or improve existing levels of service to the public or to complete on-going programs or where inflationary increases have been unavoidable, efforts were made to offset the impact as much as possible by cuts to other items such as telephone and internet charges.

The budget also funds several other strategic programs although overall spending on projects has been reduced from 2012-13 by \$15,050. These projects have significance throughout the Islands Trust Area and some have importance to individual island communities. These projects will support advancement of community work in addressing local planning issues in all Local Trust Areas. In addition to public consultation, specific work would be related a variety of strategic initiatives including groundwater and shoreline protection, short-term vacation rentals, and community economic stability

Highlights of the 2013/14 Budget include:

- A net increase in expenditures of \$133,517
- A 1.3% increase to property taxes equivalent to the December 2012 Consumer Price Index for Victoria
- No Special Property Tax Requisitions have been received from Local Trust Committees
- A transfer of funds from the General Revenue Surplus Fund of \$323,814 is recommended, resulting in a projected General Revenue Surplus Fund Balance of \$1.8 million at March 31, 2014
- Ongoing service levels from 2012/13 are maintained
- A reduction in Provincial Grant revenues based on the March 2012 Strategic Community Investment Fund three-year agreement
- BCGEU Collective Agreement changes (ratified November 7, 2012) including a 4% wage increase during fiscal years 2012/13 and 2013/14
- An estimated increase to Trustee remuneration of 1.5% based on Policy 7.2.i Trustee Remuneration
- A number of LTC initiatives are included that will be incorporated into an annual plan for Local Planning Services
- Two staffing level increases have been included in the draft budget: (1) an additional position in Administrative Services – Computer Applications Support and (2) Additional hours for a Bylaw Enforcement Officer (equivalent to .2 FTE)
- A number of Program Requests were recommended by the Financial Planning Committee:
 - o Two Trust Fund Board Program Requests (Eelgrass Bed Mapping and Forage Fish Habitat Mapping)
 - o BC Ferry Fares Study Scoping Project
 - o Leadership development/training Project
 - o Applications Systems Projects for SharePoint and Time Allocation Software
- \$71,000 has been allocated to Riparian Area Regulations (RAR) projects.

3. Local Trust Committees and Bowen Island Municipality

There is a local trust committee for each group of islands designated as a local trust area by regulation under the *Islands Trust Act*. A local trust committee is responsible for advancing the object of the *Act* through land use planning and regulation for its area of jurisdiction.

Day-to-day planning activities of local trust committees and the Bowen Island Municipality included application processing; public, agency and trustee inquiries; local trust committee or municipality meetings; and Board of Variance support.

Ballenas-Winchelsea (Executive) Local Trust Committee

The planning and administration of the Local Trust Area was transferred to the Northern Office in late 2012. Staff continue to work on the development of the first Official Community Plan and Land Use Bylaw (LUB) for the Ballenas-Winchelsea Group. Referrals for Draft Bylaw No. 27 (OCP) and Draft Bylaw No. 28 (LUB) were sent out in late 2011 and early 2012. The Executive Committee, acting as a Local Trust Committee, is continuing to review and work with the comments received. Key issues include recognition of first nations concerns, shellfish aquaculture, the disposal of Crown lands and ecosystem protection. The Executive Committee, acting as a Local Trust Committee has faced challenges regarding capacity for First Nations consultation and aquaculture leases including seaweed harvesting.

Bowen Island Municipality

Councillors Wolfgang Duntz and Andrew Stone represent Bowen Island Municipality on the Islands Trust Council. Bowen Island Municipality produces its own annual report, which can be found online at www.bimbc.ca.

Denman Island Local Trust Committee

The Denman Island Local Trust Committee held 10 regular business meetings in the 2012-2013 fiscal year. This fiscal year saw the completion and endorsement of the Denman Island Farm Plan. Work began on addressing the

negative impacts of certain aquaculture practices and possible regulatory measures to mitigate these on the Denman Island shoreline. The Local Trust Committee established a Marine Advisory Planning Commission to advise on this work. Public consultation in 2012 focused on a proposed Bylaw Enforcement Notification Bylaw, which was ultimately defeated. A call was brought forward from the community for a review of various housing policies, including affordable housing and visitor accommodation. This was added to the work program.

A stream mapping and assessment contract was completed for the Morrison Marsh watershed as a first step to complying with provincial *Riparian Areas Regulation*. Amendments to Development Permit Area 4: Streams, Lakes and Wetlands, as well as an accompanying Development Approval Information Bylaw, were drafted and reviewed in anticipation of completing mapping later in 2013.

A small number of development applications were reviewed in the 2012-2013 fiscal year, including applications to the Agricultural Land Commission. Work continued on the rezoning application from the Denman Community Land Trust Association for affordable housing.

Gabriola Island Local Trust Committee

The Gabriola Island Local Trust Committee held 11 regular business meetings and two community information meetings in the 2012-2013 fiscal year. Work began with the completion of a survey on community engagement preferences, the results of which indicated a strong desire among the Gabriola community to see more opportunities for online engagement. These results fed into continued work on the Gabriola Island Official Community Plan review, which focused on the creation of development permit areas for riparian areas, in order to comply with the provincial *Riparian Areas Regulation*, and for steep slopes hazard areas. A website was developed to provide background information and updates on the project and provided opportunities for community members to comment online through a blog function. The steep slopes portion of the project was ultimately deferred, while first reading was given to a bylaw establishing a new development permit area for riparian areas. In conjunction with this project, the Local Trust Committee gave first reading to bylaws designating circumstances and/or areas for which development approval information may be required and intends to forward an accompanying Development Approval Information Bylaw to Trust Council for consideration in 2013.

During the 2012-2013 fiscal year, the Local Trust Committee also adopted a Bylaw Enforcement Notification Bylaw as well as a policy regarding the powers and duties of appointed screening officers.

Work continued on several rezoning applications from previous years, as well as a number of new development permit and development variance permit applications. The Local Trust Committee also considered, and ultimately chose not to support, a proposal to Industry Canada for the siting of a new radio tower on Gabriola Island.

Galiano Island Local Trust Committee

The Galiano Island Local Trust Committee (LTC) held 12 regular business meetings, three special meetings and two public hearings. The LTC received and considered applications or referrals for one development permit, four development variance permits, five building permits, a crown land referral, three covenants, and two subdivision referrals. The LTC also concluded several applications received in the previous period, including three development variance permits and one temporary use permit.

Projects initiated or completed during this period included a series of phased amendments to the land use bylaw, implementing policy changes identified in the Official Community Plan, which was amended in 2011, and improving clarity and consistency. In addition, the LTC undertook steps to implement and support new development permit areas adopted in 2011 by referring a new Development Approval Information Bylaw to Trust Council for adoption and by undertaking a program of public engagement and administrative improvements (i.e. Development Permit checklists, brochure). Community education included hosting a workshop with a variety of speakers presenting on different aspects of shoreline stewardship.

Gambier Island Local Trust Committee

The Gambier Island Local Trust Committee held 11 regular business meetings, one public hearing, two community information meetings and two special meetings, ranging in location from Gibsons, Vancouver, Keats and Gambier Islands. A new Land Use Bylaw for the Gambier Associated Islands was given first reading and is expected to be adopted by fall of 2013. A pilot web-based shoreline mapping presentation was delivered to residents and property owners and the event was successful at engaging the largest number of participants for the presentation in the Trust area. The bylaw enforcement notification system was adopted for the Gambier Local Trust Area after considerable review.

Hornby Island Local Trust Committee

The Hornby Island Local Trust Committee held eight regular business meetings, one public hearing, one community information meetings and two special meetings on Hornby Island for this fiscal period. The Vacation Home Rental Regulations were adopted after extensive community consultation. A pilot web-based information video regarding the vacation home rental regulations was developed and will be released in the spring of 2013. There was significant progress on the draft Official Community Plan and Land Use Bylaw with final adoption being targeted for early 2014.

Lasqueti Island Local Trust Committee

The Lasqueti Island Local Trust Committee (LTC) held five regular business meetings. The Local Trust Committee also held the following workshops: Forage Fish; False Bay Parking and Master Plan; and, Integrated Shoreline and Watershed Mapping.

The False Bay Parking and Master Plan project moved forward and agency cooperation was garnered. The LTC continues to work with the Ministry of Transportation and Infrastructure, the Powell River Regional District, and the Oceanside RCMP Detachment to work towards resolving the parking issues in False Bay. The LTC worked towards *Riparian Areas Regulation* compliance including receiving a report completed entitled “Lasqueti Island Watershed Assessment for Presence of Fish Habitat”. A new Lasqueti Island Advisory Planning Commission base bylaw was adopted.

A significant application to note was the approval of a temporary use permit to accommodate the Lasqueti Island Post Office being moved to its new location.

Mayne Island Local Trust Committee

Over the reporting period, the Mayne Island Local Trust Committee (LTC) held nine regular business meetings and one public hearing. The LTC received applications for two development variance permits, one temporary use permit, one development permit and one rezoning application. Staff received eight referrals from the Capital Regional District Building Inspection or Crown lands. The LTC also concluded several applications received in the previous period, including one additional temporary use permit and a rezoning. Significant applications that were concluded included two temporary use permits for short-term vacation rental and a temporary use permit for waste transfer on an industrial site.

Projects undertaken during this period included consideration of implementing a key recommendation of the Housing Options Task Force to permit secondary suites. The LTC continued to consider options to bring its bylaws into compliance with the provincial *Riparian Areas Regulation*, with mapping of high tides in estuaries and review of options for proceeding. Finally, the LTC gave direction to proceed with amendments to the land use bylaw that would remove requirements for boundary adjustment subdivisions to prove potable water where there was an existing well on the property.

North Pender Island Local Trust Committee

Over the reporting period, the North Pender Island Local Trust Committee (LTC) held 12 regular business meetings, three special meetings and three public hearings. The LTC received applications for two development permits, five development variance permits, two temporary use permits, and three rezoning applications. Two new subdivision applications were referred from the Ministry of Transportation and Infrastructure, one Agricultural Land Reserve application was received and forwarded to the Agricultural Land Commission, while staff responded to approximately 11 referrals for building permits and Crown licences. The LTC also concluded several applications received in the previous period, including one development permit, two development variance permits, and two rezoning applications.

During 2012 the Local Trust Committee also advanced a number of LTC projects. Amendments to the Associated Islands Bylaws for Sidney Island were taken through public hearing and third reading. A joint workshop was held with South Pender on shoreline mapping and the LTC subsequently initiated work on an educational brochure on shoreline stewardship for waterfront owners and the community generally. The LTC asked the Executive Committee to write to the Minister of Mines seeking the reservation of the Islands Trust Area from the *Mineral Tenures Act*. A report on transportation issues was received from the Moving Around Pender advocacy group and the LTC prioritized an amendment to its Official Community Plan transportation schedule to designate a future pedestrian and bicycle route and car stops.

Salt Spring Island Local Trust Committee

Policy Planning Top Priorities

A top priority in 2012-2013 of the Salt Spring Island Local Trust Committee (LTC) has been to follow up and complete the work and recommendations of the Industrial Task Force from 2009. To do this the LTC has commissioned an Industrial Land Needs Assessment and appointed seven volunteer members for a term of one year to an Industrial Advisory Planning Commission (IAPC). The IAPC are considering matters such as how to redefine and simplify zoning for industrial areas.

The Local Trust Committee also made progress in its priority to legalize secondary suites on Salt Spring Island. Proposed Bylaw 461 will allow secondary suites in certain areas of Salt Spring Island, within 600 metres of the public transportation corridor, and avoiding water sensitive areas. The bylaw permits one suite per lot, within the walls of the principal dwelling unit, and it must have a floor area of no more than 90 square metres (968 square feet).

Implementing the *Riparian Areas Regulation* has remained a Local Trust Committee top priority. In 2012-2013, the LTC reviewed results of the pilot stream mapping project for St. Mary Lake and Cusheon Lake watersheds. The LTC commissioned a peer review and sought public feedback on results of the pilot project and peer review. Based on feedback, the LTC commissioned the stream mapping of five “high priority” watersheds which include: Stowell Lake, Weston Lake, Fulford Creek, Maxwell Lake, and Bullock Creek. Results are expected in April 2013.

The Salt Spring Island Local Trust Committee has been restructuring its advisory bodies. A new Advisory Planning Commission (APC) Bylaw will amalgamate the existing Environmental Advisory Committee, the Advisory Design Panel, and the current Advisory Planning Commission. The new APC bylaw retains Salt Spring’s Agricultural Advisory Committee as an Agricultural Advisory Planning Commission and continues to allow special project APCs to be created on an as needed basis.

The Local Trust Committee also initiated work on watershed management, with a focus on working with other agencies on a St. Mary Lake Working Group, in order to improve the water quality of St. Mary Lake. St. Mary Lake is Salt Spring Island’s largest drinking water lake and is subject to eutrophication and episodes of toxic algal blooms, causing unsafe drinking water (unless treated) and public advisories against swimming in the lake. The LTC’s role as a land use planning authority is to consider what changes to Official Community Plan policies, development permit areas, and land use bylaw regulations might be made to improve the health of the lake. However, the LTC has expressed interest in the delegation of Trust Council powers that would provide it with broader powers to work collaboratively with other agencies in watershed management, for the protection of water resources.

During the year, the LTC also completed a pilot study on video recording, which resulted in a decision to not video record LTC meetings, but rather to audio record the meetings and make the recordings publically available on the Islands Trust website.

Current Planning

Throughout 2012-2013, the LTC continued to consider the rezoning and OCP amendment application to permit the ongoing operation of Salt Spring Metal Recycling in a legal manner. The LTC’s final consideration concluded with the resolving to proceed no further with the application.

Other applications of note included rezoning two properties to mixed-use/commercial on Rainbow Road in Ganges Village (with consideration in process of a third rezoning to commercial on this same road). Support has been given for a rezoning application by the Salt Spring Conservancy, which seeks to discharge a land use contract and rezone to allow conservation and education on sensitive watershed land. The LTC also supported three applications to the Agricultural Land Commission, including one non-farm use application, to permit a farm worker’s dwelling, and an exclusion application to allow industrial uses on a corner identified by the Salt Spring Official Community Plan as being ideal for industrial uses.

In total, over the course of the 2012-2013 fiscal year, the Local Trust Committee decided on ten development permits, seven development variance permits, three Agricultural Land Reserve applications, three heritage alteration permits, seven rezoning applications (with an additional eight still active), one strata conversion, two temporary use permits, and one soil deposit and removal registration. Staff also responded to nine subdivision referrals from the Ministry of Transportation and Infrastructure and 45 building permit referrals from the Capital Regional District. There were a number of dormant applications closed, and others have been moved closer to completion.

Saturna Island Local Trust Committee

The Saturna Island Local Trust Committee (LTC) held five regular business meetings, one special meeting and three public hearings during this period. The LTC received development applications and referrals, including an Agricultural Land Reserve referral, two development variance permits, three subdivision referrals and a temporary use permit.

The LTC completed a number of projects during the year. The LTC adopted amendments to its Official Community Plan (OCP) and Land Use Bylaw (LUB) to designate and zone community parks. The OCP was amended to adopt a revised development permit area that brought the bylaw into compliance with the provincial *Riparian Areas Regulation*. The LTC also adopted an amendment to its LUB to permit ocean loop geo-exchange systems in the marine zones. Finally, the LTC

initiated two new projects: to undertake a targeted review and update of its LUB and to review the policies pertaining to the Community Amenity Density Reserve.

South Pender Island Local Trust Committee

Over the reporting period, the South Pender Island Local Trust Committee (LTC) held five regular business meetings and one special meeting. The LTC received applications for two development variance permits and one temporary use permit. The LTC also concluded one development variance permit received in the previous period.

During the year the Local Trust Committee proceeded with several projects. The LTC undertook an on-line community survey to gauge opinion on a number of land use issues. During this period, the LTC also commenced an initiative to make a number of amendments to the Land Use Bylaw. Finally, the LTC initiated a project to increase shoreline awareness by expanding the public mapping website to include additional shoreline related data and educational materials.

Thetis Island Local Trust Committee

In the 2012-2013, the Thetis Island Local Trust Committee held seven regular meetings and one community information meeting. It also hosted the Islands Trust Council quarterly meeting March 5-7, 2013 on Thetis Island for the first time in 25 years.

This fiscal year saw the completion and distribution of the Thetis Island Sustainability Guide and the commencement of the Thetis Island Associated Islands Official Community Plan/Land Use Bylaw project, which aims to bring several of the Thetis Island Associated Islands under one Official Community Plan and Land Use Bylaw. In 2012-2013, the Thetis Island Associated Islands community plan project comprised a number of community engagement activities including a community profile, two community surveys, the establishment of the Ruxton Island Advisory Planning Commission and a community information meeting on Ruxton Island.

Work continued on complying with *Riparian Areas Regulation* in the Ralston Creek watershed. Work also proceeded on issues of shoreline protection, including an education workshop event on recent shoreline and eelgrass mapping and the Greenshores for Homes program and one community consultation event on possible shoreline protection methods.

4. Legal Action

In accordance with the Islands Trust policies, enforcement actions are primarily triggered when the Islands Trust receives complaints from community members that indicate that individuals or corporations are not complying with the land use regulations that their locally-elected representatives have adopted. Efforts are then made to investigate complaints, educate violators and obtain voluntary compliance with a community's bylaws. In most cases, violators have a variety of options, including ceasing or amending their operations, or applying for variances or required permits. Islands Trust staff estimate that more than 90% of its bylaw investigation files are resolved before legal action is required. Court action is only taken after other avenues to achieve compliance have failed.

Local Trust Committees may request legal action if other avenues for achieving bylaw compliance fail. The Executive Committee considers and is responsible for approving the funding of any legal action requested by a Local Trust Committee. During 2012-2013, court decisions were received in the following cases initiated by Local Trust Committees:

Rock Wall on Keats Island's Maple Beach to Be Removed

In June 2012 the Gambier Island Local Trust Committee reached an agreement with Joan and Ken Pedersen, who built a stone wall in the area of Keats Island's Maple Beach in 2010. The agreement committed the Pedersens to promptly remove the portion of the wall that the Local Trust Committee considers to be on the public part of Maple Beach. In recognition of the Pedersens' commitment, the Local Trust Committee adjourned the summary trial scheduled for June 13. The Pedersens also agreed to pay the Islands Trust for its costs to date in the litigation.

When the Pedersens constructed their retaining wall in the summer of 2010 without any permits, Keats Islanders expressed great concern about construction they felt encroached on one the island's most popular public beaches. Survey information commissioned by the Gambier Island Local Trust Committee confirmed that a large portion of the wall was on public land. After giving the Pedersens several opportunities to comply with the bylaw by removing the retaining wall, the Gambier Island Local Trust Committee initiated legal proceedings against them in August 2010.

The illegal construction of shoreline walls is a growing concern on the islands and the bylaws are in place for good reasons. Waterfront property owners sometimes decide to build a wall along the shoreline to protect their property from

erosion, but they can do considerable damage if they do it the wrong way. Poorly designed seawalls not only damage fish habitat and archaeological sites, they interrupt natural shoreline processes. Waterfront owners can actually increase erosion on their own and neighbouring properties. In this case, there were also significant impacts on a popular public beach.

No Court Appeal Planned for Westcoast Vacations Case on Salt Spring Island

In November 2012 at a regular business meeting, the Salt Spring Island Local Trust Committee announced it would not appeal a decision of the BC Supreme Court in a case launched last term against Westcoast Vacations Inc. – an agent for short term vacation rentals (STVRs) on Salt Spring Island. In late October, the Supreme Court of British Columbia released its reasons for not supporting an injunction that would have restrained Westcoast Vacations Inc. from using or facilitating the use of residential homes for STVRs on Salt Spring Island. The unsuccessful legal action focused on the activities of the vacation rental agent, rather than on individual property owners. While noting that STVRs are not a legal land use in Salt Spring Island's residential areas, the Honourable Mr. Justice Leask found that the activities of Westcoast Vacations did not, on their own, constitute a breach of the bylaw.

Denman Island Bylaws for Komas Bluff Upheld by BC Supreme Court

In February 2013, the Supreme Court of British Columbia upheld Denman Island bylaws that regulate development on the Komas Bluff. The decision relates to construction and land alterations at the crest and on the plateau above the Komas Bluff, on land owned by Daniel and Debra Stoneman of Denman Island.

The Stonemans' property lies within the Komas Bluff Development Permit Area, which requires geotechnical studies before activities such as tree-cutting and building construction can take place. In areas of BC that are subject to natural hazards, development permits are one of the primary mechanisms that local governments use to protect structures from flooding, mudflows, erosion, land slip, rock falls, avalanche and wildfire. While development is allowed, it must be done pursuant to permit conditions to reduce the risks associated with natural hazards. This normally happens as a matter of course. Legal action is very unusual, but this one property has now been the subject of three court cases.

In his Reasons for Judgment, the Honourable Mr. Justice Curtis found that the Stonemans breached the *Local Government Act* when they cleared and excavated their land, and constructed buildings and structures, including a path, stairs, a ramp, drainage works, a residence and accessory buildings within the Komas Bluff Development Permit Area without the necessary permits. The judgment prohibits the Stonemans from further altering the land within the Komas Bluff Development Permit Area without valid permits or further order of the Court. It also orders the Stonemans to:

- work with the Denman Island Local Trust Committee to either obtain the required permits, or remove any unpermitted structures and rehabilitate the property at their own expense;
- allow access to the property to Islands Trust staff or contractors in order to assess and ensure compliance with the order; and
- pay the full legal costs incurred by the Denman Island Local Trust Committee in enforcing the *Local Government Act* and defending its bylaws.

The case dates from 2005, when the Honourable Mr. Justice Groberman ruled that the Komas Bluff Development Permit Area was valid, in relation to an earlier court action involving the Stonemans and Mr. Dean Ellis, the previous owner of the property. In 2006, the Stonemans applied for and were granted a development permit for their proposed construction, subject to their submission of plans for erosion protection from a geotechnical engineer. However, the Stonemans began construction of a residence without submitting the requested reports. Beginning in 2010 they constructed stairs down the face of Komas Bluff, also without permits. They claimed the bylaws were invalid and that no development permit was required.

In his Reasons for Judgment, the Honourable Mr. Justice Curtis said: "Any person who read Justice Groberman's decision could not fail to understand that his decision was that the Komas Bluff Bylaw was valid and that no person should be in violation of its provisions."

The Court went on to find that: "The Stonemans bought the property intending to build a home on it and live there. When they appeared before Groberman J. they were well aware of this. They argued that Bylaw 111 [establishing the development permit area] was invalid and did not apply to their property and they lost that argument. They are now attempting to re-argue the issues having chosen to build without a permit in spite of a court order they ought to have understood very clearly indicated that they were not free to do so."

See chronology and Reasons for Judgement here: <http://www.islandstrust.bc.ca/news/pdf/newsfeb142013.pdf> (update link)

Court of Appeal Decision on Salt Spring Local Trustees Conflict of Interest Case

In addition to the litigation initiated for bylaw enforcement purposes, the Islands Trust is occasionally involved in defending Local Trust Committees or trustees in regards to litigation initiated by others. The 2012-2013 fiscal year saw the conclusion of a case against two former Salt Spring Island trustees, originally launched in November 2011.

In January 2013 the British Columbia Court of Appeal released its decision in the case, which sought to have two former trustees on Salt Spring Island disqualified from office for conflict of interest. While the decision indicated that the two former trustees voted in a manner contrary to a section of the *Community Charter*, they remained eligible for elected office and were not required to repay funds allocated to the Salt Spring Island Water Council Society or the Salt Spring Island Climate Action Council Society.

In October 2011, a group of Salt Spring Island electors had petitioned the British Columbia Supreme Court, seeking to have then-trustees Christine Torgrimson and George Ehring, and then-Electoral Area Director Garth Hendren of the Capital Regional District (CRD) disqualified from holding elected office. Their petition arose because the three elected officials volunteered as members of community groups working on water conservation and climate change issues, but had not declared conflicts of interest before voting to allocate funds to the two community groups.

In his decision about the case in January 2012, the Honourable Mr. Justice Brian D. MacKenzie of the BC Supreme Court declared that “there is no basis for disqualification” of Ehring and Torgrimson from elected office. An earlier court decision had cleared former Director Hendren of all claims; that decision was not appealed.

Eight of the fifteen original petitioners appealed the court’s decision regarding the former trustees, claiming the Supreme Court judge had made several errors in law. They asked the Court of Appeal to disqualify the former trustees from holding elected office until the next general election or for three years. They also sought a ruling that the former trustees should personally repay funds allocated to the non-profit societies. The appellants were Norbert Fred Schlenker, Ted Bartrim, Alison Mary Cunningham, Harold Derek Hill, Malcolm George Legg, Dietrich Luth, Victoria Linda Mihalyi and Mark Lyster Toole.

The ruling focused on the period in 2011 after the community groups decided to register as societies under the Society Act in order to become eligible for funding from the Capital Regional District. Because the former trustees became directors of the newly-formed societies, the Court of Appeal ruled their responsibilities as society directors conflicted with their duties as elected officials. As noted in the decision “whether the respondents derived any personal gain or not, the public did not have the undivided loyalty of their elected officials” and the trustees therefore “voted on questions contrary to s. 101 of the *Community Charter*”.

Note: Reasons for judgment: <http://www.islandstrust.bc.ca/news/pdf/newsjan112013.pdf> (update link)

5. Trust Fund Board

The Trust Fund Board administers the Islands Trust Fund, a conservation land trust established in 1990 to preserve endangered landscapes and ecosystems in the Islands Trust Area. The Islands Trust Fund works with Trust Area landowners and communities to protect special places in perpetuity through voluntary land donations, conservation covenants, land acquisition and stewardship education.

Protected Area in the Islands Trust Area

As of March 2013, the Trust Fund Board had protected 1,084 hectares of natural and cultural values on 88 properties. By the same date, public and non-profit conservation organizations had protected more than 16.6% of the Islands Trust Area.

Insert Protected Area Chart

Regional Conservation Plan

The Islands Trust Fund's Regional Conservation Plan identifies the region's species and habitats most in need of protection and the actions needed to protect these biodiversity priorities. The 2011-2015 Regional Conservation Plan sets short-term conservation targets for the Islands Trust Fund and its partners that will help achieve the broader vision and long-term goals of the Plan. As of March 2013, the Islands Trust Fund is nearly half way through its five-year Plan. The following is a summary of the Islands Trust Fund's progress in reaching the long-term goals of the Plan in 2012-13

Goal 1: Protect Core Conservation Areas

The Islands Trust Fund strives to secure core conservation areas (through land donation, direct purchase, and covenants) that conserve biodiversity priorities within the Islands Trust Area. Since adoption of the 2011-2015 Regional Conservation Plan, 64 hectares of the 76 hectares secured by the Islands Trust Fund were mapped as having high conservation value. The following is a summary of those lands secured in 2012-13.

Nature Reserve Donations

Nature reserves and sanctuaries are owned by the Islands Trust Fund, and managed for ecological preservation. Since 1990, the Islands Trust Fund has received more than 550 hectares of ecologically sensitive land, and now protects those 23 properties as nature reserves and sanctuaries.

Valens Brook Nature Reserve (3.8 hectares)

Dr. Kal Holsti and Marilyn Wan donated the Valens Brook Nature Reserve on Denman Island. Nearly four hectares, the reserve protects a portion of Valens Brook and the diverse riparian forest surrounding it. The creek and surrounding ecosystem supports a variety of wildlife including spawning salmon, red-legged frogs, salamanders, Bald Eagles, Great Blue herons, and beavers. By using a Section 99 subdivision, under the *Land Title Act*, Dr. Holsti and Ms. Wan were able to donate the natural portion of their property while retaining a small portion for their own personal use.

Laughlin Lake Nature Reserve Addition (0.5 hectares)

Laughlin Lake is the largest body of freshwater on Galiano Island. The lake is owned and protected by the Galiano Conservancy Association, and further protected with a conservation covenant held by the Islands Trust Fund and Habitat Acquisition Trust.

In 2013, Ken and Linda Millard donated a portion of their property neighbouring the lake to the Islands Trust Fund, expanding the protected area to include a forested buffer for the lake. Their gift adds another half hectare of permanently protected land to the Laughlin Lake Nature Reserve, increasing the long term integrity of this freshwater ecosystem which is

home to Great Blue Herons, red-legged frogs, and other rare species. Ken and Linda subdivided the natural portion of their property using Section 99 of the Land Title Act, retaining a portion of the lot for their own use.

Conservation Covenant Donations

Since 1990, the Islands Trust Fund has helped island landowners protect more than 500 hectares of privately owned land with conservation covenants. Covenants are the best conservation tool currently available to permanently protect natural features on private property while allowing landowners to retain ownership of the land they love. The Islands Trust Fund also offers Islands Trust Area landowners the Natural Area Protection Tax Exemption Program (NAPTEP), a covenant program that provides landowners with an annual 65% property tax reduction on portions of their land protected by a conservation covenant

Nighthawk Hill NAPTEP Covenant (0.8 hectares)

Andy Nowak and Mary Reher donated a covenant on their North Pender property, permanently protecting Nighthawk nesting habitat. The couple and their children first noticed the threatened species nesting just a few meters from their home. Year after year, the Nighthawks return to this forested ridge-top property and diverse plant ecosystems. By protecting their property through the NAPTEP program, Andy and Mary were able to reduce their property taxes while permanently protecting this precious habitat from any potential development in the future.

Myra Powers NAPTEP Covenant (4.6 hectares)

Tom Knott donated this NAPTEP covenant to protect the mature forest on his Hornby Island property. The covenant protects a forested corridor on the south slopes of Hornby Island, leaving a natural space for animals and plants to migrate between Strachan Valley and the bluffs and Garry Oak grove near the end of a nearby ridge. Tom made the decision to protect his property after seeing how easily nearby properties were logged after they were sold to new owners. With a conservation covenant, Tom protected these ecosystems for generations to come while allowing him to continue enjoying his land as private property. The Myra Powers NAPTEP Covenant is the Trust Fund Board's first conservation property on Hornby Island.

Goal 2: Protect Biodiversity in Working Landscapes

The Islands Trust Fund strives to research ways biodiversity priorities can be maintained on lands outside core conservation areas, including working landscapes. Agriculture, forestry and residential development are important parts of island life. Recognizing that not all natural areas in the islands can be preserved in core conservation areas, the Islands Trust Fund is encouraging land uses that respect and maintain the health and integrity of island ecosystems.

In 2012-2013, the Islands Trust Fund launched a redesigned website with new educational content about caring for natural features, intended for private landowners. The new content provides tips, techniques and a library of information from across the web about caring for endangered species, gardening with native species, conserving freshwater, and protecting against invasive species (see <http://islandtrustfund.bc.ca/initiatives/privateconservation/land-stewardship.aspx>). The Islands Trust Fund also distributed an informative electronic newsletter to its subscribers with detailed information about invasive species management on private land and resources for assistance.

Goal 3: Conserve Marine Ecosystems

The Islands Trust Fund strives to work with partner organizations to conserve marine ecosystems and habitats (see <http://islandtrustfund.bc.ca/initiatives/marineconservation.aspx> for more information on our marine initiatives and for copies of the mapping described below).

In 2012-2013, the Islands Trust Fund mapped forage fish spawning habitat on the shorelines of North and South Pender Islands, and partnered with the Seagrass Conservation Working Group, SeaChange Marine Conservation Society and the Mayne Island Conservancy Society to map nearshore eelgrass habitat in the following areas:

- Gambier Island
- Lasqueti Island
- Mayne Island
- North and South Pender Islands
- Thetis Island and associated islands (except Valdes)

The mapping identifies sensitive nearshore habitat so the Islands Trust Fund can work towards better voluntary stewardship of related upland areas. The mapping was distributed to Local Trust Committees to inform land use planning in communities interested in protecting shoreline habitat. The Islands Trust Fund distributed the mapping to island residents in the Thetis and Gambier Island local trust areas through a series of community workshops in partnership with Local Trust Committees.

In 2012-2013, the Trust Fund Board publically supported the Southern Strait of Georgia Conservation Network's initiative to advocate for amendments to the proposed Southern Strait of Georgia National Marine Conservation Area Reserve (Parks Canada).

Goal 4: Encourage Local Governments to Prioritize Biodiversity

The Islands Trust Fund strives to work with Islands Trust Council, local trust committees and island municipalities to implement regional conservation goals and objectives within official community plans and land use bylaws. In 2012-2013, the Islands Trust Fund provided ongoing support for Islands Trust Local Planning Services' use of sensitive ecosystem mapping in Official Community Plans and Land Use Bylaws.

Goal 5: Empower Islanders to Conserve the Islands

The Islands Trust Fund strives to encourage islanders to get involved in conservation and steward private land by supporting conservation education and sharing information on best practices. In 2012-2013, the Islands Trust Fund promoted private land conservation through the launch of its new website, the distribution of its newsletter, the Heron, and e-news updates to online subscribers. The Islands Trust Fund distributed information to islanders by hosting display booths at community events and fairs, as well as speaking about conservation covenant at local conservancy events. New communications materials promoting private land conservation were produced and disseminated, including *The Islands Trust Fund's Plan for Conservation*, and a revised *Natural Area Protection Tax Exemption Program* brochure. The Islands Trust Fund also initiated a Twitter feed for up to the minute conservation news.

Goal 6: Building Strong Conservation Partners

The Islands Trust Fund strives to support and enhance the work of conservation partners working in the Islands Trust Area. In 2012-2013, the Islands Trust Fund sponsored island conservancy representatives to attend regional conservation training seminars and networking events by subsidizing registration costs. Islands Trust Fund staff provided coaching services to conservation partners through the following talks/workshops:

- *Small Lot Conservation* (Kate Emmings), Coastal Douglas-fir Ecosystems Workshop
- *Breaking the Mould: Going Beyond the Conservation Covenant Template* (Kate Emmings), Land Trust Alliance of BC Seminar Series
- *Navigating Conservation Site Selection in an Information Rich Area* (Kate Emmings), Garry oak Ecosystems Recovery Team Research Colloquium

Opportunity Fund

The Opportunity Fund raises money from the public to support timely opportunities to protect biodiversity in the Islands Trust Area. The Fund provides support for 'hard to fundraise' costs associated with land protection, or used to leverage increased donations for specific land acquisition projects. Grants from the Opportunity Fund support Islands Trust Fund-led acquisitions, as well as acquisitions spearheaded by our partners. The disbursement of funds is guided by the Regional Conservation Plan, and each case is considered by the Board.

In 2012-2013, the Opportunity Fund received \$8,867.30 in donations and \$266.22 in calendar sale proceeds. The Trust Fund Board gave \$2,769.09 to the Lasqueti Island Nature Conservancy to cover legal costs associated with an offer to purchase a waterfront property on Lasqueti. The Trust Fund Board also distributed \$7,000.00 to the Galiano Conservancy Association to cover survey costs associated with a potential land purchase on Galiano Island. The Trust Fund Board also committed \$2,100.00 to the Thetis Island Nature Conservancy for appraisal costs related to a potential property acquisition on Thetis Island.

Geographically Restricted Funds

Some people who donate to the Islands Trust Fund prefer to designate their donation to a specific project or island. To accommodate this request, the Trust Fund Board holds several geographically-specific accounts. In 2012-2013, the Lasqueti Island Acquisition Fund received \$946 in donations.

Goal 7: Take Care of What We Have

Acquiring a property or conservation covenant is just the first step in ecosystem protection. The Islands Trust Fund strives to monitor and manage existing Islands Trust Fund core conservation areas to maintain and enhance existing biodiversity features.

Property Monitoring

The Islands Trust Fund annually monitors the core conservation areas it protects to ensure high natural values are maintained. In 2012-2013, no major problems were found during the monitoring visits. Some opportunities for signage improvements and trail maintenance were noted and initiated.

Property Management

The Islands Trust Fund manages its nature reserves according to management plans, which identify long-term conservation, and in some cases, restoration goals. In 2012-2013, the Islands Trust Fund undertook the following management projects:

- developed the Long Bay Nature Reserve (Gambier) Restoration Plan (ready for implementation in 2013-2014);
- initiated ecological restoration of an eroding slope on the Bachmann NAPTEP Conservation Covenant (Gabriola)
- removed exotic and invasive species from the Morrison Marsh and Lindsay Dickson Nature Reserves (Denman), Trincomali Nature Sanctuary and Laughlin Lake Covenant (Galiano), Vogt Conservation Covenant (Salt Spring), and Long Bay Wetland Nature Reserve (Gambier) through our partnerships with local conservancies, management groups and landowners;
- investigated off-road ATV use on Fairy Fen Nature Reserve, and installed signage (Bowen);
- initiated long-term ecological monitoring of Mt. Trematon Nature Reserve forest restoration (Lasqueti); and
- installed a Vegetative Tertiary Filter wastewater treatment system at the Ruby Alton Nature Reserve (Salt Spring), including restoration of the impacted area.
-

Covenant Management and Defence Fund

The Board is committed to maintaining and in some cases enhancing the natural areas and features protected by the covenants it holds. To do this, the Board established the Covenant Management and Defence Fund which will provide the financial resources needed to defend and manage our covenants long into the future. It is funded by donations, often by people who care deeply about a certain covenant area. In 2012-2013, the Covenant Management and Defence Fund received \$220 in donations.

The Trust Fund Board administers the Islands Trust Fund, a conservation land trust established in 1990 to preserve endangered landscapes and ecosystems in the Islands Trust Area. The Islands Trust Fund works with Trust Area landowners and communities to protect special places in perpetuity through voluntary land donations, conservation covenants, land acquisition and stewardship education.

As of March 2012, the Trust Fund Board protects 1073 hectares of natural and cultural values on 84 properties.

Conservation Planning

The Islands Trust Fund's Regional Conservation Plan identifies the region's species and habitats most in need of protection and the actions needed to protect these biodiversity priorities. The 2011-2015 Regional Conservation Plan sets short-term conservation targets for the Islands Trust Fund and its partners that will help achieve the broader vision and long-term goals of the Plan.

In the first year of the 2011-2015 Regional Conservation Plan, the Islands Trust Fund focused on the development of a biodiversity mapping model to assist the Trust Fund Board in assessing conservation proposals. Created with the help of landscape ecologist John Gallo and GIS consultant Randal Greene, the model will be reviewed by a scientific advisory panel over the next 6-9 months. Once complete, the biodiversity mapping model, which is designed to be updated and improved

as better information becomes available, will help the Islands Trust Fund meet the remaining goals and objectives of the Regional Conservation Plan. The information may also be used by the Local Trust Committees to identify protected area networks for each local trust area.

INSERT AUDITOR'S COVER LETTER AND AUDITED FINANCIAL STATEMENTS FOR ISLANDS TRUST AND TRUST FUND

Victoria Office

200-1627 Fort Street
Victoria BC V8R 1H8
Telephone 250.405.5151

Salt Spring Office

1-500 Lower Ganges Road
Salt Spring Island BC V8K 2N8
Telephone 250.537.9144

Northern Office

700 North Road
Gabriola Island BC VoR 1X3
Telephone 250.247.2063

www.islandstrust.bc.ca

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REQUEST FOR DECISION

To: Trust Council

For the Meeting of:: June 11-13, 2013

From: Executive Committee

Date: May 28, 2013

SUBJECT: ADVOCACY REGARDING HOUSING IN THE AGRICULTURAL LAND RESERVE

RECOMMENDATION:

That the Islands Trust Council not add advocacy regarding provincial regulations for housing in the Agricultural Land Reserve to Trust Council's 2011-14 Strategic Plan and suggest that local trust committees interested in this topic consider including it in their work program.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Trust Council's Strategic Plan and the Executive Committee's work program include multiple advocacy programs, currently exceeding staff's capacity to implement them. If Trust Council would like to add a new advocacy topic to its Strategic Plan, it would need to provide direction about relative priorities in regards to existing topics. The process of seeking changes to provincial legislation and regulation normally consumes considerable resources. In this case, it could be particularly challenging, considering recent positions taken by the Agricultural Land Commission.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: None

BACKGROUND

When developing the 2011-14 Strategic Plan, Trust Council members ranked "increase local food production" sixth out of the ten potential objectives discussed. The Strategic Plan includes activity 4.4 "Use land use planning tools and decisions to increase local food security and farmland protection (as described in Trust Council's 2010 report, Exploring Food Security in the Trust Area)".

In December 2012, the Islands Trust Council met with Agricultural Land Commission Chair Richard Bullock and heard a presentation about planned changes to the way the Agricultural Land Commission does business.

In March 2013, in response to the “Housing on land in the Agricultural Land Reserve in the Trust Area” paper submitted by Trustee Tony Law, the Islands Trust Council requested the Executive Committee to:

- explore the implications for staff resources of adding advocacy regarding provincial regulations for housing in the Agricultural Land Reserve to Trust Council’s 2011-14 Strategic Plan, and
- make recommendations to Trust Council in June 2013.

On April 22, 2013 the Executive Committee directed staff to contact staff at the Agricultural Land Commission to find out if they are anticipating a process to review their regulations for housing and, if so, whether it involves a process to involve local government consultation.

On April 25, 2013, the Policy Analyst spoke to Agricultural Land Commission staff who confirmed that the Agricultural Land Commission is not planning any changes to regulations with regard to housing in the Agricultural Land Reserve.

Advocacy on this topic is not advised, as local governments already have some discretion to determine if farm worker accommodation is necessary and the density of the accommodation, under Section 18 of the *Agricultural Land Commission Act*.

The Agricultural Land Commission’s *Policy #9 - Additional Residences for Farm Use* explains that local governments must ensure that the need for farm worker accommodation exists prior to approving the accommodation. It states that “The Act and Agricultural Land Reserve Use, Subdivision and Procedure Regulation do not set a limit on the number of additional residences for farm help per parcel, but all residences must be necessary for farm use.” The Agricultural Land Commission does suggest certain measures for local governments to determine there is a legitimate need for farm worker accommodation.

The Agricultural Land Reserve Use, Subdivision and Procedure Regulation establishes the number of the dwelling units for family members. For example, the Regulation permits an Agricultural Land Reserve parcel to have a single family dwelling, a secondary suite within the single family dwelling and one manufactured home, up to 9 m in width, for use by a member of the owner’s immediate family. If additional dwelling units are required, property owners have the opportunity to apply to the Agricultural Land Commission for additional dwelling units for non-farm use. Currently, planning staff deal with requests for housing in the Agricultural Land Reserve on a case-by-case basis and make recommendations to the local trust committee / island municipality. The local trust committee / island municipality then decides whether to forward the application to the Agricultural Land Commission. Planners work closely with Agricultural Land Commission staff and provincial agrologists to consider the site-specific concerns and needs related to an application.

The Islands Trust 2010 toolkit *Exploring Food Security in the Islands Trust Area*, under the policy theme “Farming families and worker housing,” outlined that some land use bylaws permit secondary suites for farm workers or multiple farming families. Where this is not permitted, local trust committees may consider permitting secondary suites in the Agricultural Land Reserve by amending their land use bylaws.

The report also offered four potential future mechanisms:

- Specific definitions for farm workers, farm families, farm schools, etc.
- Develop criteria for additional housing “necessary for farm use” appropriate for farming in Trust Area- support island farmers in proving need for housing
- Support a regional Farmland Trust
- Include farm worker housing in affordable housing strategies (e.g. density banks, density transfer).

With regard to developing criteria for additional housing “necessary for farm use”, staff can refer to a 2009 Ministry of Agriculture report “Regulating Temporary Farm Worker Housing in the ALR” [/www.agf.gov.bc.ca/resmgmt/sf/publications/800221-1_Temp_Farm_Worker_Housing_Mar09.pdf](http://www.agf.gov.bc.ca/resmgmt/sf/publications/800221-1_Temp_Farm_Worker_Housing_Mar09.pdf). It offers criteria for regulating on-farm housing of migrant farm workers enrolled in a federal program. The criteria in the document address large farming operations with many workers but can be modified by local governments to address their communities’ needs for temporary housing of domestic seasonal farm workers.

The document outlines criteria and presents pros and cons for the following considerations: farm class; minimum farm size unit; maximum useable floor area; maximum number of workers; housing type; homeplate or setbacks; time or user restrictions; financial guarantee for building removal or decommissioning; and other considerations.

The 2009 document stated that the Ministry of Agriculture would be developing criteria for housing for domestic temporary farm workers or temporary farm workers not enrolled in a federal program. To date, these criteria have not been developed.

REPORT/DOCUMENT:

- 1) “Housing on land in the Agricultural Land Reserve in the Trust Area” paper by Trustee Tony Law
- 2) Agricultural Land Commission Policy #9 - Additional Residences for Farm Use, March 2003
- 3) Agricultural Land Commission Policy #8 -Permitted Use in the ALR: Residential Uses, March 2003
- 4) Link to Islands Trust Exploring Food Security in the Islands Trust Area report, November 2010 - <http://www.islandstrust.bc.ca/foodsecurity/pdf/foodsecurityreport.pdf>

KEY ISSUE(S)/CONCEPT(S): Community economic sustainability and security; agriculture

RELEVANT POLICY:

- Advocacy Policy 6.10 iii.
- Policy Statement policies:
 - 4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.
 - 4.1.2 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.
 - 4.1.3 It is Trust Council’s policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.
- Strategic Plan activities in support of the objective “Enhance community economic sustainability and security”.
 - 4.3 Use land use planning tools and decisions to improve the availability of affordable/accessible/ appropriate housing (as described in Trust Council’s toolkit, Affordable Housing Guide). The Islands Trust Community Housing Tool Kit (31-Jan-2010) does not contain any recommendation about advocacy on farm worker housing.
 - 4.4 Use land use planning tools and decisions to increase local food security and farmland protection (as described in Trust Council’s toolkit and BC’s 2008 *A Seat at the Table*).

DESIRED OUTCOME: Effective advocacy program on issues identified in Trust Council's strategic plan.

RESPONSE OPTIONS

Recommended: As above

Alternative:

1. Direct the Local Planning Committee to:

- consider the need to amend the Strategic Plan to add development of model Islands Trust Area-appropriate criteria for assessing applications for additional housing 'necessary for farm use' in the Agricultural Land Reserve, and
- make recommendations to Trust Council.

The Local Planning Committee's top work program items are as follows:

- i. Develop mechanism for proactive bylaw enforcement of illegal structures on the foreshore
 - ii. Development of water quality and quantity toolkit
 - iii. Renewable energy technologies in the Trust Area
- This work would support Strategic Plan activity 4.4
 - This activity was suggested as a potential potential future mechanism in the 2010 *Exploring Food Security in the Islands Trust Area* toolkit.

The Executive Committee does not recommend this option as the Local Planning Committee work program is over-subscribed.

2. Add advocacy regarding provincial regulations for housing in the Agricultural Land Reserve to Trust Council's 2011-14 Strategic Plan.

- Staff do not recommend this option as the Agricultural Land Commission is not currently planning on reviewing regulatory changes related to this issue, and work on this topic would detract from work on existing Executive Committee and Trust Program Committee priorities.
- The workload implications for Trust Area Services and Local Planning Services staff would be up to a week of staff time to research the topic and develop advocacy tools and supporting background materials. There would also be an unknown amount of staff time needed for on-going monitoring and follow-up.

Prepared by: Clare Frater, Policy Analyst with support from Kim Farris, Planner 1

Reviewed by: David Marlор, Director, Local Planning Services, May 17, 2013
Lisa Gordon, Director, Trust Area Services May 23, 2013

Reviewed by/Date: Linda Adams, CAO , May 23, 2013



Linda Adams, Chief Administrative Officer

Housing on land in the Agricultural Land Reserve in the Trust Area

(A suggestion for follow-up to discussion between Trust Council and ALC in December 2012)

At the December 2012 Islands Trust Council meeting, there was extensive discussion between members of Council and members of the Agricultural Land Reserve with respect to addressing housing needs on land in the ALR within the Trust Area.

Members of Council articulated the perspective that increasing opportunities for providing housing on ALR land would support active farming of the land in the trust area. Firstly, much farming is labour intensive and it is hard to secure regular or seasonal works without offering housing, which is often not available affordably and securely in island communities. Secondly, many parcels are owned by non-residents and the opportunity for tenant farmers to live on the land may bring such properties into food production.

Members of the Commission articulated the perspective that allowing more housing on farm land could lead to abuses (such as it being used for non-farm purposes) and could alienate land from farming. They also indicated an intended shift in ALC resources from applications to planning and a desire to work more closely with local governments. It was suggested that ALC regulations could be reviewed.

Despite the differences in perspectives, further discussions between the Islands Trust and the ALC could open the door for a workable solution. The possible revision of the regulations could present a rare opportunity for changes to be made.

The current regulations provide the following accommodation opportunities (for agri-tourism and housing) on ALR land:

Permitted uses for land in an agricultural land reserve

3 (1) *The following land uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw or, for lands located in an agricultural land reserve that are treaty settlement lands, by a law of the applicable first nation government:*

- (a) accommodation for agri-tourism on a farm if*
 - (i) all or part of the parcel on which the accommodation is located is classified as a farm under the Assessment Act,*
 - (ii) the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms under paragraph (d), and*
 - (iii) the total developed area for buildings, landscaping and access for the accommodation is less than 5% of the parcel;*
- (b) for each parcel,*

- (i) *one secondary suite within a single family dwelling, and*
- (ii) *one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;*

[The regulation defines "sleeping unit" as meaning:
"(a) a bedroom or other area used as a bedroom in a cabin, dwelling or accessory building, and (b) a tent or recreational vehicle on a campsite"]

[The *Manufactured Home Act* defines "manufactured home" as meaning *"any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried"*]

This provides for up to 5% of a lot being used for agri-tourism and an unspecified portion of a lot being used for housing – a dwelling of unlimited size plus a manufactured home up to 9m in width. This could total a significant amount of land alienated from farming. The regulation does not specify who could be accommodated in a secondary suite. The immediate family member housed in the manufactured home may or may not be engaged in farming.

It seems to me that the Islands Trust could suggest adding a revised "3b)" of the regulation that would address both the need for housing to support farming and the need to protect farmland and not enable non-farm uses.

Here is one suggestion:

- (b) for each parcel,
 - (i) one secondary suite within a single family dwelling, and
 - (ii) either:
 - one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family,
 - or
 - where a parcel is classified as a farm under the *Assessment Act*, up to ? manufactured homes or other readily removable dwelling units with a total footprint of no more than ? square metres , for use by either (1) a member of the owner's immediate family, or (2) workers employed on the farm and their families, or (3) an operator of the farm who has a lease registered on title, or (4) the owner when the principal dwelling is occupied by an operator of the farm who has a lease registered on title,
- and with the total developed area for buildings, landscaping and access for the accommodation covering less than ?% of the parcel;

Trustee Tony Law – 12 February 2012

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**Agricultural Land
Commission Act**

**Policy #9
March 2003**

ADDITIONAL RESIDENCES FOR FARM USE

This policy provides advice to assist in the interpretation of the Agricultural Land Commission Act, 2002 and Regulation. In case of ambiguity or inconsistency, the Act and Regulation will govern.

REFERENCE:

Agricultural Land Commission Act, 2002, Section 18

- 18** *Unless permitted by this Act, the regulations or the terms imposed in an order of the commission,*
- (a) a local government, or an authority, a board or another agency established by it or a person or an agency that enters into an agreement under the Local Services Act may not*
 - (ii) approve more than one residence on a parcel of land unless the additional residences are necessary for farm use*

INTERPRETATION:

The Act and [Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#) do not set a limit on the number of additional residences for farm help per parcel, but all residences must be necessary for farm use. However, see [Section 3 \(1\) \(b\) of the Regulation](#) which permits a 'manufactured home' for family members of the owner. This Section also permits a secondary suite within a residence. See Commission Policy "[Permitted Uses in the ALR: Residential Uses](#)".

Local government must be convinced that there is a legitimate need for an additional residence for farm help. One criteria is that the parcel should have 'farm' classification under the [Assessment Act](#). In coming to a determination, a local government should consider the size and type of farm operation and other relevant factors. To help determine the need and evaluate the size and type of farm operation, a permitting officer may wish to obtain advice and direction from staff of:

- a) the Ministry of Agriculture, Food and Fisheries
- b) the Agricultural Land Commission.

Local government bylaws should not necessarily be the basis for making a determination about the necessity for farm help. Some bylaws may automatically permit a second residence on a specified size of parcel in the ALR. This is not an appropriate determination under the Act and should not be used as the basis for issuing a building permit for an additional residence for farm help. Some local governments have adopted detailed guidelines as a basis for determining legitimacy of a request for additional residences for farm help, in which a threshold for different types of agricultural operations is specified. In these instances, it may be appropriate to consider these as factors in interpreting Section 18 of the Act.

If there is any doubt with respect to need, an application under [Section 20 \(3\) of the Act](#) for permission for a non-farm use is required.

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**Policy #8
March 2003**

PERMITTED USES IN THE ALR: RESIDENTIAL USE

This policy provides advice to assist in the interpretation of the Agricultural Land Commission Act, 2002 and Regulation. In case of ambiguity or inconsistency, the Act and Regulation will govern.

REFERENCE:

Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002), the "Regulation", Section 3 (1) (b)

Section 3 (1) "the following land uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw:

(b) for each parcel,

(i) one secondary suite within a single family dwelling, and

(ii) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;

*Section 1 (1) "**immediate family**" means, with respect to an owner, the owner's*

(a) parents, grandparents and great grandparents,

(b) spouse, parents of spouse and stepparents of spouse,

(c) brothers and sisters, and

(d) children or stepchildren, grandchildren and great grandchildren;

INTERPRETATION:

The Regulation permits a secondary suite for residential purposes, wholly contained within a single family dwelling, on a parcel in the ALR. The secondary suite use is not limited as to who occupies the suite. The Regulation also provides for one manufactured home, in addition to a dwelling, on a parcel in the ALR, but only for use by the property owner's immediate family. The maximum width of manufactured or mobile home allowed is 9 metres, which provides for what is commonly known as a 'double-wide'. The Commission may make an exception to the width requirement in the Peace and Northern Rockies Regional Districts to provide for a 'double wide' up to the industry standard width (10 metres).

The Regulation defines "immediate family" as noted above. If the manufactured home is no longer occupied by immediate family of the property owner, it is no longer a permitted use in the ALR and must be removed from the parcel or, if it remains, not used for residential purposes.

It should be noted that [Section 18 \(a\) \(ii\) of the Agricultural Land Commission Act](#) provides for one residence per parcel of land, and more than one residence where "the additional residences are necessary for farm use." See Commission Policy "[Additional Residences for Farm Use](#)".

Related uses that are not permitted in the Act or Regulation for residential use require application to and approval from the Commission.

Where a zoning bylaw is in place, this use must be specifically permitted by the bylaw.

TERMS:

Secondary suite — means an area set aside for residential use, within the footprint of a single family dwelling, and secondary or ancillary to the residential use of that single family dwelling.

Manufactured home — means a transportable prefabricated structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another and to be used for residential use by a single family. The structure normally conforms to the CSA Z240 series standards of the Canadian Standards Association for manufactured homes.

BRIEFING

To: Islands Trust Council

For the Meeting of: June 11-13, 2013

From: Lisa Gordon, Director, Trust Area Services

Date: May 14, 2013

SUBJECT: ISLANDS TRUST COMMUNITY STEWARDSHIP AWARDS 2013

DESCRIPTION OF ISSUE:

At a June 12, 2013 closed session, Islands Trust Council will decide the recipients of the 2013 Community Stewardship Awards program.

BACKGROUND:

This program provides an opportunity to promote the Islands Trust Object by celebrating the community service and environmental stewardship efforts of island residents.

The Community Stewardship Awards program is intended to provide recognition to individuals or organizations for programs or actions that have made a significant contribution towards the Object of the Islands Trust. The awards program requires two full time equivalent weeks of management and support staff time in program communications and administration. The annual cost of the program is \$500.00 for awards from the Trust Programs budget.

The 2013 program was administered as follows:

- Members of the public and other agencies were invited to nominate individuals or organizations for recognition. The program was publicized through a news release, on-line information, posters, and, 'tweets'.
- The deadline for award nominations was April 26, 2013.
- The Trust Programs Committee considered all of the nominations in May to develop recommendations to Council. Trust Programs Committee evaluated nominations based on the following criteria: relationship of the project or work to the Islands Trust Policy Statement, benefits to the community or Trust Area, collaboration with others, innovation, and the level of community support and involvement.
- The names of nominees were released to the media and the Islands Trust Chair sent all nominees a congratulatory letter and a certificate of nomination.

Trust Council's policy 2.1.xi *Administration of Community Stewardship Award Program* states that:

- the Trust Programs Committee will make recommendations to Trust Council for up to two awards in each of the individual and organizational categories, and for up to two additional awards in those or other categories.
- Trust Council will review the Trust Programs Committee recommendations and decide upon the award recipients;

Trust Council will decide on the recipients in a closed meeting on June 12, 2013 and announce the results in the 'decision and information items' section of the meeting.

FOLLOW-UP:

Awards will be presented at local trust committee meetings in the fall of 2013. Should an award be made for Bowen Island, the municipal trustees may determine the method of making the award. Where an award recipient has done work in more than one local trust area, trustees will need to discuss and decide which local trust committee will present the award. The names of award recipients will be publicized through a news release. Detailed information will be made available on the Islands Trust website, and will be featured in e-news.

ATTACHMENT(S): YES

- 1) 2002-2013 Overview - Community Stewardship Awards
- 2) List of nominees for 2013 Community Stewardship Awards
- 3) Profiles of nominees for 2013 Community Stewardship Awards
- 4) Evaluation form

Prepared By: Clare Frater, Policy Analyst

Reviewed By/Date: Lisa Gordon, Director, Trust Area Services, May 23, 2013
Executive Committee, May 28, 2013



Linda Adams, Chief Administrative Officer

Community Stewardship Award Program 2002-2013 Overview

Nominations per Island 2002 – 2013:

Since 2002, there have been 153 nominations in total, with an average of 13 nominations per year. The highest number of nominations (18) occurred in 2012 and the lowest number of nominations (6) occurred in 2011.

	2002-2012	2013-Indiv.	2013-Group	Total 2002-2013
Pender	39	2		41
Salt Spring	24	2	2	28
Hornby	18			18
Mayne	9		1	10
Denman	9	1	1	11
Saturna	8	1		9
Galiano	7	1		8
Lasqueti	6		1	7
Gabriola	6	1		7
Bowen	5		1	6
Thetis	4			4
Gambier	2			2
Trust Wide	2			2
Total	121	8	6	153

Recipients per Island 2002 – 2013:

Since 2002, there have been 55 Community Stewardship Awards recipients in total. The number of awards has ranged from three awards in 2002 to six awards in 2007, 2008 and 2011 to eight awards in 2012. In 2005, Trust Council awarded four awards and two honourable mentions.

	Total 2002-2013
Salt Spring	13
Pender	11
Hornby	6
Denman	4
Saturna	4
Bowen	4
Mayne	3
Gabriola	2
Galiano	2
Lasqueti	2
Gambier	2
Thetis	1
Trust Wide	1
Total	55

Summary Community Stewardship Award Recipients

2012

Island	Recipient	Project	Award
Bowen	Dr. Donald Marshall	For initiatives to reduce, reuse and recycle.	Enduring Achievement
Denman	Peter Karsten	For conservation programs and projects.	Climate Change
Gabriola	Gabriola Island Health Care Foundation, Society and Auxiliary	For building the Gabriola Island Urgent Care Medical Clinic	Group
Gambier	Stuart Watson	For his work with the Gambier Fire Equipment Group and Langdale Access Group	Individual
Hornby	Hornby Quilters Group	For 36 years of fundraising	Group
North Pender	Margot Venton	For working to protect the Southern Resident Killer Whale	Individual
Saturna	Saturna Ecological Education Centre	For building an Ecological School	Group
Salt Spring	Anne Macey	For supporting agriculture and food security	Individual

2011

Island	Recipient	Project	Award
Bowen	Sue Ellen Fast	For her community and conservation work	Individual
Hornby	Hornby New Clinic Committee	For planning, coordinating and building a new community medical clinic	Group
North and South Pender	Pender Island Fire Rescue Department	For serving and protecting the Pender Islands.	Group
Galiano	Jane Wolverton	For her work with the Galiano Food Program	Individual
North and South Pender	Barry Mathias	Car Stops Program	Climate Change
North and South Pender	Sara Steil	For her community and conservation work	Enduring Achievement

2010

Island	Recipient	Project	Award
Denman	Patti Willis	For preservation of the Denman Island environment.	Individual
North Pender	Tekla Deverell	For her gardening mentorship program for young people	Individual
North Pender	Sylvia Pincott	For preservation of the Pender Island environment	Enduring achievement
Salt Spring	Dorothy Cutting	For the West Coast Climate Equity website and her climate change education work	Climate change

Saturna	Jon Guy	For his many contributions to the vitality of Saturna Island's community life	Enduring achievement
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2009

Island	Recipient	Project	Award
Denman	Patricia McLaughlin	For her work on marine stewardship.	Individual
Hornby	Hornby Island Residents and Ratepayers' Association	For its efforts to mitigate our impacts on the climate by developing a non-motorized trails network on Hornby Island.	Group
Salt Spring	Salt Spring Island Conservancy	For its "Stewards in Training" schools program	Group
Salt Spring	Kelsey Mech	For her work in developing Environmental Action Day and an environmental action youth group	Individual
Salt Spring	Jacqueline Booth (Posthumous nomination)	For her work on terrestrial and marine ecosystem mapping and conservation.	Individual

2008

Island	Recipient	Project	Award
Lasqueti	Lasqueti Island Nature Conservancy	For its work in expanding Squitty Bay Provincial Park from 13 to over 51 hectares	Group
Saturna	Lyall Creek Salmon and Trout Enhancement Project	For their work to restore Lyall Creek's salmon and trout habitat	Group
Mayne	Mary Cooper	For her work with the Mayne Island Integrated Water Systems Society to conserve water	Individual
Salt Spring	Maureen Moore	For her work to save Salt Spring Island's Creekside Rainforest	Individual
Saturna	Geri Crooks	For her work to stabilize the future of emergency medical responses on Saturna	Enduring Achievement
Lasqueti	Alisdair and Nancy Gordon	For their donation of Mount Trematon to the Trust Fund Board, to be protected for the community in perpetuity	Special Contribution

2007

Island	Recipient	Project	Award
Gambier	Gambier Island Conservancy	For its fund-raising to acquire and protect Mount Artaban as a nature reserve.	Group
Salt Spring	Salt Spring Island Alternative Gypsy Moth Control Program	For implementing an ecologically-friendly program to control the outbreak of gypsy moths.	Group
Gabriola	Jenny Brown McLeod	For her work on groundwater management and protection on Gabriola Island.	Individual
North Pender	Karl Hamson	For his community service and commitment to sustainability.	Individual
North Pender	Ursula Poepel	For her work in removing invasive plants on the island since 1986 and her donation of land to the Pender Island Parks Commission.	Special Enduring Achievement
North & South Pender	The Pender Post, a non-profit publication established in 1971	For its dedication to building the Pender Islands community	Special Enduring Achievement

2006

Island	Recipient	Project	Award
Pender	Michelle Marsden and the BC Coastal Clean Up Campaign	For the removal of marine wrecks and beach cleanup.	Group
Salt Spring	Salt Spring Island Conservancy	Mount Erskine Campaign to create Mount Erskine Provincial Park.	Group
Thetis	Bob Burgess, Gulf Islands Rainwater Connection Ltd.	For his work on rain water harvesting.	Individual
Mayne	Ann Johnston	For her work on recycling on Mayne Island.	Individual

2005

Island	Recipient	Project	Award
Hornby	The Hornby Water Stewardship Project	For their work on water testing and public education to protect water quality.	Group
Mayne	Mayne Island Japanese Gardens	For creating a memorial garden to honour the Japanese families of Mayne Island.	Group
Hornby	Hilary Brown	For her ongoing work of almost seven decades to make Hornby Island a better place to live.	Individual
Bowen	Katherine Dunster	For her conservation work and promotion of the 'slow islands' movement.	Individual

2005 Honourable Mentions

Denman	Denman Conservancy Association	For their annual house and garden tour fund-raising event.	Special Honourable Mention
Pender	Nicholas and Naomi Wilde-Van Ginkles of Pender	For their work to sensitize the community to the environmental impact of chemicals.	Special Honourable Mention

2004

Island	Recipient	Project	Award
Salt Spring	Spring Island Stream and Salmon Enhancement Society	For their watershed and stream restoration work, primarily on Salt Spring Island.	Group
Salt Spring	Salt Spring Island Residents For Responsible Land Use	For their work in the preservation of Walker Hook.	Group
Galiano	Ken Millard	For his ongoing work as the Director of the Galiano Conservancy.	Individual
Salt Spring	Tom Gossett	For many years of work for watershed protection.	Individual

2003

Island	Recipient	Project	Award
Bowen	Bowen Island Forest and Water Management Society	For compiling a vast range of community information onto a single CD Rom.	Group
All Islands	Islands in the Salish Sea Mapping Project	For gathering diverse community knowledge and communicating it through artistic maps.	Group

Denman	Jenny Balke	For restoration work in Valens Brook and enhancing community awareness about the need to preserve environmentally sensitive areas.	Individual
Hornby	Tony Quin	For his work in preserving the 170 hectare Link-Parsons property as a park.	Individual

2002

Island	Recipient	Project	Award
North Pender	Trincomali Improvement District	For providing and maintaining a secure water supply to the Trincomali subdivision and educating new property owners about the restrictions on water use.	Group
Salt Spring	Island Wildlife Natural Care Centre	For their naturopathic approach to the care and rehabilitation of wildlife.	Group
Salt Spring	Maureen Milburn	For her work in negotiating the Maxwell Lake conservation covenant.	Individual

COMMUNITY STEWARDSHIP AWARDS 2013

SUMMARY OF NOMINEES AND PROJECTS

- Islanders nominated a total of six individuals, two couples and six groups for the 2013 Islands Trust Community Stewardship Awards Program. One individual was nominated five times.
- One nomination was deemed ineligible as an Islands Trust minute taker played a leadership role in the nominated organization. It is not included in this briefing or included in the totals above.

Individuals

Nominee	Island	Title of Project/ Description of Work	Nominator	Previously Nominated ?
1. Richard Blagborne	Saturna	Saving and restoring the Fog Alarm Building at East Point Park	Maureen Welton	No
2. Dr. Peter Carter and Julie Johnston	North Pender Island	Climate change education and leadership	Amanda Griesbach	No
3. Mike Hoebel	Galiano	Bird monitoring programs on Galiano Island	Keith Erickson	No
4. Ana Miriam Leigh (Posthumous)	Denman	Twenty years of support to women facing violence on Denman Island	Denman Island Women's Outreach Society	No
5. Chris and Judith Plant	Gabriola	Promoting and demonstrating sustainability through book publishing	Heather Wardle	No
6. Jan Slakov	Salt Spring	Environmental and social justice leadership	Bob MacKie	No
7. Patrick Smith	South Pender	Musical healing and leadership in the Southern Gulf Islands	Pender Islands Trust and Protection Society	No
8. Jill Treewater	Salt Spring	Promoting public participation in island governance	Julia Lucich Elizabeth Nickson David Paton and Valerie van de Wint, and Jane Talbot	No

Groups

Nominee	Island	Title of Project/ Description of Work	Nominator	Previously Nominated ?
1. Bowen Island Golf Association	Bowen	Creation of a public nine-hole golf course	Robert "Bruce" Russell	No
2. Denman Island Volunteer Fire Department	Denman	Serving and protecting Denman Island	Denman Island Residents Association	No
3. Lasqueti Island Forage Fish Team	Lasqueti	Monitoring beaches for forage fish habitat	Charlotte Taylor	No
4. Mayne Island Conservancy Society	Mayne	Shoreline Care Program	Jessica Willows	No
5. Salt Spring Island Water Council	Salt Spring	Leadership on water issues on Salt Spring Island	Salt Spring Island Conservancy	No
6. Salt Spring Island Water Preservation Society	Salt Spring	Leadership on water issues on Salt Spring Island	Salt Spring Island Conservancy	No

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Richard Blagborne, Saturna Island

Category: Individual

Project: Saving and restoring the Fog Alarm Building at East Point Park

Nominator(s): Maureen Welton

Letters of Support: N/A

Project Description:

Richard Blagborne initiated and led the restoration of the Fog Alarm Building, which was scheduled for demolition as part of federal lighthouse de-staffing programs. The building, originally housing the apparatus that made the deep sonorous fog-horn sound, has been completely renovated and now houses storyboards, a media centre, historical photos and written archives charting the island's history. Richard sought and received the support of dozens of community members, raised \$70,000, and sought assistance from MP Elizabeth May, Parks Canada/Gulf Islands National Park Reserve, Senator Pat Carney, the Capital Regional District, Saturna Community Club, Saturna Island Parks and Recreation and Heritage Canada. In May 2013 the building will host a symposium with top cetacean experts to celebrate the progress made since Moby Doll, the first orca in captivity, was captured. The building, staffed by over twenty volunteer docents, is likely the most visited spot on Saturna Island.

Richard has been a catalyst for other initiatives and collaborations on Saturna, including: the Saturna Ecological Education Centre, the Saturnina longboat project and the Saturna Heritage Committee. These projects provide education for visitors and residents, leadership for youth, and attract visitors to Saturna Island.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Dr. Peter Carter and Julie Johnston, North Pender Island

Category: Individual

Project: Climate change education and leadership

Nominator(s): Amanda Griesbach

Letters of Support: N/A

Project Description:

Dr. Peter Carter and Julie Johnston are a couple who are dedicated to educating others about sustainability issues and climate change. Peter healed the people on Pender when he was the family doctor, and now he tries to heal the planet. He has been studying and synthesizing the global warming and climate change research for over 20 years, and presents on climate change and health and food security issues locally and at conferences around the world.

Recently, Dr. Carter founded the Climate Emergency Institute and he is the lead physician with Climate Change Emergency Medical Response. Peter is a founding member of AMEG: Arctic Methane Emergency Group and has corresponded with world leaders and top climate scientists about the climate change emergency, the Arctic methane time bomb, and threats to global and regional food security.

Julie is the resource teacher for Pender School's Spring Leaves Family Learning program and is a sustainability education consultant with GreenHeart Education who has consulted with teachers around the world on environmental education, with a focus on climate change education for learners of all ages.

Julie Johnston has taught about sustainability issues and climate change to many teachers both locally and regionally at conferences and workshops. As a nature educator, Julie has touched the lives of many children and parents on North and South Pender Islands as the leader of the Gulf Islands Centre for Ecological Learning's Nature and Garden camps in the summer, and co-leader of Ptarmigan Music and Theatre Society's Art and Nature Program. Julie has also started a garden at the local elementary school for students to learn about gardening and food.

Sustaining the Islands – Community Stewardship Awards Program



Islands Trust

2013 Nominee Profile

Mike Hoebel, Galiano Island

Category: Individual

Project: Bird monitoring programs on Galiano Island

Nominator(s): Keith Erickson

Letters of Support: N/A

Project Description:

For more than 20 years, Mike Hoebel has worked tirelessly to monitor bird populations and maintain bird observation data on Galiano Island. He coordinates annual Christmas bird counts, organizes hummingbird monitoring over the spring and summer months and leads annual spring bird walks. He also works with the Mayne Island Conservancy Society and the Galiano Conservancy Association as a steward for the Active Pass Important Bird Area. Mike's work has helped to provide an information baseline for bird populations on Galiano and ongoing annual inventories of various bird species.

Mike acts as a liaison between local birders and Bird Studies Canada for the Active Pass Important Bird Area and the Annual Christmas Bird Count and has brought many new birders into the flock through his welcoming attitude and passion for birds. Mike has connected the many diverse groups and hundreds of volunteers on Galiano by drawing people of different backgrounds into bird monitoring. He provides islanders with a forum to get to know each other that isn't threatening or controversial. Mike's efforts in long-term monitoring of biodiversity help islanders to understand how island ecosystems are changing in the face of shifting climatic conditions. Mike's contribution to the migratory bird species data pool provides important insight into the impacts of climate change on complex regional and continental linkages and relationships.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Ana Miriam Leigh (Posthumous), Denman Island

Category:	Individual
Project:	Twenty years of support to women facing violence on Denman Island
Nominator(s):	Denman Island Women's Outreach Society
Letters of Support:	N/A

Project Description:

Ana Miriam Leigh established the Denman Island Women's Outreach Society (DIWOS) in 1993 in response to the lack of services for women experiencing violence on Denman Island. Ana knew that people in crisis without counseling, safety, housing and economic sustenance for themselves and their children could not fully participate in the decisions affecting their lives. Her aim was to help women and their children to be self-sufficient, self-caring, and secure enough to be full citizens. For more than 20 years she was the unpaid co-ordinator and main force driving DIWOS projects. She engaged more than 200 women in projects as employees, volunteers and participants, and reached out to countless more community members. Over the years, Ana secured over \$500,000 in grants to provide community programs such as:

- the Denman Island Women's Outreach Society crisis line;
- crisis work training on how to find safe housing, undertake safety planning for women and their children, and how to support women through the medical, legal and court processes;
- Theatre of the Oppressed workshops to help women develop skills for economic and personal survival;
- projects that explored what keeps women in violent relationships; and
- projects that supported women to develop a business plan and put it into action.

Ana also helped the Denman Island community to collaborate and communicate. She organized non-violent communication (NVC) forums and workshops and promoted the use of NVC in community meetings and projects to resolve conflict. She also liaised with police, doctors, social services and other agencies to improve response to gender-based violence on Denman Island. As DIWOS closes in 2013, a new group is emerging to continue working for equality for women and girls on Denman Island; carrying on Ana's legacy.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Chris and Judith Plant, Gabriola Island

Category: Individual

Project: Promoting and demonstrating sustainability through book publishing

Nominator(s): Heather Wardle

Letters of Support: N/A

Project Description:

Judith and Chris Plant are the visionaries and leaders of New Society Publishers, a Gabriola-based book publisher that is a global leader in books on sustainability with over 150 titles. New Society Publishers has been located on Gabriola Island since 1996 publishing best-sellers such as "Our Ecological Footprint." New Society Publishers' mission is to publish books that contribute to building an ecologically sustainable and just society, and to do so with the least possible impact on the environment, in a manner that models this vision.

Under Judith and Chris' leadership, New Society Publishers was the first carbon-neutral publishing house in North America. In 2001, they committed to publishing all their books on 100% post-consumer recycled paper, leading the book publishing community in Canada. Recently, New Society has introduced a unique component to its thriving ebook program -- New Society's Guide To Environmentally Responsible Digital Reading.

Chris and Judith have been dedicated to benefiting Gabriola Island through New Society Publishers. They have a policy of hiring locally, and have employed local people in editing, design, marketing, and information technology. When Douglas & McIntyre bought the company in 2008, Judith and Chris ensured that it remained based on Gabriola and that their team stayed intact. Chris and Judith re-acquired New Society Publishers in 2013 and continue to actively support the community through monthly donations to not-for-profits, regular donations to fundraisers and by offering a unique employee benefit which allows employees two hours paid community volunteer work per week on a rotational basis. In addition to demonstrating sustainability through publishing, Chris and Judith have been active participants in the bioregional movement for over 25 years and in their work for a post-carbon future, they maintain ties with various networks of transition-town dwellers, permaculturalists, publishers and others.

Sustaining the Islands – Community Stewardship Awards Program



Islands Trust

2013 Nominee Profile

Jan Slakov, Salt Spring Island

Category: Individual

Project: Environmental and social justice leadership

Nominator(s): Bob MacKie

Letters of Support: Island Pathways President Brenda Guiled
Member of Parliament Elizabeth May

Project Description:

Jan Slakov lives her life in a way that reflects her deep love for the world and her distress about human actions that threaten the earth's ecosystems and create pain and suffering for people. Jan "walks her talk".

Jan's actions and lifestyle are consistent with her desire for a peaceful, just society that genuinely honours and cares for the earth. She models how people can make daily decisions that limit harm to the earth's natural diversity and its ability to support human civilizations. For example, Jan travels mainly by bike and bus and spends her money and time getting old equipment to work, rather than buying mass-produced "planned obsolescence" items.

As a busy organizer and collaborator on Salt Spring Island, Jan eagerly supports community initiatives that promote sustainability and social justice. Groups she supports include: "Stewards in Training", the Salt Spring Island Conservancy, "Salt Springers for Safe Foods", Transition Salt Spring, Copper Kettle; and the Gulf Islands Alliance.

Currently, Jan is coordinating "Bike to Work Week" for Salt Spring and other Gulf Islands. Jan has served on the board of West Coast Climate Equity. She is also active with the Citizens Climate Lobby. Through the CalmUnity group that she was instrumental in founding, Jan worked to help Salt Spring islanders with widely differing values to communicate constructively.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Patrick Smith, South Pender Island

Category: Individual

Project: Musical healing and leadership in the Southern Gulf Islands

Nominator(s): Pender Islands Trust and Protection Society

Letters of Support: N/A

Project Description:

Patrick Smith came to Pender Island at the age of 24 in 1973, and has been playing music there and giving back to the community ever since. Perched on rocks near Brooks Point or walking through the Enchanted Forest, you might be lucky to hear the Pied Piper of Pender playing on his penny whistle. As founder and Artistic Director of Ptarmigan Music and Theatre Society, Patrick plays music, teaches music and creates programs that heal through music, theatre, and the arts. He created a \$30,000 musical instrument bank for students and adults on Pender Island. Ptarmigan offers the Art and Nature Program for children and also Artists in the School programs. This year, Ptarmigan is organizing the 5th Annual Island Mosaic Festival. Ptarmigan, now in its 22nd year, also offers live musical programs for seniors in Victoria (for which Patrick plays) and programs for children with serious illnesses in cooperation with the Canadian Cancer Society and the BC Children's Hospital. Through the Ptarmigan Society (a registered charity), Patrick raises money to deliver community arts programs inexpensively or for free so they will be accessible to people with disabilities and disadvantages.

Patrick Smith has enhanced the cultural life on all the Southern Gulf Islands, and provided healing and accessible arts programs to many children and adults on the Gulf Islands, Vancouver and Victoria. He is currently Vice President of the Assembly of BC Arts Councils.

Patrick works with a wide variety of artists, community organizers, teachers, and children and adults from Pender, and island communities. Through music, Patrick connects and inspires people to enjoy inter-generational and inter-island projects. His work has enriched the lives of seniors, people with disabilities, and survivors of cancer.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Jill Treewater, Salt Spring Island

Category: Individual

Project: Promoting public participation in island governance

Nominator(s): Julia Lucich, Elizabeth Nickson, David Paton,
Valerie van de Wint, and Jane Talbot

Letters of Support: N/A

Project Description:

Jill Treewater took the initiative to video record meetings of the Salt Spring Island Local Trust Committee and the Islands Trust Council. Using her own time and money she dedicated many hours recording meetings and then dividing the videos into easily identifiable segments which she posted to the website, IslandsTAGTeam (Islands Transparency and Accountability in Governance). Through this process she consistently championed the value of transparency in democracy and as a result of her work she enabled greater access to the proceedings by members of the public.

Jill's recordings have fostered greater participation in island governance. Meetings of the Salt Spring Island Local Trust Committee and the Islands Trust Council are held during the day which can be a barrier to attendance for some members of the public. Making local government meeting proceedings accessible online supports public understanding of local issues and perspectives. Jill's role in building and monitoring the *Islands Transparency and Accountability in Government Team* website has created new channels and opportunities for information sharing between island communities. By connecting island residents online, people have become more informed about and involved in island governance and Islands Trust Area issues. She has also helped islanders throughout the Trust Area conserve resources that would otherwise be needed for people to drive and ride ferries to meet in person.

One outcome of Jill's initiative is that the Salt Spring Island Local Trust Committee has been audio recording its meetings and posting the sound files to the Islands Trust website.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Bowen Island Golf Association

Category: Group

Project: Creation of a public nine-hole golf course

Nominator(s): Robert “Bruce” Russell

Letters of Support: Jean Cleator; Adam Zubec and Brett Finlayson, Capilano Golf and Country Club; Constable Mike Reid, Bowen Island RCMP

Project Description:

The Bowen Island Golf Association, a non-profit society, brought the Bowen Island community together to support the planning, construction and ongoing operation of a public nine-hole golf course which opened for play in 2006. More than 550 individuals, on an island with fewer than 3,500 residents, raised almost four million dollars for construction of the course and ongoing improvements. Annually, there are two or three volunteer work parties of more than 40 people to assist with improvements and maintenance. The project continues to be an important venue for social gatherings on Bowen and non-golfers who enjoy the 2.5 kilometre walking trail around the perimeter of the course.

During construction of the golf course, the Bowen Island Golf Association undertook some stream rehabilitation within the course boundaries and installed a 10.8 million gallon reservoir to collect rain water for irrigation. The Bowen Island Golf Association checks stream water quality annually and uses computerized irrigation to minimize water use. During construction, the Association used a special fan to accelerate the burning of wood waste from the project, thereby reducing the release of particulate matter and smoke into the air. The course provides year-round local employment for two people and employs 12-15 people through the summer months. The course benefits Bowen Island's economy by attracting non-local golfers and tourists to the island.

The final component of the golf course project was completed in May 2012 with the official opening of a modest clubhouse. The Association developed the clubhouse from a recycled former portable classroom; winning first prize in the 2012 Modular Building Institute of North America's Awards of Distinction for Greatest Renovation under 10,000 square feet. In 2012, the BC Professional Golfers Association chose the course as the 3rd best hidden gem in the province.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Denman Island Volunteer Fire Department

Category: Group

Project: Serving and protecting Denman Island

Nominator(s): Denman Island Residents Association

Letters of Support: N/A

Project Description:

The Denman Island Volunteer Fire Department works constantly to protect the community in case of fires, accidents or medical emergencies. They are dedicated to regular weekly training and have organized an auxiliary group of volunteers to drive the fire trucks to fires. The Fire Department also has first responders to attend any accident or medical emergency.

The Denman Island Volunteer Fire Department hosts a pancake breakfast every July 1st and organizes a charity auction every second year. Both events are well attended and raise funds which are used to support worthy causes in the community. Most recently the auction generated approximately \$5,000 which was given to the community hall to help replace the hardwood floor as part of a major renovation. The Fire Department maintains regular communication with community members by attending monthly public Residents Association meetings to explain or discuss concerns regarding fire-related issues that may have occurred during the month.

In 2012, the department launched a well-attended series of workshops on cardio pulmonary resuscitation (CPR) that were offered free of charge to any community member.

Sustaining the Islands – Community Stewardship Awards Program



Islands Trust

2013 Nominee Profile

Lasqueti Island Forage Fish Team

Category: Group

Project: Monitoring beaches for forage fish habitat

Nominator(s): Charlotte Taylor

Letters of Support: N/A

Project Description:

The Lasqueti Island Forage Fish Team is a group of 20 to 30 volunteers, ranging in age from early 20s to 60s, who monitor local beaches for the possibility of forage fish habitat. For the last one and half years, volunteers have collected samples of beach sediment using a scientific methodology, then send the samples for analysis to detect the presence of forage fish eggs.

The team has been responsible for the acquisition of spill kits at the docks, and also for making available fuel-absorbent pads to community members. The team and this project has generated community awareness of the importance of protecting beaches because forage fish spawning habitats are crucial to the health of the marine food chain. The local marimba band also held a fundraising concert for the team which helped fund the group and enhanced community engagement.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Mayne Island Conservancy Society

Category: Group

Project: Shoreline Care Program

Nominator(s): Jessica Willows

Letters of Support: N/A

Project Description:

The Mayne Island Conservancy Society's Shoreline Care Program started in 2008. The purpose of the program is long-term monitoring of marine ecosystems. Over the past five years 135 volunteers have contributed 1,300 hours to the project, including children and youth. The intermediate class (Grades 4 – 8) of Mayne Island school is involved in monitoring an intertidal site.

The program has included inventory, mapping and monitoring of Mayne Island eelgrass and kelp bed ecosystems; a base-line study of forage fish spawning on six beaches; a kayak-based bull kelp monitoring methodology, and activities to raise public awareness of the value, significance of near-shore ecosystems and the need to protect them. All program activities have been conducted through knowledge sharing with the Seagrass Conservation Working Group, guided by scientific advisors, with the goal of ensuring results are useful to land use planning and local/ regional conservation initiatives.

The project has led to the development of the Mayne Island Shoreline Atlas which provides a map-based shorezone rating system designed to inform the Local Trust Committee and land-use planners of sensitive marine ecosystems to help them minimize impacts on marine habitats (protection) and to help the community identify areas for future restoration.

This work supports climate change mitigation efforts because eelgrass and kelp beds sequester carbon (blue carbon) in addition to maintaining marine ecosystem health. Mayne Island Conservancy Society minimized the release of carbon from this project by designing its kelp mapping protocol so that the work is done from kayaks.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Salt Spring Island Water Council

Category: Group

Project: Leadership on water issues on Salt Spring Island

Nominator(s): Salt Spring Island Conservancy

Letters of Support: N/A

Project Description:

The Salt Spring Island Water Council, which celebrates its 10th anniversary this year, provides a forum for sharing information on the quality and quantity of Salt Spring Island's surface and groundwater resources. The Council undertakes research and analysis, advocates for appropriate government legislation, regulations and policies and educates the public. All of the agencies and individuals responsible for providing, protecting, conserving and managing drinking water on the island benefit from this work.

The Council meets bimonthly in public with representatives of fourteen water districts. Over the last decade, it has addressed a wide range of topics, including potable water supply and demand, watershed management, water quality, water conservation, groundwater, septic systems and storm water management.

Recent highlights of their work include: support for the Cusheon Lake Watershed Management Plan and the coordination of the St. Mary Lake Watershed Management Plan, two low-flush rebate programs, a Soft Path (conservation) Strategy with the POLIS Institute (UVic) and a groundwater workshop. Another project was a community dialogue and expert panel talking about the complexities of the current problems with St. Mary Lake.

The Water Council has also worked in cooperation with the Water Preservation Society and others to produce a brochure on St. Mary Lake; has made submissions to the Local Trust Committee on the proposed Riparian Area Regulations and is currently collaborating to support a Simon Fraser University hydrogeological study of impacts of climate change on Salt Spring Island's groundwater resources.

Sustaining the Islands – Community Stewardship Awards Program



2013 Nominee Profile

Salt Spring Island Water Preservation Society

Category: Group

Project: Leadership on water issues on Salt Spring Island

Nominator(s): Salt Spring Island Conservancy

Letters of Support: N/A

Project Description:

The Salt Spring Island Water Preservation Society has been promoting the protection and preservation of potable water sources on Salt Spring Island for 31 years; making it the oldest environmental group on the island. The Society acquires and manages land for the purpose of protecting drinking water on Salt Spring Island; promotes scientific studies and research into water issues; and raises public awareness of the value of protecting potable drinking water sources and water resources in general. The most demanding of their projects is the ongoing management of the 272-acre watershed preserve on the slopes west of St. Mary Lake, which they own. Management of this property includes working with neighbouring property owners, fencing, dealing with broom and other invasive plants, and land restoration. The Society has also ensured the permanent protection of these properties with a conservation covenant, established in 2008.

Examples of its projects include: working with the Salt Spring Island Water Council and others to produce a brochure on St. Mary Lake's water quality challenges; making submissions to the Salt Spring Island Local Trust Committee on the proposed Riparian Area Regulations and a current collaboration to support a Simon Fraser university hydrogeological study of the impacts of climate change on Salt Spring Island's groundwater resources. In 2002, the Water Preservation Society worked with others to raise \$1.2 million used to purchase the primary and secondary watersheds of Maxwell Lake, which is now owned and managed by the North Salt Spring Water District.

The Society's commitment to safe drinking water has been felt far beyond Salt Spring Island. From 1984-1994, the Society fought a legal battle to keep gasoline motors off St. Mary's Lake that ended in a Supreme Court of Canada decision that enabled local communities across Canada to declare lakes as 'electric motor only' for the purpose of preventing pollution.

COMMUNITY STEWARDSHIP AWARDS – EVALUATION FORM 2013

INDIVIDUAL EVALUATIONS:

Individuals	Relationship to Policy Statement (1-5)	Benefits to the Community or Trust Area (1-5)	Collaboration with others (1-5)	Innovation (1-5)	Level of community support and involvement (1-5)	TOTAL SCORE
1. Richard Blagborne						
2. Dr. Peter Carter and Julie Johnston						
3. Mike Hoebel						
4. Ana Miriam Leigh						
5. Chris and Judith Plant, New Society Publishers						
6. Jan Slakov						
7. Patrick Smith						
8. Jill Treewater						

COMMUNITY STEWARDSHIP AWARDS – EVALUATION FORM 2013

GROUP EVALUATIONS:

Groups	Relationship to Policy Statement (1-5)	Benefits to the Community or Trust Area (1-5)	Collaboration with others (1-5)	Innovation (1-5)	Level of community support and involvement (1-5)	TOTAL SCORE
9. Bowen Island Golf Club						
10. Denman Island Volunteer Fire Dep't						
11. Lasqueti Island Forage Fish Team						
12. Mayne Island Conservancy Society						
13. Salt Spring Island Water Council						
14. Salt Spring Island Water Preservation Society						



LEGISLATIVE MONITORING CHART

This document is intended to advise Trust Council about past or proposed external regulatory changes that could directly affect Islands Trust operations, local trust committee/island municipality bylaws or regulations, or Strategic Plan projects. It includes:

- provincial and federal legislative changes (new and amended acts, statutes and/or associated regulations);
- court rulings;
- legislation under development with defined opportunities to provide input, and
- senior government policies and consultation processes, such as reviews, studies and plans.

It also tracks legislative change requests from Island Trust bodies.

The Legislative Monitoring Chart is updated bi-annually using a range of sources, including Union of British Columbia publications, the websites of the Legislative Assembly of BC and the Parliament of Canada, provincial and federal news releases, the Canada Gazette and a variety of websites and RSS news feeds. Islands Trust also pays for an annual subscription to QuickScribe, which tracks all BC Statutes and Regulations. This chart is not intended to track potential advocacy topics but may report legislative changes that related to advocacy projects on Trust Council's Strategic Plan and might affect local planning (e.g. provincial agriculture, riparian regulations, fish farms). The chart is organized according to the following categories:

- Planned legislation –page 2
- Legislation in process – page 3
- Legislation in effect – pages 4-8
- Discussion / advocacy topics – pages 9-12
- Legislative change requests – pages 13-15

PLANNED LEGISLATION	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTION - PAST	ISLANDS TRUST ACTION - FUTURE
<p>Proposed DFO Application for Authorization under the Fisheries Act Regulations</p> <p>(federal)</p> <p>(2013)</p>	<p>Proposed regulation was posted to the Canada Gazette on April 13, 2013.</p> <p>Opportunity to comment closed on May 13, 2013</p>	<p>This <i>Fisheries Act</i> regulation provides for specific work or activities to occur under the Minister's authorization and in accordance with specific conditions set out by the Minister; despite the fact that these activities may result in the "alteration, disruption or destruction of fish habitat."</p>		
<p>Community Contribution Company Regulation</p> <p>(provincial)</p> <p>(2013)</p>	<p>Approved on Feb. 27, 2013 via Order in Council 93, 2013</p> <p>Take effect on July 29, 2013</p>	<p>The new regulations allow for the incorporation of community contribution companies (CCCs), a hybrid business model aimed at encouraging private investment in B.C's social enterprise sector.</p> <p>CCCs will be able to accept equity investment money, issue shares and pay shareholder dividends, options that are not currently available to non-profits. Unlike typical for-profit companies, CCCs will have a limited ability to pay dividends. However, they will be able to assure potential investors that a portion of the company's profits will be used for social purposes.</p> <p>The legislation, the first of its kind in Canada, limits CCC shareholder dividends to 40 per cent of annual profits, leaving the bulk of profits to be used for the company's designated community purposes. CCCs will be required to publish an annual "community contribution report" providing details of their social spending, community activities and dividend payments.</p> <p>Any CCC that is being dissolved would be subject to an "asset lock" to limit the distribution of assets to shareholders to a maximum of 40 per cent. The remaining 60 per cent would be distributed to charitable organizations and/or other asset-locked entities.</p> <p>Long advocated by the province's social enterprise sector, Community Contribution Companies were among the measures recommended in a report released in 2012 by the BC Social Innovation Council.</p> <p>These changes could support the development of social ventures in the Islands Trust Area that support Strategic Plan goals.</p>		

PLANNED LEGISLATION	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTION - PAST	ISLANDS TRUST ACTION - FUTURE
<p>Water Act modernization</p> <p>Water Act to be re-named “Water Sustainability Act”</p> <p>(Provincial)</p>	On-going	<p>British Columbia is the last jurisdiction in Canada without groundwater legislation or licensing (i.e. protection). The Province has been preparing draft legislation which would integrate groundwater and surface water allocation. The Province is working to finalize the new <i>Water Sustainability Act</i> which would require all existing and new large groundwater users to apply for and obtain a water licence (e.g. waterworks, community wells, industrial and agricultural users). This proposed legislation will replace the <i>Water Act</i> and result in changes to the <i>Drinking Water Protection Act</i> and <i>Water Protection Act</i>. The proposed legislation would not include individual residential well users, except in high risk areas (priority areas) where, for instance, aquifers are under stress due to over use. Staff understand that while the Gulf Islands were identified as a priority area in the 2008 Living Water Smart plan, a commitment to establish the Islands Trust Area as a priority area is unlikely to occur until new legislation in place.</p> <p>January 2011: BC released a Policy Proposal on its new <i>Water Sustainability Act</i> and invited feedback.</p> <p>September 2011: Minister Lake stated at the 2011 UBCM Conference that changes to the <i>Water Act</i> need more consultation and a new white paper will be released in 2012. The Province stated a goal of introducing the new <i>Water Sustainability Act</i> in 2013.</p> <p>September 2012: In response to an Islands Trust question at the UBCM Conference, Minister Lake said <i>Water Act</i> consultation has been extended; a white paper will be ready in spring 2013 and legislation is now planned for 2014.</p> <p>March 2013: In response to the Cohen Commission recommendations, the Province mentioned that an analysis of implementation options and delivery costs associated with the proposed legislation is currently underway. The Province also mentioned that it is examining a concern that the Riparian Areas Regulation definition of ‘High Water Mark’ is not always coincident with the ‘Natural Boundary’ in the <i>Water Act</i> and <i>Land Act</i> during a review of legislation.</p>	<p>Many conversations and meetings between Islands Trust and Ministry of Environment staff 2008-present</p> <p>After consultation with several island water advocates, Islands Trust staff provided a submission on April 30, 2010.</p> <p>In February 2011, after consultation with trustees and other leaders in local water management, the Executive Committee submitted a response to the provincial Policy Proposal.</p>	<p>Continue to monitor.</p> <p>LPC staff working on the development of a Water Quality and Quantity Tool Kit and Model Bylaw will work closely with provincial staff to ensure that the direction by the Islands Trust is in keeping with the Province’s direction.</p>

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTION - PAST	ISLANDS TRUST ACTIONS - FUTURE
Regulations Amending the Disposal at Sea Regulations (Federal) (2013)	Published in the Canada Gazette April 27, 2013 Comments deadline June 25, 2013	<p>The revised regulation will</p> <ul style="list-style-type: none"> Require Environment Canada to make decisions within 90 days of the application, Allow permits to be renewed, subject to new criteria, no more than four times for “low-risk, routine” projects, rather than requiring a new application annually Reduce the amount of time that a person has to submit a notice of objection in regard to a permit from 30 to 7 days, starting from the date of publication of the permit. <p>This regulatory change is expected to help approximately 55 stakeholders in Canada save an average of \$55 each/year and some staff time.</p> <p>Ocean disposal sites in/near the Trust Area include:</p> <ul style="list-style-type: none"> Thormanby Island Ocean Disposal Site Haro Strait Ocean Disposal Site Sand Heads Ocean Disposal Site (near the Fraser River Estuary) Watts Point Ocean Disposal Site (near Squamish) Thornbrough Channel Ocean Disposal Site (between Gambier Island and Port Mellon on the mainland.) Five Finger Island Ocean Disposal Site (offshore of North Nanaimo) 		
Bill C-57, Safeguarding Canada's Seas and Skies Act (Federal) (2013)	First reading March 18, 2013	<p>This Act includes amendments to the federal oil spill preparedness and response regime that the federal government suggests will:</p> <ul style="list-style-type: none"> strengthen the current requirements for pollution prevention and response at oil handling facilities; increase Transport Canada's oversight and enforcement capacity by equipping marine safety inspectors with the tools to enforce compliance; introduce new offences for contraventions of the Act and extend penalties relating to pollution; and enhance response to oil spill incidents by removing legal barriers that could otherwise block agents of Canadian response organizations from participating in clean-up operations. 		

LEGISLATION IN EFFECT	STATUS	KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Bill 5 – Protected Areas of British Columbia Amendment Act, 2013 (Provincial) (2013)	Royal Assent March 14, 2013	<p>This provincial act established the following new protected areas in the Islands Trust Area:</p> <p>Ballenas-Winchelsea LTA</p> <ul style="list-style-type: none"> • <u>Gerald Island Park (12 hectares)</u>: This new park, an island located near Nanoose Bay, is being established as the result of a private land acquisition. <p>Salt Spring LTA</p> <ul style="list-style-type: none"> • <u>Mount Maxwell Ecological Reserve Addition (22 hectares)</u>: The addition to Mount Maxwell Ecological Reserve on Salt Spring Island was acquired through an agreement between BC Parks, The Nature Trust of British Columbia and a private vendor. <p>Denman LTA</p> <ul style="list-style-type: none"> • <u>Boyle Park Addition (52 hectares)</u>: This park is located on Denman Island, off the east coast of Vancouver Island. This addition to Boyle Point Park is the result of a Crown land transfer and will protect forest that has never been logged. • <u>Denman Island Park (552 hectares)</u>: This new park, located on Denman Island, off the east coast of Vancouver Island, is being established as the result of private land acquisition and Crown land transfers. This park is found within the relatively rare Coastal Douglas-fir biogeoclimatic zone. It also includes the Chickadee watershed and areas important for a number of species at risk including the Taylor's Checkerspot butterfly. 	The Denman Island Park is the result of a rezoning application involving density transfer and donation.	<p>Staff will include changes in future Protected Area Indicator reports</p> <p>LTC may review and update zoning regulations as necessary</p>

LEGISLATION IN EFFECT	STATUS	KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Changes to Liquor Control and Licensing Act and Regulation Liquor Control and Licensing Branch and Liquor Distribution Branch Policies (Provincial) (2013)	In effect March 1, 2013	<p>The changes will allow:</p> <ul style="list-style-type: none"> • Brewers and distillers to apply to have an on-site consumption area such as a lounge, tasting room or event area. • Distilled liquor products that consist of 100 per cent British Columbia agricultural raw materials and are distilled in B.C. by licensed distilleries to be eligible for mark-up exempt direct sales. • Wine stores will become licensees under the Liquor Control and Licensing Act. • Rural agency stores may now purchase unlimited amounts of beer through their local government liquor store. <p>The regulation now includes the criteria on whether private liquor stores can relocate within one kilometre of an existing liquor store rather than having the criteria in policy.</p> <p>All increases to liquor-primary capacity will now require local government input.</p>		Staff will process referrals as received.
School Act via Bill 8, the Miscellaneous Statutes Amendment Act, 2013 (Provincial) (2013)	Royal Assent March 14, 2013	Boards of education are now required to establish a policy promoting the use of board property by licensed child-care providers between the hours of 7 a.m. and 6 p.m. on weekdays, provided the property is not required for K-12 educational programs, extra-curricular school activities, or early learning programs.		LTCs may wish to review their Land Use Bylaws to determine if school properties are zoned to accommodate childcare operations

LEGISLATION IN EFFECT	STATUS	KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Fisheries and Oceans (DFO) implementation of amended Fisheries Act (federal) (2013)	On-going	<p>The <i>Fisheries Act</i> was amended in June 2012 through Bill C-38, the "<i>Jobs, Growth and Long-term Prosperity Act</i>." There is a new focus in the <i>Fisheries Act</i> on protecting recreational, commercial and Aboriginal fisheries; and identifying and managing threats to these fisheries, including habitat destruction and aquatic invasive species.</p> <p>UBCM staff have been meeting with DFO staff to determine how the new approach to fisheries protection will affect local governments.</p> <p>On March 22, UBCM met with the Department of Fisheries and Oceans to discuss the amendments to the Fisheries Act and changes within DFO as well as DFO's new framework for decision making and changes to regulatory tools to streamline the review process and increase efficiency.</p> <p>UBCM has requested additional opportunities for consultation with BC local governments as DFO moves forward with implementation. UBCM has posted a Question and Answer document to their website that provides answers to questions posed by local governments.</p>		
Bill 27 Local Government (Green Communities) Statutes Amendment Act (2008-12) (Provincial)	In-effect as of October 1, 2008.	<ul style="list-style-type: none"> Requires municipalities and Local Trust Committees to include GHG emission targets, policies, and actions in their OCPs by May 21st 2010 Requires regional districts to include GHG emission targets, policies, and actions in their RGS by May 31st 2011 Expands local government Development Permit Area and zoning variance authority to promote energy and water conservation, the reductions of GHGs, and encourage alternative transportation options for off-street parking. Expands Regional District's Development Cost Charges authority to exempt small, energy efficient development. 	<p>Eighteen OCPs amended.</p> <p>OCP to be amended:</p> <ul style="list-style-type: none"> Piers Island 	Further consideration of other planning tools.

DISCUSSION/ ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
DFO Discussion Paper - Implementing the New Fisheries Protection Provisions under the Fisheries Act	DFO is requesting feedback from UBCM members by May 29, 2013 if possible	<p>This discussion paper explains recent changes to the Fisheries Act related to fisheries protection and outlines how DFO plans to interpret these new provisions, especially as they relate to proponents' responsibilities to avoid impacts to fish and fish habitat. The paper focuses on the factors that will provide direction in Ministerial decision making (the new section 6 of the Fisheries Act) and the new prohibition against causing serious harm to fish (the new section 35).</p> <p>The paper provides background information in support of DFO's planned discussions with other governments and interested parties on implementation of the new fisheries protection provisions.</p> <p>Feedback will be used to develop more detailed operational guidance for departmental staff and project proponents. This guidance will address such issues as information requirements for proponents, the identification of fisheries management objectives, the use of standards, and exclusions.</p>		

DISCUSSION/ ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Reductions to Fisheries and Oceans Canada (DFO) staff and budget (2013-16)	On-going	<p>The following changes to DFO may have impacts in the islands Trust Area:</p> <ul style="list-style-type: none"> • 30% reduction in DFO staff in British Columbia • \$33 million cut in DFO operations budget in 2012 • Reduction of DFO service delivery areas from 15 to 5 (Vancouver, Nanaimo, White Horse, Prince Rupert and Kamloops) <ul style="list-style-type: none"> ◦ The transition of staff is happening from April to September 2013 – during this time there may be less opportunity for DFO staff to provide feedback and guidance to Islands Trust staff when considering development proposals • Re-organization of DFO by industry sector instead of area as follows: <ul style="list-style-type: none"> - large hydro projects - small hydro projects (IPPs) - linear development - mining - oil and gas - marine & coastal <p>DFO is expected to reduce its budget by approximately \$100 million more over three years starting in 2015-16.</p>		
Draft Species at Risk Plan (Provincial) (2013)	Deadline for providing feedback was May 17, 2013	<p>The Ministry of Environment is requesting feedback from local governments on their draft Five-Year Plan for Species at Risk in British Columbia. The BC Government has stated that the Draft Five-Year Plan reflects many of the recommendations of the BC Task Force on Species at Risk.</p>	<p>In 2010, the Island Trust Chair provided a submission to the Species at Risk Task Force.</p> <p>Planner Marnie Eggen represents the Islands Trust on the Species and Ecosystems at Risk Local Government Working Group</p>	

DISCUSSION/ ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Tanker Safety Expert Panel Consultation (Federal) (2013)	Deadline for providing feedback is June 21, 2013	<p>The Panel is assessing Canada's tanker safety system and a broad range of oil spill issues including:</p> <ul style="list-style-type: none"> • Review of current regulated response capacity of 10,000 tonnes • Review of effectiveness of system's structure, including its private-public model, funding and fee arrangements, and placement of response assets. <p>The Panel will engage stakeholders (April- July 2013)</p> <ul style="list-style-type: none"> • Will meet with provincial and industry stakeholders and with First Nations in coastal areas and will accept web submissions from the public. <p>The Panel will report by November 15, 2013.</p>		Executive Committee may consider whether to direct the Chair to write a submission.
Schlenker v. Torgrimson, 2013 BCCA 9 (2013)	Reasons for Judgment - January 11, 2013	<p>The Court of Appeal declared that two former Islands Trust elected officials were in a conflict of interest contrary to the <i>Community Charter</i> when they voted to grant funds to non-profit societies of which they were directors.</p> <p>The ruling creates a dilemma for local governments that appoint elected officials to non-profit societies, and for elected officials who volunteer on non-profit societies. In April 2013, the Association of Vancouver Island and Coastal Communities voted to request that the Province work with the UBCM to identify a remedy that clarifies the responsibilities and suggested conduct of local government elected officials who serve on the boards of non-profit organizations, so that they may continue to serve in both positions concurrently, without fear of disqualification from local government elected office due to conflict of interest.</p> <p>In April 2013, the UBCM Executive directed their staff to follow up with the Province post-election on solutions that would provide greater clarity to local government elected officials that are also directors of a society.</p>		

DISCUSSION/ ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Proposed National Marine Conservation Area for the Southern Strait of Georgia (2003-13) (Provincial / Federal)	Federal government consulting with First Nations on proposed boundary	<ul style="list-style-type: none"> ▪ Parks Canada in partnership with the Province of British Columbia is assessing the idea of creating a national marine conservation area (NMCA) in the Southern Strait of Georgia ▪ The Islands Trust has engaged in the stakeholder consultation process and continues to stay in touch with federal staff on the issue. ▪ In October 2011 Canada and BC announced proposed NMCA boundary for consultation. ▪ First Nation consultation underway and local government consultation has now begun. ▪ Local government consultation processes have been re-activated. A preliminary consultation meeting with local government was held in Sidney on May 24, 2012 and was attended by Vice Chairs Ken Hancock and Peter Luckham and CAO Linda Adams. Subsequent meetings occurred on Aug. 29 and Oct. 26, 2012 and were attended by many of the trustees and planning staff for the affected islands. ▪ Islands Trust and Trust Fund Board representatives have also been involved in several meetings and open houses, in data-sharing exercises with Parks Canada and in meetings of an "NMCA Coalition" convened by the Canadian Parks and Wilderness Society and the Georgia Strait Alliance. 	<p>Dec. 2003 – Trust Council hosted a session on the NMCA by Parks Canada staff and requested the Chair write to Parks Canada recommending that the entire Islands Trust Area be included in the feasibility study.</p> <p>In 2010 Islands Trust submitted a successful resolution to UBCM regarding support for NMCA.</p> <p>EC raised the NMCA during Sept 2010 meeting with Minister Penner and during Jan 2011 meeting with Minister Coell.</p> <p>June 2012: Council received a briefing on implications of asking for broadening of study area.</p> <p>December 2012: Trust Council reaffirmed support for the NMCA with current perimeter, requested to be included in joint mgm't, and requested that LTC zoning be used as basis of NMCA zoning.</p> <p>Spring 2013: Affected LTCs received a briefing about the opportunity to comment on proposed NMCA exemption areas.</p>	Staff and trustees will continue to work with islanders and partner agencies during the consultation process to represent the local interests of island communities and ecosystems to the decision makers about implications such as zoning, boundaries and buffers.

DISCUSSION/ ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Federal government announcement of tanker safety measures (Federal) (2013)	Announced March 18, 2013	<p>Key items:</p> <p>Improvements to tanker safety system:</p> <ul style="list-style-type: none"> Canadian Coast Guard to use Incident Command System -an internationally accepted emergency management system used for the command, control, and coordination of emergency response operations. <ul style="list-style-type: none"> This change will improve coordination with the US Coast Guard in the event of a trans-boundary spill Research on diluted bitumen behaviour in the marine environment and on marine ecosystems. Improvements to aids to navigation All foreign tankers to be inspected annually: National Aerial Surveillance Program expanded <p>Review of oil pollution liability and compensation regime</p> <ul style="list-style-type: none"> To be completed in fall 2013. The review will include examining the adequacy of the compensation available in the event of a spill and the relevant legislation Will guide the Government of Canada as it modernizes the Ship-Source Oil Pollution Fund, examining its overall application and use. 	November 2, 2011 Chair letter to Honourable Denis Lebel, Minister of Transport, Infrastructure and Communities re unconventional oil spill concerns	

ISLANDS TRUST REQUESTS FOR CHANGES TO ISLANDS TRUST LEGISLATION / REGULATION

ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
1. Amendments to the <i>Islands Trust Act</i> to change the corporate structure of the Islands Trust Fund so that the current two legal entities, the Trust Fund Board and the Islands Trust Fund, would be replaced with one legal entity named Islands Trust Conservancy.	November, 2012	Letter to Hon. Bill Bennett, Minister of Community, Sport and Cultural Development	
2. Amendments to the <i>Islands Trust Act</i> that would cause four local trustees to be elected to sit on the Salt Spring Island Local Trust Committee.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	May 2008 Minister Chong suggested Islands Trust hold a referendum. Turned down by Salt Spring Island LTA referendum November 15, 2008.
3. Amendments to the <i>Islands Trust Act</i> that would cause four local trustees from the Salt Spring Island Local Trust Area to sit as full voting members of the Islands Trust Council.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	In a May 23, 2008 letter the Minister advised that she agreed with the Islands Trust Governance Review consultant's recommendations and found the rationale for increasing the size of the Islands Trust Council (ITC) by adding the two additional Salt Spring Island Trustees is "less" compelling than the request to increase the size of the Salt Spring Island Local Trust Committee.
4. Changes to the <i>Islands Trust Act</i> that would enable the Islands Trust Council to determine the size of its Executive Committee.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	Never formally turned down
	June 2011	Raised during a meeting with the Hon. Ida Chong, Minister of Community Services	
5. The necessary changes to provincial / legislation and regulations to permit Islands Trust bodies to hold meetings through electronic or other communication facilities.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	Achieved in 2009

ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
6. Changes to provincial/legislation and regulations be made, if necessary, to confirm that Islands Trust bodies may perform their duties and functions while outside of the Islands Trust Area.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	Later turned out to be a non-issue
7. Natural Area Protection Tax Exemption Program (NAPTEP) – extension to Bowen Island Municipality	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved June 2010
8. Electronic meetings	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved in 2009
9. Bylaw dispute adjudication system	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved in 2011
10. Trust Fund Board corporate status and name change	Nov 20, 2012	Letter to Hon. Bill Bennett, Minister of Community, Sport and Cultural Development	Advised by Minister that the request requires careful consideration and that Islands Trust may contact an Assistant Deputy Minister to arrange for further evaluation of the proposal.
	June 2011	Name change raised during a meeting with the Hon. Ida Chong, Minister of Community Services	Advised by Minister to explore other solutions first to determine if can resolve challenges in other ways. Trust Fund Board has asked Trust Council Chair to seek this change in writing.
	After June 2011	Staff met with Ministry staff	

REQUESTS BY AN ISLANDS TRUST BODY FOR CHANGES TO LEGISLATION / REGULATION

REQUEST	WHEN	METHOD	RESPONSE
Change to the <i>Private Managed Forest Land Act</i> to exempt Galiano Island Local Trust Committee from Section 21 of the PMFL Act	April 27, 2010	Letter from Galiano LTC Chair to Dale Wall, Deputy Minister, Ministry of Community and Rural Development	In 2011 (?), Dale Wall invited the Islands Trust Chief Administrative Officer and the Island Planner for Galiano Island LTC to a meeting to discuss alternative legislative amendments that would enable the Galiano LTC to adopt an Official Community Plan with policies that restrict forest activities. Staff at the Ministry of Forests, Lands and Natural Resource Operations have considered options for legislative amendments but these options have not been made public.
Regulation that would reserve the Islands Trust Area from the staking of mining claims and exploration under the <i>Mineral Tenure Act</i> .	January 30, 2013	Letter from Islands Trust Chair to the Hon. Rich Coleman, Minister of Energy, Mines and Natural Gas	Minister Coleman responded on March 14, 2013 by saying that the Chief Gold Commissioner is considering a number of options to address concerns raised by Pender Island residents and the Islands Trust, including the possible use of mineral reserves for Pender Island and the Islands Trust area.

May 28/13

Islands Trust Council Goals	Executive Committee (LA)	Trust Fund Board (JE)
Ecosystem Preservation and Protection... Stewardship of Island Resources... Sustain Island Character and Healthy Communities	<ol style="list-style-type: none"> Governance, Policy, Strategic Planning, Trust Council (LA) Communications, Advocacy, Policy Statement, Interagency and Public Relations (LG) Organizational Improvements (DM/CS/CT) 	<ol style="list-style-type: none"> Strategic Planning/Administration Covenant and Property Acquisitions Property and Covenant Management Communications Fundraising and Conservancy Support
Financial Planning Committee (CS)	Local Planning Committee (DM)	Trust Programs Committee (LG)
<ol style="list-style-type: none"> First Draft of 2014/15 Budget Complete 2012/13 Year End and Audit Develop Policy on Carbon Neutral Operations with Trust Programs Committee Purchasing Procedures Policy 6.5.iii Budget Process Policy 6.3.i 	<ol style="list-style-type: none"> Develop Mechanism for Proactive Bylaw Enforcement of Illegal structures on the foreshore. Development of Water Quality and Quantity Tool Kit Renewable Energy Technologies in the Trust Area 	<ol style="list-style-type: none"> Develop and Implement Research Program in Support of BC Ferries Advocacy Program Encourage Understanding and Voluntary Stewardship of Water Resources Create Linkages to Share Economic Development Models
Southern Team (RK) Galiano, Mayne, N. Pender, S Pender, Saturna	Northern Team (CS) Ballenas-Winchelsea, Denman, Gabriola, Gambier, Hornby, Lasqueti and Thetis	Salt Spring Team (LH) Salt Spring
<p>LTC Planning Priorities</p> <ul style="list-style-type: none"> Galiano - LUB updates (KN); Visitor Accommodation Review (KN); and Ground Water protection DPA review (KN). Mayne – Housing options (GR); Proof of potable water for Boundary adjustments (GR); and RAR Implementation (GR). North Pender – Shoreline Review (RK); Conservation Subdivision Review (AP); Saturna – Accommodation Review (GR); LUB technical review (GR); and OCP Density Review (GR). South Pender (AP)– LUB Update and Review (AP); Shoreline Protection (AP); Marine geo-thermal loops; and APC bylaw amendments and ToR. 	<p>LTC Planning Priorities</p> <ul style="list-style-type: none"> Ballenas-Winchelsea (EC as LTC)(ME): Development of OCP and LUB Bylaws; Development of Administrative Bylaws Denman (RM): Review of policies and regulations re impacts of shellfish farming; RAR implementation; Review of housing policies. Gabriola (CS): Gabriola OCP Review; DAI Bylaw; Snuneymuxw FN Protocol Agreement Implementation Gambier (AB): Sustainability Guide; RAR implementation; Foreshore protection & stewardship. Hornby (RM): OCP and LUB Review; RAR implementation; Vacation Home Rental Regulations. Lasqueti (LP): RAR implementation; False Bay Parking & Master Plan; Integrated Watershed and Shoreline Mapping Workshop. Thetis (AB): Associated Islands OCP and LUB Creation; RAR implementation; Shoreline Protection. 	<p>LTC Planning Priorities</p> <ul style="list-style-type: none"> OCP Review - DPA4/RAR Mapping (SC) Land Use Bylaw - Secondary Suites (JS) OCP Review: Watershed Management (JS) Advisory Committees Terms of Reference and Bylaw Review (JS) Land Use Bylaw Update: Industrial (SC)

Planning Priorities – taken from top priorities established by each local trust committee. LA – Linda Adams; LG – Lisa Gordon; DM – David Marlor; CS –Cindy Shelest; JE – Jennifer Eliason
 Southern Team: RK – Robert Kojima; GR – Gary Richardson; AP – Andrea Pickard; KN – Kris Nichols
 Northern Team : CS – Courtney Simpson; LP – Linda Prowse; ME – Marnie Eggen; Rob Milne (RM); Aleksandra Brzozowski (AB)
 Salt Spring Team: LH – Leah Hartley; SC – Stephan Cermak; JS – Justine Starke

draft
Sept 2013 Islands Trust Council Agenda Program
 Location: Lasqueti Island

May 30/13

	Tuesday, June 11	Wednesday, June 12	Thursday, June 13
A.M.	<p>11:00 Chartered Water Taxi to Lasqueti Island</p>	<p>8:30 – 9:15 Closed Session*</p> <ul style="list-style-type: none"> • CAO Report • Litigation Update • Workers Compensation Act Changes – Occupational Health and Safety <p>9:15 – 10:15 Refresher on Administrative Fairness in Application Processes</p> <p>10:15 – 10:45 Break</p> <p>11:15 – 11:45 Freedom of Information and Protection of Privacy</p>	<p>8:30 – 10:30 Trustee Group Discussions</p> <p>10:30 Meeting Adjourned</p> <p>11:00 Ferry to French Creek</p>
P.M.	<p>12:00 – 1:00 Lunch</p> <p>1:00 Call to Order/Notice of New Items</p> <p>1:05 – 1:30 Community Presentation</p> <p>1:30 - 2:30 Advocacy Policy Session</p> <p>2:30 – 3:00 Break</p> <p>3:00 – 5:30 Decisions and Information Items</p>	<p>11:45 – 1:30 Lunch and Island Trip</p> <p>1:30 – 2:30 Delegations and Town Hall</p> <p>2:30 – 3:30 Decision and Information Items</p> <p>3:30 – 4:00 Break</p> <p>4:00 – 5:30 Decision and Information Items</p>	

** Members of the public are invited to attend all sessions except any closed meeting and meals.

- 5 hours scheduled for Decision and Information Items



From: Gary Steeves
Sent: May-23-13 2:41 PM
To: Marie Smith; Lisa Gordon
Cc: Alex Allen
Subject: Smart meter correspondence and motion

I would like the correspondence on the TC agenda and I would like that the following motion be put on the agenda as new business:

That the Islands Trust Council direct staff to write a follow-up letter to the Energy Minister asking again in light of the government's pre-election announcement that BC Hydro customers be given a choice as to whether to have smart meters installed in their homes.

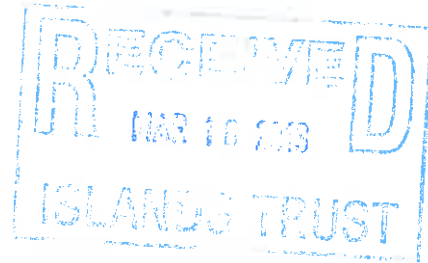
No background memo, no other work required.

Thanks
Gary

A handwritten signature in black ink, appearing to read "Lisa Gordon". The signature is fluid and cursive, with a large initial "L" and "G".

March 14, 2013

Ms. Sheila Malcolmson, Chair
Islands Trust Council
200 - 1627 Fort Street
Victoria, B.C. V8R 1H8



Dear Ms. Malcolmson:

Thank you for your October 11, 2012 letter regarding BC Hydro's Smart Metering Program. I apologise for the delay responding.

The electricity grid is the backbone of our economy and supports our quality of life in British Columbia. Smart meters are a necessary part of modernizing our aging electricity system and will help to ensure the safe, reliable delivery of electricity to customers all over the province.

The vast majority of our customers now have new meters. We have exchanged more than 95 per cent of our meters across the province and more than 80 per cent of Gulf Islands customers now have smart meters.

Since we began exchanges in July 2011 we have been working with our customers to provide factual and accurate answers to their questions about the new metering system. Specifically:

- provincial, federal and worldwide health authorities have confirmed that the signals smart meters use to communicate are safe;
- independent tests have confirmed that the signal strength of BC Hydro's meters is less than 50 per cent of the strictest precautionary limit in the world;
- we have worked with B.C.'s Information and Privacy Commissioner to ensure we continue to protect customers' privacy; and
- Measurement Canada testing has proven that the new meters are accurate.

We are continuing to work with those customers who have expressed concerns about smart meters. Information is available online at www.bchydro.com/smartmeters and from our specialist smart meter customer care team who can be contacted via email to smartmeters@bchydro.com or by phone to 1-800-409-8199.

BC Hydro appreciates the perspectives of local governments and communities, and will continue to address concerns presented by the Islands Trust. We hope to continue working together to build awareness of the need to upgrade British Columbia's electricity grid.

Thank you, again, for your letter.

Sincerely,

A handwritten signature in black ink that reads "Gary W. Murphy". The signature is written in a cursive, flowing style.

Gary Murphy
BC Hydro
Smart Metering Program, Director

pc: Honourable Rich Coleman
Minister of Energy, Mines and Natural Gas
and Deputy Premier

Fraser Surrey Docks - Texada Island Coal Export Plan

Request:

That the Islands Trust Council direct the Chair to write to the Port Metro Vancouver Board of Directors to express the Islands Trust Council's opposition to the proposal to export coal through Fraser Surrey Docks, and transport it by barge to Texada Island for storage and then re-loading for shipment to Asia.

I apologize for the very hurried way I have had to prepare this statement. There may be some factual errors, I hope only in minor details.

The coal is from Wyoming and Montana, and is to be exported through Port Metro Vancouver (PMV) because ports on the US west coast either don't want to export it, or need to go through extensive and lengthy environmental assessments before they can. British Columbia and Canada require no such assessment. PMV, a federally appointed board, can give its approval any time it wants. Voters Taking Action on Climate Change, a small grass-roots organization, has raised the issue with the public and with local governments, and PMV has let Fraser Surrey Docks (FSD) do the public relations on the proposal.

New Westminster City Council on Monday, May 27, 2013 unanimously supported a motion to oppose the handling and export of the coal until it is proven to be safe, and they know the effects it will have on the Fraser River, the impact of the coal dust, and potential impacts of barging the coal through the Georgia Strait when gale force winds occur. New Westminster council believes that PMV "has not been able to fully disclose all health and safety data related to this project, including flame retardant solutions needed to stabilize the volatility of this coal." (*Royal City Record*, May 29)

The proposal is to ship 4 million tonnes of coal by train to Surrey, dump the coal into barges and tow them to a storage area near the northwest end of Texada Island, where for the past ten years or so small amounts of coal have been stored and shipped from Quinsam Coal near Campbell River.

Coal dust from the train cars and from the barges, as well as the loading and unloading, will escape and enter the environment. Coal dust is small and sharp, and has multiple long-lasting effects on organisms, terrestrial and marine, including fish, whose gills get damaged. Coal's deleterious environmental impact in the marine environment is long-lasting. Coal dust is impossible to clean up on land or sea, and continues to accumulate and persist where it is handled or transported.

The plan is for the amount of coal to be exported to double over the next number of years to 8 million tonnes per year, which would double the number of trains and barges.

BC would get a small number of short-term jobs. Most of them would be in the expansion and preparation of the facilities at Fraser Surrey Docks and on Texada. Ongoing jobs would be limited to supervising the mostly automated unloading of coal from trains into barges at Fraser Surrey Docks, and unloading the barges on Texada, for the storing and reloading of the coal onto ocean-going ships for shipment to Asia. There would also be jobs for the crews of the tugboats, each hauling two barges down the Fraser River and up Georgia Strait and through the narrow and notoriously rough and windy Sabine Channel between Texada and Lasqueti Islands.

Apparently up to four tows, or eight loaded barges a day, would be operating, and the size of the facility on Texada would rival Roberts Bank coal port when it started. (Since its recent expansion it handles about 27 million tonnes annually.)



Canada and British Columbia governments have both given lip service to reducing GHG emissions and reducing climate change. BC's commitment, under the Climate Action Charter, to which the Islands Trust and most other local government bodies have signed on, is to reduce greenhouse gas emissions by 33 per cent by 2020.

In addition to the immediate ill effects of this coal (and other fossil fuel) export and exploitation, this will mean a large increase in greenhouse gas emissions, and a greater likelihood that global average temperatures will rise by more than 2 degrees, making runaway climate change much more likely. Known and expected consequences will be rising sea levels, increasing ocean acidification and increasing destruction and damage by more frequent and more extreme weather events (which have already been happening for a number of years) including floods and drought.

The governments of both Canada and British Columbia strongly favour and promote fossil fuel energy exploitation, development and export. The reason for doing this is to create financial wealth. Governments charge a pittance for the private exploitation of publicly owned resources. In the short term, corporations and their shareholders profit mightily, while the public gets jobs. The medium and long term consequences -- climate change, sea level rise, ocean acidification, storm damage, flooding and drought -- are not considered. They are what economists call "externalities". We, our neighbours and our families, and especially generations to come, will bear the consequences of our inaction, of our allowing the sort of proposal that is now being considered and is all too likely to be approved.

In a rational world, there would be not only a complete assessment of the expected and possible environmental effects, but also an assessment of the social and cultural and economic consequences of such a proposal as this.

This proposal is for the receipt, transfer and export thermal coal, used for burning to generate electricity. One of the results, if the proposal goes ahead, will be the continued availability of cheap coal, which will make cheap electricity in China and Korea. This will prolong wasteful use of electricity, and continue to make it easy to manufacture cheap, shoddy consumer goods that are quickly discarded and replaced. It would be far better if we encouraged the manufacture of long-lasting tools and utensils, preferably in Canada using renewable, non-polluting electricity that doesn't dump millions of tonnes of greenhouse gasses into the atmosphere or leave toxic dust along transportation routes.

We will need to continue to use fossil fuels in the short and medium term, until we develop clean, renewable energy sources, but we must drastically reduce the quantities we burn. We must make sure that the fossil fuels we do burn are used for necessary purposes, and don't leave toxic legacies on the ground and in the ocean, in addition to the climate change effects of using them.

I look forward to your comments and questions, either individually before we gather, or together at Trust Council on Mayne.

Peter Johnston
Lasqueti Island Local Trustee

Supervision of Young Children on BC Ferries to and from School

Trustees

I am looking for a letter of general support from the Islands Trust to the Ministry of Transportation to include a supervisor (parent) for young children to ride the BC Ferries water taxi for free on school runs. Currently, there is no formal provision to get elementary children to the school bus in Langdale; and although historically older children have helped, there are no grade six or seven students on the islands anymore. High school students have a different bus schedule. The cost to ensure a child gets to the bus safely could be up to \$400.00 per month for a parent based on taking two return trips per week day. This onerous cost has caused two families to leave Gambier and another family to send their eight year old to access the busy terminal with no supervision.

As a parent (as opposed to a Trustee) I have spoken to the local school board and received a negative response. BC Ferries state they are not responsible. I have written to the Ministry of Transportation, Marine Branch asking that they include a supervising parent in their student travel program for BC Ferries for children under a certain age who must use the ferries in order to attend school. The executive director said staff will look into this once a new minister is announced.

There is no specific Islands Trust Policy to support my request but there is a general statement that encourages the diversity of community on our islands.

The issue affects me directly as my daughter will be attending kindergarten in September, but it has been an ongoing dilemma in our local trust area for more than 20 years (Trustee Hagedorn can attest to this). This problem has been profiled in the Coast Reporter newspaper and I have received a lot of support from residents on Gambier and Keats. The lack of provision for children continues to negatively affect the socio-economic viability of our communities and needs to be addressed once and for all to help encourage families to move back to our islands.

I will frame a motion shortly but wanted to get the background out for pre-reading. The motion will be simply about writing a letter to support the provision of appropriate infrastructure on BC Ferries to allow children to attend school *safely* thereby encouraging families to live on the islands.

Thank you for your consideration in this matter.

Kate-Louise Stamford
Gambier Island Local Trustee



From: Doug Hooper <dhooper@waterfall.ca>

Date: 28 May, 2013 7:57:35 PM PDT

To: Sheila Malcolmson <smalcolmson@islandstrust.bc.ca>, Linda Adams <ladams@islandstrust.bc.ca>

Subject: FW: Stop the Docks Delegation Report - Monday, May 27, 2013

Dear Trust Council,

Please find attached information concerning an important public issue on Bowen Island. Over 1,200 people have now endorsed a resolution opposing the construction of four private docks on the public beaches, parks and waterfront at Cape Roger Curtis. In addition to demonstrating strong public concern, we have provided an expert independent legal opinion on the situation, and offered to work with Bowen Council, senior governments and the Cape owners to bring about a successful resolution of this matter for all parties.

In this regard, we ask for your prompt and considered review of the attached information. We ask that the Islands Trust Council and staff provide whatever assistance you can to help Bowen Islanders preserve and protect this remarkable place.

If you have any questions, or wish to provide comments or advise to assist us, please contact the undersigned.

Thank you for your consideration.

Sincerely,

Doug Hooper
Stop the Docks Campaign
www.stopthedocks.ca
info@stopthedocks.ca
1-778-773-1122



To: Mayor & Council

Cc: CAO, Kathy Lalonde

Cc: Province of BC (Minister, Forests, Lands and Natural Resource Operations - Integrated Land Management Bureau)

Government of Canada (Minister of Transport, Infrastructure and Communities – Transport Canada & Minister of Fisheries and Oceans - DFO)

By: Melissa Harrison & Doug Hooper

Representing: Stop the Docks Campaign (www.stopthedocks.ca)

WHO WE ARE: *Stop the Docks is an affiliation of concerned citizens opposed to the construction of private docks on the public shoreline at Cape Roger Curtis. We seek to encourage governments to maintain the Cape in its natural state for public recreational use and enjoyment, to safeguard important marine habitat and to ensure safe and navigable waters for all users.*

There is some confusion about the goal of the campaign. To be clear, we:

- *DO NOT oppose private docks at other locations on Bowen Island*
- *DO NOT support any political interest or any party at any level of government (Bowen Municipality, Islands Trust, BC or Federal)*

We are focused on a single goal, with a single request:

- *We are calling on Bowen Council and the Province of British Columbia and the Cape landowners to take immediate action to prevent the construction of private docks at Cape Roger Curtis*

WHY WE ARE HERE: We wish to work with Council to help stop the construction of four private docks at Cape Roger Curtis, and prevent further and future private docks in this highly valued public use area. In this regard, we will present Council with three critical pieces of information concerning the construction of private docks on the public foreshore at Cape Roger Curtis:

1. **Public Support** – we will demonstrate that there is a very high level of *public support for Council* acting now to prevent the construction of these docks;
2. **Legal Research** – based on independent expert legal advice, we will demonstrate *how* Council can exercise its powers to safeguard the public interest at Cape Roger Curtis;
3. **Actions Steps** – we will set out 3 precise steps that Council can take to keep the Cape in its natural state.

1. PUBLIC SUPPORT

On Sunday, April 28, kayakers off the southwest tip of Bowen noticed construction debris from concrete forms was washing up on the shores around the Cape lighthouse. A site investigation on April 29 found work crews busy re-building the forms, with plans to pour concrete to support a massive pier, ramp and float structure (a 'dock') that bisects the public beach just north of the light. This dock, on what is known as Lot 13, will cross a 100m inter-tidal rock bench, with rich mussel beds, tidal pools and public beaches. Concrete footings for this dock, and a sun deck platform, were poured into the large frames on May 1st.

The docks at Lots 6, 11 and 15 will complete a set of 4 private docks authorized by the Province of BC under Licence of Occupation tenures that have been granted for a period of five years. Collectively, these docks sit within and beside the three public Municipal Parks at the Cape Lighthouse, Pebble Beach and Arbutus Point. These parks were secured by Bowen Island in 2009 as part of the development agreement which reduced the owner's requirement to provide marine access every 200 meters. Under the development agreement, the owners also agreed to build a public coastal walking trail linking the 3 parks and placed a 'do not disturb' covenant that stretches 30 m inland from the high tide mark, all along the entire coastal waterfront.

The dedication of the 3 parks, the coastal trail and covenant zone provides a wonderful amenity for Bowen residents, visitors and the upland property owners at the Cape for generations to come. It also helps safeguard the rich foreshore and marine habitats along this unique coastline. The 4 private docks threaten the very essence of this protection. Public concern has been voiced quickly and loudly.

A petition opposing the private docks at the Cape was placed in Bowen commercial establishments on April 30th and still remains in the community. A website to support the campaign was launched on May 11th. In less than month, here's what we established in the way of support:

- | | |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The petition | <ul style="list-style-type: none">• a copy of the petition (to May 22) has been provided in your Council package |
| Total support | <ul style="list-style-type: none">• over 1,100 individuals as of date (actually, we are precisely at 1169!)• about 99% adults, but a number of children care for the Cape too |
| Who are we | <ul style="list-style-type: none">• over 95% are Bowen residents or property owners• about 4% indicated they do not live on Bowen – a mix of off-island property owners, adult children who grew up here, Howe Sound neighbours and Bowen visitors• about 4% requested 'anonymity' (we enabled this on the website) – but, we have kept the individual names (to cross-check and avoid duplication)• if needed, we would be happy to 'validate' the authenticity of the petition supporters |
| What did we say | <ul style="list-style-type: none">• collectively, we are all saying 'Stop the Docks'• however, 7% made a personal statement (which we have provided in your Council package and we encourage you to read) |

2. LEGAL OVERVIEW

We are pleased to share the expert legal opinion we obtained on this issue. We sought the best quality legal advice and were fortunate to engage James Goulden, a partner at the downtown law firm of Bull Houser Tupper LLP (Bull Houser). Bull Houser has a large local government practice and acts for a number of municipalities, including North Vancouver, Sechelt and Coquitlam. James Goulden is co-leader of Bull Houser's Local Government Group, he has experience in all types of local government disputes, and has appeared before all levels of court in BC as well as federal court.

We asked Bull Houser to address four main areas in their opinion letter:

1. The municipality's general powers to regulate the foreshore.
2. What steps the municipality could have taken prior to the approval of the docks.
3. What the municipality can do now.
4. Specific, key recommendations for steps that can be taken at this point.

We are happy to report, and I'm sure you will be happy to hear, that Mr. Goulden's opinion removes all doubt about the municipality's jurisdiction. To be clear, the municipality does have the power and jurisdiction to prohibit and/or regulate the construction of docks within the boundaries of the municipality, which extend 300m from the shore. These powers would normally be exercised through the Land Use and Building Bylaws. Goulden also points to the policy statements in the OCP as context for land use decisions concerning the protection of the foreshore at the Cape.

While it acknowledges that mistakes were made, the opinion also confidently points to Council being able to take steps today to mitigate the current situation by prohibiting any further licenses for docks at the Cape, and by ensuring that every legitimate opportunity for discouraging or preventing the construction of the docks already licensed remains available. You will find a list of these suggested steps at the end of the opinion, and we have developed two of those into specific recommendations, or requests, for you today.

First, though, I would like to mention that we are happy that the municipal staff is actively asserting municipal jurisdiction to regulate the dock construction that has begun at Lot 13. We note that staff wrote to the owners on March 25th to require drawings and other details for review, prior to the commencement of work. Unfortunately, work began and staff had to write again on April 30th to insist that work be stopped until such time as the municipality is satisfied with construction plans.

When work began at the end of April, the position of the footings made it clear that the owners were building a large sun deck. We understand that the owners have now been informed by the Province, that their planned sun deck on the foreshore is not permitted. We ask that municipal staff require the owners to completely remove the concrete footings that were poured for the sun deck and restore the area to its natural state.

Turning to our two requests from the legal opinion:

Our first request is that at the next meeting, Council brings forward a motion to consider a resolution expressing opposition to dock construction at Cape Roger Curtis. This recommendation speaks to what was expressed at the meeting on May 6th and on previous occasions, when most of you made it clear that you did not want these docks to be built and that you are indeed mindful of the general public opposition. We are asking that you commit to those sentiments by way of a resolution.

Our second request is that Council amend the Land Use Bylaw to prohibit private moorage facilities at Cape Roger Curtis. We suggest that the zoning might designate this a natural foreshore area, in keeping with the upland ocean fronting lands covenant, consistent with the owners' statements concerning the preservation of the foreshore, and consistent with the relevant section of the OCP, which recommends 'the retention of portions of Cape Roger Curtis in a natural state accessible to the public, including [...] viewpoints, and significant marine shorelines.'

Given that the *Local Government Act*, Section 884, states that all bylaws enacted must be consistent with the OCP, the current LUB dock update provides the perfect opportunity to make this amendment. Such an amendment would bring into alignment the bylaws, the covenants, the OCP, and the wishes of a majority of Bowen Islanders, as well as the expressed wishes of the owners with respect to preservation of the foreshore.

Our last request is not found in the legal opinion. It is simply that you, collectively or individually, take the community's concerns to the owners and persuade them to reconsider their plans to build these docks, in recognition of the value of the foreshore in its natural state, both to the community and to the people living at Cape Roger Curtis.

These three requests are summarized in the final section below.

3. SUMMARY REQUESTS

It is not too late to Stop the Docks at Cape Roger Curtis. Based on expert legal opinion, and a review of all publicly available information, including the licence applications, correspondence and meetings with government agencies, we recommend the following immediate steps be taken by Bowen Island Municipal Council:

1. Pass a resolution opposing docks and breakwaters at Cape Roger Curtis.

This is a very important *first step* in taking control of the situation. Senior governments – the Province of British Columbia, Federal departments and Islands Trust – need clear direction from the Bowen Municipality that private docks and breakwaters at Cape Roger Curtis, or along a defined stretch of the Cape coastline, are inappropriate.

2. Amend the Land Use Bylaw to prohibit private moorage facilities at Cape Roger Curtis.

An amendment to the *Land Use Bylaw* must be initiated to avoid future construction of docks and breakwaters at Cape Roger Curtis. Such an amendment would be consistent with our *Official Community Plan*. Status of each of the four licenced docks should be reviewed to determine whether or not an entitlement to legal non-conforming use (grandfathered rights) has been established under the amended *Land Use Bylaw*.

3. Reach out to the property owners to find a solution.

The Cape on Bowen Ltd. has explained that it is sensitive to community and environmental concerns. We suggest that every effort be made to persuade the property owners to reconsider their plans to build these docks.

The Stop the Docks supporters would whole-heartedly embrace and support Bowen Council taking the foregoing actions. We undertake to provide whatever support we can to Bowen Council, and pledge to work with Provincial and Federal government departments and elected officials to ensure they do whatever they can to assist us in reaching a favourable outcome for all parties.

Thank you for your consideration and prompt attention to these concerns!

SCHEDULES:

- A. Stop the Docks Petition Names**
(April 30 – May 22, 2013)
- B. Stop the Docks Petition Comments**
(May 11 – May 22, 2013)
- C. Letter from James Goulden, Partner, Bull Houser Tupper LLP**
Cape Roger Curtis Docks (May 23, 2013)
- D. Email from Province of BC – Keith Anderson, Manager, FLNRO**
(May 23, 2013)
- E. Email from DFO – Michael Engelsjord, Team Leader, FPB-EMB**
(May 23, 2013)

SCHEDULE A: Stop the Docks Petition Names
(April 30 – May 22, 2013)

Stop the Docks at Cape Roger Curtis

We oppose the construction of docks on the shores of Cape Roger Curtis.

We urgently ask Bowen Council, the BC Government & the Cape landowners to take immediate action to keep the Cape waterfront in its natural state.

This list contains 1089 names collected from May 1 - 22, 2013

Brenda Achison-Jones • Cheryl Ackerman • Deanna Adams • John Adams • Mike Adams • Susan Alexander • Wendy Alexander • Lissy Allan • Sheila Allan • Suzanne Allan • Buff Allen • Claire Allen • Joan Anastasiou • Kip Anastasiou • Dee Anderson • Doreen Anderson • Gord Anderson • Maurice Anderson • Anonymous • Jenny Anstey • Ira Applebaum • Trish Arnes • Lorraine Ashdown • Sheena Ashdown • Blair Atkinson • Chris Atkinson • Christine Atkinson • Hinda Avery • Lisa Avery • Anne Ayre • John Ayre • Surinda Bacon • Alison Baker • Anita Baldwin • Bruce Baldwin • Huck Baldwin • Judy Balko • Jeff Ballou • Anonymous • Jeremy Bally • Marcel Bally • Jlonka Bally Brown • Marian Bantjes • Tony Bar • Gillian Barker • June Barnwell • John Barr • Sue Barr • Chet Barrett • Lisa Barrett • Andrea Bastin • William Bates • Marc Bauer • C Bawden • Warwick Bay • Catherine Bayly • Jeb Beach • Alison Beale • Carolyn Beaty • Fiona Beaty • Joan Beaty • Karen Beaty • Anonymous • Len Beaty • Mark Beaty • Ross Beaty • Trisha Beaty • Pierre Beaudry • Libby Beck • Lisa Beck • Martin Beck • Tony Beck • Shayla Beedie • Steph Begg • Summerly Begg • Anonymous • Hans Behm •

Hans-C Behm • Jonathan Bell • Liz Belluk • Reed Bement • Gillian Bennett • Guy
 Bennett • Jonothan Bennett • Sara Bennett Fox • Debbie Benson • Ted Benson •
 Barbara Best • Zoe Bezpalko • Lisa Marie Bhattacharya • Shabir Bhimji • Barb
 Bingham • Anonymous • Birch • Alan Blair • Dorothy Blair • E Booth • Tony
 Bosley • Gabriel Bouthead • Gord Braener • Ross Bragg • Deborah Bramm •
 Susanna Braund • Dawn Brett • Marla Brillinger • D Bristow • N Broderick • Court
 Brousson • Anonymous • Adelle Brown • Amber Brown • Bill Brown • Christian
 Brown • Cindy Brown • P Brownsey • Roger Brownsey • Ian Bruce • Larry Bruton
 • Damien Bryan • Cathy Buchanan • Anonymous • Diane Buchanan • Luz
 Budzinski • Adeline Bueckert • Magi Bullock • Gale Burdock • Liz Burdock •
 Trevor Burdock • Juliee Burrows • Don Bury • Felicity Buskard • Jim Bydak • N
 Cagalese • Rob Cairns • Phil Calder • Anonymous • Rebecca Calder • Ann
 Cameron • David Cameron • Bawn Campbell • Keith Campden • S Campden •
 Rick Cannell • Michelle Carchrae • Tom Carchrae • Phil Carlington • Bill Carr • Iris
 Carr • Jani Carroll • Richard Carroll • Brenda Carson • Jazzmin Carson • Susan
 Carson • Tim Carson • Bill Carter • Suzy Casilio • Wendy Cellick • Joy Celline •
 Roy Celline • Abe Chaiton • Rob Champoux • Joe Charles • Trish Chinnery •
 Andre Chollat • Bronwyn Churcher • Dale Churcher • Martin Clarke • Sue Clarke •
 Jean Cleator • Leah Cline • Barabar Clow • E Coburn • Marco Coda • Lise Cole •
 Shawn Cole • Mary Coleman • R. Cooper • Jen Cormack • Mark Cormack • Sean
 Corney • Lauren Cornwell • Chris Corrigan • Julia Courtney • Dan Cowan • Karen
 Cowper • Al Cox • Nancy Cox • Peter Cox • Carol Cram • Sara J. Crossen • Jane
 Cruz • Robyn Culter • Sarah Cumming • Tarla Curran • Sarah Curry • Safron Cy •
 F Dale • Anonymous • Ian Davidson • Eric Davies • Shawn Davies • Ronald Davis •
 Kenlp Daw • Neil Daw • Sandra Dawson • Liesl De Beer • Robin De Zwart • Ella
 de Meester • Cindy DeConnick • Donnita Deen • Meribeth Deen • MaryEllen
 Degrace • Daniel Dekker • Sean Delaney • Andrew Delong • David Demner •
 Anonymous • Chelsea Denholm • Alex Denis-Lay • Jeff Derbyshire • Kim Desante
 • Elizabeth Dhont • Pam Dicer • Jens Diricks • Jo Anne Docker • Heather Doherty
 • Richard Dohmeier • Anonymous • Pam Dominelli • Heather Dorman • Jim

Dorman • Nancy Dorman • Stephan Dorman • Bob Doucet • Steve Dougherty •
 Brett Dowler • John Dowler • Lenya Dowler • Wolf Draegestein • Allene Drake •
 Erinne Drake • Gillian Drake • C Drew • Georgiana Drew • Rick Drew • Tom
 Drews • Peter Drummond • Scott Ducharme • Jane Dunfield • Bridget Dunne •
 Fraser Durrant • Lisa Duval • Jane Dyson • Rogers Eaman • Callaghan Ed • Judi
 Eden • Anonymous • Mich Eden • Mark Edmonds • Janet Effan • Brent Ehrl • Kim
 Eifler • Frazer Elliott • Mike Epp • Paul Epp • Mayran Erfani • Ginger Erskine •
 Sarah L Estrange • Liz Evans • Ted Evans • Karla Everitt • Nathan Evetts • Alice
 Ewart • Anonymous • Danny Ewart • Keith Ewart • Theresa Ewat • Benjamin
 Faber • Nick Faragher • Georgina Farah • Josie Farrell • Paul Fast • SueEllen Fast
 • Joanne Fellow • Patricia Fentie • Bob Ferguson • Gayle Ferguson • Louise
 Ferguson • Stephen Fisk • Tatin Flad • Doug Fleetham • Ralph Fleming • Ruben
 Fleming • Gwen Forrest • Kit Fortune • Stephen Foster • Isaac Fox • Anne Frane
 de Ferriere • Anonymous • Steve Frazer • Tracey Frazer • Keren Freed • Neve
 Freed • Rina Freed • Ursula Freed • Debby Freima • J Fretwurst • Alejandro Frid •
 Leonardo Frid • Caitlin Frost • Peggy Frulling • Soian Fry • Lynn Fuhr • Britt Fuller
 • Kathy Gagner • Gail Gallander • Lesley Gaunt • Elizabeth Gautschi • Paul
 Geddes • Val Geddes • Dorothy Geisler • Ted Geisler • Susan Geist • Jerry George
 • Fred Ghatala • Wade Gibbons • Dirk Gigling • Matthew Gildersteene •
 Anonymous • Shauna Goodrich • Kelley Goodwin • Saskia Gould • Billi Gowans •
 David Graff • Paul Grant • Jane Gray • Matt Gray • Moira Greaven • Lachie Green
 • Susan Green • Alison Greig • Audrey Grescoe • Paul Grescoe • Dorothy
 Griesbrecht • Frank Griffiths • Darla Grohne • Raef Grohne • Myah Grundy •
 Payton Grundy • M GRVFT • Anonymous • Paul Guencette • Morris Guerny •
 Andrew Gurlay • Natalie H • Kulbida H T • Russell Hackney • Wendy Hackney •
 David Hadrill • J Hadrill • Joan Hadrill • Sharon Haggarty • Sheila Haggerstone •
 Davina Haisell • Heather Haley • Linda Halischuk • Bill Hall • Jennifer Hall • Susan
 Hall • Dale Hamilton • Keona Hammond • Neil Hammond • Jenny Hanen • James
 Hangarey • Ron Hansen • F Harder • Roberta Hardie • Gary Harman • Melissa
 Harrison • Glenn Harse • Brian Hartwick • Tim Hausch • Patrick Hawkes • Sarah

Haxby • Ellen Hayakaura • Cam Hayduk • Kat Hayduk • J Hayes • Miles Hayes •
 Will Hayes • Hayward • John Hazell • C Headley • Corrina Headley • Daniel Heald
 • Elsa Heath • Jon Heath • Kann Heath • Margaret Hecker • S. Hecker • Charmain
 Heffelfinger • Matthew Helm • Richard Helm • Richard Helm • Anonymous •
 Jason Hendyrson • Freja Henrichsen • Jen Henrickson • Carlos Henriques •
 Donald Heth • Susan Heth • J Hickling • Laura Higgins • Colburn Hobbrook • Brian
 Hodgins • Heather Hodson • Susan Hogan • Matt Hogg • Adam Holbrook • Jane
 Holland • Rory Holland • Nedenie Hom • Doug Hooper • John Hooper • River
 Hooper • Robyn Hooper • Paul Hooson • Alica Hoppenrath • Andy Hoppenrath •
 Mal Hoskin • Kim Howden • Susan Howe • Howl • Tim Hoynihan • Karen Hughes
 • Hughes • Caroline Hurd • Andrea Hurlburt • Tracy Hurst • Will Husby • Cheryl
 Hutton • Trent Hutton • Ingela Hyatt • Beaty Ian • Cat Immen • Anonymous •
 Todd Ingram • Hoppenrath Irmi • Corinne Ives • Shantel Ivits • Dana Izdebski •
 Eryn Jackson • Marc Jalbert • Elaine James • Kevin James • Lisa James • Oli
 James • Ryland James • Jean Jamieson • Laura Jamieson • Boysen Jay • Earl
 Jenkins • Julie Jensen • Caro Johnson • Caro Johnson • D. Johnson • Sheree
 Johnson • Amanda Jones • Carol Jones • Elaine Jones • Anonymous • Jay
 Junbenvill • Kim Juneja • Conrad Jurushka • Ture Kallstrom • Kami Kanetsuka •
 Kim Kassasian • Mary Kastle • Kitty Kat • Rudi Kavanic • Mitsumi Kawai • Sue
 Kay • A Keane • Peter Kearney • Cindy Keep • Corbin Keep • Carole Kemble •
 Francis Kemble • Anonymous • Roberta Kennard • Vera Keogh • Heather Kerr •
 Ian Kewnard • Poong Kil Chung • Kari Killy • Tannis Killy • Tanya Kim • Anri
 Kimura • Jonas Kinakin • Andrea Klann • EA Klann • G A Klann • James Klearrar •
 Anonymous • Louise Klein • Adam Knight • Bev Knight • Rob Knight • Rosemary
 Knight • Samantha Knowles • Jane Kokolakis • M Konzicka • John Kotz • Gillian
 Kovanic • Magdalena Kozicka • C Krah • Krinitat Kristine • J Kristinsson • Avril
 Kulbida • Heidi Kurt • Nancy Kyle • Edward L Flupy • Richard Labonté • Erica
 Ladner • Alexa Laidlaw • Jeanie Lamb • Cheryl Landry • Mike Lang • Jean
 Lapointe • Natasha LaRoch • Marcel Laroche • Mike Lasdrum • Rebecca Laursen
 • Rita Laursen • Denise Lawson • Jay Laycell • Tanis Layzell • Pauline LeBel •

Rosalind Leggatt • Curtis Leigh • Bill Leithead • Susan Leithead • J Lellner • Gilday Len • Natalie Leunar • Marty Levenson • Tony Leveritt • Randy Levine • Asa Liles • Jeff Lind • Beverley Lindsay • Morley Lipsatt • Andrew Little • Erin Little • Jack Little • L Loik • Nicholas Long • Elaine Loree • Escher Lorenz • Jody Lorenz • Gail Lotenberg • Twyla Lotenberg • Coral Louie • Bo Lunguist • Brita Lunguist • Eddie Lunn • Maureen Lunn • Suzy Blown Lunn • Rika Lyne • Blackwall M • Deirdre MacCarthy • Craig MacDonald • S. Macfarlane • Christian MacInnis • Kirstie MacLise • Rhonda MacWilliams • Lauren Magner • Anonymous • Chelsea Mainwaring • Tony Mainwaring • LW Mair • Oon Malton • Rene Mandigo • Gary Mangel • Jacqui Mani • M. Manifold • Annemarie Mann • Ainslie Manson • David Manson • Moore Marion • Olive Marison • Kate Markham-Zantvoort • Jess Marshall • Stewart Marshall • Isabel Martin • Anonymous • Marie Martinez • A Massender • Jacqueline Massey • Jeff Matheson • Ally Matthews • Dwayne Matthews • Joyce Matthews • Pam Matthews • Anonymous • Patti Matthews • Susan Matthews • Jary May • Keith Mccall • Sheila McCall • Ben McCallum • Emily McCallum • Norma McCarthy • Stu McCormack • Genevieve McCorquodale • Julia McCulloch • Mary McDonagh • Anonymous • Ross McDonald • Shelley McDonald • Doug McGilivray • Marysia McGilvray • Mary McGregor • Dave McIntosh • Ellen McIntosh • Harry McKay • Terence McKeown • Anonymous • Monica McKinley • Carol McKinnon • Sheilagh McKinnon • Anonymous • Bob McKnight • Will McKnight • Phil McKracken • Tracey McLachlan • Judith McLaren • Ian McLennan • Ian McLennan • Brenda McLuhan • Muriel McMillan • Suzanne McNeil • Catherine McTaggart • Stella Meal • Barb Metcalfe • Connie Metcalfe • Hariggan Michele • Tania Michniewicz • Janina Micko • Janette Miguel • Tamsin Miley • Alex Millar • Heather Miller • Jackson Miller • John Miller • Anonymous • Pam Miller • Terry Mills • Jesse Milsted • Bob Milward • Elizabeth Milward • Jackie Minns • Alison Mitchell • Betty Mitchell • Heather Mitchell • Heike Mitchell • Robert Mitchell • Wade Moissette • Kim Molinski • Rosie Montgomery • Leanne Moore • Jeff Morales • Paul Morgan • Geo Morrow • Larry Morse • Adam Morton • Betty Morton • Mike

Mountain • Bonnie Mueller • Karen Munro • Susan Munro • Anonymous • Barbara
 Murphy • K. Murphy • Nicola Murray • Erin Naismith • Kim Nattress • Jude Neale
 • Deborah Neville • Heather Neville • John Neville • Maureen Nicholson • Mary
 Nicoll • Georgia Nicols • Francis Nielsen • Tina Nielsen • Nielson • Mike Nolan •
 Tallis Norlund • Derek Norris • Rory North • Murray Nosak • Adriana Novirov •
 Andriy Novirov • Svitlana Novirov • Chris Oben • Joseph Ocana • Amanda
 Ockeloen • David Ogden • Elsie Ogden • James Ogden • Cherylyne Olson •
 Garlon Orlikiov • Margo Osinski • Carmen Otero • Tina Overbury • John Overbye
 • Turratt P • Nick Page • Joanna Pakendorf • Igor Palkocre • Peter Palmer-Hunt •
 Singne Palmquist • Daniele Parent • Daniel Parke • Dan Parker • Daniel Parkin •
 David Parkin • Aery Parle • Linda Patriasz • Ross Patterson • Kevin Payne • Vivian
 Pearce • Tamara Pearl • Craig Pearman • Leo Pedersen • Kate Peer • M Penn •
 Muriel Penn • Virginia Penny • Graham Perkins • Dominique Perronii • Allan
 Peter • Carolyn Peters • Jodi Peters • Carol Peterson • Linda Pfeiff • Wiefels
 Phett • David Phillips • Picard • Dave Pinner • Malcolm Pitches • Cindy Platt •
 Owen Plowman • Teresa Plowright • Anonymous • Dave Pollard • Greg Pollard •
 John C Poole • Nerys Poole • Sharon Poske • Shea Powell • Robert Pratt • Susan
 Pratt • Wilma Pretorius • Lissa Price • Anita Priest • Donna Pringle • Peggy
 Proudlock • Rob Purdy • Gordon Purser • Anonymous • Annabelle Pycalo •
 Martin Pykalo • Ben Rader • Jeffery Radke • Ian Radley • Jason Rahara • Alfred
 Rahn • Laura Rahn • Andrew Rainsley • Finn Rainsley-Ray • Ann Ramsey • Bev
 Rapley • Zoe Rappard • Diana Ray • Aryana Rayne • Matthew Reddekopp • Jeni
 Redekopp • Donovan Reeves • Gordon Reid • Dawn Reily • Emma Reynolds •
 Neil Reynolds • John Rich • Kim Rich • Paul Rickett • Su Rickett • Anonymous • J
 Riley • Graham Ritchie • Jonathan Ritchie • Juian Ritchie • Matt Ritchie • Rupert
 Ritchie • Sue Ritchie • Veades Rob • Dai Roberts • Wendy Roberts • Cathy
 Robertson • Peter Robinson • German Rodriguez • Beverley Rogan • Lea
 Roghon • Ron Roghon • Leanne Romak • Anonymous • Gregory Ronczewski •
 Ariel Rose • SM Rose • Rose • J Rosenberg • Peter Ross • Tobyn Ross • Jay
 Routledge • C. Charles Rudd • Isabel Ruedigo • Oliver Ruse • Julie Rush • Peter

Ryan • Ed Sanders • Kalindi Sani • Santosha • Haggerstone Sarah • C Saria •
 Jeanne Sarich • Donaleen Saul • Julie Saxton • Mariane Schedler • Sue Schloegl •
 Anonymous • Suzanne Schloegl • Robi Schuber • Teun Schut • David Schwartz •
 M Schwartzel • Jason Schwetzer • Tiffanee Scorer • Wendy Seale-Baker • Finn
 Segal • Michael Segal • Mary Selman • Richard Selman • Bob Semeniak • Brad
 Senn • Monika Senn • Leah Serna • Ron Serna • Aynsley Severide • D. Shadbolt •
 Claudia Shaefer • Anonymous • Chris Shank • Lisa Shatzkey • Jim Shaw • Anne
 Shaw • Karen Shea • Robert Shea • Megan Sheffer • Michael Shelt • Eric Sherlock
 • A. Shields • Jasper Shore • Kevin Sidette • Ben Silberman • Jack Silberman •
 Ann Silbermann • Christiane Silva • Mario Silva • Richard Sim • Fraser Simmons •
 Jen Simms • Jeffrey Simons • Christina Simpson • Anonymous • Owen Sitnam •
 Janice Skeels • Murray Skeels • Mrs.K.C. Skillen • Jane Skipey • M Slade •
 Heather Sloat • Sharon Slugget • Amelia Smith • Brian Smith • Christine Smith •
 Erwen Smith • Griffin Smith • Matthew Smith • Merran Smith • Patti Smith •
 Rosie Smith • Russell Smith • Gal Smoer • Vicki Smye • Anonymous • Martha
 Snodgrass • Anonymous • Amrita Sondhi • Gary Sparks • Sheailagh Sparks •
 Dyan Spear • Ted Spear • Andree Srelias • Jane Srivastava • Joern Staeye •
 Katharine Steig • Anonymous • Heather Stephens • Kim A Stephens • Claire
 Stewart • Jean Stewart • Pam Stimpson • John Stiver • Elizabeth Storry • Mike
 Strain • Lorinda Strang • Deb Stringfellow • Anonymous • Brian Sturley • Tim
 Sulhar • Mary Sullivan • Margaret Swain • Amanda Szaho • Caelan T. • Saskia
 Tait • Neil H. Talbot • Starla Talbot • Jean Tassen • Wayne Tatlow • Elaine Taylor
 • Anonymous • Gary Taylor • Jamie Taylor • Jim Taylor • Judy Taylor • Sophie
 Taylor • Tess Taylor • Paul Tenant • Susan Tennant • Steph Thatcher • Carrie
 Thiel • A Thomas • Kate Thomas-Peter • Anelie Thomes • E Thompson • Eric
 Thompson • Ivan Thompson • Beverly Thomson • David Thomson • Deb
 Thomson • Devon Thomson • Edna Thomson • Ian Thomson • Kathryn Thomson
 • W Tilly • Richard Tom • Don Tounsan • Alan Trejillo • Richard Tremblane •
 Teresa Triska • Avril Trudeau • Rebecca Tunnacliffe • Maria Turnbull • Bob Turner
 • Scott Turner • J P Tweten • Chris Tyldesley • Tristan Tyldesley • Richard

Underdown • Dee Vallee • Aubin Van Berckel • David Van Berckel • R Van Kenel • Adrian Van Lidth de Jeude • Emily Van Lidth de Jeude • Everhard Van Lidth de Jeude • Lyn Van Lidth de Jeude • Victoria Van Sdown • Anton Van Walraven • Mark Vanderbyl • Andrea Verwey • Pieter Verwey • Dennis Vetter • Sheila Vetter • Julie Vik • Tanya Voormeij De Zwart • Kelley Voyer • Nielsen W • Edward Wachtman • Kate Wall • R Wall • Janice Wallace • Karen Wallace • Kelcie Walther • Irene Wanless • Kim Wanless • Anonymous • Wendy Wanvig • Lorne Warr • Ian Watson • Liz Watson • Mike Watson • Millie Watson • Sheila Webster • Kim Weedmark • Claire Weeks • Eddie Weismiller • James West • Anonymous • Richard West • Alastair Westcott • Sam Westgard • Jennifer Wheatley • Hans When • Emma Whilte • Chris White • E White • Jason White • Kit White • Maria Whitehead • Lily Whitehead-Delong • Thomas Whiteur • Wolf Wickman • Richard Wiefelspuett • Patti-Jo Wiese • Alex Wild • Sheila Wild • Linda Wilke • Lynn Williams • Penny Williams • Anonymous • Renate Williams • T. Williams • Peter Williamson • Arla Willis • Jocelyn Willis • John A. Willis • Peter Willis • Anne Wilson • Dennis Wilson • Sarah Wilson • Barbara Wiltshire • Richard Wing • Chantel Wingheld • Peter Winton • Sandra Winton • Maureen Witney • Katherine Wolters • Tony Wood • Tony Wood • Heather Woodall • Ron Woodall • Melanie Worobec • Bonnie Wrenshall • Jeanette Wrenshall • Bruce Wright • C Wright • Jeremy Wright • Robert Wright • S Wriley • Anonymous • Karen Wristen • Cordell Wynne • Gil Yaron • Mai Yasue • Elisa York • Pere Youngson • Mary Ann Zakreska • Adriana Zamparoni • Imke Zimmermann • Oliver Zimmermann • Joanne Zuher • Andrea • Anonymous • Daphne • Jeffray • Kanatiio • Viggo •

SCHEDULE B: Stop the Docks Petition Comments
(May 11 – May 22, 2013)

Stop the Docks at Cape Roger Curtis

Comments from concerned citizens (May 11-22, 2013)

Here are comments people have submitted while signing the online version of the petition. You can see this document online at stopthedocks.ca/cape-dock-comments/

Eric Steffensen: I visit Cape Roger Curtis often and do enjoy the natural state of the point and the land around it. I am surprised that a private dock would be allowed by the government along this shoreline.

Picard: I've been living on Bowen for 4 years and I love Cape Roger Curtis, in fact it's my favorite spot on the island. I can't believe [what Mr Ho said in the Vancouver Sun newspaper](#), it will of course affect the environment.

Mark Vanderbyl: As a private yacht captain I have cruised past Cape Roger Curtis many times and appreciated the natural beauty, as have my guests. Large docks and private piers of this nature are clearly not in the interest of the environment nor the general public's interest. They are only in the interest of a very select, small handful of people. I find it interesting that it appears that these foreshore leases were granted with very little, if any, public discussions.

Tanis Layzell: Please do not ruin the last pristine beaches with docks that will be an eyesore and boats will bring noise, oil slicks, fumes, and holding tanks with no seals or close by pump out station. I swim far out in these secluded beautiful beaches and want my grandson to be able to enjoy the same years from now.

Hinda Avery: In the public interest, please stop the construction of the docks on Bowen Island.

Neil H. Talbot: As a visitor to Bowen Island I cherish its rugged pristine landscape in the grand setting of Howe Sound, and deplore the construction of industrial-scale docks there.

Earl Jenkins: Pro-development but against the docks

Katharine Steig: All of Cape Roger Curtis should have been protected decades ago. Its waterfront should at least be protected to the greatest degree possible.

Gordon Reid: Cape Roger Curtis was the last unsubdivided piece of property of this size, with this length of coastline, on the east side of Georgia Strait from the U. S. border to Lund. It was unfortunate that a large section of it couldn't be saved for park. Now that it has been subdivided and will be developed - the very least we can do is to keep the publicly owned foreshore clear of docks and maintained in a pristine and natural condition as is the policy in other high valued and more progressive communities.

Sue Hetherington: I think that these docks are going to spoil an extremely beautiful coastline that has no match on our island.

Sarah Bennett Fox: This is a very special piece of coastline. Let's not wreck it with long docks. It would be amazing if Edwin Lee and Don Ho voluntarily choose to keep this coastline as it is now. They will be heroes of the community!

Thank you Edwin Lee and Don Ho for thinking carefully about this.

Georgina Farah: This particular coastline is very unique and must be preserved. The docks are enormous and completely out of proportion for such a sensitive habitat.

Jim Taylor: we are not a cruise ship destination, for heavens sake

Richard Helm: These docks are massive - totally out of scale of other private docks built on Bowen over the years. These approvals by all levels of government do not reflect the public interest in this unique landscape - the Northern entrance way to Vancouver Harbour. This is a very rugged coastline of tidal pools and heavy seas - not appropriate for private docks.

Tony Bosely: If only 4 rich guys can make a decision that will forever mar the landscape, without any requirement for approval from the Bowen Island community itself, then something is terribly wrong with our system. That alone is reason enough to halt this project immediately.

Rob Knight: Can we appeal the BC foreshore lease to the BC Environmental Appeal Board?
(A: we are looking into that)

Lisa James: Surely the docks can't be necessary... their length and location are very questionable.

Peter Kearney: Perhaps one communal dock for the Cape would be a workable compromise?

Jan Srivastava: Surely it is not necessary to build so many, and so large docks. I wonder why people who want to sell the beauty of this location would begin by changing it so drastically???

Carolyn Peters: I visit this area once per week and am surprised that the plans for the docks (I can see the footings being installed in the beach) cut each beach literally in half and will definitely restrict us visiting the tide pools and rock areas. We feel personally offended by the "private" signs everywhere as we have paid taxes on this Island for 14 years. The shore line and beaches as far as I know, are supposed to be for all to enjoy. Why doesn't the municipality pick one dock area and make it private on one side and public on the other. Do not allow any other docks to be built. Also install a free boat launch for all of us as Bowen is lacking this. If one dock were built it would serve all of Bowen and leave the rest of the shore line undisturbed. Please also remove the "Private" signs right away. Also when the trees that were planted along the path grow larger it will stop the view in some areas. Please remove these trees as well. I also noticed that there are 2 dead baby deer on the shoreline bluff. I realize that every year this happens due to the cold, but this winter was not cold. Did the mother abandon their babies due to all the construction?

Ryland James: Amazingly beautiful spot with a great community.

Elizabeth Storry: Strongly object to construction of private docks on the shoreline at Cape Roger Curtis, Bowen Island.

Judy Taylor: we are a very small, rural island

David Demner: It's unbelievable that this would be allowed. We need to stop it.

Mike Adams: I grew up around Roger Curtis in Tunstall bay. As a kid we would venture out onto the beaches and explore the tidal pools and the light house. The dock project will undoubtedly spoil this opportunity for others to enjoy. By creating this exclusive enclave we are limiting access and the enjoyment of the environment for others. These structures will create an eyesore on a beautiful coastline. Stop the docks!

Greg Pollard: Good Luck... The government has left us "hanging" !

Samantha Knowles: How can we have a connection or relationship to our natural world and environment if we are constantly trying to change, dominate or manipulate it. Some areas need to stay wild and free... this is definitely one of them.

Issac Fox: I've grown up visiting my grandparents on Bowen Island. I'd like, for their sake and for the sake of all the islanders, to keep Bowen as peaceful as it has always been. It would be a shame to ruin the tranquility of the island and I vehemently oppose the construction of docks that will endanger coastal habitats.

Jane Kokolakis: I spent my summers on Bowen Island and my sister lives there permanently. Roger Curtis is one of the most beautiful place to walk, picnic, and camp. It would be terrible to destroy that beauty.

Jeremy Bally: I grew up here. I camped here. I love this place. This is not an appropriate way to use this space, nor is any way aside from leaving it in its pristine natural state. Leave it alone.

Stewart Marshall: As a relatively new Bowen Islander I find (about 2 years) the Cape Roger Curtis story astounding. Astounding and appalling.

Jess Marshall: This is a totally unnecessary development, which will only serve to benefit the owners in selling the lots in a suppressed market.

We are beginning to think council want Bowen Island to become just another generic suburb of Vancouver - think Port Moody. Housing developments with trees, and little else to sustain the soul.

The poor folks on Whitesails, who have to endure all the trucks ruining what was once a peaceful street.

We're fearful for Bowen's future, this development will only benefit the owners of CRC and their clients and do severe damage to the environment.

Sad times for Bowen.

Andrea Klann: Stop the docks AND the clearcutting NOW!!!

Jean Stewart: Stop the huge docks at Cape Roger Curtis. Bowen Island should be preserved for the peoples' enjoyment, not for commercial use.

Beverly Thomson: I fully agree that public areas need to be protected for the public good. It's a principle BCers share.

Kim DeSante: don't spoil a beautiful place

Chris Oben: Edwin Lee and Don Ho,
Please help preserve the natural state of the marine environment at Cape Roger Curtis by stopping construction of private docks on public waterfront immediately.
Sincerely, Chris Oben

Val Geddes: The planned docks are for the benefit of a few individual families, to the marked detriment of the beauty and biology of this magnificent area.
Council should act immediately to halt work on the docks. It should then reassess its position and find a solution. In my opinion, Council inaction so far in preventing this degradation of the shoreline is deplorable.

Anonymous: Me and my family LOVE this area. My grandparents live here and love it and now my three year old, Maxwell has fallen in love with it. This property will be in our family for generations. Please don't build a dock here!!!

Adam Morton: the docks are so unpopular they will make it hard for people buying properties in CRC to have friendly relations with others on the island.

June Banwell: Have led many hikes for the North Shore Hikers on Bowen Island along the coast to the lighthouse area. It is so beautiful - it would be a travesty to even think of docks being placed there. It was bad enough to have a concrete road put there. Please leave this area as it is now, so that we may still enjoy its natural beauty.

Court Brousson: too large, too many

Claire Stewart: As someone who has enjoyed hiking around the shores of Roger Curtis for more than 20 years, I am horrified to think that this piece of Bowen could all become private and off limits to the public. And, the whole thing was done in such a sneaky and sleazy manner. I rather thought, judging by the size of the project, that BCF was opening a west side terminal. It's appalling.

Brent Ehrl: Cape Roger Curtis Waterfront should be left in it's natural state!

Wynn Nielsen: These giant docks, if they go ahead, will set an unwelcome precedent for CRC and for the island. They compromise a vulnerable marine "nursery" for Howe Sound, they will obliterate the Natural Beauty of the small bays and area, make it difficult, if not impossible, for the public to access and enjoy the public beaches. If even more property owners want private moorage over time the proliferation of docks in that small point of land will likely create, in practical terms, a large private marina. Not the vision and certainly not the promise given by the developers to respect the unique and sensitive environment and islanders feelings and long standing relationship with the Cape.

Philip Carlington: The title of the petition says it all for me!

Richard Wiefelspuett: "Stop the docks" makes sense, i.e. common sense! Why should the common interest of the greater public be sacrificed over the interest of four private owners? Why should irreplaceable and unique nature be allowed to be destroyed? Which council would be blunt and mad enough to disenchant the population it was elected to represent and support the interests of four private investors instead? Which council would sit back and do nothing but to declare the case closed? This has "Conflict of Interest" written all over it and deserves the toughest of public scrutiny!

Jason White: This should not be allowed. Lets show some leadership and foresight, not greediness and mismanagement.

Amanda Ockeloen: Don't ruin our shared beautiful coastline!

Betty Morton: I think that both the docks and the hedgerow are infringements on the intention of agreements made for public amenities at Cape Roger Curtis. These amenities were to protect the ecosystem and aesthetic beauty of the Cape as well as to provide public access. The structures and plantings need to be removed.

Anonymous: We are rural for heaven's sakes
Let's consider just how fortunate we are.
Please do not spoil our wonderful little island.

Sue Barr: I would like to have our current Municipal government looked into by a governing body as I have lost all confidence in its competency.

Andrew Delong: This is beautiful land which has incredible untouched views and lands. Keep it for our future generations to enjoy.

Kami Kanetsuka: Cape Roger Curtis is for everyone and although much of it has been developed, it is still necessary to at least save the shoreline for the benefit of all.

Lily Whitehead-Delong: I grew up on Bowen and always enjoyed walking along the beautiful shoreline of Cape Roger Curtis. I would like my future children to be able to experience the same.

Eric Davies: Bowen Island's current pro-development-at-any-cost Municipal Council must be stopped.

Gillian Darling Kovanic: When the Lees and the Hos recognize the natural beauty and ecological values of Cape Roger Curtis on Bowen Island this will truly be a day to celebrate.

Sheila Roote aka Haggerstone: As a former Bowen Islander and frequent visitor I oppose these docks for several reasons: desecration of sensitive intertidal zone; visually disruptive to a beautiful landscape; incredibly impractical. This shoreline is subject to the full force of storms throughout the whole year. How on earth will these docks survive a storm of the magnitude that destroyed the forests of Stanley Park a few years ago? Bowen has wonderful protected docks in Snug Cove available for everyone, please use them.

Sarah Haggerstone: As a Bowener from childhood until the end of university I know how special this place is, and I know how the presence of docks (and the associated boats, chemicals and traffic) can change the character of a place forever.

Elizabeth Milward: I have family on Bowen and have visited the Cape a number of times. It is a beautiful spot, with somewhat different ecology from the rest of Bowen Island. I think it is worth preserving.

Norma McCarthy: Please, Bowen Council, at least TRY to turn this around. You may think it's too late now, but maybe it's not. Please, put aside the past and just try.

Carol Cram: Please don't let a few destroy what the many so enjoy.

David Van Berckel: The Mayor and Council should be held responsible for dereliction of duty, for not expressing their professed opposition to the construction of the docks the the province of BC.

Malcolm Pitches: Keep our waterfront in its natural state strongly object to docks being built.

Doug Fleetham: These are docks that were being constructed prior to municipal review. The land has been a public beach and is being conscripted for private use. The construction needs to stop.

Jayeson Hendyrsan: Seems like some kind of fishy happenings have been going on..... has there been proper due process?

Dennis Vetter: Please keep this iconic place in it's pristine condition ... it is simply a travesty to defile it with docks.

Irmi Hoppenrath: Yes, keep the waterfront in its natural state!

James West: Let's have a referendum on encumbering public beach access with incompatible private marine facilities!!

Neil Dawe: We are totally against the docks at Cape Roger Curtis.

David Thomson: I sailed past Cape Roger Curtis last weekend, along with many other boats, and had an opportunity to imagine what this large infrastructure would look like. Visualizing four large docks sticking out up to 300 feet from shore was a deeply disturbing experience. It is one thing for a private land owner to build on their land - it is entirely another, and completely unacceptable, to take a highly visible and valuable public asset - the foreshore and the coastline - and destroy it for all future generations. What is even more troubling is the relative value of these docks. Anyone who knows this area knows it is buffeted by large winds and waves much of the time and will make

using the dock a risky and unlikely proposition. If these docks are built they will be unusable much of the year but will be an awful visual blight, not to mention an ecological one, every day from now on. This inane project must not be allowed to proceed.

John C Poole: What is good for West Van - no shoreline docks - should be good for Bowen in its pristine environment.

Robert Semeniuk:

Such ignorance

Such mindlessness

Such insensitivity

Such narrow perspectives

These are Bowen Island Taliban

Chris Oben: This area is pristine waterfront that attracts both people and wildlife supporting and enhancing the quality of our lives. There are many other established options for docking vessels in Bowen Island waters. Cape Roger Curtis does not require additional infrastructure to accommodate personal vessels.

SCHEDULE C: Letter from James Goulden, Partner, Bull Houser Tupper LLP
Cape Roger Curtis Docks (May 23, 2013)

Reply Attention of: James H. Goulden
Direct Phone: 604.641.4934
Direct Fax: 604.646.2611
E-Mail: jhg@bht.com
Our File: 13-2849
Date: May 23, 2013

PRIVILEGED AND CONFIDENTIAL

VIA E-MAIL

Stop the Docks Campaign
c/o Doug Hooper
Suite 206 - 566 Artisan Lane
Bowen Island, BC
V0N 1G2

Dear Mr. Hooper:

Re: Construction of docks at Cape Roger Curtis on Bowen Island

We have reviewed and considered the documents that you provided us with respect to the construction of docks at Cape Roger Curtis ("CRC") on Bowen Island. In particular, you have asked for our preliminary views on the following:

- (1) The general power of Bowen Island Municipality (the "Municipality") to prohibit and otherwise regulate the construction of docks and breakwaters in foreshore areas;
- (2) The steps available to the Municipality after the tenure applications (the "Applications") were submitted to the Province;
- (3) The actions taken by the Municipality after the Province referred the Applications to the Municipality;
- (4) The Municipality's current power to prohibit and otherwise regulate the construction of the subject docks, now that the Province has offered or granted the requested foreshore tenures; and
- (5) The impact of the Ocean Fronting Lands Covenant (the "Covenant") on the ability to construct docks at CRC.

Jurisdictional Framework

The Province has jurisdiction to grant Crown tenures pursuant to the *Land Act*. To obtain a Crown tenure, applicants must prepare and submit a detailed application that includes a description of how the proposed project will affect existing land uses. This application is then sent to the Integrated Land Management Bureau (the "ILMB") for review. The ILMB refers the application to a number of governments agencies including Transport Canada to assess compliance with the *Navigable Waters Protection Act*, and applicable local governments who must provide written confirmation that the proposal complies with existing zoning bylaws. After the referral process is complete, the application undergoes an adjudication process which leads to a decision on the application. Terms and conditions may be attached to an approval; common conditions that apply to all docks include a general prohibition from obstructing public access along the foreshore, and that all moorage facilities must comply with Canadian Coast Guard regulations and local government zoning and building regulations.

Municipal Land Use Powers

The Municipality has high level policy statements about the impact of docks and breakwaters on the preservation of the shoreline around Bowen Island in its Official Community Plan ("OCP"). These include high level policy statements that encourage the retention of portions of CRC in a natural state accessible to the public and the conservation of the majority of the CRC coastline for ecosystem protection. The Municipality also has the general jurisdiction to prohibit and/or regulate docks and breakwaters under its zoning powers, including the ability to restrict the location, size and number thereof. These powers extend 300 metres off the Bowen Island coastline.

To date, the Municipality has chosen not to exercise its zoning powers in accordance with the policies outlined in its OCP. The current Land Use Bylaw allows docks and breakwaters in and around the CRC with little restriction on such a use. However, as discussed below, the Municipality could choose to exercise its zoning powers at CRC in accordance with its OCP policies.

Applications and Responses from the Municipality

When the applicants submitted their Applications to the Province, and the Province referred the Applications to the Municipality, the Municipality could have opposed them outright or amended its Land Use Bylaw to either prohibit construction or to regulate the size, number or location of docks at CRC.

If the Municipality had opposed the Applications, or commenced the process to amend its Land Use Bylaw to prohibit docks at CRC, the Province would likely not have issued tenures to the applicants. Further, while it is difficult to predict the outcome of litigation, any subsequent legal action by the applicants against the Municipality could have been defended on the basis that courts grant municipal governments deference in the lawful exercise of their zoning powers.

When consulted by the Province, the Municipality appears to have essentially consented to the grant of the tenures, attaching only weak conditions to that consent by requesting that the Province obtain and consider certain studies before approving the Applications. There was no indication in the Municipality's response that the tenures would be inconsistent with the OCP, which recognizes the impacts of docks and encourages the protection of portions of the CRC coastline, or that the Municipality needed time to amend the Land Use Bylaw to make it consistent with the OCP policies for the protection of the CRC coastline.

The Municipality's current Land Use Bylaw has no relevant restrictions on the number or size of docks at CRC; the sole restrictions pertain to the location of docks generally (i.e. docks cannot be located where they would limit use of or physically divide a beach, or negatively impact eelgrass meadows, kelp beds, clam beds or mussel beds) and construction materials (i.e. docks made of newly-treated wood must bear the BMP certification mark). It is not clear if the Municipality considered how the tenures would limit use of or physically divide the CRC beaches.

In issuing the tenures, the Province stated that it considered the existing Land Use Bylaw and found that the docks were a permitted use thereunder. The Province also considered the restriction with respect to eelgrass meadows etc., and accepted statements in a habitat assessment provided by the applicants that stated there would be little to no impact if mitigation measures outlined in the assessment were carried out. There is no indication in the Province's approval of the foreshore tenures that they considered the relevant OCP policies or how the docks would impact the public's interest in the CRC foreshore area (as raised in various letters and comments provided by Bowen Island residents in response to notices of the pending Applications).

Current Municipal Powers

Now that the tenures have been issued, and there appears to have been a general commitment to construct and use the docks, the Municipality's ability to prohibit or even regulate these docks is severely restricted. If the Municipality were now to attempt to prohibit or regulate the docks by, for example, amending its Land Use Bylaw, the tenure

holders could potentially succeed in obtaining a declaration from the court that they are entitled to a legal non-conforming use protection in relation to those docks.

Section 911 of the *Local Government Act (LGA)* outlines the concept of legal non-conforming use, which provides that, despite a change in a zoning bylaw, a use that was lawful at the time of the adoption of the new bylaw may be continued even if it is no longer permitted under the new bylaw. If the non-conforming use is discontinued for a continuous period of 6 months, however, any subsequent use of the land, building or other structure becomes subject to the new bylaw. The courts have interpreted this section to allow a legal non-conforming use if there has been commitment to the use in question (even if the use has not yet commenced). In this case, granting of the tenures by the Province for the docks, delivery of detailed construction plans to the Municipality and commencement of construction activities may constitute a sufficient commitment to use to support a legal non-conforming use.

It is possible that a court could find a commitment to use was not established for at least some of the four docks. In that case, any future construction of docks on those tenures would have to be undertaken in accordance with any future Land Use Bylaw requirements that are put in place by the Municipality. In particular, if those new land use requirements prohibited such docks, and a commitment to use had not been established for the tenures, then the applicants would not be able to construct the docks.

The Municipality retains the power to amend its Land Use Bylaw to prohibit the construction of any additional future docks and breakwaters at CRC. Such an amendment would be consistent with the current OCP policies which encourage the retention of portions of CRC in a natural state accessible to the public and the conservation of the majority of the CRC coastline for ecosystem protection. Notably, OCPs are intended to guide decisions on planning and land use management, and all bylaws enacted by a municipal council after the adoption of an OCP must be consistent with that plan. To avoid further legal non-conforming uses, the Municipality should promptly enact amendments to its Land Use Bylaw before any new foreshore tenure applications are submitted and processed by the Province.

In addition to its zoning powers, the Municipality has the power to regulate "structures" under its Building Bylaw. "Structure" is very broadly defined and, in our view, would include docks and breakwaters generally. By requiring building permits for the docks, the Municipality could ensure that they are properly constructed and that mitigation measures with respect to aquatic habitat are undertaken in accordance with the habitat assessment required by the Province. In addition, requiring building permits could

enable the Municipality to determine if any part of the dock construction is prohibited by the Ocean Fronting Lands Covenant (discussed below).

Although the Municipality has not traditionally required building permits for docks, the Municipality can, at any time, require building permits for such structures. In that case, the tenure holders would not likely be successful in bringing legal action against the Municipality as a result of being forced to now obtain building permits for the docks and otherwise comply with the requirements of the Building Bylaw. That said, once the tenure holders meet all of the Building Bylaw requirements, the Municipality could not unreasonably withhold the issuance of the building permits for the docks.

Ocean Fronting Lands Covenant

The Covenant, which is granted to the Municipality pursuant to section 219 of the *Land Title Act*, prohibits the construction of buildings and structures in that portion of the tenure holders' lands within 30 metres of the visible high water mark of the ocean (the "Upland Area"). As such, the Covenant does not restrict the tenure holders' ability to construct docks in the foreshore (i.e. the land between the high and low water marks) or beyond.

The Municipality should review the design plans for the docks to assess whether they will conform to the terms of the Covenant. If any substantive parts of the docks would fall in the Upland Area, then there would likely be a breach of the Covenant, assuming such works constituted a structure. This would be another reason for the Municipality to require a building permit for the docks, as it would allow the Municipality to assess whether there will be a breach of the Covenant in constructing the docks.

Recommendations

In order to prevent and limit the construction of docks at CRC, you should consider requesting that the Municipality take the following steps on an urgent basis:

- Write to each of the relevant provincial and federal agencies and clearly express the Municipality's opposition to the construction of docks at CRC;
- Amend the Land Use Bylaw to prohibit the construction of docks and breakwaters at CRC generally and along a defined stretch of coastline at CRC (e.g. the shoreline region that links the three municipal parks and contains the upland, public coastal walking trail);



- Obtain legal advice to determine whether one or more of the tenure holders have established a commitment to use and thereby acquired the right to a legal non-conforming use for the subject docks;
- Apply the Building Bylaw and require the applicants to submit applications for building permits for the docks to ensure they are designed and constructed in a safe manner and in accordance with the mitigation measures recommended in the habitat assessment provided to the Province as part of the Applications; and
- Obtain legal advice on the possible application of section 929 of the LGA to withhold building permits and impose conditions when issued.

We trust the foregoing is of assistance to you in determining how to best proceed in this matter.

Yours truly,

Bull, Housser & Tupper LLP

James H. Goulden

JHG/KTH/mys/4228919.09

**SCHEDULE D: Email from Province of BC – Keith Anderson, Manager, FLNRO
(May 23, 2013)**

Province of British Columbia: Breakwaters & Tenure

[BC Licences of Occupation – files 2410700, 2410701, 2410702, 2410703]

- 1. Breakwaters were *NOT* approved:** *“not considered an acceptable structure ... there is no authorization to construct a breakwater”*
- 2. Tenure – 5 year Licence of Occupation:** *“applicants indicated they would try to build much smaller facilities ... the shorter term will allow the ministry to determine how much area is actually required”*
-

From: Anderson, Keith FLNR:EX [mailto:Keith.Anderson@gov.bc.ca]

Sent: Thursday, May 23, 2013 4:00 PM

To: Doug Hooper

Subject: RE: Cape Roger Curtis docks

I have finally had a chance to get back to your note.

1. Breakwaters

The applications were accepted for review with proposed development plans that included breakwaters and these proposals were sent out to referral agencies with the breakwaters in the referral package. However, after reviewing the private moorage policy, we concluded that the construction of new breakwaters was not considered as an acceptable structure under the current policy. A review of the standard wording provided in the purpose statement under the policy which is loaded into the documents also does not make reference to breakwaters. In creating the documents, the standard wording, provided in the policy, was used. As a result there is no authorization to construct a breakwater in the Licences Of Occupation which were issued on files [2410700, 2410701], 2410702, or 2410703. The purpose statement for each of the documents reads:

On the terms and conditions set out in this Agreement, we grant you a licence of occupation of the Land for the purpose of constructing, operating and maintaining a dock, wharf, or pier (including walkway ramp) or combination thereof, used for personal, non-commercial use.

2. Tenure term

The current private moorage policy designates Specific Permissions as the standard form of tenure. The Specific Permissions do not have a term, they run in perpetuity with the land. A decision was made to issue a Licence of Occupation for 5 years rather than the specific permission because the applicants indicated they would try to build much smaller facilities than they had submitted in their original proposal. The shorter term will allow the ministry to determine how much area is actually required before issuing a long term tenure, with the expectation that the overall area for each site will be much smaller.

Keith Anderson

Manager, Authorizations, South Coast Region

Ministry of Forests, Lands and Natural Resource Operations

Suite 200, 10428 153rd Street, Surrey BC V3R 1E1

http://www.for.gov.bc.ca/Land_Tenures/crown_land_application_information/policies.html

**SCHEDULE E: Email from DFO – Michael Engelsjord, Team Leader, FPB-EMB
(May 23, 2013)**

Department of Fisheries and Oceans (DFO): Habitat Protection

[BC Licences of Occupation – files 2410700, 2410701, 2410702, 2410703]

1. Proponent's responsibility: *"a notification may be sent ... when a proponent has considered the potential effects of a proposed project on fish and fish habitat and has determined that the project does not require a Fisheries Act authorization"*

2. NO DFO authorization: *"(DFO) has not reviewed an application for these residential docks and not issued any authorizations under the Fisheries Act"*

From: Engelsjord, Michael [<mailto:Michael.Engelsjord@dfo-mpo.gc.ca>]

Sent: Thursday, May 23, 2013 8:46 AM

To: Doug Hooper

Cc: Knoop, Donald

Subject: Docks at Cape Roger Curtis, Bowen Island

As you requested during our telephone conversation yesterday I am sending you this summary of Fisheries and Oceans Canada's understanding of the docks at Cape Roger Curtis on Bowen Island.

- Fisheries and Oceans Canada (DFO) has not reviewed an application for these residential docks and has not issued any authorizations under the *Fisheries Act*.
- DFO did receive notification of the proposed docks from the proponent which is different from a project review application.
- A notification may be sent to DFO (it is not mandatory) when a proponent has considered the potential effects of a proposed project on fish and fish habitat and has determined that the project does not require a *Fisheries Act* authorization.
- According to the information provided, the DFO's view is that the risks to fish and fish habitat related to the proposed docks can be managed with mitigation measures and do not require an authorization from DFO.
- Under the DFO's Fisheries Protection Program, proponents are responsible for low-risk projects by following clear regulations and guidelines so that government assets can focus efforts on large projects that pose the greatest risk to the fish and fish habitat.

I hope this is helpful. Thank you for contacting DFO. Regards,

Michael Engelsjord

Team Leader, Fisheries Protection Program, Ecosystem Management Branch

Fisheries and Oceans Canada, Pacific Region

Telephone: 604-666-2365

Email: Michael.Engelsjord@dfo-mpo.gc.ca